



Northern Ireland  
Assembly

# OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 76

(21 June 2012 to 31 August 2012)



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# Assembly Members

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| Allister, Jim (North Antrim)  | McCallister, John (South Down)   |
| Anderson, Sydney (Upper Bann)   | McCann, Fra (West Belfast)   |
| Attwood, Alex (West Belfast)  | McCann, Ms Jennifer (West Belfast)   |
| Beggs, Roy (East Antrim)  | McCarthy, Kieran (Strangford)  |
| Bell, Jonathan (Strangford)   | McCartney, Raymond (Foyle)   |
| Boylan, Cathal (Newry and Armagh)   | McCausland, Nelson (North Belfast)   |
| Boyle, Ms Michaela (West Tyrone)  | McClarty, David (East Londonderry)   |
| Bradley, Dominic (Newry and Armagh)   | McCorley, Ms Rosaleen (West Belfast) <i>(From 2 July 2012)</i>             |
| Bradley, Ms Paula (North Belfast)   | McCrea, Basil (Lagan Valley)   |
| Brady, Mickey (Newry and Armagh)  | McCrea, Ian (Mid Ulster)   |
| Brown, Ms Pam (South Antrim)  | McDevitt, Conall (South Belfast)   |
| Buchanan, Thomas (West Tyrone)  | McDonnell, Dr Alasdair (South Belfast)                                     |
| Byrne, Joe (West Tyrone)  | McElduff, Barry (West Tyrone)  |
| Campbell, Gregory (East Londonderry)  | McGahan, Ms Bronwyn (Fermanagh and South Tyrone) <i>(From 2 July 2012)</i> |
| Clarke, Trevor (South Antrim)   | McGimpsey, Michael (South Belfast)   |
| Cochrane, Mrs Judith (East Belfast)   | McGlone, Patsy (Mid Ulster)  |
| Copeland, Michael (East Belfast)  | McGuinness, Martin (Mid Ulster)  |
| Craig, Jonathan (Lagan Valley)  | McIlveen, David (North Antrim)   |
| Cree, Leslie (North Down)   | McIlveen, Miss Michelle (Strangford)                                       |
| Dallat, John (East Londonderry)   | McKay, Daithí (North Antrim)   |
| Dickson, Stewart (East Antrim)  | McKevitt, Mrs Karen (South Down)   |
| Dobson, Mrs Jo-Anne (Upper Bann)  | McLaughlin, Ms Maeve (Foyle)   |
| Doherty, Pat (West Tyrone) <i>(Resigned 2 July 2012)</i>                          | McLaughlin, Mitchel (South Antrim)   |
| Douglas, Sammy (East Belfast)   | McMullan, Oliver (East Antrim)   |
| Dunne, Gordon (North Down)  | McNarry, David (Strangford)  |
| Durkan, Mark H (Foyle)  | McQuillan, Adrian (East Londonderry)                                       |
| Easton, Alex (North Down)   | Maginness, Alban (North Belfast)   |
| Eastwood, Colum (Foyle)   | Maskey, Alex (South Belfast)   |
| Elliott, Tom (Fermanagh and South Tyrone)   | Maskey, Paul (West Belfast) <i>(Resigned 2 July 2012)</i>                  |
| Farry, Dr Stephen (North Down)  | Molloy, Francie (Mid Ulster)   |
| Fearon, Ms Megan (Newry and Armagh) <i>(From 2 July 2012)</i>                     | Morrow, The Lord (Fermanagh and South Tyrone)                              |
| Flanagan, Phil (Fermanagh and South Tyrone)                                       | Moutray, Stephen (Upper Bann)  |
| Ford, David (South Antrim)  | Murphy, Conor (Newry and Armagh) <i>(Resigned 2 July 2012)</i>             |
| Foster, Mrs Arlene (Fermanagh and South Tyrone)                                   | Nesbitt, Mike (Strangford)   |
| Frew, Paul (North Antrim)   | Newton, Robin (East Belfast)   |
| Gardiner, Samuel (Upper Bann)   | Ní Chuilín, Ms Carál (North Belfast)                                       |
| Gildernew, Ms Michelle (Fermanagh and South Tyrone) <i>(Resigned 2 July 2012)</i> | Ó hOisín, Cathal (East Londonderry)  |
| Girvan, Paul (South Antrim)   | O'Dowd, John (Upper Bann)  |
| Givan, Paul (Lagan Valley)  | O'Neill, Mrs Michelle (Mid Ulster)   |
| Hale, Mrs Brenda (Lagan Valley)   | Overend, Mrs Sandra (Mid Ulster)   |
| Hamilton, Simon (Strangford)  | Poots, Edwin (Lagan Valley)  |
| Hay, William (Speaker)  | Ramsey, Pat (Foyle)  |
| Hazzard, Christopher (South Down)   | Ramsey, Ms Sue (West Belfast)  |
| Hilditch, David (East Antrim)   | Robinson, George (East Londonderry)  |
| Humphrey, William (North Belfast)   | Robinson, Peter (East Belfast)   |
| Hussey, Ross (West Tyrone)  | Rogers, Sean (South Down)  |
| Irwin, William (Newry and Armagh)   | Ross, Alastair (East Antrim)   |
| Kelly, Mrs Dolores (Upper Bann)   | Ruane, Ms Caitríona (South Down)   |
| Kelly, Gerry (North Belfast)  | Sheehan, Pat (West Belfast)  |
| Kennedy, Danny (Newry and Armagh)   | Spratt, Jimmy (South Belfast)  |
| Kinahan, Danny (South Antrim)   | Storey, Mervyn (North Antrim)  |
| Lo, Ms Anna (South Belfast)   | Swann, Robin (North Antrim)  |
| Lunn, Trevor (Lagan Valley)   | Weir, Peter (North Down)   |
| Lynch, Seán (Fermanagh and South Tyrone)  | Wells, Jim (South Down)  |
| Lyttle, Chris (East Belfast)  | Wilson, Sammy (East Antrim)  |

# Principal Officers and Officials of the Assembly

|   |  |
|---|--|
| Speaker.....                                    | Mr William Hay MLA                     |
| Principal Deputy Speaker .....                  | Mr Francie Molloy MLA                  |
| Deputy Speakers.....                            | Mr Roy Beggs MLA<br>Mr John Dallat MLA |
| Clerk to the Assembly/Director-General.....     | Mr Trevor Reaney                       |
| Director of Clerking and Reporting .....        | Dr Gareth McGrath                      |
| Director of Corporate Services.....             | Mr Richard Stewart                     |
| Director of Facilities/Keeper of the House..... | Mr Stephen Welch                       |
| Director of Information and Outreach .....      | Mr John Stewart                        |
| Director of Legal and Governance Services.....  | Mr Hugh Widdis                         |
| Examiner of Statutory Rules .....               | Mr Gordon Nabney                       |
| Adviser to the Speaker.....                     | Mr Robin Ramsey                        |
| Clerk Assistants.....                           | Ms Nuala Dunwoody<br>Mr Damien Martin  |
| Editor of Debates .....                         | Mr Simon Burrowes                      |
| Clerk to the Assembly Commission.....           | Mr Tony Logue                          |

# Ministerial Offices

## The Executive Committee

|  |                      |
|--|----------------------|
| First Minister .....                                       | Mr Peter Robinson    |
| Deputy First Minister .....                                | Mr Martin McGuinness |
| Minister for Employment and Learning .....                 | Dr Stephen Farry     |
| Minister for Regional Development .....                    | Mr Danny Kennedy     |
| Minister for Social Development .....                      | Mr Nelson McCausland |
| Minister of Agriculture and Rural Development.....         | Mrs Michelle O'Neill |
| Minister of Culture, Arts and Leisure.....                 | Ms Carál Ní Chuilín  |
| Minister of Education.....                                 | Mr John O'Dowd       |
| Minister of Enterprise, Trade and Investment.....          | Mrs Arlene Foster    |
| Minister of the Environment .....                          | Mr Alex Attwood      |
| Minister of Finance and Personnel.....                     | Mr Sammy Wilson      |
| Minister of Health, Social Services and Public Safety..... | Mr Edwin Poots       |
| Minister of Justice.....                                   | Mr David Ford        |

## Junior Ministers

|  |                    |
|--|--------------------|
| Office of the First Minister and deputy First Minister ..... | Mr Jonathan Bell   |
|  | Ms Jennifer McCann |



# Official Report (Hansard)



# Assembly Sittings





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# Northern Ireland Assembly

Monday 25 June 2012

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Gardiner:** On a point of order, Mr Speaker. I want to raise a point of appreciation of your good self for securing the clock at that end of the Chamber. It is most beneficial for those of us who sit at the back of the Chamber and particularly for members of the public, who can now look down and see how the time is going in case they need to leave the Chamber. It is completely in keeping with the House. Well done. Thank you.

**Mr Speaker:** It is not often that Members of the House make a point of order to congratulate the Speaker on anything. Thank you very much, Mr Gardiner.

**Mr Allister:** On a point of order, Mr Speaker. My point of order falls a little short of congratulations, but I empathise with and support the point made by Mr Anderson.

**Mr Gardiner:** Gardiner.

**Mr Allister:** Mr Gardiner. Sorry.

I ask for your guidance, Mr Speaker. Last week, in a landmark judgement, an industrial tribunal found direct religious discrimination by an Executive Minister. How do we debate that matter —

**Mr Speaker:** Order.

**Mr Allister:** — and avoid it being swept under the carpet —

**Mr Speaker:** Order. The Member should take his seat. The Member is out of order, and well he knows it. That is not a point of order. It is a bogus point of order. *[Interruption.]* Order. Let us move on.

## Resignation: Mr Doherty, Ms Gildernew, Mr P Maskey and Mr Murphy

**Mr Speaker:** Before we begin today's business, I wish to advise the House that I have received letters from Mr Pat Doherty, Michelle Gildernew, Paul Maskey and Conor Murphy giving me notice that they intend to resign as Members of the Assembly with effect from noon —

**Mr Allister:** Hear, hear.

**Mr Speaker:** Order — on Monday 2 July 2012. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

## Executive Committee Business

### Suspension of Standing Orders

**Mr Speaker:** I call the Minister of Education to move the motion on behalf of the Minister of Finance and Personnel.

**Mr O'Dowd (The Minister of Education):** I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for 25 June 2012.*

**Mr Speaker:** Before I put the Question, I remind Members that this motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for 25 June 2012.*

**Mr Speaker:** As the motion has been agreed, today's sitting may go beyond 7.00 pm.

## Ministerial Statement

### Schools: Capital Investment

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. A Cheann Comhairle, ba mhaith liom ráiteas a dhéanamh leis an Tionól maidir leis na pleananna atá agam le haghaidh infheistíocht chaipitil don tréimhse atá romhainn. Mr Speaker, I should like to make a statement to the Assembly on my plans for capital investment in the coming period. Tá a fhios agam go gcuirfidh gach aon Chomhalta, chomh maith le gach scoil agus gach pobal ar fud an Tuaiscirt, spéis ann. I know that the subject will be of great interest not only to Members but to schools and communities across the North.

In my September statement, 'Putting Pupils First: Shaping Our Future', I set out a programme of actions to ensure that we have a pattern of provision that delivers a high-quality education for all children. Those actions included the completion of a viability audit to identify schools evidencing stress and the initiation of area planning work to determine the future pattern of provision in each area. At this point, it is estimated that it will be the final quarter of the current financial year before the first plans are formally adopted.

In my statement in September, I made it clear that area plans will eventually be used to identify the priorities for capital investment going forward. I also said that I would need assurances that any project approved for capital investment was consistent with the overall provision needed in an area. At that time, I indicated that the former investment delivery plan would be set aside. However, I stated that those projects and others could come forward again if, when tested, they remained a priority within the proposed future provision.

My capital budget over the remaining three years of the budget period is £104 million this year and £108 million next year, and it steps up to £184 million in 2014-15. With the process for planning and approving newbuild projects often being long and protracted, it is clear to me that decisions are needed now to influence capital expenditure in 2013-14 and 2014-15. The needs for capital investment far exceed the funding available. Much as I would like to be in a position to fund everything that needs doing now, I must work with the budget available to me. That means that difficult decisions will need to be made on future investment plans. To ensure the most effective use of the capital budget, I am implementing a four-strand approach to new capital investment. I will deal with each in turn.

The first strand of my capital investment plans for the coming period involves advancing a number of newbuild projects. I am today announcing investment of £133 million in 18 capital projects, including five special school projects. The intention is that the new school build projects will potentially be on site in the final quarter of the current financial year or early in the 2013-14 financial year. In identifying those projects for investment at this time, I wanted to be assured that they have been future-proofed and remain a priority for investment. I, therefore, instructed my officials to draw up an interim process to identify suitable projects. This is a pragmatic approach that will ensure an effective use of the capital budget. I want to stress that today's announcement in no way implies that other projects will not be considered at a later stage.

As a result of the process that I have set in place, the new capital school projects that I am approving for investment are these: Coláiste Feirste, Belfast, to the value of £11.9 million; St Clare's Convent and St Colman's Abbey Primary School, Newry, £6 million; St Joseph's Convent Primary School, Newry, £5.8 million; Dromore Central Primary School, £11.4 million; Eglinton Primary School, £2.5 million; Tannaghmore Primary School, Lurgan, £6 million; Ebrington Primary School, Derry, £4.5 million; Foyle College, Derry, £19.6 million; St Teresa's Primary School, Lurgan, £3 million; Victoria Park Primary School, Belfast, £4.9 million; Enniskillen Model Primary School, £5.7 million; St Mary's Primary School, Banbridge, £5.1 million; and Bunscoil Bheann Mhadagain, Belfast, £2.5 million. I want to make it clear that approval of these projects is subject to each school complying with any terms and conditions set down by my Department and securing the necessary approvals and clearances.

The second strand of the capital investment strategy involves establishing a number of projects to be advanced through the planning and approval processes. I have already referred to the time lag between deciding to proceed with a project and commencing construction. As a consequence, there is a need to ensure that there is a programme of potential projects being advanced through the various stages. Therefore, as with the capital projects announced today, a process has been established to identify projects for which funding would be provided for planning. It is my intention to announce in the autumn a list of projects that can be taken forward.

I turn to the third strand of this capital announcement. In my statement in September, I made it clear that my reduced capital budget over the coming years does not allow me to consider a newbuild in every case and that we need to do more with the existing estate. I also made it clear that we have too many schools for the population we serve and that steps need to be taken to reshape the estate to better meet the needs of our society. In response to those points, I am announcing the establishment of a new school enhancement programme. That programme will make available funding of up to £4 million for any project that is aimed at refurbishing or extending existing schools. Priority will be given to projects aimed at supporting amalgamation or rationalisation. Initially, up to £20 million will be available for that programme in 2013-14, with the option of increasing that in 2014-15 depending on the number and quality of proposals. To schools not announced at this time, however, the new enhancement programme offers an opportunity to add to and improve existing facilities. That may prove to be a more accessible and pragmatic option. Details of the programme will be released in the autumn together with a first call for potential projects.

A Cheann Comhairle, tá mé ag iarraidh plé anois leis an cheathrú snáithe, an snáithe deireanach den fhógra seo maidir le hinfheistíocht chaipitil.

I turn to the fourth and final strand of my announcement on capital investment. It covers investment in special schools. Since taking on the role of Education Minister, I have visited schools in each and every sector of education provision. The common factor in every sector has been the clear need for considerable investment in infrastructure. I have been particularly seized of the need to ensure we support the most vulnerable in our system. No one visiting our special schools could remain unmoved by the needs of the children attending those facilities. I would dearly like to be able to

advance every deserving case immediately. However, with the limits of the funding available to me, I am determined that we make progress with a number of cases at this time. Therefore, today I am announcing that the process for building three special schools will be advanced: Belmont House Special School, Derry, will be allocated £7.4 million; Rossmar Special School, Limavady, £6.4 million; and Castle Tower School, Ballymena, £21.8 million. In addition, an options appraisal has been carried out over recent months, looking at the most effective use of the former Balmoral High School facility, which will be vacated by St Colman's over the summer months. Although further work will be required on finalising the business case, I can announce that the preferred option is for St Gerard's resource centre to be the long-term tenant of that facility.

I also remind Members that Arvalee Special School in Omagh will be taken forward as part of the Lisanelly campus project. Lisanelly campus is a unique project and an opportunity to develop a state-of-the-art, innovative and shared education campus to serve the needs of almost 4,000 children and young people in the Omagh area. Delivering on that is a commitment in the new Programme for Government, and I will prioritise taking forward that exciting opportunity.

That represents an investment in special schools of over £44 million. I stress, as I did for the newbuilds announcement, that I am approving work to advance the business cases and design work necessary for those projects. However, I emphasise that they will be priority projects for funding.

I want to make it clear that my Department's strategy for capital investment in the coming years will be shaped by area planning. I have authorised the education and library boards to begin the consultation on the post-primary area plans on 5 July 2012. The extended consultation will run until 26 October 2012, a full 16 weeks. That will give ample time for the public to read and reflect on the proposals before responding. The boards will write to schools to notify them of the launch date before they finish, which, for most of them, is the end of this week.

The capital investment proposals announced today are consistent with and grounded in an area-plan approach. That is a pragmatic initiative to ensure that the capital funding available can be used most effectively. This is a good news story, and children and young people have been central to the considerations. A modern education environment is essential to raising standards and reshaping education provision.

#### 12.15 pm

This is also good news for the local construction industry and the economy, representing investment of almost £173 million, which will help to create and secure jobs in a sector that has been badly affected in recent years. I have, therefore, tasked my officials to ensure that the projects I have announced today are moved forward with urgency.

I realise that, for every school I have announced today as progressing, there are as many that need investment. The Budget settlement the Executive were presented with has limited the funding I have available and prevented me from progressing all the schemes I would have liked.

Mar fhocal scoir, a Cheann Comhairle. I have taken clear and decisive action to ensure that we effectively use the capital available in the next number of years and maximise the benefits for children across the North.

**Mr Speaker:** Before I call the Chair of the Education Committee, Mervyn Storey, I point out that a number of Members, quite obviously, given the importance of the statement, want to make a contribution. I ask Members to be brief as they come to their question, and hopefully we will get in all Members who want to make a contribution.

**Mr Storey (The Chairperson of the Committee for Education):** It is always welcome when an announcement is made on capital investment in our education system. I particularly welcome the announcement on special schools. I declare an interest as a member of the board of governors of Ballymoney High School.

In relation to the Minister's announcement on special schools, I do not think any of us in the House could but feel challenged if we visited our special schools. I pay tribute particularly to those at Castle Tower. I am delighted that the principal of Castle Tower, Mr McFeeters, is with us in the Public Gallery to hear the announcement. No one could but feel challenged, and the Minister visited the school at my invitation some time ago to see the needs and challenges that that school has.

I ask about two issues in relation to the Education Committee. Will the Committee receive further information about the school enhancement programme, its detail and how schools will be able to access it? Secondly, some time ago, a review was carried out of the capital projects in education. That resulted in schools being designated compliant, partially compliant or non-compliant. Some schools deemed compliant will see that their name is missing from the list. I draw particular attention to Ballymoney High School and Rainey Endowed School, Magherafelt, which were linked for a newbuild project. Will the Minister explain how those schools, which were deemed fully compliant, have mysteriously disappeared off his capital investment list?

**Mr Speaker:** The latitude ends with the Chairman. Members will know that Chairs of Committees have some latitude when responding to a ministerial statement in the House, but that is where it ends.

**Mr O'Dowd:** In relation to the Chairperson's last point, they have not disappeared off any list. Today, I brought forward a list of schools that are ready to go forward in the last quarter or the next quarter of the financial year, so we can spend the moneys in the time we have. There are very many deserving schools on lists in the Department of Education, and I would like to be in a position to build all those that are sustainable and viable. Unfortunately, we are not in a financial position to do that, but I indicated in my statement that I would return to the subject in the autumn. As the planning process moves forward in the Department of Education and with the managing authorities and boards of governors, I hope to be in a position to announce more schools.

The Education Committee will be fully briefed on the school enhancement programme and on the detail of my statement. The school enhancement programme was put in place to allow area planning to take place through amalgamations and the need for the enhancement of schools' fabric. Previously, minor works programmes ran to the value of only £500,000.

I am now bringing forward a programme worth up to £4 million, which can make a significant difference to the schools estate or an individual school, so I hope to move that forward.

The Member is absolutely right about our special needs schools. We have many excellent special needs schools in respect of the buildings and the contribution of staff and parents. However, there are schools where the fabric is completely unacceptable and where the teachers and the parents have rallied through many difficult circumstances to provide excellent care and education for the young people. It is now time for government to step up to the mark and provide the necessary fabric, particularly in the schools that I have announced today. I know that there others, and I hope to get round to them as well.

Today's news is good news for special needs education, and I assure the Member that no school has fallen off the capital build list.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I welcome the statement. It is to the Minister's and Sinn Féin's credit that the party is prioritising funding for the most vulnerable in the education system. In particular, of course, I echo the Chair of the Committee in welcoming the £21.8 million for Castle Tower School.

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

**Mr McKay:** That is something that I have raised constantly with the Minister over the past year. The other impact of his statement will be on work for the construction sector. When will the works begin, and when will employment in the construction sector be regenerated as a result?

**Mr O'Dowd:** I would like to see work commence on the projects as quickly as possible. My officials will work with managing authorities and boards of governors to ensure that we move forward. We have a limited time frame in which to spend the funds available to us. One of the unfortunate realities of government spending significant amounts of money is that, rightly, much rigour and attention is paid to how that money is spent. That also means that it can affect the urgency or speed at which a project can move forward.

I would like to see the new school build projects that I have announced today being on site towards the end of this financial year or in the early part of the next financial year. The internal planning processes for the special educational needs schools that I have announced today are further back. I am not talking about planning that has to be passed by councils; I am talking about ensuring that business cases and economic appraisals are in place. I believe that we can move them forward rapidly as well.

**Mr Kinahan:** I thank the Minister for his announcement and I hope, as Deputy Chairperson, for a little latitude. We welcome any spend on schools, especially on special needs schools and anything that leads to a single, shared education system. However, it is a major blow for those that were expecting to be on the list but are not on it, such as Parkhall Integrated College, which is a split-site school and has already spent over £1 million on its design.

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

**Mr Kinahan:** I am just getting there, Mr Speaker. The school has been waiting for 10 years. Will we see a list of these

schools in the autumn and a list for the future, so that schools can plan and see into the future when they will be rebuilt? It takes three or four years to redesign, and it has been a major blow to schools such as Parkhall.

**Mr O'Dowd:** I suspect that, as Members rise to ask me questions, they will mention a significant number of schools that are not on my list, which is perfectly understandable. I acknowledged in my statement that, despite the fact that this is a good news day for the schools that have been provided for, many schools will be disappointed.

From ISNI 2, we are now short by £650 million of capital expenditure. That was cut from our Budget by the British Government; they slashed the Budget of the North. I am down by £650 million that I should have had to build new schools. If I could stand here today and announce newbuilds under that programme of work, no one in the Chamber would be disappointed. However, we have to put a process in place and work with the capital funds that we have.

I will make another statement in the autumn. Area planning is ongoing, and I wish to be in a position to give further clarity to schools in the autumn. There are many core schools that will continue to be core schools, even though they are not on this list at present. That does not mean that they will not be built in the future. Along with my Executive colleagues, I will attempt to secure as much funding as possible for newbuilds.

We are where we are today. Let us get this programme of work up and running, and, in addition to this announcement, I assure you that there will be further developments in the Department for announcements in the autumn.

**Mr Rogers:** I thank the Minister for his statement. I welcome the newbuilds. It is great news for all those associated with those schools and for the severely pressed construction industry. However, I am disappointed, as there are many other deserving cases in South Down.

My question is to do with the school enhancement programme. We are in the midst of a recession. Two things that would help us to get out of it are education and innovation. Last week, we saw a great education event in the Odyssey. What consideration is the Minister giving to the refurbishment of science labs as part of the school enhancement programme?

**Mr O'Dowd:** The school enhancement programme will provide an educational infrastructure for schools to provide the curriculum. I am not going to say what is needed in any individual school or sector. My Department will write to schools in the coming days to outline the enhancement programme for them. We will brief the Department of Education, and schools will then make a decision about what use they may wish to make of the school enhancement programme. The provision of science or any part of the curriculum that will assist us in developing a modern economy and giving our young people the skills base for a modern economy will all be core moving forward. Let the schools come forward with proposals, and we will judge them against the criteria that will be laid out.

**Mr Lunn:** I completely welcome the statement. It is a good news story, as the Minister said. Obviously, I welcome the funding for Dromore Central Primary School in my constituency, but I also want to mention Bunscoil Bheann Mhadagain at the bottom of the list. It has the worst conditions in

which I have ever seen schoolchildren being educated — I know that the Minister agrees — so it has had some really good news. I ask the Minister to comment further on the school enhancement programme and the mention of amalgamations or rationalisation. How does that contrast with his comment about capital investment in the coming years being shaped by area planning? Which comes first?

**Mr O'Dowd:** The enhancement programme will not come into play until financial year 2013-14. By that stage, area planning will have significantly advanced. I announced today that area planning will go out to public consultation on 5 July until 26 October. That will give me and my officials time to study the responses and announce a way forward. That will be in early 2013, so the school enhancement programme kicks in just in time for that amalgamation and rationalisation process. It also gives confidence to the schools and the public that the plans will go out and will be backed up with investment. We can move forward with confidence that, where schools need to amalgamate, there will be money to facilitate the young people so that their education takes place in a modern, well-built and well-secured environment.

**Miss M McIlveen:** I broadly welcome the Minister's statement. It is important that children come first when making such decisions. I am particularly pleased to note the Minister's continued support for the grammar school sector and his award of a £19.1 million grant to Foyle College in Londonderry. Although the Minister states that other projects may still be considered at a later stage, will he clarify what process he used to select the schools announced today?

**Mr O'Dowd:** As I was making my decisions, I did not take into account the nameplate on any of the schools. I built on the basis of need. Foyle College has been discussed in the Chamber. I have received cross-party delegations on Foyle College, and I have been impressed by the presentation from the local MLAs and the school. I visited Ebrington Primary School when I was in Derry several months ago, and I was impressed by the fortitude of the school principal, the board of governors and the pupils, who want to move forward. I think that we have assisted them in that regard today.

I asked my officials to examine our schools lists and what required to be built. I relied on the information that they had from boards and managing authorities to prioritise schools going into the future against the need to ensure that they were viable and sustainable and against the amount of money that we would have in future and the timescale in which to spend it. They came back to me with the list that I announced today. I am happy for my officials to brief the Education Committee on that matter in more detail and to assure the public that each school has been announced today on the basis of future need. That in no way dismisses the other schools that, I know, are not on the list and are also in need.

**12.30 pm**

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I very much welcome the Minister's statement, particularly in relation to the schools in my constituency of Newry and Armagh. St Joseph's Convent Primary School was my first school. That may be an indication of how old it is and that it needs to be replaced. I declare an interest as a governor



of St Colman's Abbey Primary School, which I also attended. St Clare's Primary School, which is one of the oldest primary schools in Ireland, is literally falling down.

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

**Mr Brady:** Those schools have been disappointed in the past. I ask the Minister to reassure us that they will be dealt with as quickly as possible and that there will be new builds.

**Mr O'Dowd:** I did not realise that we had schools that old in our estate; that is worrying. *[Laughter.]*

The schools have been brought forward and examined by my officials on the basis that they can and should move forward in the short term. I am not saying that hiccups may not develop in the processes as we move forward. However, my colleague Caitríona Ruane, who is sitting beside me, made an announcement in August 2010 about, I think, 13 schools that were hothoused and moved forward. All those schools are now either complete or on the verge of being complete. I see no reason why we cannot have the same process in respect of the announcements that I have made today.

**Mr Craig:** Like the rest of the Members, I warmly welcome this announcement. I also welcome the £11.4 million that you are spending on Dromore Central. That school originally got approval in 2004. The site was purchased, plans were passed, but then funding was pulled. Given all that, can the Minister give the House the clear assurance that building will actually start in the last quarter of this year as indicated? The school is in a horrendous condition. When I was speaking to the principal, he told me that, even today, three classes had to be relocated due to difficulties with the building. Thank you, Minister.

**Mr O'Dowd:** I emphasise what I said to the Member who spoke previously. There are many, many schools on lists whose hopes have been raised and dashed over time. One of the reasons why I came forward today with 12 or 13 schools and the special needs schools is that those are schools that I am confident I have the financial power to build and that are advanced enough in the process to build. I do not want to raise the expectations of schools. It would have been quite easy for me to come here today and announce twice the number of schools. However, I would not have been confident that the second half of that list would have been built during my tenure or that we would have had the finance to build them. I want to see the schools announced today on site in the last quarter of this financial year or the first quarter of the next financial year. They have to move forward; that is key. My officials are aware of the need to move forward on these matters.

**Mrs Dobson:** I also thank the Minister for his statement. I am sure that the schools that are lucky enough to have been announced are delighted. I welcome the fact that three of those schools are in Upper Bann. I welcome, in particular, the £5.1 million for St Mary's in Banbridge, which was well overdue. Now that these projects have been announced, can the Minister detail the next step and outline what resources or greater assistance he will offer schools to work towards greater sharing of resources, in respect of both buildings and staff?

**Mr O'Dowd:** The next step is that there is a very busy period ahead for my departmental officials, managing authorities and schools' boards of governors. There will have to be a

combined push in the time ahead to get these school built and on site. My appeal to schools and everyone else is that the key to success in these matters is this: keep it simple, keep it straight, and keep it moving forward. You will always find obstacles in the way of a new school build, or perhaps somebody will come up with a brighter idea halfway through the process. I say to these schools to go ahead with what you have planned, move forward and allow us to provide the new available resources to you.

The next steps are that I am continuing discussions with my officials and area plans are going ahead. I want to be back here in the autumn. We are going back through the list to see which schools we can move forward at the next stage, confident that they are core schools and will be sustainable into the future. We will match that against the time and the finances available. We are also conscious that we have to plan capital infrastructure going into the next budgetary period. At the end of this period, the Department of Education cannot say that it has no plans for the future. If we did that, we would not be allocated any funds, whoever is in the ministry the next time, and we would have no funds for new school builds. That is where we are with that.

As regards shared education, I hope to be in a position in the next couple of weeks, or sooner, to announce the membership of the shared education advisory group, as outlined in the Programme for Government. I want that group to go out and challenge the sectors, my Department, the Ministers and the politicians in the Chamber to talk about and debate shared education and to look at the perceived and real obstacles in its way. Let us then move forward with an informed report delivered by that body.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ráiteas. I thank the Minister and welcome his announcements today. I am sure that you will agree, a Cheann Comhairle, that it will be welcomed across the constituency of Foyle, and I am glad that the decisions were not made with nameplates in mind. Will the Minister agree that the funding for Foyle College in particular will be very welcome and will be strategically important because it will open up lands for the further expansion of the University of Ulster at the Magee campus?

**Mr O'Dowd:** Yes. My primary responsibility is to ensure the development of education in early years, primary and post-primary, and my decisions to allow Foyle and Ebrington to move on give great opportunities for the further enhancement of the Magee campus in Derry. That is a further welcome announcement in Derry, which has, over the past period of time, through its MLAs and representatives, made its voice heard around the Executive table and elsewhere. As a consequence, investment continues to roll into the city.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. Fáiltim go mór roimhe, go háirithe roimh an infheistíocht in earnáil na Gaelscolaíochta. I very much welcome the Minister's statement and congratulate all the schools that have been successful, including the Irish-medium schools, Coláiste Feirste and Bunscoil Bheann Mhadagáin. I also congratulate St Clare's —

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

**Mr D Bradley:** — St Colman's, Newry, and St Joseph's, Newry. I also welcome the £20 million for the school enhancement programme. What is the Minister's estimation of the current backlog in school maintenance?

**Mr O'Dowd:** It is anything up to £200 million. Over the past number of years, we have continually invested in the school maintenance backlog, and at times people could be forgiven for thinking that we were fighting a losing battle. However, we are making investments, and I recently approved the budgets for our education and library boards and ring-fenced £27 million for school maintenance. I continue to talk to the Finance Minister and my Executive colleagues about school maintenance and bidding in the monitoring rounds. There is competition from all Departments for funds, and we try our best. In fairness to my Executive colleagues and the Finance Minister, they are trying their best to give money to education for school maintenance programmes, but I hope that the school build programme that we announced today will reduce school maintenance costs. If we were not to build at Bunscoil Bheann Mhadagáin in north Belfast, for instance, the Department and the education board would be faced with £600,000 of school maintenance for that project. So, it is best to move forward with a new school build there. I am aware that in St Clare's in Newry, significant money has been spent over the years as we try to get land deals agreed, and so on. There is absolutely no point in spending further school maintenance money there; let us build a new school. Thankfully, we are at that position, and we will continue to attempt to secure money for further school builds and school maintenance into the future.

**Mrs Hale:** I thank the Minister for his statement. Mr Cochrane, his staff and the pupils at Dromore Central Primary School will be delighted to hear today's news. What terms and conditions, as mentioned in the statement, are likely to be necessary to gain approval and secure movement?

**Mr O'Dowd:** They are largely bureaucratic measures, such as economic appraisals, business cases and planning. There is no further stipulation than that. I will not bring forward any further measures that schools have to abide to or agree to. It is the usual bureaucracy that government has to work with when dealing with significant amounts of public funding.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I welcome the statement and congratulate the Minister on the programme. I congratulate him on the £21.8 million for Castle Tower School to enable the children of the glens who have special needs to receive their education. I declare an interest because my daughter is a pupil at Castle Tower School. Will the Minister set out why he has prioritised special needs education?

**Mr O'Dowd:** It is because I have had the good fortune of visiting many special needs schools across the North since I came into office and, indeed, when I was a member of the Education Committee. No one could help but be moved by the circumstances that some young people are in with their educational needs, despite the devotion of their parents, family members, schools and teachers, which, undoubtedly, improves those young people's lives. As a Government, we have a responsibility to assist the most vulnerable in our society, and, sometimes, you have to make a firm statement in that regard.

I do not believe that we, as a Government and as an Assembly, can stand proud and say that we have provided the best for the young people at Castle Tower. I believe that we are now in a position to do so, and that is why I have prioritised special educational needs schools. There has been a building programme in the past. When you are involved in government as a Minister, it is, at times, frustrating that you cannot always do the things that you want to do immediately. You have to put programmes and processes in place, and you have to move projects along, sometimes at a snail's pace. I am fortunate that I can now announce these special needs schools. A considerable amount of preparatory work is still to be done to bring them to a conclusion, but I am confident that we will bring them to a conclusion and provide them with newbuilds.

**Lord Morrow:** I was interested to hear the Minister say that, in one school, the maintenance costs were so high that the prudent and proper thing to do was to replace it. It is understandable that he should do that. I thought that some of the schools in my area would have fitted that criterion very well. I am thinking of Devenish College and of Fivemiletown Primary School, which have been on the list for a considerable time. I suppose that we will have to wait for the next statement from the Minister to see how they fared. Can he comment on those two schools?

**Mr O'Dowd:** I am reluctant to comment in detail on any individual school that is not on the list, because I do not have all the details. If I did, I would be sitting here with binders and binders of information. I mentioned the £600,000 that would be needed for maintenance at Beann Mhadagáin because that was one of the factors, but it was not the only factor. We can be confident that Beann Mhadagáin will be a core school in north Belfast for generations to come, so it is the right thing to build it and move forward. I am not saying that either of the schools that you mentioned will not be core schools in the future. They are not on the list today because we are not in a position to make an announcement on them, but I assure the Member that we will continue to interrogate all the information around each school and that we will move forward on each school when it is possible to do so.

**Mr Dickson:** Minister, I add my words of commendation to you on Castle Tower. I visited that school and was thoroughly moved by the need for it to be developed in the way in which the Minister is developing it. However, Minister, I point out your failure to recognise any integrated school in this plan of attack to improve our school estate. I particularly bring to your attention the 212 pupils and staff who are involved in —

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

**Mr Dickson:** — Corran Integrated Primary School in Larne. When will that school receive similar attention to that which some schools have received today?

**Mr O'Dowd:** I thank the Member for his comments on Castle Tower. The commendation should be to the local representatives in the area and to the members of the board of governors of Castle Tower, who have stuck by that project and insisted on it moving forward.

It is not the case that I have paid attention solely to the schools that I have made announcements about today. I assure the Member that the details of each school that is moving forward for a newbuild have been thoroughly

interrogated in the Department of Education. I want to be in a position to announce that all the schools will be built, and I am sure that all Members want that. However, we do not have the money to do that. I can navel-gaze on the point that I do not have the money to build all of the schools, or we can look forward and build a number of schools with the money that we have available, hope that further funds become available in the future and work with my Executive colleagues in a bid to advance new school builds.

I assure the Member that each of the schools that he has mentioned has been analysed. We will continue to analyse all of the schools, and when I come back here in the autumn, I will advance further projects. I give the caveat that there will also be schools that will be disappointed at that time. Unfortunately, that is where we are at this time.

**Mrs Overend:** I thank the Minister for his statement, but I must express my disappointment that no schools in mid-Ulster are on his list. I refer specifically to the Rainey school, to which the Committee Chairman also referred, which was deemed fully compliant quite some time ago. Next year, that school will celebrate 300 years. How long will the Rainey school have to wait for its newbuild? Will he assure me that he will communicate directly with the school to make sure that nothing is outstanding and that it will be included in the autumn announcement?

**12.45 pm**

**Mr O'Dowd:** As I said in answer to a Member who spoke previously, I do not have in front of me the details of all the schools. However, I reassure the House and it should be confident that where all schools are in current planning has been fully interrogated, and we are satisfied that the list that we have brought forward contains schools that can move forward in the timescale that we have set out.

Any Member is more than welcome to write to me about any individual school to seek further information and clarity about where the project stands. Is there anything else that a board of governors or a managing authority should be doing? I am more than happy to clarify that with members. In fairness to my officials, they regularly engage with schools on their planning and preparation for new school builds.

The other key factor to note from my statement is that we have opened up again the new school builds programme. It was closed down for a period until area planning was allowed to advance and we had assured ourselves of our budgetary position. It is now opened up again. Plans will be progressing. Schools will be progressing through the system. All that we have to assure ourselves of is that a school is sustainable, viable and compliant with area planning into the future. Those are the broad criteria that schools will have to satisfy. The Member is more than welcome to write to me about any individual school, and I will clarify its position.

**Mr Humphrey:** I thank the Minister for his statement and welcome the investment in education and the construction industry in Northern Ireland. Glenwood School in my constituency and Springhill Primary School in neighbouring West Belfast have been on the list for some time. We hear honeyed words about what government is going to do about the massive socio-economic and educational problems that face the greater Shankill, yet nothing seems to happen about the development of two new schools on those sites.

Will the Minister please advise the House and people on the Shankill where those schools sit on his list?

**Mr O'Dowd:** I am more than happy to correspond with the Member in detail on both those projects, but I will say this: schools, managing authorities and boards of governors are presented with a number of obstacles before a new school build takes place. Anybody who has moved forward with a new housing development or a new house knows the problems faced in securing a building. Try multiplying that by 50 when you are talking about dealing with significant amounts of public funds, particularly in areas where amalgamations are taking place or there are proposals to move forward in that manner. A lot of the debate starts with the issue of how we secure the needs of individual schools. When you get past that debate, you get to the debate about how we amalgamate schools. You get past that debate, and then you get to the debate of where we are going to build the school. You then have to identify the site, agree a price for that site and move forward on all those things.

Many of the school projects that we have discussed here today are somewhere in that system. I encourage local MLAs to use their experience of and influence on how government works to engage positively with boards of governors and advise them on the way forward. Sometimes, that advice has to be blunt. That is just the bottom line. In a process of negotiation, you always reach the point of decision-making, and I encourage schools to reach decisions quickly. If I have firm proposals and plans in front of me that include site identification, it is my job to match that plan against the money that we have moving forward.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire, agus cuirim fáilte roimh a ráiteas inniu. I welcome the Minister's statement about the new school builds and the boost that they will give to the construction industry over the next couple of years. I particularly welcome the investment in Coláiste Feirste in my West Belfast constituency and the announcement that St Gerard's Educational Resource Centre will move to the site of Balmoral High. I am sure that the Minister can attest that I and my colleague Paul Maskey have lobbied him at every opportunity.

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

**Mr Sheehan:** Is the newbuild for Bunscoil Bheann Mhadagáin, taken in conjunction with the investment in Coláiste Feirste, an indication of the Minister's continued commitment to Irish-medium education?

**Mr O'Dowd:** Each proposal stands on its own merits, but it is clear that Coláiste Feirste and Bunscoil Bheann Mhadagáin are core schools going into the future and that the Irish-medium sector is a strong and growing sector in our education system. We have a responsibility to back that up with investment. *[Interruption.]*

**Mr Speaker:** Order.

**Mr O'Dowd:** Another Member talked about the conditions in Beann Mhadagáin, which are totally unacceptable, and a decision has been made to move forward. Coláiste Feirste has a long history of providing education in the west Belfast area. It is our only post-primary school in the Irish-medium sector — the only meánscoil. Everybody can be confident that it will be there in the future. Government



now have a responsibility to back that up with investment. My announcement today is assurance that the Government have backed that up with investment.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle, Gabhaim buíochas leis an Aire arís as ucht a chuid freagraí go nuige. I thank the Minister for his announcement. It will be of great benefit to the constituencies and schools that he mentioned. Going through the areas that have been listed, I note that Tyrone seems to be absent altogether. Could the Minister provide me with some detail on Holy Trinity secondary school? I visited Edendork Primary School on Friday, a school of very high standards and good —

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

**Mr McGlone:** Will the Minister, at some stage, provide me with details about those newbuild projects?

**Mr O'Dowd:** The Member will be aware that Lisanelly is in the heart of Omagh, which, I believe, is in the heart of Tyrone. *[Laughter.]* My colleague Barry McElduff reminds me of that quite often. I am aware of both projects the Member referred to. With regard to Holy Trinity, we await the conclusion of area planning and the discussions that have to take place in the Catholic sector with regard to that area. I am aware that media and private discussions are ongoing on all those matters. I am aware of most schools that Members have mentioned. I would like to be in a position to move them all forward. There are issues around each of the projects. If the Member wishes to write to me about Edendork or Holy Trinity, I will give him more details.

As I have said repeatedly to Members, I want to be in a position to make a further announcement in the autumn to move projects forward, regardless of what county they may be in.

**Mr G Robinson:** Although I welcome the news of the process to build a replacement school for Rossmar Special School in Limavady, which I have lobbied for, I am disappointed that the Mullburn and Harpur's Hill rebuilds in Coleraine have not been included in the Minister's statement. Will those schools be included in any future building programme?

**Mr O'Dowd:** Thank you for your comments in relation to Rossmar. I am aware that the Member has lobbied, as have other Members, for that school. I think that he has mentioned it every time I have stood here, which, in fairness, is his right. With regard to the other schools that he mentioned, I refer him to my previous answers. I do not have all the details in front of me today, but I am confident that all schools have been thoroughly interrogated to see whether they are ready to go within the timescale that I have set out today. If they are not on the list, they are not ready to go within the timescale that I have set out. They are not at one or other stage of planning; they are not at one or other stage of the other concerns around viability or sustainability. None of those comments is specific to the two schools the Member mentioned. That is a broad generic answer for all schools. If the Member wishes to write to me, I will engage with him about both schools.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. There will be much celebration in my county of Fermanagh at the plans for a newbuild for the Model, but there will be equal disappointment for Devenish College. I also welcome the clarity in the area planning process and the timeline that has been put in

place. For those schools that are still involved in the area planning process, will any further funding be available for those that have not yet reached the end of the process and will move to the next stage on 5 July?

**Mr O'Dowd:** Area planning is a living process; it is ongoing. The proposals are going out to consultation on 5 July, and schools, parents, pupils and communities should engage fully in that process and make their views known.

I am not sure whether funding will be available for those schools. Is that in response to consultation or is it in response to infrastructure or with regard to maintenance? Any school that has specific needs and was not mentioned today should be examined by its education board or its managing authority, and if money needs to be spent on that school, we will have to match that against the budget available in the maintenance and other programmes. I would like to think that schools will avail themselves of the enhancement programme. I think that it is an exciting new proposal, which will facilitate the amalgamation of schools going into the future, and I hope that all schools will study very closely the information coming from my Department and make their decision about whether the enhancement programme is a facility of which they wish to avail themselves.

**Mr Clarke:** Like others, I welcome the statement on the one hand but am disappointed on the other. I have listened to the language used by the Minister in relation to maintenance backlogs, viability and sustainability, and he has asked Members to write to him. Rather than write to you, can I ask you for an assurance? In some of the responses about schools that you have given my colleagues, you mentioned criteria such as maintenance. I want to take Parkhall as an example. Continually, we have problems with water running in and —

**Mr Speaker:** Please come to your question.

**Mr Clarke:** — with fire alarms, the split campus and the fact that it is the only controlled school in the Antrim area. Can the Minister give me an assurance about when a new school will be built on the site, given that it has had cross-community support from all political parties in that area?

**Mr O'Dowd:** The comment I made about maintenance was in respect of the specific issues relating to a deciding factor around a school moving forward, and not the deciding factor. The North Eastern Education and Library Board has published a consultation document on the way forward for schools in that area. It includes a proposal for the future of Parkhall. Originally, it was proposed that it would be for 11- to 16-year-olds; the new proposal suggests that it should be for 11- to 19-year-olds. I await the outcome of that consultation, the responses to it and its outworkings. Following receipt of those, we will move forward on a decision on when we will be in a position to announce funding for a newbuild at Parkhall.

**Mr Elliott:** I welcome the Minister's announcement of the newbuilds, particular for Ebrington and Foyle, which have been waiting for a long time, and the Model in Enniskillen. Obviously, Devenish is a huge disappointment. On that point, does the Minister accept some of the allegations that instead of putting capital funding into some schools, it is a mechanism of closing them by stealth?

**Mr O'Dowd:** No, I do not accept those allegations. Certainly, that is not the methodology of my Department with regard to these matters. A series of outstanding questions on the future provision of education in the Fermanagh area need to be answered. I believe that those can and should be answered through the area planning process. Various schools in the area are at different stages of planning. I am aware that a number of schools have, in recent times, submitted economic appraisals, etc. All those will be taken on their own merit. There is certainly no agenda in my Department to deal with schools through stealth.

I have put my views on the record: we have too many schools in our society. However, I am not in a numbers game. Each school should be judged on its own merit, and each school should be judged on the basis of area planning and provision going into the future. That is the question that should be asked in Fermanagh or anywhere else.

**Mr Allister:** I am disappointed at the lack of progress for Ballymoney High School, but I greatly welcome the overdue developments in relation to Castle Tower special school in Ballymena. Can I press the Minister on that? He has set aside £21.8 million. He has said that his commitment is to advance the business cases and the design work necessary for those projects. Obviously, £21.8 million is for more than that. Can he assure us that the delivery will happen within this budgetary term and that that money will be spent in providing the new school? What is his best estimate of when that long-overdue project will be completed?

**Mr O'Dowd:** Today, I have announced three special educational needs projects in these circumstances. Arvalee will go onto the Lisanelly site and St Gerard's will move to Balmoral. I have set out my stall today on what I believe should happen in the future.

The most recent estimated cost of providing a school at Castle Tower was £21.8 million. Therefore, I have set that aside as a budgetary commitment. I do not believe that all that money will be spent in this budgetary period; I believe that such a project will go over two budgetary periods. However, I believe that what I have set out today is a commitment from the Department of Education that Castle Tower will be built, and that there is a requirement for it to be built. The timescale of that depends on a number of factors, such as business cases, economic appraisals, planning and land. I encourage local representatives in the north Antrim area to involve themselves in all those matters, to give guidance and assistance to the school and to keep pressure on the Department of Education and other managing authorities to make the building a reality.

I offer assurances today that I am committed to building Castle Tower School. Money is being set aside to complete it, because, as has been said in recent days, it is the right thing to do.

**1.00 pm**

**Mr G Kelly:** Gabhaim buíochas leis an Aire as a ráiteas inniu. I thank the Minister for his statement. Bunscoil Bheann Mhadagáin has been mentioned about six times so far, which is a sign of the work that is being done by the parents and teachers there to lobby many parties as well as the Minister. The word "vocation" is very seldom used these days, but it describes the type of work being done there. In respect of all 18 schools, I notice that you said that in

the last quarter of this year and perhaps into next year all pre-build processes will have been gone through, so are we talking about turning sods?

**Mr O'Dowd:** Yes, the project is to turn sods in the time ahead. Each school will throw up complications, and unexpected developments always take place in any planning process, no matter what you do. However, my view is that we have to be in a position to start turning sods. As I said in response to another question, the key to success is to keep it simple and to keep focused on what we want to achieve, which is the provision of new school builds. At every stage of every project, somebody always comes up with a brighter idea or an idea to do something different, which will include a, b or c. It is the right of schools to bring that on board, but if a, b and c are going to delay the project, I would personally advise against it. My advice to all the schools is to let us get your schools built and get your pupils into suitable accommodation, and the Department of Education can move on to providing newbuilds to the other schools that have not been mentioned today.

**Mr Agnew:** I thank the Minister for the clarity and detail that he has given today, although I note that no schools in North Down are being progressed at this stage. The Minister will be aware of the needs of Central Integrated Primary School, having recently visited there. He will also be aware of proposals for the restructuring of the school estate in Holywood.

Turning to the schools enhancement programme, schools that may have hoped for a newbuild may now, given this announcement, think that the schools enhancement programme is a way forward. Will the Minister give us detail as to whether schools that avail themselves of the schools enhancement programme will find that detrimental to a future application for a newbuild?

**Mr O'Dowd:** It would depend on the circumstances pertaining to each project. If you were to spend £4 million on a school project, you would have to seriously think long and hard before you would move to provide that school with a newbuild in the near future. There is a wide range — between £500,000 and £4 million — available under this project, so each circumstance would have to be carefully thought out, and there would have to be a sound business case as to whether you would do that. However, my Department will be providing more information to schools in the time ahead, and boards of governors and managing authorities will have to make decisions on the best way forward for an individual school.

**Mr Speaker:** That ends questions to the Minister on his statement. I want to say a word of thanks to all Members who co-operated this morning. All Members who wanted to make a contribution were able to do so.

## Executive Committee Business

### Business Improvement Districts Bill: First Stage

**Mr McCausland (The Minister for Social Development):**

I beg to introduce the Business Improvement Districts Bill [9/11-15], which is a Bill to make provision for business improvement districts and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

### Criminal Justice Bill: First Stage

**Mr Ford (The Minister of Justice):** I beg to introduce the Criminal Justice Bill [10/11-15], which is a Bill to amend the law relating to sex offender notification, sexual offences prevention orders and human trafficking and to provide for the destruction, retention, use and other regulation of certain fingerprints and DNA samples and profiles.

*Bill passed First Stage and ordered to be printed.*

### Corporate Manslaughter and Corporate Homicide (2007 Act) (Commencement) Order (Northern Ireland) 2012

**Mr Ford (The Minister of Justice):** I beg to move

*That the draft Corporate Manslaughter and Corporate Homicide (2007 Act) (Commencement) Order (Northern Ireland) 2012 be approved.*

This motion covers the commencement of certain provisions of the Corporate Manslaughter and Corporate Homicide Act 2007. It is an important subject, as the objective of the provisions I propose to commence is to help to prevent deaths in custody and detention. The Corporate Manslaughter Act extends across the United Kingdom as a whole. Most of it came into operation in April 2008, when the new offence was commenced for all but one set of circumstances. Those are the circumstances in which someone's death occurred while he or she was in custody or detention. When the Bill was in Parliament, it was decided that providers of custody and detention services would be given an extended period of three to five years to make the necessary preparations. The equivalent provisions were commenced in Great Britain in September last year, and I would not wish the legal protections available in Northern Ireland to be any less than those in England, Scotland or Wales.

The proposed commencement order will mean that from 3 September this year, the offence of corporate manslaughter will apply to deaths in custody and detention in Northern Ireland. It will apply to deaths in the custody and detention of the Prison Service, police custody, court detention cells and the juvenile justice centre. It will also apply in the health service to secure accommodation for young people and patients detained under the Mental Health (Northern Ireland) Order 1986. Furthermore, it will include custody in the detention facilities of the armed forces and the customs and immigration wings of the UK Border Agency. My proposed commencement order will, therefore, cover all such facilities in Northern Ireland.

The new offence of corporate manslaughter has a number of important elements. It is committed when the way in which an organisation's activities are managed or organised causes a person's death and amounts to a gross breach of duty of care owed by the organisation to the person who has died. So the focus is largely on the managerial actions of the organisation's senior management as a whole rather than on those of individuals, particularly those further down the organisation.

As Members will appreciate, the offence is complex. Basically, it is about failures of organisation and management, depending, as I said, on a gross breach of duty of care. As it is the body itself that would be prosecuted, the main penalty available on conviction for such a serious offence is not imprisonment but a fine. Courts also have powers to order the guilty organisation, first, to remedy the faults linked to the death, and secondly, to publicise not only its guilt but any fine imposed in any remedial action ordered. I stress that the Act does not alter any of the duties of care owed; indeed, there would be no point in setting standards that our custody and detention providers simply could not meet. The Act does not place any additional regulatory burdens. Rather, by removing a barrier to prosecution, it aims to get organisations to work harder to prevent deaths under their care.

I also point out that the offence of corporate manslaughter applies not only to private companies but to Crown bodies, and, exceptionally, there is no Crown immunity from prosecution for the offence. The proposed commencement order will mean that the relevant custodial organisations will, for the first time, face the potential of prosecution for deaths in their custody.

Along with custody providers across the UK, we have been preparing for the provisions to be commenced in Northern Ireland. Each of our custody providers has carried out a risk assessment, identified areas for attention and implemented work programmes of management, training and infrastructure development. Indeed, each of them has been implementing an ongoing health and safety improvement programme. The Prison Service faces the biggest challenge. It has also been updating its procedures for preventing suicide and self-harm. Clear guidance has been provided to staff regarding corporate, establishment and individual responsibilities for the provision of care to prisoners. Since the devolution of justice, responsibility for commencing the custody provisions of the Act in Northern Ireland falls to the Department of Justice under the draft affirmative procedure in the Assembly. The relevant justice agencies have confirmed that they are now ready for commencement. The Health Minister, who has responsibility for secure facilities in the health sector, has also confirmed that the trusts are ready and that he is also content for the provisions to be commenced.

Members will acknowledge, as I do, that each death in custody is a profound tragedy, especially for that person's relatives and friends. Some recent incidents demonstrate only too well the challenges that we face. In a number of her reports, the Prisoner Ombudsman has expressed her concerns, which the Prison Service takes extremely seriously — and so do I. It is vital that the Prison Service continues to learn lessons from the ombudsman's reports by continually improving its policies, practices and facilities. I am determined that that process of continuous improvement is maintained.

Preventing deaths in custody has been, and will continue to be, challenging. Although I cannot guarantee that one day a prosecution for death in custody will not succeed, neither I nor our custody providers are complacent. The establishment of the new offence has already caused organisations to focus even more closely on their systems, procedures, facilities and training. They are much better prepared to prevent deaths in custody now than they were five years ago when the 2007 Act was passed. All of the organisations are continuing to invest in health and safety improvements.

I believe that the time is now right to bring that element into operation, and I therefore urge Members to support the motion.

**Mr McCartney (The Deputy Chairperson of the Committee for Justice):** Go raibh maith agat, a Cheann Comhairle, Tá mé ag labhairt thar ceann an Chathaoirleigh inniu. I am speaking on behalf of the Committee, because the Chair of the Committee is unavailable. This is an issue that was discussed by the Committee. In June 2011, the Committee received an oral briefing by officials on the Department's proposal for an affirmative resolution statutory rule to bring into operation that part of the offence of corporate manslaughter that applies to duties of care owed to persons in custody or detention.

The Committee generally welcomed the proposal, which will help to ensure that systems are in place to prevent deaths in custody, but there were a number of areas where members wanted further information and clarification. While noting that the Prison Service had conducted a risk assessment analysis and had looked at its systems and procedures, the Committee raised questions regarding what implications there would have been in relation to deaths in custody in the past year if that order had been in place. In response, officials highlighted the fact that, when the Corporate Manslaughter and Corporate Homicide Bill was going through the British Parliament in 2007, the view was taken that providers of custody and detention services needed time to prepare for the new offence coming into force. In preparation for commencement of the provision, the Prison Service had implemented work programmes on management, training and infrastructural development, and believed that it was as well placed as it was going to be for the order coming in.

Following the briefing, the Committee agreed to seek the views of the Committee for Health, Social Services and Public Safety, as the proposal would also cover young people in secure accommodation and detained mental patients. The Health Committee subsequently confirmed that it was content that the Health and Social Care Board and the trusts were in a position to comply with the proposed provision. On 13 October 2011, the Justice Committee agreed that it was content with the proposal to commence that part of the offence of corporate manslaughter that applies to duties of care owed to persons in custody or detention.

Members also sought further details regarding the practical application of the legislation and, in particular, how the Public Prosecution Service would take a case against an organisation such as the Prison Service. Who would it be taken against — the organisation, senior managers or individual officials? In response, the Department clarified that, in relation to the Prison Service, the Department of Justice is the entity that would face prosecution. It also indicated that individuals may not be prosecuted under the 2007 Act. It applies only to the relevant organisations, which can only be guilty of the offence if the way in which their activities are managed or organised by their senior management is a substantial element in the gross breach of the duty of care.

The Department has now laid the statutory rule and, noting that there have been no changes to the policy content since the proposals were submitted to the Committee and that the Assembly Examiner of Statutory Rules has no issues to raise with regard to the technical aspects of the rule, the Justice Committee agreed at its meeting on 7 June 2012 that it was content with the rule.

Having said that on behalf of the Committee, I have one or two brief comments to make on behalf of Sinn Féin. We obviously welcome the motion and the fact that the Minister is here today to table it. There was an obvious gap when the legislation was enacted, in that it did not apply to certain organisations. The idea of a five-year run-in was obviously accepted to give those organisations the opportunity to put the structures in place. Individual members raised issues around whether it would be individuals or the organisations. Members were reassured that, where organisations are subject to the provisions of the legislation, that does not and will not mean that, if there are individuals with individual



cases to be answered, the legislation will be used as a cover-all to allow negligence to happen. In that respect, Sinn Féin supports the motion.

### 1.15 pm

**Mr Weir:** I will speak very briefly. I join others in welcoming the legislation. As has been indicated, it has taken some time to put this together. However, speaking as a Committee member, I can say that it was important for the Committee to ensure that we got this right and that it was effective. Consequently, as the focus has been on the Prison Service, the Committee wanted to ensure that what needed to be put in place has been put in place to ensure that there can be compliance with this.

It is welcome legislation. It is important that, for any of those in custody, there is a duty of care. That should mean that there is protection of those in custody. Although the focus has been on those in prison custody, as was indicated, the Committee worked with the Health Committee to ensure that those in secure accommodation are also afforded that duty of care. From that point of view, this should incentivise various state institutions and bodies to provide the proper protection for individuals. In a serious way, that will be very useful.

There was consensus on the issue. It is legislation that, in certain ways, we hope is never used. We hope that there will be no need for it to be used. However, it is important that the protection is put in place. Some of the queries raised, particularly around who would be held responsible, were important. On some occasions, a death in custody can be attributed to the negligence of an individual. Often, however, the blame can be spread around. It is very difficult to have an action against an individual. That can act as a deterrent for people to be properly accountable. There can sometimes be system failures. Therefore, it is important that the body itself is held fully responsible. The responses we got were compatible with the purpose of the legislation, which will, we believe, provide a safeguard and shield to anybody in custody.

At this stage, on behalf of the DUP I welcome the proposal.

**Mr Gardiner:** As one of the first to call for legislation for the offence of corporate manslaughter, I welcome today's developments. My interest in the subject was kindled in 2005, when one of my constituents, a young man from the Lurgan area who was just starting out in life, tragically lost his life on a construction site. That needless death, and all the human suffering that came with it, was a watershed for me. From that day on, I was determined not to rest until effective corporate manslaughter legislation was in place in the Province. I dedicate today's legislation to the memory of that young constituent. It may have taken seven years to get to today — indeed, everything in this place seems to take far too long, Mr Speaker — but at last, we are here.

Back in 2005, I said that fines alone are not enough to change attitudes in the construction industry. I make no apology for repeating that today. For people to take the death of workers on a site seriously, they have to feel that, individually, they will face a manslaughter charge. If they are proven to be negligent, juries should be asked to consider whether management failure caused or contributed to the death. On the basis of that finding, the Public Prosecution Service should determine whether individuals in the company should be prosecuted for manslaughter.

The average number of work-related deaths in Northern Ireland stands at 20 a year. The Assembly has a duty of care to its people. Where the construction industry, in particular, is concerned, that duty must be anchored in corporate manslaughter legislation that has teeth. I am pleased to contribute to the debate and to support the legislation.

**Mr Dickson:** I thank the Minister for outlining the legislation today. The Alliance Party welcomes the proposed extension of the legislation to Northern Ireland. As has been pointed out, the equivalent provisions were commenced in the rest of the United Kingdom last year. Although we do not normally wish to slavishly follow England and Wales, it is right that steps are taken to ensure that legal protection in Northern Ireland is no less than that in the other United Kingdom jurisdictions.

I would like to highlight that this legislation will give courts the opportunity not only to find organisations guilty where appropriate but to order them to take appropriate steps to remedy the faults that caused death. In other words, this is not simply about finding organisations guilty, making information public and imposing fines; it is about ensuring that any steps are taken to make sure that those failings do not happen again. That, indeed, is to be welcomed.

The Justice Committee sought and received assurances that the various agencies in Northern Ireland are now ready for the legislation to be commenced. I am reassured that the system, from the Department of Justice and the Department of Health, Social Services and Public Safety down, has approached the introduction in a measured and timely way. As the Minister outlined, the various custodial bodies have undertaken risk assessments and have made the necessary improvements to their health and safety regimes. In that sense, the legislation has already had an impact; indeed, Mr Weir pointed out that we do not really want to see this legislation having to be used for that area.

We must remember that we are talking not simply about the Prison Service but the health service, the UK Border Agency, the PSNI and others, so the challenge for each organisation is to make sure that the efforts that they have made to ensure their readiness for the new legislation is maintained and that this is not just a time-bound project that will end with the commencement of the legislation. I know that the Minister, through the safer custody forum that he chairs, will be maintaining vigilance on that.

As I said, the party welcomes the extension of the powers to Northern Ireland, commends the various organisations for the efforts that they have made in preparing for it and encourages them to maintain and renew the focus on preventing deaths in custody, which is a focus that the proposed introduction of this legislation has brought about already. We support the motion.

**Mr Elliott:** We welcome the motion and the introduction of the legislation. It has been some time in the planning, but, obviously, we are getting there. We also welcome the opportunity to give those institutions and organisations the chance to make sure that they are ready for it.

There is one obvious concern that I have, and that involves the arguments, discussions and debates that may take place, if the legislation is enacted, about the duty of care and the protection of those who are in custody and detention. Clearly, I am assuming that there may be test

cases at the start of the process to establish whether those organisations have been too relaxed in their duty of care. Perhaps the Minister could give us some indication about that and about how it might be dealt with at an early stage.

**Mr Ford:** Thank you very much, Mr Speaker, and I thank all those Members who participated in this important debate. I must say in passing that it sometimes seems that we can occupy a full hour and a half for relatively irrelevant Back Bench debates, but something like this, which has a significant input to the law of Northern Ireland, attracts a relatively muted response. On the one hand, that is because of the good work that was done between my officials and the Committee, but, on the other, it is disappointing that so little is said now that the legislation has come to the House.

I thank Raymond McCartney, in particular, for his remarks on behalf of the Committee. I do not need to repeat the information that he gave about the detail in which the Committee examined the proposal, the lengths it went to with my officials to ensure that its questions were answered and the co-operative working that was done with the Committee for Health, Social Services and Public Safety. All that, I believe, led to agreement in principle, because this is the right thing, and was seen to be the right thing, to do.

As Peter Weir said, it was, of course, correct that we took some time to get it right. That is because it is best that we get it right so that we can ensure that the legislation applies throughout.

I will make a couple of brief references to other Members' contributions. Sam Gardiner referred particularly to a death in the construction industry. However, the proposals relate solely to custody, because provisions as far as they relate to employment deaths are already in place across the UK. Indeed, we have already seen a prosecution in Northern Ireland in that area.

I echo Stewart Dickson's point that perhaps one of the most important things will be not just that the court can make a fine but that it can order that defects be remedied and that the organisation give appropriate publicity to the defect and the remedy. That as much as anything will help to ensure that things are done properly.

However, I have to say to Tom Elliott that, although I appreciate the point that he makes about establishing what the appropriate duty of care is, I hope that we will not see courts give judgements on that. Rather, I hope that what we will see is the organisations carrying out the duties that they have committed to, in the same way in which they, in their work over the past few years with the Department, have committed to ensuring that the provisions are in place so that deaths in custody do not happen. There will be difficulties in the future at different levels, but I believe that we now have all the agencies ready and prepared. There are clearly risks to an organisation such as the Prison Service, which has to deal with the limitations of its estates, the pressures that it is under with prisoner numbers and the changes that it is going through. However, I believe that those risks are measured, and the fact that the offence is focused on systems rather than on individuals and requires a gross breach of a duty of care shows that the Prison Service, like other agencies, is capable of living up to its commitments at the moment.

Bringing into force the custody provisions of the Corporate Manslaughter and Corporate Homicide Act 2007 will not prevent all deaths from occurring, but they will act as a permanent, ever-present incentive to ensure that agencies improve the way in which they work and provide the best possible care to those in their custody. It is therefore time that we bring the standards in Northern Ireland up to the level of those that apply in the other two covered UK jurisdictions. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the draft Corporate Manslaughter and Corporate Homicide (2007 Act) (Commencement) Order (Northern Ireland) 2012 be approved.*

## Race Relations Order 1997 (Amendment) Order (Northern Ireland) 2012

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** I beg to move

*That the draft Race Relations Order 1997 (Amendment) Order (Northern Ireland) 2012 be approved.*

The order was laid in draft form before the Assembly on 17 April 2012. It will amend the Race Relations (NI) Order 1997 by addressing the issue of direct and indirect discrimination on the basis of nationality for European Economic Area (EEA) citizens and citizens of certain designated states in the matter of pay for seafarers. The order will remove the right of employers employing those seafarers to discriminate in their rates of pay on the basis on their nationality.

The amendments will prevent discrimination in seafarers' pay where the seafarer is ordinarily resident here, in the EEA or in one of the designated states with which the EU has signed agreements on the rights of migrant workers. The legislation will apply where a ship or hovercraft is registered to a port here and the legal relationship of the employment of the seafarer is located or closely linked to here. It will apply to workers from here and the EEA and to designated state workers where the ship operates wholly or partly here or in adjacent waters, and where it operates wholly outside our waters.

The amendments are required to the 1997 Order to bring us into line with EU obligations and are based on a reasoned opinion that the British Government received from Europe. That stated that, as a consequence of sections 8 and 9 of the Race Relations Act 1976 and articles 10 and 11 of the Race Relations Order 1997, which allowed for differential treatment of employees, they had failed in their obligations under article 45 of the Treaty on the Functioning of the EU (TFEU) and article 7.1 of regulation 1612/68.

### 1.30 pm

Article 11 of the 1997 Order allows for differential rates of pay to be paid to seafarers depending on the jurisdiction where they are recruited. These are regarded as indirectly discriminatory, and although applicable irrespective of nationality, affect migrant workers, or the great majority of migrant workers. Our legislation is subject to article 226 proceedings under the treaty established in the EC, and, accordingly, we need to change our Race Relations Order.

Formal consultation has taken place with the Equality Commission and with NICEM. This is in addition to consultation that has been undertaken in Britain with all the main shipping bodies, including ones that operate here. The legislation reflects the outcomes of those discussions.

The amendments proposed meet EU obligations. However, we are aware that each state in the EU deals with this differently, ranging from protections for all nationalities to more limited protections for EU citizens. We also recognise that some members of the Committee felt frustrated that they have not had adequate time to assess the implications of this change in legislation. However, we need to meet our EU obligations and enact this legislation.

In order to address the concerns of members who feel there has not been adequate time to examine the issue, we

have asked officials to report back to us within six months on how the issue is dealt with in other EU states and on the implications of extending this legislation. We hope that that will be brought forward within those six months, but in the meantime, there is a need to enact this legislation. I, therefore, commend the order to the House.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** The Committee for the Office of the First Minister and deputy First Minister has spent some time considering this order. I will outline to the Assembly the scrutiny that the Committee has undertaken.

The Committee first considered the draft order at its meeting of 7 March 2012, when officials briefed the Committee that the order is required to ensure that Northern Ireland is not in contravention of EU law. The Equality Act 2010 has recently been amended to ensure compliance in Great Britain, as the Minister said. In the Department's SL1 letter of 27 February 2012 and the initial briefing by officials on 7 March, the Committee was advised that the total additional cost across all affected employers in Northern Ireland was estimated at £733,000 per annum. Although some members expressed reservations about the additional costs to businesses, the Committee was mindful of the threat of enforcement proceedings by the European Commission and the desirability of removing the indirect discrimination in question. On that basis, the Committee agreed that it was content with the proposed rule, subject to the view of the Examiner of Statutory Rules. The Examiner's subsequent report raised no issues with the proposed order.

On 2 April 2012, the Department wrote to inform the Committee that the estimated total increase in wage costs had been revised upwards from £733,000 per annum to £6.36 million per annum, or £159,000 for each vessel registered in Northern Ireland. The Committee considered this information at its meeting on 18 April 2012, and given the scale of the increase in estimated costs, the Committee sought further clarification from the Department on what the real costs for the owners of vessels registered in Northern Ireland will be, including the fishing fleet, and any consultation with affected ship-owners here on the impact of the proposed changes.

At its meeting on 23 May 2012, the Committee was briefed by officials who indicated that they believed the figure of £6.36 million to be a much more robust estimate of increased costs than the previous estimate of £733,000. However, on a more definitive figure for additional costs to affected businesses, they said:

*"I think that we would have grave difficulty. It is quite clear that the calculations of the Department for Transport in London have all sorts of caveats built in to say that it is impossible to say."*

Officials also said that we were "on borrowed time" in the matter of infraction proceedings being taken by the EU.

Some members of the Committee saw the proposed order purely as a matter of protecting workers' rights while other members were mindful that enforcing those rights may threaten the future of our fishing industry. I say "may" because nobody seems to know. All members of the Committee were naturally concerned about the risk of infraction proceedings and potential fines.

In that context, the Committee wrote to Ministers to request further information on the reasons why OFMDFM did not choose to extend protection to seafarers from all nationalities; on the estimated costs of extending the protection to all nationalities and how they were calculated; how other EU regions have complied with the treaty obligation in question; and the timescale for possible infraction proceedings. The Committee emphasised its concern about the risk of possible infraction proceedings and fines and requested the information for consideration at its meeting of 30 May. The Ministers' response was available for the Committee to consider at that meeting, and departmental officials advised the Committee that, in relation to EU infraction proceedings:

*"we are very close to infraction territory."*

The Committee was also advised that the increase in annual wage costs for extending protection to all nationalities, as opposed to EEA members and treaty states, was estimated to be £21.48 million. Officials advised:

*"OFMDFM decided, as did the Department for Transport in England, that a balance needed to be struck between the costs that we imposed on our domestic shipping industry and the rights of workers who were not EEA nationals or nationals of designated states. To have gone beyond what EU law strictly required would have resulted in Northern Ireland shipping being placed at an additional competitive disadvantage."*

The Committee discussed the desirability of protecting the rights of all workers and the possible effect that enforcing those rights and the more limited extension in the proposed order might pose to the local fishing industry in Northern Ireland. Some Committee members believed that a decision could be postponed while further time was requested from the European Commission to consult on the options for wider protection. Others were clear that they would not support wider protection when competing businesses in other states may not have to bear the costs involved in providing that level of protection. A majority of Committee members considered the risk of infraction proceedings and possible fines to be too great to postpone a decision and agreed to recommend that the draft amendment order be affirmed by the Assembly.

The Committee subsequently wrote to the Committee for Enterprise, Trade and Investment and the Committee for Agriculture and Rural Development to make them aware of the possible impact of the draft order on businesses within the remit of their respective Departments. The Committee also wrote to OFMDFM to ask for clarification on what further steps officials intend to take in three areas. Those were the impact of the order on affected businesses in Northern Ireland; how other EU member states had complied with the relevant obligation; and whether protection could be extended further.

In conclusion, I think the process would have been improved if there had been more timely action, which would have avoided the need to legislate under the threat of infraction proceedings; more consultation with those directly affected; estimates of costs, across a range of options protecting seafarers from discrimination, which the Committee could have had more confidence in; and more information on how other regions have achieved compliance and on the level of protection across regions.

I now wish to speak from a personal perspective and to give my viewpoint. We were dealing with what was put to us as a pure rights issue and how, for example, you could justify telling two people who are doing the same job on the same boat that they would be paid different hourly wages. However, the draft order does not go far enough and does not include all nationalities. Against that, there were those of us who realised that those rights come at a cost. I have outlined some of the costs, and it was put to us by officials at one point that if infraction proceedings were launched, the fine would be in the order of 0.5% of the UK's gross domestic product per day. That would have seen the block grant run out within a working week. That estimate was severely revised, but my point is that no truly robust figures, in which we could have total confidence, were put to the Committee.

The Committee proposes that we adopt the draft order. However, the irony is that a rights-based issue has been determined by a concern for money. That is not even the money that we propose to pay to seafarers but a fear of the money that would be taken off us by the European Union through fines if it were to launch infraction proceedings.

Finally, I want to emphasise again that much of it comes back to the timelines. This could have been done much earlier, the problems could have been identified much more quickly and solutions could have been sought in a timely manner.

**Mr Humphrey:** I thank the Minister for her statement to the House. The Minister moved that the draft Race Relations Order 1997 (Amendment) Order (Northern Ireland) 2012 be approved. As the Minister stated, the amendment to the order addresses the issue of direct and indirect discrimination by nationality in respect of seafarers who are EEA citizens or citizens of certain states outside of the EEA. The legislation will, of course, apply to ships that are registered in a port in Northern Ireland. However, it will also apply to EEA workers on ships that operate in our waters or neighbouring waters.

As colleagues on the Committee will recall very clearly, our national Government received this opinion in January 2011. Sadly, the United Kingdom has been negligent in its obligations under article 45. Article 11 of the Race Relations Order facilitated pay differentials, depending on the jurisdiction in which seafarers were recruited. There has been considerable consultation on the mainland and across the United Kingdom with UK-wide shipping bodies. There inevitably will be additional costs if we gilt-edge legislation. Those costs would be immensely damaging and prohibitive for the shipping industry. It is estimated that £29 million for the UK and somewhere in the region of £6.3 million for Northern Ireland in infraction costs may be incurred.

The DUP believes that the amendments are balanced in that they meet EU obligations and minimise the burden on our shipping industry. Some Members and some parties in this House would perhaps seek to go further. However, it is our view that going further would simply be gold-plating legislation that will render Northern Ireland fishing less competitive and at a greater disadvantage in the United Kingdom and across the European Union. It is the view of the Democratic Unionist Party that doing so could cost jobs, see fishing vessels repatriating to ports on the mainland and effectively destroy local ports like Kilkeel, Portavogie and Ardglass. There would also be huge implications for the food-processing industry. An example would be the prawn-



processing industry in Northern Ireland, which exports prawn to places as far away as Japan and the Middle East. That, of course, would be totally destroyed if we were to go as far Europe wants us to go.

As members of the Committee for the Office of the First Minister and deputy First Minister will recall, and as I have mentioned, our national Government were aware of this serious breach of European Union legislation in January 2011, and nothing was done. Clearly, officials in OFMDFM sat on this issue for some 18 months, and we are now in danger of infraction proceedings. That is most regrettable, and it is simply not acceptable or good enough.

This legislation is necessary to bring us in line with EU law, but the DUP believes that the proposed amendment is a minimum. It always seems that the United Kingdom is very keen on maximising legislation to do with Europe to the nth degree and gold-plating or gilt-edging that legislation, while, ironically, those who are more pro-European in the European Union manage at times to get away with thumbing their nose at Europe and turning their back on legislation or protocols.

In short, we will support the amendment, but we will not go any further so as not to damage or disadvantage the Ulster fishing industry and, more importantly, those employed within it.

**Ms Ruane:** Cuirim fáilte roimh an díospóireacht agus roimh Jennifer McCann agus í ag labhairt don chéad uair mar ár nAire nua sa Seomra. I welcome the debate and Jennifer McCann, who is speaking in the House as junior Minister for the first time. It is good to have her here.

As other Members have said, the Committee for the Office of the First Minister and deputy First Minister — I speak as a member of that Committee — had major discussions on this issue. The Equality Commission, in its guidance for employers, states:

*“The general rule is that when recruiting staff you should treat migrant workers in the same way as you treat local persons who apply to work for you.”*

I agree with that statement. We should not have a situation where workers from some countries, whether they work on a boat, in a hotel or in a hospital, are paid less than workers who happen to be born in a country that is a member of the European Union or the European Union area. Our job is to protect vulnerable workers. Our job is also to protect our fishing industry, and the best way to do that is to have an industry that treats its workers fairly.

#### 1.45 pm

Many of our migrant workers are low paid, and in many cases, they were employed as agency staff in their own countries. Department for Employment and Learning research in 2009 shows that there were 270 recruitment agencies in the North of Ireland through which more than 22,000 individuals were employed on a temporary basis. There are no accurate statistics on the breakdown of workers, their country of origin or immigration status. We know from research published in 2007 that an increasing number of migrants were seeking work in the North of Ireland through recruitment agencies, and a growing number of employers were recognising the employment of migrant workers as routine.

Research by the Equality Commission into the role of the recruitment sector in the employment of migrant workers found that many workers had different terms and conditions of pay, worked at the minimum wage and at irregular hours, had little job security and had language and communication issues. Research by NICEM found that 46% of respondents had experienced racial harassment. I suspect that that figure is much higher. Many of our migrant workers keep their heads down because they feel very vulnerable.

We have 535 full-time and 113 part-time seafarers employed in our sea fishing industry. We do not have a correct breakdown of that in our system. Some sources estimate that around 160 Filipino fishermen work in the North. Reports by the Law Centre and NICEM noted the physical and verbal abuse of migrant fishermen, extremely poor working conditions, poor and erratic payment, lack of safety concerns and coercion.

The EU race directive applies the principle of non-discrimination broadly without exceptions for agency workers. We made the point in Committee that we believe that all workers should be treated fairly, and the best option is for all non-nationals to be included, not just European Union area nationals. The Committee Chair gave us a rundown on what happened in Committee, but the issue actually went to a vote, with the Committee split down the middle. In fact, a member of the Chairperson's party voted with us that we should go back to the EU to say that we would like to go further.

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

**Ms Ruane:** Yes.

**Mr Clarke:** The Member makes a valid point about the Division in Committee. However, the, albeit late, advice that we had on the order was that that stalling tactic could incur infractions fines. However, there is a possibility in the future of amending the legislation if there is a requirement for us to do so.

**Ms Ruane:** Gabhaim buíochas leis an Chomhalta. I thank the Member for that intervention. None of us wants infractions, and we do not want our hard-earned money going to pay infraction fines. I suppose the best thing would be to ensure that we do not deal with such legislation at a late stage. However, we believe that it is important that we come back within six months, and I welcome the junior Minister's statement on that. We want a report in six months' time. We want further —

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

**Ms Ruane:** Sorry, I have given way. If I could finish this point, I would be happy to give way.

We want a report, and we want to see what other European countries are doing. I welcome the fact that the South of Ireland is including all non-nationals in its legislation. I want us to do the same, because I do not put a cost on rights. If it were your child or my child, we would not put a cost on rights. Our Members and I will engage with my Committee colleagues on the issue.

'The Irish Times' recently named Brazil as one of the fastest-growing economies. We hear a lot about the BRIC — Brazil, Russia, India and China — countries from all our Ministers. The Brazilian economy is one of the fastest

growing, and one of the reasons for that, I believe, is that the Brazilians are putting equality measures in place and measures to support families. I welcome that we are trying to do the same.

I am not approaching the debate in a negative way. I want to engage with my colleagues from all parties over the next six months so that we can take a good, hard look at this and have input into the report.

**Mr Humphrey:** I am grateful to the Member for giving way. I welcome her comments about human rights. Some of us have been consistent in our support for human rights. She will remember that, at the Committee, we could not get clarification on the points that she has just mentioned about the protections given to workers by the Republic of Ireland's Government. Furthermore, the delay is nothing to do with the Assembly. It was because departmental officials — not politicians — sat on this for a year and a half. The Committee was left with a Hobson's choice to either vote one week or the next; either way, we were going to be faced with infraction proceedings from Europe.

**Ms Ruane:** I thank the Member for that. Actually, the Committee did get information about the South of Ireland in time. I remember that Sinn Féin and the DUP asked for that information, and we got it. The information that we got was that the legislation in the South of Ireland covers all non-nationals.

We are where we are. I welcome the fact that some workers will have better conditions now, but I worry about people from other countries who have come to make their lives in Ireland. They work hard on boats, and I want to see that their rights are protected. Our party will do everything it can to ensure that that happens. I ask the other parties to work us in doing that, whether those workers are fishermen or fisherwomen, whether they are nurses or whether they are in the catering industry, etc.

I have no doubt that the Committee will discuss this issue at the earliest opportunity, and I look forward to that.

**Mr Lyttle:** I welcome the introduction of the order by the junior Minister, and I am grateful to the Chairperson of the Committee for the Office of the First Minister and deputy First Minister for putting forward the Committee's position on the order.

I, too, recognise the need for urgency on this matter in order to avoid infraction proceedings being taken by the EU, but I note with some concern that Mr Humphrey seemed to reduce racial equality to gold-plating, as well as his blaming of officials of the Department for which his party has responsibility.

I welcome Ms Ruane's defence of equality for all migrant workers, but it begs the question of why her party did not use the Office of the First Minister and deputy First Minister to act more comprehensively on this particular occasion.

I put on record the Alliance Party's view that the Assembly needs to look further at extending the provisions of the order to all nationalities, and I welcome the junior Minister's commitment to report on the issue within six months. I look forward to giving further consideration to the issue at Committee level.

**Mr D McIlveen:** I speak not as a member of the Committee, but as outgoing chair of the all-party group on ethnic minorities. For that reason, I want to make a very short contribution to the debate.

First, I want to pay tribute to the junior Ministers, who have been involved in this matter. Having spoken to a number of ethnic minority communities in Northern Ireland, there is a general recognition that a positive approach has been taken. I accept that, on this issue, some misinformation has been passed around, particularly among officials. Although that is regrettable, we are human and these things happen. We have to accept that we are where we are in that regard.

This is an implementation of a European directive. It is right and proper that we follow that, and it would be very unwise of us to sleepwalk towards infraction proceedings on this issue. I fully support endorsement of the order.

I accept that there is concern about people from outside the European Union. A recent piece of research by the Filipino community in Northern Ireland showed that there are certainly concerns about the way in which employees in all sectors, not just fishing but many of the sectors in which Filipino workers are involved, were treated in relation to racism, and so on.

We have to accept that legislation for legislation's sake is not a wise way forward. I certainly do not endorse legislating in that regard. A more cross-departmental approach needs to be taken; there needs to be engagement with DEL and DETI. There has to be a mindset change around how we treat foreign workers. I am not sure that legislation will make all the problems disappear. In fact, it may add to the problem rather than assuage it. We have to accept that, historically, our ethnic minority communities have probably been the more quiet communities when it comes to raising their voice about issues, particularly around housing and employment. It is only now that we are starting to see people from ethnic minority communities coming forward and raising those very real concerns with us. We have to be very aware of what we are dealing with. Legislation is not the way forward. There has to be further engagement with employers to ensure that workers' rights are ultimately being protected.

We also have to be very careful to remember that the migration targets and figures are set very much around the existing legislation. I would not want to see legislation being put in place that would force Her Majesty's Government to look at the number of immigrants that we are allowing in to the country. That would not be a particularly advantageous position to find ourselves in.

We have to be very careful when it comes to legislation. I encourage closer engagement with employers, particularly in the fishing industry. We should support them and ensure that whatever can be done to make sure that workers' rights are protected is done.

**Ms J McCann:** Go raibh maith agat, Mr Speaker. I thank colleagues and fellow Members for their comments today. We recognise the concerns that have been expressed by various Members, but we stress that there is no doubt that we will be fined by the EU if we do not pass the legislation.

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

We have taken on board the various points that were made by Members, and we will look at them closely and examine the implications of acting on them very carefully. Mike Nesbitt, the Chair of the Committee, highlighted the different views of the Committee. He talked about the Committee's concern about the infraction costs. He also mentioned the other costs around extending the protection rights, and he commented on the problem with the timelines.

William Humphrey suggested that including other nationalities would cost jobs and would impact on the fishing industry as a whole. Caitríona Ruane outlined the view that the best way to protect the fishing industry is to treat workers fairly and to protect their rights. She said that the best option in that regard would be to include all nationalities. Chris Lyttle recognised the urgency of the order. He welcomed the commitment to come back here in six months to look at how we can take it forward, if that is possible. David McIlveen also supported the order. He mentioned the need for a more cross-departmental approach to the whole issue and closer engagement with employers.

Having listened to all the Members who spoke, we will take the issues on board. I commend the House for affirming the order, and I look forward to further positive progress on racial equality.

*Question put and agreed to.*

*Resolved:*

*That the draft Race Relations Order 1997 (Amendment) Order (Northern Ireland) 2012 be approved.*

**2.00 pm**

## **Inquiry into Historical Institutional Abuse Bill: Second Stage**

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I beg to move

*That the Second Stage of the Inquiry into Historical Institutional Abuse Bill [NIA 7/11-15] be agreed.*

There cannot be a single soul present in the House, whether here on the Benches or above us in the Public Gallery, who has not been touched by the agony of human suffering that has brought us here today. I can say with confidence that the hearts of the people of Northern Ireland have been moved by the experiences brought to light in recent years by the victims and survivors of institutional abuse. It is a difficult subject for many of us to comprehend, let alone stomach. It draws out differing emotions but never indifference.

The parties are as one on this issue, and the people of Northern Ireland are fully behind this Assembly and Administration in the search for a means to help those who have suffered so much for so long. Throughout this process, the advice and support of victims and survivors has been crucial to our progress. On behalf of the First Minister, the deputy First Minister and the Ministers of the Executive, I want formally to record our gratitude. I also want to thank Martina Anderson for her very significant efforts.

This Bill is specific to the inquiry into historical institutional abuse. To explain the Bill, I will start by saying a little about the inquiry itself. I will then talk about the provisions of the Bill, which are designed to facilitate the inquiry. In December 2010, the Executive established an interdepartmental task force to consider the nature of an inquiry and to recommend how it could be taken forward. The task force consulted victims and survivors, including at open meetings in Belfast, Londonderry and Armagh. It talked to people who had managed inquiries in Ireland and Scotland. Having considered the task force report, the Executive announced in September 2011 that an inquiry would be set up. Junior Minister Anderson and I remained in regular contact with victims and survivors as we refined and developed proposals for the inquiry and finalised its terms of reference. On 31 May, the First Minister and deputy First Minister laid a statement in this Assembly setting out the terms of reference for the inquiry and announcing the inquiry chair and four inquiry panel members. We are very pleased that Sir Anthony Hart, the former High Court judge, has agreed to chair and direct the inquiry.

The inquiry will have two main elements: an acknowledgement forum and the judicial inquiry process. The inquiry will make findings and recommendations on four issues. The first of those is whether there were systemic failings by the state or institutions in their duties towards those children under 18 for whom they provided residential care between 1945 and 1995, both years inclusive. In this context, an institution is any body, society or organisation with responsibility for the care, health or welfare of children in Northern Ireland that provided residential accommodation and took decisions about, and made provision for, the day-to-day care of children. The definition includes orphanages, children's homes, borstals and training schools. It excludes boarding

schools, holiday camps and other situations in which parents or guardians maintain responsibility for the care of children.

Secondly, the inquiry will make findings and recommendations on an apology; that is, who should make the apology and what the nature of the apology should be. The third issue is an appropriate memorial or tribute to those who suffered abuse. The fourth issue is the requirement or desirability for redress to be provided by either the institutions or the Executive to meet the particular needs of victims. The inquiry's findings and recommendations will be thoroughly considered by the Executive, and the Executive will decide the way forward.

In our consultations with them, victims and survivors told us that they wanted the opportunity to recount their experiences of the institutions and for those to be heard, believed and acknowledged. That is why the inquiry includes a confidential acknowledgement forum. That will be an opportunity for victims and survivors to talk about their childhoods in the institutions, how they were treated and what they endured. Many victims and survivors never talk about their experiences. For some, not even their own families know their stories. For them and for all who come forward, talking to the forum will be a landmark in their life. The opportunity to talk, be heard and be acknowledged is hugely valuable. The acknowledgement forum also has other benefits, and analysis of information derived from its hearings will help to inform a judicial process of inquiry. The acknowledgement forum report, when published, will be a significant testimony.

The success of the forum and the value of the experience depends on the skills and insights of the listening panel members. That is why we are pleased that Beverley Clarke, Norah Gibbons, Dave Marshall and Tom Shaw have agreed to be the acknowledgement forum panel members. Ms Gibbons was a commissioner in the Ryan inquiry, and Mr Shaw led the Time to be Heard investigation in Scotland. Ms Clarke has wide experience of social work and childcare, and Mr Marshall is a consultant in the field of child safeguarding, investigation and management.

The inquiry will need to understand the conditions that prevailed for children here between 1945 and 1995. Inquiry panel members will also want to know about the legislative framework within which children's care was delivered and about inspection and standards. There will, therefore, be a research element to the inquiry. The inquiry also includes a judicial inquiry process that will be led personally by the chairman. That will use information from the acknowledgement forum, research and other sources to build up a picture of what happened in the institutions. It is designed to be inquisitorial, and its end result will be a formal report to the First Minister and deputy First Minister giving the chairman's findings and recommendations. At all times during the inquiry, whether during the acknowledgement forum or the judicial process, concern about victims and survivors, their experiences and needs are at the heart of the thinking.

I will now turn to the Bill. It has 23 clauses, of which 17 are substantive. So, it is relatively short. The Bill enables the Office of the First Minister and deputy First Minister to establish and devote resources to an inquiry into historical institutional abuse. It sets out the expenses that OFMDFM may cover and circumstances in which funding

may be withheld. OFMDFM is the sponsor Department for the inquiry, so the first thing that the Bill does is to give OFMDFM the power to establish the inquiry. Clauses 1 to 5 deal with all the practicalities around appointments.

The Bill ties itself very clearly to the inquiry by referring to the terms of reference that were announced in the Assembly on 31 May. It makes it clear that it is not about making findings of criminal or civil responsibility. The power to set up the inquiry is given in clause 1, and clause 5 indicates when the inquiry will end. Clause 5 states that the inquiry will end once it has produced its report and fulfilled its terms of reference. That having been said, it provides for the First Minister and deputy First Minister acting jointly to issue a notice ending the inquiry earlier than this if it were deemed to be necessary. It sets how this should be done.

Clauses 6 to 10 bestow on the presiding member the powers that he needs to ensure the effectiveness of the inquiry. Clause 6 deals with procedure and evidence and sets the tone for the inquiry. It requires the chairman to have concern throughout the inquiry for the principle of fairness and to have due regard for the need to avoid unnecessary expense. It could be unnecessary expense to the public purse, but, equally, it could be to a witness or to anyone else. This means that fairness and cost are legitimate factors to be taken into account when the chairman is making and carrying out his plans for the inquiry. Every decision to hold a hearing, to call for evidence or to grant legal representation adds to the cost of the inquiry. Clause 6 allows the presiding officer to take account of cost in decision-making and to justify a decision on the grounds of cost. Clause 6 also provides that the chairman can take evidence under oath and, for that purpose, the chairman may administer oaths.

The inquisitorial element of the inquiry is a public inquiry, and the public will have a legitimate interest in its proceedings. Clause 7, therefore, requires the presiding member to take whatever steps he considers reasonable to ensure that the public and the press can see and hear the inquiry proceedings. That having been said, there will be times when an individual's privacy must be respected, so clause 8 gives the presiding member the power to make orders restricting attendance at the inquiry or any part of it. Similarly, he will have the power to make orders restricting the disclosure of information held by the inquiry. Unless the chairman includes an end date in an order to restrict the disclosure of evidence or unless he varies or revokes the order, it will continue indefinitely. However, after the end of the inquiry, circumstances may change so that the restriction is no longer needed. Clause 8, therefore, allows for OFMDFM to vary or to revoke restriction orders after the end of the inquiry.

The inquiry will wish to call witnesses to answer questions about the events of the time or to hand over evidence, and it is anticipated that they will do so. However, some may be unwilling to. Others may feel unable to because of confidentiality issues. Clause 9, therefore, enables the presiding member to issue notices compelling witnesses to come before the inquiry or compelling evidence to be given to it. It is an offence under clause 13 not to comply with a restriction order issued by the chairman or a notice compelling witnesses or evidence. Where there is non-compliance, only the presiding member may institute proceedings. Clause 13 also makes it an offence to deliberately



do anything to distort, alter or conceal evidence that is likely to be of interest to the inquiry. This applies regardless of whether or not the inquiry is aware of the evidence. Anyone who is found guilty of an offence may be liable to a level 3 fine on the standard scale, which currently sits at £1,000, to six months' imprisonment or to both. OFMDFM sponsors the inquiry, so clauses 11 and 12 set out OFMDFM's responsibilities for meeting the inquiry costs.

## 2.15 pm

Clause 11 enables OFMDFM to meet witness expenses, including compensating people for time lost if they are called to speak to the inquiry, for their travelling expenses and to cover legal expenses for certain witnesses. Clause 12 enables OFMDFM to deal with the expenses associated with running the inquiry. This will all be in the public domain, as clause 12 also dictates that OFMDFM must publish how much it has spent within a reasonable period of the inquiry ending. OFMDFM is not obliged to fund the inquiry if it is operating outside its terms of reference.

The Act will come into effect on the day that the legislation is commenced; that is, the day after it receives Royal Assent. However, the acknowledgement forum can start its work before that and is expected to begin in the autumn. This inquiry is expected to take three years from the commencement date of the Bill. It will take two and a half years to complete the investigative work and a further six months for the chairman to write the inquiry report, setting out the findings and recommendations. The inquiry ends when the report is presented to the First Minister and deputy First Minister and the terms of reference are completed.

It has been said that a major event in a child's life is a major event in that child's world and that, when adulthood is reached, whatever that event was will have the capacity to assume global proportions. I think that, in this particular case, that wisdom has been proved beyond all doubt.

**Mr Deputy Speaker:** I advise Members that we will have to interrupt the session at 2.30 pm for Question Time.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I thank the Minister for those remarks. I will speak first as Chair of the Committee.

The Committee for the Office of the First Minister and deputy First Minister has had limited opportunity to consider the Bill and, to date, insufficient time to determine its position on the Bill prior to the Second Stage debate. The Committee facilitated a briefing on the Bill from OFMDFM officials, which was done, at short notice, on 6 June this year. During that session, officials provided us with a first overview of the inquiry, the different strands of its work and how the Bill will facilitate the inquiry. Committee members also had an opportunity to ask questions, and I will leave it to individual members to comment on their questions to officials and the answers that they received at that first briefing.

During the Committee Stage, the Committee will wish to scrutinise in some detail the arrangements that are envisaged for this important inquiry. To that end, the Committee will be briefed by departmental officials tomorrow morning — the anticipated first day of the Committee Stage — on the consultation that OFMDFM carried out in preparing for the inquiry and in drafting the Bill. The Committee will also have

an initial briefing on the Bill from the Assembly Research and Information Service. On 4 July, the Chairperson of the inquiry, Sir Anthony Hart, will come to brief the Committee, and we look forward to hearing from him.

In addition to wishing to hear about the Department's consultation, the Committee has written to key stakeholders seeking their comments on the Bill. Once the Committee Stage begins, a notice in the regional newspapers will also invite comments on the Bill. We will request responses by 27 July, and, over the summer, we will schedule evidence sessions for the Committee's meetings in September. In light of the evidence that it receives, the Committee will consider whether it will be necessary to seek an extension to the Committee Stage. That concludes my remarks as Chair of the Committee. As I said, to date, we have had limited opportunity to debate what is proposed.

I would like to say a few words as a Member of the House, and as a Member with some experience of victims and survivors; of their needs, their issues and their requirements. I speak not just as a former commissioner in the Commission for Victims and Survivors. Before that, it was my privilege and challenge, as a journalist, to work in the team at Ulster Television that investigated Father Brendan Smyth and gave some comfort to some of the survivors of his abuse by giving them access to public services and, indeed, to the airwaves. It is a big challenge. For example, I interacted with one person who wished to go on television and have a media focus on what had happened to him, but he did not want to be identified. He wanted to use a false name and be filmed in shadow or from behind. He was brave enough to appear once on a live television debate, which included a Minister from the Irish Government and several others. He was prepared to sit in that live television studio with a camera shooting him from behind so that his face was not identified, trusting me to remember to use his false name — his television name rather than his real name — although, by then, I was much more used to calling him by his actual name. He had the bravery to appear and put his points to that Minister from Dublin and others who represented statutory services on both sides of the border. We managed to do that while preserving his anonymity and giving him access to all the services that you or I would wish to avail of as a citizen of this country.

There is a difference between being abused by an institution and being abused by an individual. When individuals are abused by an institution, they have nobody to turn to. When they are abused by an individual, who do they turn to? They turn to an institution; they turn to the state or an organ of the state, or some official body in which they have been encouraged since childhood to place their trust. That is the difference between abuse by an individual and abuse by an institution. It is an abuse of trust as well. There is nowhere there for them to turn to. Their world order is shattered. At the first hint that the institution is not there for them, that it is going to form the wagons into a circle, that it does not care about them as much as it cares about itself, victims often feel doubly victimised. They are victimised in the first place by the event or action, but then they are doubly victimised by the institution's failure to address their concerns and to put its hands up and admit that it has let them down and that it is prepared to do whatever it takes, at whatever cost to the institution, to put things right.

I hope that we will put together a set of arrangements, an environment and a set of circumstances in the Bill that will allow those who have been abused and who wish to come forward to have trust in what is happening and to acknowledge that what is being put in place is transparent, that it is easily understood, and that it is something in which they can place the confidence that was shattered on the day that they were abused by an institution — an institution like the House, the Assembly and the Executive: we are all institutions. That process will begin with consulting. To that extent, I applaud the Minister and the Department for consulting to date. I hope that they continue to consult, and I hope that they continue to listen as we take the process forward.

We have some issues with the content of the Bill: for example, the fact that the terms of reference are not in the legislation but were delivered in a ministerial statement on 31 May, and yet the terms of reference can be amended in the legislation, as that power is given to the First Minister and deputy First Minister. My colleague John McCallister will return to some of that detail later.

We welcome the multi-strand approach proposed in the Bill to address the needs of the victims of institutional abuse. I particularly welcome the acknowledgment forum. Often, when we talk of victims and survivors, we talk of the benefits and the advantages of storytelling. There is no doubt that an individual can take great comfort from being able, in a safe and secure environment, perhaps for the first time in 10, 20, 30 or 40 years, to have the facility to tell their story and, in common parlance, get it off their chest. I put it to you, Mr Deputy Speaker, that that is not really the full benefit. Storytelling is of real benefit to a victim or a survivor only if there is somebody listening. So, when we talk about storytelling, we must make sure that it is done in such a way that it is listened to, respected and acknowledged.

As many of us know, a victim and a survivor often feel guilt. They think, "Why me? Why them? Why did I survive?" Sometimes, those issues can be played out in a body such as an acknowledgement forum.

I hope that the Bill will also set in place a process that will address all the issues, because victims of institutional abuse are no different from victims of any other type of abuse. Their needs are different; they are individual people; they are not a homogeneous group. They are grouped together simply because of a horrific set of circumstances that they share, and their grouping does not reflect personality traits or any other issue by which they would, otherwise, not have been bound together.

I hope that the Bill puts in place processes that address mental health and well-being issues. All of us can acknowledge how abuse by an institution could impact on mental health and well-being, as it could on social inclusion, because many victims and survivors of institutional abuse will live in isolation, because their trust and confidence in the state, the state's agents and the other bodies that make up the country have been broken.

I hope that it also addresses the question of, what I call, lost opportunities, because the victims will have lost opportunities in relationship building with their families, friends, colleagues and society. There will be lost opportunities in education, which we can put right, if we put our minds to it, and there will be lost opportunities in

employment. Let us not forget that that is not a historical matter only. The lost opportunities of somebody, who, otherwise would have been in a highly paid job and building up pension contributions, will carry on into the future and after the age of retirement.

I mentioned storytelling, and I think that that is key and critical to what we are trying to achieve.

Finally, there is a matter of compensation; a thorny matter perhaps, but the House should not deny the fact that some victims and survivors will consider financial recompense to be their key requirement. We must bear all those matters in mind as we go forward.

I look forward to further scrutinising the Bill in its further stages in the House and in the Committee for the Office of the First Minister and deputy First Minister.

**Mr Deputy Speaker:** Members, as Question Time is due to commence at 2.30 pm, I ask you to take your ease for a few moments. We will return to this debate immediately after questions for urgent oral answer, which will follow Question Time. William Humphrey will be the first Member to speak when the debate resumes.

*The debate stood suspended.*

2.30 pm

# Oral Answers to Questions

## Justice

### Agricrime

1. **Mr Dunne** asked the Minister of Justice what plans he has to tackle the problem of agricrime in rural communities. (AQO 2224/11-15)

5. **Mr Irwin** asked the Minister of Justice how many people have been charged, prosecuted or convicted for the theft of agricultural machinery in the last 12 months. (AQO 2228/11-15)

**Mr Ford (The Minister of Justice):** With your permission, Mr Deputy Speaker, I will take questions 1 and 5 together.

Building safer rural communities is an important issue for my Department, and tackling the issue relies on strong partnership working across and beyond government. I will shortly launch a new community safety strategy, which will outline the importance of partnership working, to support efforts to make rural communities safer through preventing and reducing rural crime.

Members of the Agriculture Committee and Department of Agriculture and Rural Development officials had the chance to consider the content of the community safety strategy before it went to the Executive, and their views have been taken on board. The newly formed policing and community safety partnerships will have a key role in the local delivery of the strategy and in addressing local issues of concern. I encourage those affected by agricrime to take this opportunity to engage with their partnerships to ensure that their views and needs are reflected in local action plans, which are currently being developed.

Members will be aware of the range of local initiatives, such as Farmwatch and trailer and tractor marking schemes, which have been developed to prevent people from becoming a victim of agricrime. I encourage individuals to fully avail themselves of those services.

Statistics cannot be provided on the number of people charged, prosecuted or convicted for the theft of agricultural machinery, as statistical data cannot identify thefts of specified items. However, the PSNI has prepared the following information: in 2011, quad theft amounted to 147 incidents, which is a decrease of 26.5% from 200 in the previous year; trailer theft increased by 5.3% in 2011, up from 514 to 541; and the theft of tools increased by 6.3% in 2011, up from 395 to 420.

**Mr Dunne:** I thank the Minister for his answer. Will he clarify what actions are being taken to reduce the risk to elderly people living on isolated farms, where the problems of agricrime are relatively high?

**Mr Ford:** I am not sure that I agree with the Member that what he appears to be hinting at — attacks on elderly people — necessarily constitutes agricrime. The reality is that those living in rural areas are less likely to be the victim of a crime such as burglary than those who live in urban

areas. It is something like a third of the number compared with urban areas. There is no doubt that existing provisions being carried through by a number of policing and community safety partnerships in the way of provision of aids and alarms and in providing that sort of back-up assistance to more vulnerable members of the community is helping to reduce crimes against them and the fear of such crime.

**Mr Irwin:** I thank the Minister for his answer. I am disappointed that the Minister had no statistics for the number of people prosecuted or convicted. Given the fact that much of the agricultural machinery and equipment is taken by highly organised crime gangsters and sold across Europe and the Republic of Ireland, does the Minister believe that enough is being done to stop it?

**Mr Ford:** I agree that there is a particular issue with the way in which statistics are compiled, but we currently operate on the basis of UK national statistics, which do not differentiate between particular types of goods subject to theft. I understand that discussions are going on at national level, so that may change in the coming years.

There is no doubt that there is a significant issue, particularly regarding some items of machinery, including tractors and quads, where organised crime is at work. However, there is also no doubt that the activities that we have seen in the way of the marking of machinery are having a significant effect. In particular, those who own valuable machinery are putting trackers on them, and, in a number of cases, we have been able to ensure that stolen goods have been recovered.

**Mr Hazzard:** Does the Minister have any idea if those involved in agricrime are members of organised crime gangs? If that is the case, what is being done to target that specifically?

**Mr Ford:** Mr Hazzard has put his finger on it. While, undoubtedly, some small-scale issues may well be opportunistic theft, there is no doubt that the more serious crime directed against valuable machinery is almost certainly done on an organised basis. That issue is being handled across the Organised Crime Task Force by a number of agencies in co-operation. One of the key issues is to ensure that those who own such agricultural machinery take the necessary precautionary steps to prevent its being stolen. Unfortunately, it is still the case that valuable, five-figure tractors are left sitting in farmyards with keys in the ignition. That is not a particularly smart move. Unfortunately, people need to realise that, while we should not exaggerate the number of thefts in rural areas, some of that valuable machinery is significantly vulnerable.

**Mr Dallat:** The Minister mentioned collaboration between agencies. Does he agree with me that the Neighbourhood Watch schemes are one way in which the PSNI and other agencies can become involved in raising awareness in rural areas? Will he outline to the House what steps his Department has taken to have a real input to that?

**Mr Ford:** I thank Mr Dallat for the question. The recent development of the Farmwatch scheme in Omagh, which I helped to launch a few weeks ago, is a classic example of how what was the predominantly urban Neighbourhood Watch scheme can have particular applications. One of those who helped found that scheme, by good co-operation with his local neighbourhood policing team and a group of neighbours, had ensured that those responsible for

a number of thefts of machinery, who had travelled a significant distance into their area, were apprehended and suitably prosecuted. That is the kind of work that I hope to see going forward. It builds on the good work done by a number of community safety partnerships (CSPs) in the background to continue to promote that kind of activity through the new PCSPs. Certainly the Department will continue to provide backup where appropriate. I have absolutely no doubt that the police will continue to be involved.

## Criminal Justice: Sentencing

**2. Mr Craig** asked the Minister of Justice to outline the timescale for a review of sentencing for the murder of PSNI officers. (AQO 2225/11-15)

**9. Mr McQuillan** asked the Minister of Justice what plans there are to bring sentencing policy into line with that in Great Britain. (AQO 2232/11-15)

**Mr Ford:** With your permission, Mr Deputy Speaker, I will take questions 2 and 9 together.

As I announced on 11 June, I intend to carry out a wider review of the legislation governing the determination of tariffs where the court has passed a life sentence for murder. The review will include but will not be limited to the determination of tariffs for the murder of police officers.

I have asked my Department to give priority to the review, and initial work is already under way. While the review will include a consideration of arrangements in other jurisdictions, including England and Wales, my aim is not to replicate the GB model but to find a way forward that is right for Northern Ireland. The review will also need to reflect the findings of the Court of Appeal, which has been asked by the Director of Public Prosecutions to consider the tariffs handed down to Wootton and McConville for the murder of Constable Stephen Carroll. That will provide the opportunity for the Court of Appeal to consider the sentencing guidelines for the determination of tariffs.

The recommendations of the review will be published for consultation as soon as I have had time to consider the court's decision in the two cases referred to it and to take the views of the Justice Committee in light of them.

**Mr Craig:** I welcome the Minister's statement on that issue and the fact that the review will relate to Northern Ireland. There are some peculiar issues with regard to younger people's sentencing. Does the Minister agree that the House could send this out as a very positive message to the PSNI, who are under a very real and serious threat? It would be a very good message that the entire House could send out to the members of the force that we really appreciate them, if we can speedily resolve the issue of sentencing for the murder of police officers.

**Mr Ford:** I certainly agree with Mr Craig that the House should send a message of support to police officers. I believe that that is what the response to the sentencing in the case of the murder of Constable Carroll did. It sent a message from throughout the House and the wider community of support for the work done by police officers.

I am not sure, however, that we can necessarily deliver as speedily as some Members might wish. I believe it is appropriate to wait until the Court of Appeal has issued its

determination in the particular case that we are discussing before the Department can move on and work to the wider issues. That is why I asked that initial work start in advance of the Court of Appeal judgement, so that we can deal with it as speedily as possible to provide that encouragement.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

I thank the Minister for his answer. Does he agree with me that perhaps the best way forward or the best model would be a sentencing council, which would bring both clarity and parity to all sentencing processes?

**Mr Ford:** Raymond McCartney and I could go back two and a half years to discuss the potential merits of a sentencing council. I believe that the work being carried through by the Chief Justice and the involvement of lay members in his work on developing sentencing guidelines, backed up by the work that the Department is prepared to do, is capable of providing the necessary consistency and reassurance to the community that we wish to see. I am reluctant to move forward on a formal sentencing council if it would not achieve any more than that work being done informally, given that there is always pressure on budgets and that it has been estimated to cost almost £500,000 a year merely to establish a statutory council rather than have the work done that is being led by the judges at the moment, which would be reasonable. That said, I am on record as saying that we will see how it goes. I am prepared to reconsider the issue if concerns continue; however, we need to allow the Chief Justice to carry through the work that he has undertaken.

**Mr B McCrea:** Minister, do you agree with me that there is widespread public disquiet about sentencing for the murder of police officers and that public opinion needs to be taken very seriously? What steps does the Minister plan to take in his review to ensure that the public are fully informed about the reasons behind sentencing procedures?

**Mr Ford:** Public concern needs to be addressed, and that is why the review will be carried out in an open and transparent way. It will involve building on the work of the Court of Appeal in the case of Wootton and McConville. It will allow public consultation, and it will ensure that the views of the House, through the Justice Committee, are taken into account. It is also my belief that the ongoing work being developed by the Chief Justice on lay participation in his work should help to enhance confidence. We need to await the results of that and ensure that we build confidence rather than second-guess a process that is barely under way.

**Mr McDevitt:** Will the Minister elaborate on the sentencing group that the Chief Justice is organising? Specifically, is he engaging with that group and, if so, how periodically and on what matters? Does he anticipate its engaging more directly with any Committee of the House?

**Mr Ford:** Mr McDevitt makes a fair point about how confidence is provided. The judicial sentencing group is very much a matter for the judges, with the lay involvement that the Chief Justice has agreed to. He has a programme of action that is looking at options and has already produced a number of guidelines, particularly in the lower courts, where there is greater concern about inconsistency between district judges in different courts. That is part of an area where there is already the opportunity to build up confidence and to ensure that we have transparent and open sentencing benchmarks.



I should be cautious, as Minister, of suggesting either that members of the Executive or members of the legislature should get too closely involved in work that, at that level, is properly the role of the judiciary. I will seek to develop a community engagement strategy, which, I believe, is part of the role of the Department of Justice, to ensure that we get a proper two-way flow of information on sentencing, which, I believe, will address the points that Mr McDevitt and Mr McCrea have just made.

### Criminal Justice: Bereaved Relatives

3. **Mr G Robinson** asked the Minister of Justice what provision is made for the relatives of a deceased victim of crime to be kept updated on the progress of a subsequent court case.

(AQO 2226/11-15)

**Mr Ford:** Addressing the needs of victims and their families has been high on my list of priorities since becoming Justice Minister. Where a victim is unable to act for themselves, through injury or incapacity, the PPS and the Police Service will often work with the victim's next of kin or nominated representative to ensure that the interests of the victim are properly represented. They will take all steps to ensure that the person they are working with is the most appropriate. The PPS and PSNI are also jointly working on a project to introduce a witness care unit in Northern Ireland. In establishing a single point of contact for victims and witnesses, the unit will provide information for those attending court and updates on how a case is progressing. The witness care unit will also aid referrals to other organisations, if a victim or witness requires specialist help.

More generally, I plan, later this year, to publish for consultation a new five-year strategy for victims and witnesses of crime, one of the key themes of which is likely to be improving communication with victims and their families. I have given a commitment that the proposed new strategy will be substantially informed by the outcome of the Justice Committee's recent inquiry into services for victims and witnesses, and I look forward to receiving its report later this week. I also advise Members that my officials are happy to discuss individual cases privately.

2.45 pm

**Mr G Robinson:** I thank the Minister for his answer. Will he give assurances that relatives of deceased victims of crime will be treated as the victim of the crime to ensure that justice is carried out?

**Mr Ford:** I am well aware of the particular point that Mr Robinson makes. It is a very serious point. There are difficulties in continuing to provide the services that would be provided to a victim to the relatives of a deceased victim, especially in a case where the victim has died from causes unrelated to any crime. However, if Mr Robinson has concerns about a particular case, I certainly hope that my officials can provide reassurance to him. We will see what can be done.

**Mr Molloy:** Go raibh maith agat, a LeasCheann Comhairle. Is the Minister committed to bringing forward a victims' charter? Is that likely to happen in the near future or is it on the long finger?

**Mr Ford:** Since devolution, a number of initiatives have been taken forward around the services for victims. Indeed, work is under way at the moment. The range of work probably needs to be spelt out. However, I certainly hope that we will see the new victim and witness strategy published in draft in the autumn of this year and in place by the summer of next year. I am looking to place the victim code of practice on a statutory footing, probably in the faster, Fairer Justice Bill, which is planned for next year. The work that has been ongoing will continue, because it is absolutely clear that there is a recognition that, in the past, we have not treated victims and witnesses of crimes as well as they should have been treated.

**Mr A Maginness:** The situation in relation to victims seems to have improved as regards information and the general conduct of the prosecution towards victims. Is the Minister fully satisfied with the process? If not, would he consider the introduction of some sort of statutory improvements?

**Mr Ford:** I suppose the only answer I can give to a question such as Mr Maginness has just posed is that we can never be satisfied that we are doing as much as can be done. However, I believe that the direction of travel is a significant improvement on where we were a few years ago. For example, the guides I launched just after I became Minister — a guide for victims and witnesses and a specific guide for those who are bereaved by murder or manslaughter — are clear indications of positive work being done. The publication of the code of practice and the possibility, as I have just said, that we will put that on a statutory footing are indications that the Department is seeking to make the best possible arrangements for victims and witnesses to help them to overcome the experience they have had. In some cases, that is to enable them to give best evidence, but it is also to enable them to recover from the effects of the crime.

### Legal Aid

4. **Mr Elliott** asked the Minister of Justice how much money has been recovered over the last two years from people who received legal aid but were later found to have sufficient finances to fund their legal costs. (AQO 2227/11-15)

**Mr Ford:** The Legal Services Commission collected £271,000 in 2010-11 and £191,000 in 2011-12 by way of costs from litigants. Costs recovered include debt arising from revocations but also costs directed by the court and assisted persons' contributions to legal aid. I propose to make new regulations before the summer recess to enable costs to be recovered from convicted defendants in the Crown Court, where such defendants are found to have had the means to pay for the costs of their defence.

**Mr Elliott:** Has the Minister any idea of the real outstanding moneys in this? Are there any estimates for what could likely be recovered? Why are sufficient mechanisms not in place to stop this happening in the first place?

**Mr Ford:** The answer to Mr Elliott's second question is absolutely clear: there are not sufficient mechanisms in place because, under direct rule, they were not given legislative competence. That is something that we are seeking to catch up with by the regulations that are now being made. At the moment, it is extremely difficult to assess what level of fraud there may be in the legal aid

system and whether all payments are made properly. We are also looking at taking powers to allow, for example, the inspection of account books on the part of solicitors and barristers to ensure that the kind of checks that have been identified as being required are put in place. The system we inherited is certainly not suitable at the present time.

**Mr Campbell:** Can the Minister spell out how seriously he takes the issue of persons who deliberately try to fraudulently abuse the system while knowing that they would not qualify for legal aid? Can he also tell us what he is going to do to spell out a deterrent that would prevent people from doing exactly that?

**Mr Ford:** The Department and I clearly take extremely seriously any attempts to defraud the public finances, whether that is through legal aid payments or anything else. It is clear that, at the moment, we do not have all the powers that are required to ensure that proper audits can be carried out, although we have things such as inspection visits and the ability to examine books in general rather than specific papers for particular cases. We are looking to take forward all those issues in the next available justice Bill, which, I believe, will help to stamp out the level of fraud that may exist.

**Mr Dickson:** I thank the Minister for his answers thus far. Minister, you detailed for us much of what will be done to deal with legal aid fraud. Can you assure the House that you will bring forward appropriate regulation in the next justice Bill?

**Mr Ford:** I can certainly assure the House that I would seek to bring forward an appropriate level of regulation in the next Bill, but I cannot guarantee that either the Justice Committee, the Executive or the House as a whole will allow it to proceed. However, it certainly appears to me from what is being said by members of the Justice Committee, which includes my colleague and others, that there is a real need to ensure that not only should we continue the work that has been done on tightening legal aid payments, including the significant changes that have been made in criminal legal aid over the past year and the changes that are still to come in civil legal aid, but we should ensure that every pound that is spent on legal aid is spent properly. That is something that I believe the House ought to support, and I trust that it will.

**Mr Deputy Speaker:** Question 5 has already been answered.

## Human Trafficking

6. **Mr D Bradley** asked the Minister of Justice what plans he has to address the needs of victims of human trafficking.  
(AQO 2229/11-15)

**Mr Ford:** The Department of Justice funds a package of support for all adult victims of human trafficking recovered in Northern Ireland. It includes safe and appropriate accommodation, help with day-to-day living expenses, access to healthcare, counselling and other specialist services. It is delivered by Migrant Helpline and its delivery partner, Women's Aid Federation, and is overseen by a stakeholder group, with representation from the Department, the PSNI, UKBA, Migrant Helpline, Women's Aid Federation Northern Ireland and DHSSPS.

The Department of Justice's other victim-centred initiatives, carried out through the Organised Crime Task Force, include

a 'Visitor or Victim?' leaflet and poster, the Blue Blindfold campaign to raise awareness and encourage the public to report suspicious activity, and draft guidance on working arrangements for adult victims that the Department is developing with DHSSPS. My Department is also working with Amnesty International to develop a multilingual leaflet for victims. It is working towards a communications strategy to change mindsets and to drive down the demand for goods and services from organised crime, including those offered by victims of human trafficking. Support for child victims of trafficking is a matter for the DHSSPS.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra, agus tá ceist thánaisteach agam dó.

I thank the Minister for his answer. Can he assure us and give us confidence that, when the police release, as it were, the victims of human trafficking from captivity, they will be properly looked after and not subjected to the immediate threat of deportation?

**Mr Ford:** I certainly assure Mr Bradley that victims of trafficking are not subjected to the immediate threat of deportation, but there are significant issues. In many cases, they will have a family at home who may be subject to some sort of coercion by the gangs responsible for the trafficking. There are real problems when, even after a period of reflection, individuals cannot gain the confidence to give the evidence that enables us to proceed against those responsible for the trafficking. People frequently end up being returned to their country of origin because the evidence is not fully forthcoming. However, I believe that the agencies treat the victims of trafficking as best they can, although the ongoing issue of the coercion to which victims and their families are subjected is a matter of real concern for all of us.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Given the increase in human trafficking, coupled with the low conviction rate, how does the Minister intend to deal with the practice and those involved in it? Should they face the full rigours of the law and be given appropriate sentences?

**Mr Ford:** I can assure Mr Lynch that appropriate sentences are given out when people can be subject to the rigours of the law. I have just said to Mr Bradley about the difficulty in getting people to give appropriate evidence, but I believe that good work is being done, particularly though the OCTF subgroup that is concerned with trafficking and immigration issues. There is extremely good cross-border work and good cross-channel work with those responsible in Scotland, England and Wales. A joined-up approach is needed on the part of a number of Departments and agencies here and their opposite numbers throughout these islands, and there is absolutely no doubt that there is a growing public concern and demand that everything possible be done to stamp out trafficking.

**Mr Copeland:** Will the Minister confirm what co-operation that he knows about, if any, is taking place with other countries and their immigration authorities in an attempt to stop this corrupt practice?

**Mr Ford:** I am afraid that I cannot give Mr Copeland the details of what is going on. I know the level of co-operation on these islands between all the relevant agencies. When

issues arise from elsewhere in the world, different things largely become operational matters for the relevant agencies here and overseas, and I cannot give many details on those practicalities.

### Criminal Justice: Whistle-blowers

7. **Mr Murphy** asked the Minister of Justice what protection and rights are offered to whistle-blowers within the criminal justice system. (AQO 2230/11-15)

**Mr Ford:** I can confirm that the criminal justice agencies comply with the Public Interest Disclosure (Northern Ireland) Order 1998. Protections for whistle-blowers are in place as required under that legislation, which ensures that employees making protected disclosures in good faith in the circumstances described in the legislation are protected against dismissal and other detriment.

Criminal justice agencies have internal arrangements for raising issues of concern, and I strongly encourage members of staff to use those when any such issues arise. However, the legislation also allows for protected disclosure in some circumstances to an external body.

**Mr Murphy:** I thank the Minister for his answer and welcome his encouragement to staff. He will be aware that the former chief executive of the Office of the Police Ombudsman resigned in order to blow the whistle on interference in that office. We now find that senior PSNI members have tried to discourage trade union representatives from blowing the whistle on the policy of rehiring police officers, sometimes within days of their retirement.

**Mr Deputy Speaker:** Will the Member ask a question, please?

**Mr Murphy:** In light of the Minister's earlier answer, does he have any comment to make on that?

**Mr Ford:** I thank Mr Murphy for that point. He needs to be careful how exactly he defines whistle-blowing in the context of the order. I am not sure that, where individuals have sought to raise matters outside the established structures, they necessarily qualify as whistle-blowers. Some of the wider points that the Member makes seem to be more about policy matters than whistle-blowing.

**Mr Swann:** Does the Minister accept that much more support could be provided to staff working in front line services in the criminal justice system?

**Mr Ford:** I am not sure what Mr Swann is particularly hinting at. I believe that the current arrangements around whistle-blowing are adequate, but, if he has particular concerns and wants to write to me, I will follow them up.

### Prisoners: Prescription Drugs

8. **Dr McDonnell** asked the Minister of Justice what actions he intends to take to ensure that the Northern Ireland Prison Service implements measures to prevent the misuse of prescription drugs within the prison estate. (AQO 2231/11-15)

**Mr Ford:** I recognise the high level of substance addiction in the prison population which has often been developed in the community over many years. I also acknowledge the

devastating effect that the misuse of prescription drugs in the prison estate can have.

Prisoners are provided with prescription drugs just like any member of the community and are expected to behave responsibly. The South Eastern Trust is responsible for the delivery of healthcare in our prisons and has developed a policy of "in possession" medication. That policy is based on the equivalence principle, the notion that prisoners should have access to the same quality and range of healthcare services as the general public receive from the NHS.

### 3.00 pm

Experience has shown that prescription drugs can be open to abuse in a prison setting; therefore, the Prison Service has a range of measures in place to address this problem. These include a drugs and alcohol treatment and counselling service; multidisciplinary case reviews; development of a revised anti-bullying policy; provision of individual safes for storing prescription medication; mandatory drugs tests; regular cell searches; the deployment of drugs dogs; and disciplinary action and removal from association with other prisoners where warranted.

The trust introduced in-possession risk assessments for all prisoners in September of last year. I can now confirm that both the trust and the Prison Service are fully committed to addressing the concerns raised in relation to in-possession medication, in particular, to consider supervised-swallow arrangements for certain categories of drugs.

## Regional Development

### A6: Public Inquiry

1. **Mr Molloy** asked the Minister for Regional Development whether the A6 dualling public inquiry is still scheduled to begin in the late summer. (AQO 2239/11-15)

**Mr Kennedy (The Minister for Regional Development):** I am pleased to inform the Member that I approved the holding of a public inquiry into the A6 Londonderry to Dungiven dualling scheme. Letters will issue shortly to objectors to inform them that the inquiry will be held at the Roe Park Hotel, Limavady, during the last week of September and the first week of October 2012.

**Mr Molloy:** I thank the Minister for his reply. Is there any report on the short inquiry that was held in relation to the Castledawson bypass? What is the likelihood of a bypass for Dungiven, given the high emissions there in relation to European standards?

**Mr Kennedy:** I am grateful to the Member for asking two supplementary questions for the price of one.

The public inquiry into the construction of the junction to connect the Annaghmore Road and Bellshill Road at Castledawson to the proposed A6 Toome to Castledawson dual carriageway was held, as the Member will recall, on 13 and 14 February 2012. I am pleased to inform him that the inspector has produced his report, which is being carefully considered by officials in Roads Service. I hope to make a statement on that report in the next few months.

I am aware of the concern in Dungiven and the local council area about the issue that the Member raised about fumes. I can confirm that it will be possible to bring forward the draft statutory orders for the construction of the bypass at Dungiven ahead of and without compromising the future delivery of the remainder of that scheme. However, this is, of course, all conditional on available funding.

**Mr Campbell:** The Minister will be aware that a number of landowners between the Dungiven and Claudy areas of the preferred route for the A6 are concerned about their properties and the land acquisition process. Is he satisfied that everything that can be done to try to alleviate their concerns has been done?

**Mr Kennedy:** I confirm that there are some 122 objections to the entire scheme, with 11 letters of comment. Objections mainly concern landowner issues such as severance, loss of land and environmental issues. Therefore, I think it is important that we move to the public inquiry stage, which will give a further opportunity to concerned landowners and objectors to raise points of concern, not only with the inspector and his team but also with my officials, who will also listen carefully. I hope that we can work together to make progress on that very important scheme. I think that the scheme is accepted across this House and by local representatives as one that would benefit the local economy and people in general.

**Mrs Overend:** Does the Minister agree that the ongoing delay in publishing the 2011-21 investment strategy will make it difficult for his Department to identify and prioritise additional capital funding projects, such as those along the A6?

**Mr Kennedy:** I am grateful to the Member for her supplementary question, and her interest in this scheme and in other roads matters in her constituency. Obviously, the production and agreement of the investment strategy for Northern Ireland will be of huge importance and relevance to my departmental budget and to those of Executive colleagues. Therefore, it is in everyone's interest that we move forward on it as quickly as possible.

**Mr Dallat:** I congratulate the Minister on his announcement to hold a public inquiry into the A6 scheme. I encourage him to write his name into history by also announcing the decoupling of the bypass at Dungiven. That is something that his predecessor failed to do, and the people of Dungiven would deeply appreciate it. It is the most polluted town in this part of Ireland.

**Mr Kennedy:** I am grateful to the Member for his supplementary question and for his invitation to pass into the annals of history on that issue. I can confirm that it is possible to decouple, which is an important difference from previous arrangements. If there are funding opportunities that can be availed of, it may be that we will carry forward that scheme. However, it is all dependent on finance.

## Traffic Congestion: North Belfast

2. **Mr A Maginness** asked the Minister for Regional Development what proposals his Department has to reduce traffic congestion in residential areas of north Belfast.

(AQO 2240/11-15)

**Mr Kennedy:** Roads Service has advised that traffic congestion in residential areas is usually caused by the high usage of available kerb space for parking. The normal means of dealing with traffic congestion of that nature is through the introduction of waiting restrictions. However, that is often contentious in residential streets, as such restrictions do not discriminate between residents and other vehicle drivers.

Where congestion is caused by non-residential parking, a more appropriate means of parking control may be the introduction of residents' parking schemes. You will be aware that progress on the development and implementation of those schemes was delayed for some considerable time, as there was insufficient community support to allow them to be taken forward. However, following a number of reviews of some policy issues, such as the proposed cost of a parking permit, I believe that those contentious issues have now been largely resolved, and officials are working with local residents' associations in several areas in Belfast.

The areas under consideration are those where the problems of commuter parking are the most serious and long-standing. Officials hope to follow up that work with the creation of similar schemes in other areas where a need has been identified. If the Member wishes to provide me details of any streets where he feels that congestion is a significant issue, Roads Service will be happy to consider what, if any, remedial measures would be appropriate.

**Mr A Maginness:** I thank the Minister for his very comprehensive reply. It is good news that there has been significant progress on residents' parking schemes, and I wish the Minister well in bringing them about. In circumstances in north Belfast —

**Mr Deputy Speaker:** Will the Member ask the question, please?

**Mr A Maginness:** Thank you, Mr Deputy Speaker. Would the Minister consider extending those schemes to residential areas in north Belfast rather than just commuter routes?

**Mr Kennedy:** I am grateful for the Member's very positive response. I am genuinely interested in carrying forward the creation of residents' parking schemes. I have recently held meetings with a large number of Assembly Members and local representatives in various parts, including one with my party colleague Michael McGimpsey and your party colleague Conall McDevitt on issues in south Belfast.

There have been problems in the past, and I hope that we will be able to overcome those. I think that an early success, even in a relatively confined area, may have the spin-off effect of other residents in other areas wanting to benefit from those schemes. It is on that basis that I want to see progress on residents' parking schemes.

**Mr G Kelly:** Gabhaim buíochas leis an Aire as an fhreagra sin. Is the Minister aware that the Cliftonville Road in north Belfast is being closed for two months? There will be only one-way traffic on what is a main arterial route. Was there consultation with residents, community groups, black-taxi drivers or Translink? It is a very long road, it is a main arterial route and happens to be the safest way into Ardoyne, Marrowbone and Cliftonville. Closing such a long road will also affect people of a certain age.



**Mr Kennedy:** I am grateful to the Member for his supplementary question. It may well be that he will have an issue about the Cliftonville Road and its impact on local parades in the coming marching season. That may not be the case.

**Mr G Kelly:** I presume that that is not the road that is closed. *[Laughter.]*

**Mr Kennedy:** I have a bass drum that I can bring along if you really want it.

It is my understanding that NI Water is about to carry out works there or some kind of cabling scheme. The issue was raised earlier this morning by one of the Member's party colleagues at a meeting with me on other issues. We are endeavouring to find out the detail of the closures and the impact on the local community. Obviously, work of this nature is important. It is not possible to make omelettes without breaking eggs, and there is always inconvenience. However, we will seek to establish the detail, and we will keep the Member acquainted with developments.

**Mr Copeland:** I thank the Minister for his answers thus far. Will he confirm that the use of residents' parking schemes to tackle traffic congestion could be applied not only in north Belfast but elsewhere in the Province?

**Mr Kennedy:** I am grateful to the Member for his supplementary question; he makes a very good point. We want to move to the implementation of parking schemes. Where communities want to make progress and can overcome issues, such schemes will have a very positive impact. Therefore, if the Member has suggestions or ideas, even within his own constituency, I am happy for my officials to look at them and seek to progress them.

## M2: Belfast International Airport

3. **Mr Kinahan** asked the Minister for Regional Development for his assessment of the current connections between Belfast International Airport and the M2 motorway. (AQO 2241/11-15)

**Mr Kennedy:** The programme of strategic road improvements has been identified as part of a process that has evolved over the past decade and is based on a number of key strategies and documents, namely the regional development strategy, the regional transport strategy and the regional strategic transport network plan, all of which were subject to public consultation.

The subsequent programme of improvements, which has been assessed against the five key criteria for transportation, focused primarily on the key transport corridors as identified in the regional development strategy and includes a significant number of priority projects. Schemes identified as part of that process have improved accessibility for passengers travelling to Belfast International Airport from across Northern Ireland and indeed from the Republic of Ireland. Those schemes also provide benefits for passengers travelling to George Best Belfast City Airport and the airport in Londonderry.

The recently completed scheme between Beech Hill and Cloghogue at Newry has completed the dualling of the A1 from Sprucefield to the Republic of Ireland, which has significantly improved access along the route to Belfast

International Airport as well as to George Best Belfast City Airport. Accessibility to Belfast International Airport through Belfast has also been significantly improved following completion of the M1/Westlink and M2 works. Major dualling schemes are also planned for substantial sections of the A6 between Londonderry and Randalstown and for the A26 between Coleraine and Ballymena. That will provide greater accessibility for passengers travelling to Northern Ireland's three main airports.

Unfortunately, it has not been possible to include an upgrade of the link to Belfast International Airport from the M2 in the roads programme. However, that can be reviewed when funding levels next permit an expansion of the roads programme.

**Mr Kinahan:** I thank the Minister for his answer and look forward to that link between Belfast International Airport and the M2 being upgraded one day. Similarly, though, will he expand on the concerns for George Best Belfast City Airport and how he assesses the future for links to that airport?

## 3.15 pm

**Mr Kennedy:** I am grateful to the Member for his supplementary. Roads Service has proposals to improve the A2 Sydenham bypass to provide three traffic lanes in each direction over a 2.5 km length between Tillysburn junction and the M3. That proposed improvement is an upgrade to the strategic highway network and provides improved access to George Best Belfast City Airport. As I stated in my original answer, passengers travelling to Belfast City Airport have also benefited from improvements to the A1 and, in future, will benefit from the proposed schemes on the A6 and A26.

**Mr Lynch:** Gabhaim buíochas leis an Aire as a fhreagra. What assessment has been carried out on rail connections to any of the North's three airports?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. The issue of a rail link has been considered over many years, certainly well before my involvement as Minister for Regional Development. A study undertaken as far back as 2006 on extending rail links to Belfast International Airport concluded that it would not be economically viable. It is estimated that passenger numbers at the airport would have to double from their current level for that to change. I am not aware of similar studies undertaken in respect of the other two airports, but we will check that and get back to you.

**Dr McDonnell:** Pursuant to the last question, surely the issue of the report being accurate has to be raised because the railway runs along the end of the runway at Aldergrove airport and, therefore, it should not be wildly expensive to put a halt on it. It may be more expensive, though, to have adequate numbers of trains running. Worse than that, we have a railway line running beside the City Airport and —

**Mr Deputy Speaker:** I think the Member has asked his question.

**Dr McDonnell:** Why can we not get a proper halt adjacent to the City Airport rather than two halts, one half a mile each side of the airport?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. The question that he poses has been reflected upon and considered. There are issues of costs and economic viability. Whilst it would be very desirable to have rail links to all Northern Ireland's airports, the economics

of it at this point simply do not stack up. The pragmatic arrangements of linking the road network effectively and safely into the strategic road network also provide additional concerns.

## Pelican Crossings

**4. Mr Ross** asked the Minister for Regional Development how many pelican crossings across Northern Ireland are not functioning properly. (AQO 2242/11-15)

**Mr Kennedy:** Roads Service has advised that all 440 pelican crossings in operation across Northern Ireland are functioning properly. A crossing at Lonemoor Road, Londonderry, has been turned off temporarily as part of a temporary traffic management arrangement to facilitate a Northern Ireland Water sewer replacement scheme.

**Mr Ross:** I thank the Minister for that answer. I am glad that they are functioning correctly, but I am sure the Minister will acknowledge that they do cause a degree of concern, particularly for the elderly and those with disabilities and mobility issues, who feel that they do not have adequate time to cross the road safely. Will the Minister look at the time that members of the public have to cross these and determine whether that could be extended to make it safer for elderly people, particularly in areas with a high number of elderly residents?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I can confirm that pedestrian crossing timings are set in accordance with national guidelines. My Department's officials are, of course, aware of the most recent research into pedestrian walking times, which will be included in any future consultations on the proposed changes to current timings. I will seek to further reflect on the Member's concerns.

**Mr Allister:** When the Minister is not considering the weighty matter of the number of pelican crossings that are functioning properly, has he had an opportunity to consider whether ministerial appointments are now functioning properly in his Department, following last week's finding of religious discrimination against his predecessor?

**Mr Deputy Speaker:** Clearly, that is not relevant to the question. I call Kieran McCarthy.

**Mr McCarthy:** You are a gentleman, Mr Deputy Speaker. I thank the Minister for his response to my colleague Alastair Ross's question and for being very attentive to the needs of the elderly population.

He recently launched the introduction of puffin crossings, and I am delighted to say that his Department has relented and will provide such a crossing in my village, on Main Street in Kircubbin, which will, hopefully, help elderly people to cross the street. Is there any advantage in converting pelican crossings into puffin crossings so that elderly people can cross the road safely?

**Mr Kennedy:** I am very grateful to the Member for his supplementary question. We had a few in mind in Kircubbin, so that he would be able to cross safely and help others.

On a serious note, there are issues to do with improving road safety and the strategic management of traffic on the road network. Puffin crossings offer enhanced safety and traffic flow features. Since September 2011, Roads

Service has upgraded 28 existing pelican crossings to puffin crossings and has installed 24 new puffins.

The major differences between puffins and pelicans are that — *[Interruption.]*

This is not a black and white issue, Mr Deputy Speaker. *[Laughter.]* The difference is that puffins have the red/green man on the push button unit beside the pedestrian. I hope that Mr McCarthy is listening to this, because it is important. *[Laughter.]* There is no flashing amber signal to drivers, who are held on a red signal until pedestrians have completed their crossing. The time for pedestrians to cross the road can be extended by sensors, which detect people who are still on the crossing.

Drivers also derive benefits from puffin crossings. For example, when a pedestrian pushes the push button and moves away, the demand for the green man is cancelled so that drivers do not experience an unnecessary delay. I am grateful for the Member's attention. *[Laughter.]*

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. I was nearly tempted to ask the Minister: what was that again? *[Laughter.]* We have a crossing in Cookstown that we call a kangaroo crossing, because it is difficult to get across it without injuring yourself.

On a serious note, the Safe Routes to School project is very valuable and has been very useful, particularly for many schools in rural areas where there have been traffic problems. Has there ever been an evaluation of the usefulness of incorporating some form of pedestrian crossing into that project in certain areas where it has been determined to be of worth? I can think of a few myself.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Like him, I value the benefits that schools and local areas are gaining as a result of the implementation of those measures. I will take his suggestion on board about whether it can be or is already part of the consideration for inclusion in schemes, and I will write to him accordingly.

**Mr Deputy Speaker:** The Member is not in his place to ask question 5.

## Belfast on the Move: North Belfast

**6. Ms P Bradley** asked the Minister for Regional Development what plans his Department has for north of Belfast city centre as part of the Belfast on the Move master plan.

(AQO 2244/11-15)

**Mr Kennedy:** My Department's proposals for the Belfast on the Move transport master plan are focused on providing improved public transport services, better facilities for walking and cycling, and a reduction in the dominance of travel by private car. It is concentrated at this time on the core streets around City Hall. However, in the north-west section of the city centre, as part of the proposals and with the full support of the local residents, my Department will close several streets in the Barrack Street area to through traffic. That will prevent motorists using those streets as a rat run to and from the city centre area.

As the project progresses, the transformation of the city centre ring road around Belfast will be examined in line with proposals set out in the Belfast metropolitan transport plan

2015. My Department will endeavour to reduce the scale of the roads system in the northern section of the city centre ring, including Millfield, Frederick Street and the Dunbar Link, so that it is more appropriate to the streetscape and does not form a barrier between the core of the city and surrounding residential areas. In addition, my Department will work closely with other parties that may have an interest in development in the area, such as the University of Ulster, which has proposals to relocate its campus to the York Street area.

**Ms P Bradley:** I thank the Minister for his answers thus far. Will he advise whether his officials are considering an integrated approach? Will he update the House on the introduction of the rapid transport system in north Belfast?

**Mr Kennedy:** I am grateful to the Member for her supplementary. Of course, it is essential that all these systems are properly integrated and that there is a consistency of approach in our proposals.

The Member specifically asked about the Belfast rapid transit network and the opportunity for it to be extended to north Belfast. As she will be aware, my Department is developing plans for a pilot Belfast rapid transit network that links east Belfast, west Belfast and Titanic Quarter with and through the city centre. The outline business case for that pilot network is currently with the Department of Finance and Personnel for approval. Subject to Executive approval, which I will seek later this year, the project will move into the detailed design and implementation phase. Subject to the success of the pilot network and the availability of funding, my Department intends to extend the network to include north and south Belfast.

**Mr McDevitt:** I encourage the Minister to continue to address the needs of sustainable transport, particularly cycling infrastructure, while he is at the Belfast rapid transport plan. Is he satisfied that he has sufficient legislation in place to properly deliver on the different master plans, not just in Belfast but in towns and cities across our region?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. At this point, I am satisfied with the processes that are in place and available to me. Of course, if additional requirements are made, we will seek to bring them through the House.

## Railways: Belfast to Derry

7. **Mr Ó hOisín** asked the Minister for Regional Development what progress has been made on shortening the timescale predicted for the work on the railway line to the north-west by additional work being carried out overnight and on Sundays. (AQO 2245/11-15)

**Mr Kennedy:** During the feasibility stage of the Coleraine to Londonderry renewals project, Translink produced a feasibility study that considered a number of alternatives by which the works could be completed. The three methods that were examined in the feasibility study were a total blockade, with daytime working on a 12-hour working day; night-time possessions; and weekend possessions. However, from experience with railway contractors on the Bleach Green to Whitehead renewal and the Knockmore to Lurgan renewal feasibility study, Translink does not believe

that 24-hour working on large-scale renewals provides the optimum value for money solution. Following engineering discussions with the contractors on those earlier projects, continuous 24-hour working was not taken forward by Translink as a costed option. Clearly, Translink has to pay due regard to the budget announced for the project. Having explained the position to the Executive on 6 October, I made a statement to the Assembly on 10 October last year that set out the timetable for the works and that closure of the line was planned from July 2012 to April 2013.

An economic appraisal was produced by Translink in spring 2010. At that time, it was submitted to the Department for Regional Development for consideration. In September 2011, an addendum document for the proposed phasing of the works between Coleraine and Londonderry was submitted to the Department for consideration.

As a result, in October 2011, two letters of offer were issued for the Coleraine to Londonderry renewals project phase 1 and the Coleraine to Londonderry renewals project phase 2. The operations of the economic appraisal did not include 24-hour working. The appraisal has been approved by DfR but Translink will continue to work closely with the contractors to ensure that the project remains on track in respect of both cost and timescales for delivery.

3.30 pm

# Questions for Urgent Oral Answer

## Social Development

### Benefits: Ulster Bank

**Mr Deputy Speaker:** Mr Phil Flanagan has given notice of a question for urgent oral answer to the Minister for Social Development.

**Mr Flanagan** asked the Minister for Social Development what actions his Department is taking to support benefit claimants who are affected by the ongoing problems accessing funds with Ulster Bank.

**Mr McCausland (The Minister for Social Development):** Up to Friday 22 June, approximately 27,000 Social Security Agency customers have been affected by the technical problems within the Ulster Bank that have prevented customers' accounts being credited with benefit and other payments. The Social Security Agency is making payments as normal. The current problem lies entirely within the banking system. The Social Security Agency has properly processed payments to customers' accounts.

Social Security Agency officials have been in contact with the Ulster Bank. The bank has put in place arrangements whereby any customers who present at their local branch will be provided with funds, subject to a limit. Where customers have contacted their benefit payment branch, the Social Security Agency is referring those customers to their local bank, where funds will be made available. The Social Security Agency has also placed an advisory note on the NI Direct website advising customers of the Ulster Bank's contingency arrangements. Social Security Agency officials continue to liaise with the Ulster Bank on an ongoing basis.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer and, indeed, for coming to the Chamber to answer questions on this very important issue. I am sure that he shares my dismay and disappointment that the crisis is continuing into a second week.

Is the Minister satisfied with the Ulster Bank's reaction to the crisis, bearing in mind the devastating impact that it is having on people who are living hand to mouth? It is affecting people who are reliant on social welfare and those who cannot access their salaries in their bank accounts and who have loan and mortgage repayments to make. Does he agree that it is shocking that it has come out only today that people can present at the bank with a payslip or some sort of a notification from the Social Security Agency and collect money?

**Mr McCausland:** I think that everyone recognises the seriousness of the Ulster Bank situation for customers, not just here in Northern Ireland but, because of the nature of bank arrangements, throughout the United Kingdom and, indeed, in the Irish Republic. It is a very widespread problem. From listening to an Ulster Bank representative

speaking on the radio, it is clear that the Ulster Bank recognises the seriousness of the situation and the impact that it is having. Ulster Bank is obviously very concerned about it. I hope, as I am sure the Member does, that the situation can be resolved and that we get back to normal as quickly as possible.

I assure him that the Social Security Agency and the relevant bodies elsewhere in the United Kingdom and the Republic have been monitoring the situation carefully. The Social Security Agency has the arrangement in place with the bank. When concerned members of the public have contacted us, they have been advised to contact their Ulster Bank branch and that the payment will be made on proof of identity — that is the key — up to a certain limit. In exceptional circumstances, the agency will provide the customer with proof that he or she is entitled to a benefit payment. However, the normal situation is that these are regular payments that customers receive but that have not been made available to them. In those situations, nothing additional is required other than customers going to the bank with their identification.

**Mr Campbell:** In addition to the points raised, will the Minister raise with the Minister of Enterprise, Trade and Investment the importance of this issue being resolved this week? Tens of thousands of employees are due to have their monthly salaries paid into their account this week, and many small businesses, whose employees are not Ulster Bank customers, but because those small companies are, are also dependent on it. Will he ensure that pressure is applied so that the Ulster Bank senior management knows that we, the taxpayers, own the parent of the Ulster Bank and demand immediate answers from the Ulster Bank as a matter of utmost urgency before Thursday or Friday?

**Mr Deputy Speaker:** The Member has asked his question.

**Mr McCausland:** The Member makes the very important point that this is primarily and, indeed, entirely a matter for the Ulster Bank to address as quickly as possible. I am sure that it will be very much aware of the questions and comments in the Chamber this afternoon and of the Member's comment. I am also sure that my colleague in the Department of Enterprise, Trade and Investment will convey the concerns to the bank, and, in the meantime, the agency will continue to process benefits as normal and keep in contact with the bank.

**Mr Copeland:** Does the Minister consider, with the support of the law, that a benefit is considered as paid when it leaves the public purse or when it is available to be spent by the claimant?

**Mr McCausland:** I am not a lawyer, and the Member, who is smiling when I look in his direction, is not a lawyer either. He asks a technical legal question. My assumption is that the arrangement is that when the payment is made to the bank, the payment has been made. Someone could have an alternative arrangement, and a customer, at any point, can request to have their payment made to an alternative bank. It is very much in the hands of the individual who makes the choice of a particular bank. Therefore, the legal situation is as I indicated, but I will confirm that matter. It is a technical point. I suggest that we are doing all that we can, through the Social Security Agency, to make sure that people are informed of their opportunity to go to the bank and claim some money to cover them.



**Mr Durkan:** I thank the Minister for his answers and commend him on the work of the Department on the issue thus far. Does he believe that his Department could do anything to facilitate access to crisis loans for non-benefit claimants affected by the crisis while it lasts?

**Mr McCausland:** Our system of discretionary payments is there at all times for people who are in need, and it depends on individuals' circumstances and situations whether they can or wish to avail themselves of that.

## Health, Social Services and Public Safety

### Royal Victoria Hospital: X-rays

**Mr Deputy Speaker:** The Chairperson of the Committee for Health, Social Services and Public Safety, Ms Sue Ramsey, has given notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety)** asked the Minister of Health, Social Services and Public Safety what action he will take to ensure that the 17,000 X-rays taken at the Royal Victoria Hospital, which were not reported on by an appropriate clinician, will now be assessed urgently in order to ensure patient safety.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I regret any distress or anxiety caused to patients and their families affected by the backlog of unreported X-rays at the Royal Victoria Hospital. I am advised by the Health and Social Care Board (HSCB), which has been working closely with the Belfast Health and Social Care Trust, that urgent actions are in hand to address the backlog, including arrangements to increase radiological capacity through the use of external providers in addition to trust staff. I am informed that the backlog is likely to be cleared in early August. My Department will be seeking assurances from the HSCB and the Public Health Agency that relevant X-rays have been reported on by an appropriate clinician and that no further backlogs exist.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. This is deeply concerning, and it is important that we all have a duty to reassure people that, up until this point, they will get urgent care and that X-rays will be looked at urgently. Minister, I am concerned that this follows similar incidents in a number of other trusts. You asked the Regulation and Quality Improvement Authority (RQIA) to report on that, and the Belfast Trust said that, at that time, it had no X-rays that were unreported. Over the weekend, we have seen that that was clearly not the case and that 17,000 X-rays had not been reported. I would like to know where they were.

Was the information that the Belfast Trust gave to the RQIA and which, in turn, was given to you, accurate? If it is a fact that the Belfast Trust gave the RQIA inaccurate information in a specially commissioned report for you, how can we take that assurance today and the assurance of the Belfast Trust and other trusts so that we can reassure our constituents that things are working, and working well?

**Mr Poots:** We could possibly answer some of the questions, and we could speculate on some of them. We have sought to carry out a root-cause analysis of what has happened. I understand that, earlier this year, a new departmental head instigated a course of work, looking at X-rays. It was not something that would have immediately sprung to mind in what had actually happened. It was only on having that critical research that it was identified that a number of X-rays had been unreported. Once that was revealed, further courses of work were done that identified that the number was just short of 19,500.

Clearly, a system failure took place. In this instance, I do not think that there was any deliberate attempt to mislead anyone, but it is another embarrassing issue that Belfast Trust is having to deal with. We will try to support and assist it in dealing with it, because it is important that everyone has the assurance that their X-rays have been read and that no one has suffered as a consequence. Of the first 1,800 that have been analysed, from 2011-12, it has been found that there was no adverse impact on individuals as a result. That is good news. Many of the X-rays were on parts of the body where other tests and examinations have been carried out in conjunction, so we will have to see what the outcome is. It is important that, in the next six to eight weeks, we get this work conducted as quickly as possible to enable us to move forward and give the public that assurance.

## Executive Committee Business

### Inquiry into Historical Institutional Abuse Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Inquiry into Historical Institutional Abuse Bill [NIA 7/11-15] be agreed. — [Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister).]*

**Mr Humphrey:** This is a hugely sensitive and difficult issue for many people in Northern Ireland and must be treated in that context by every Member who speaks on it, and all who would speak on it, whether politician or journalist.

It is vital that any inquiry or investigation must provide confidence to the community, particularly for the victims and their families. To assist in this investigation or inquiry, I and my party believe that it is important that the findings of the inquiry are known as quickly as possible. Therefore, once the legislation is passed and the inquiry is put in place, reporting on the investigation should be as speedy as possible. There are two reasons for that: first, to provide confidence to the people involved and to the victims, in particular; and, secondly, the cost implications. The costs of the investigation should be met by the Catholic Church, at least in part, because it is clergy and laypeople in the Catholic Church — on this one — who are partly responsible, and the leadership of the Church is culpable in dealing with it. Therefore, those costs should be met appropriately.

#### 3.45 pm

The legislation that we will pass in the House must include measures to control costs and minimise costs to the taxpayer. At the same time, however, we must ensure that the investigation and the report that will come from it are clearly robust and provide that surety to the victims. It is my party's view that the nature and type of the inquiry is absolutely important. It is not a matter for the investigating authority to decide on compensation or redress: it is a matter for the Executive.

I have been involved in youth work for all my adult life. When you become involved in youth work, you take it on yourself to do all that you can for the spiritual, mental and physical development of the young people who are placed in your care by their parents. For those who abuse that trust, whether in youth organisations, the clergy or any other sphere or facet of life, it is an appalling breach of trust and an appalling breach of faith.

Although we believe that the legal costs and lawyers' fees should be kept to an absolute minimum, we also believe that the investigation or inquiry should be time-limited and robust. However, it should also be thorough. It is essential that the process is victim-centred, because it must provide the victims and their families with confidence, address their grievances, expose wrongdoing and provide closure if, indeed, closure is possible. Very clearly, at this stage, we in the Chamber do not know, nor do those who will sit on the investigation body, how many people will come forward, the gravity of the allegations or their dreadful experiences.

I have been appalled by the inadequate and slow response by the hierarchy of the Roman Catholic Church. It has lacked robustness. It is very clear that the Archbishop of Armagh, the bishops and those with responsibility must step up to the plate and co-operate absolutely with any investigation, and because they are responsible for covering up on occasions, and because they are culpable because they are in positions of leadership, it is the bounden duty of that Church — or any Church involved in such cover-up or such evil activity, for evil it is — to co-operate. We, as a community, as a society and as a House, should expect full co-operation from the Church and its leadership to ensure that the investigation is brought to a conclusion as quickly as possible. As I said earlier, confidence must be given to the people. Those of us who have not been involved cannot understand or empathise with the harrowing effect that this will have had on the individuals concerned, but we can absolutely sympathise. The House owes it to the people out there to ensure that the investigation is robust, thorough and will bring the completion that, hopefully, will deliver closure. Therefore, I commend the legislation.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. On behalf of Sinn Féin, I support the Bill and its provisions. Once again, I put on record my absolute gratitude to all the victims and survivors of this type of abuse for courageously campaigning over a fairly lengthy period. They did so very successfully, if I can use that word. Under those circumstances, they have secured an inquiry for which we are now being asked to process the underpinning legislation. I acknowledge junior Minister Bell and former junior Minister Anderson who, with their range of officials, have taken the issue forward. I also acknowledge the newly appointed junior Minister, Jennifer McCann.

I thank all the people who have engaged with the families and with the victims and survivors. They have spearheaded the campaign. As I understand it, the junior Ministers, in particular, and their officials consulted routinely with those people to get to where we are. I also thank the Chairperson of the Committee, Mike Nesbitt, for his remarks. He elaborately described the way in which the Committee came at the issue, which was through briefings from officials. As a Committee, we discussed the issue to some extent, but, last week, the Committee felt that it was not in possession of all the relevant information that would have allowed it to take a definitive view. We look forward to our meetings, which will start again tomorrow morning and at which we will take further briefings. We will go into a consultation period, during which we will speak to victims and survivors, who, undoubtedly, will want to speak to the Committee on relevant matters.

People have raised issues and questions about the format of the inquiry, the acknowledgement forum, and so on. We will take advice and representation from a wide range of stakeholders who may have concerns. Our party's involvement is clear. The party has spoken to victims and survivors, listened to a range of other stakeholders and taken counsel from people who have been involved in such inquiries elsewhere, and our intention is to give full expression to the best interests of victims and survivors. The inquiry must be about that.

I am little bit surprised that Mr Humphrey focused on one institution. It is wrong of him to do so, because the inquiry is set up to look at all institutions, organisations or bodies that

have had responsibility for and have abused young children. It would be wrong for any of us to single out any institution. That is the work of the inquiry. Without any shadow of a doubt, I share Mr Humphrey's remarks about the behaviour and attitude of at least one organisation. My senior party colleague Martin McGuinness and others spoke at length on the matter recently. However, I believe that we are here to establish legislation that will underpin the inquiry and allow victims and survivors to record their abuse and have it reported properly and diligently, regardless of where they received their abuse. I am satisfied that the Bill provides for that.

I am absolutely satisfied that, thus far, the victims and survivors who have been consulted have been satisfied with the process. I also believe that they would be satisfied with the intent to make sure that the inquiry goes right to the heart of any abuse that they tragically, unfortunately and scandalously had to endure as wards of any particular institution on behalf of the state or, for that matter, anyone else.

My party colleagues on the Committee for the Office of the First Minister and deputy First Minister and I look forward to our role in scrutinising the Bill at Committee Stage. We will listen to all representations as diligently as possible. As I said, for us, the outcome has to be about making sure that the voices of those victims and survivors are heard properly and that the iniquity of the abuse that they endured will be exposed. The legislation will provide for recommendations to be brought forward on the basis of evidence brought to the inquiry, which, I believe, will be comprehensive, because, unfortunately, a litany of such abuse has pertained in our society for too many years. Therefore, we look forward to hearing the ultimate recommendations of the inquiry, which, hopefully, will enable victims and survivors to recount the abuse that they had to endure and will make a number of recommendations. We look forward to ensuring that those recommendations will be put in place and acted upon in the best interests of those victims and survivors. Go raibh míle maith agat.

**Mr Deputy Speaker:** The sound system has been picking up some interference. Please check that mobile phones are switched off.

**Mr McDavitt:** This is, without a shadow of a doubt, a momentous day for this House. The survivors of institutional abuse have been campaigning for three and a half years to get us to this point. It is only right that we remember that the journey in this House started off in 2009, when my predecessor Carmel Hanna led an all-party motion on this issue. That motion received widespread support and triggered a debate that was long overdue in our region. It challenged us all to think more deeply and more strategically about the real challenges that we would face as a state in responding to the appeal of survivors of institutional abuse for some sense of truth and justice at last in their individual cases and in those of the many people who went before them. Margaret McGuckin, John McCourt, Conor Ryan, Paul Toner, John Meehan, Patrick and William Murphy, John Leatham, George McKee, Valerie Mullan and Bernie O'Hara are just some of the people who have stepped into the public limelight to advocate the need for a process to deal with this terrible period in our history and this terrible indictment of our state and of the orders and others who were given responsibility for the care of children. The Bill deserves to be as good as they need it to be.

Like others, I acknowledge the First Minister and deputy First Minister's dedication to seeing this process forward. I had the privilege of accompanying some of the people whom I mentioned to meet the First Minister and deputy First Minister in July 2010. When they left the meeting, they reflected to me that it was the first time in their lives that they had been asked through the front door of an institution. They were still struggling to come to terms with the fact that the state that had so fundamentally let them down was now willing to acknowledge them as individuals, to take seriously their allegations and to commit to responding to them.

As others have said, that response has been led by Jonathan Bell, Martina Anderson and now by junior Minister McCann as well. The response has been a good one. The Executive have responded appropriately, identifying the three distinct needs that had to be addressed: the need for a support framework for survivors; the need to allow people to tell their stories; and the need for a formal public inquiry into the events that occurred in institutions in this region since the foundation of the Northern state.

The Bill is one with exceptionally noble intent. In fact, I will argue that it is probably the Bill with most noble intent that this House has had the opportunity to debate since powers were returned to it, but it is not perfect.

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

It is our job as legislators to properly scrutinise it, challenge those who sponsor it — not for partisan reasons but for the sake of the best possible type of inquiry — and use the period of its scrutiny in the House to see if we can take whatever steps are possible to improve it. In that context and spirit, I will make some specific remarks about the Bill and some of the areas where, we believe, further work could be done and matters could be improved or strengthened.

#### 4.00 pm

The current terms of reference do not provide for the inquiry to make recommendations, including changes in law, political or administrative procedures or practice to ensure that such abuse is effectively prevented in the future. Such recommendations could or should be of fundamental importance to securing for individuals their rights to adequate and effective reparation, which include guarantees of non-repetition. In that sense, the terms of reference should be more flexible to enable the inquiry itself to determine in more detail the matters that come within its scope, including whatever matters it considers relevant to the issues it is investigating.

There are also some concerns about the scope and time frame of the proposed inquiry. Victims of institutional child abuse in the years before 1945 or after 1995 face exclusion from the inquiry. Of particular concern must be victims who are now of a very advanced age, who face, if we continue as designed, exclusion from the inquiry. Some could argue that that amounts to indirect discrimination based on age. One victim known to those who have been supporting the survivors over the past several years is now in her 80s and would find herself outside the framework if we retained the 1945 commencement date.

It is true that it is proposed that the panel for the acknowledgement forum strand of the inquiry is to be

granted some discretion in hearing stories from outside the time frame. That is to be welcomed, but it seems to be a second-class form of inclusion in the acknowledgement forum. The Bill grants no such discretion to the research and investigation team or the investigation and inquiry panel to take evidence and consider individual cases or systemic abuse outside the 1945-1995 period. Again, that allocates a different status to those who suffered abuse, say, in 1944, rather than 1946. The creation of the welfare state in 1945 does not lessen the abuse suffered or the institutional or state responsibility for that abuse in the period before 1945.

Mr Humphrey is not in his seat at the moment, but I want to reflect on the some of his remarks with regard to the duty on religious orders or the people who ran or owned institutions in the context of the inquiry. There is a basic duty, of course, on all those individuals and organisations, but we have argued from the very first day and will continue to argue that the principal duty lies with the state. It had the fundamental duty of care towards the young people entrusted to institutions, and it failed, fundamentally, in that duty of care. I have huge sympathy for Mr Humphrey's arguments about the responsibility that must be laid at the door of religious orders, and this inquiry will include religious orders of several denominations. One of the things that may surprise individuals is that there are similar issues in institutions run by many denominations. However, we should not in any way, as a legislature, take away from the primary duty of the state. In that sense, I welcome the architecture of the Bill, because it is designed to acknowledge that primary duty.

The Bill also, as currently drafted, postpones a decision on redress, including compensation, for consideration by the Executive until after the inquiry reports. That is likely to mean that no decision on redress, including compensation, will be taken by the Executive until 2016 at the earliest, with a further process of possible consultation and implementation to follow before victims are able to receive redress. We know that that is an issue of concern to many victims, some of whom are now, as I said, of an advanced age and fear that they will not live long enough to enjoy redress or receive any compensation to pass on to their families, who have also suffered as a result of the abuse that they experienced.

Another point that is worth making at this stage concerns the extensive powers and authority that are granted to the Office of the First Minister and deputy First Minister over the inquiry process by the Bill. The Bill gives OFMDFM wide-ranging powers to intervene or, potentially, interfere in the running of the inquiry. Each such power must be closely scrutinised to ensure that it is justified in the context of ensuring an independent and effective inquiry that can guarantee the confidence of victims and the wider community. I appeal to colleagues on the Committee for the Office of the First Minister and deputy First Minister to pay great attention to that part of the Bill in Committee.

Such powers — I will outline them, if that is OK, Mr Principal Deputy Speaker — appear to include the power to amend the terms of reference of the inquiry at any time; the power to terminate the inquiry; the power to withdraw funding from the inquiry; the power to terminate the appointment of an inquiry panel member; the power to withhold the payment of expenses of an inquiry panel member; the power to set terms by which a witness may or may not be

eligible for expenses, including legal representation; the power to determine whether and when the inquiry report should be published, rather than that power sitting with the inquiry chair; and the power to decide if the inquiry report shall be published in full and whether to withhold sections from publication. The terms of reference do not currently provide for the inquiry to make recommendations, as I said, including changes to law, political or administrative procedures and practice to ensure that such abuse will never happen again. That is a potentially weak aspect of the Bill and one that we should fully reflect on.

There are several other technical points. There is the time limit for application for a judicial review. The reduction to two weeks of the time limit for applying for a judicial review of a decision made by OFMDFM in relation to the inquiry or by a member of the inquiry panel is a significant reduction from the normal three-month period. That could restrict access to justice for those who feel unjustly treated by such a decision. I accept that there is a need to treat the inquiry as an urgent matter and that we do not want to create a situation in which you could have judicial reviews continually being applied for, but, on the other hand, we need to reflect to the House whether reducing it to such a short time frame is a fair and just thing to do.

Access to legal representation is also an issue that I would like to raise with the House at this stage. Victims, witnesses and other interested parties, including those who may be implicated, are entitled to legal representation. The provision of legal representation to meet that entitlement must be made clearer. It must be made clearer that it is possible for criminal investigation and prosecution to flow from evidence uncovered during the inquiry process. Prosecutions must not be precluded, should sufficient evidence be available. If the inquiry obtains information indicating that identified individuals may have been responsible for human rights abuses, that information should be passed to the relevant law enforcement bodies for investigation.

The Bill does not cover victims of clerical child abuse outside the setting of residential institutions. I understand and accept why. I appreciate that, in order to get this far, we had to collectively take a decision to focus in the first instance on victims and survivors of institutional abuse within this jurisdiction. However, I repeat, in summation, the appeal I made last week to the deputy First Minister. There are many people, potentially thousands, who have suffered at the hands of abusers in the community. They are as entitled to an inquiry and the truth as those who suffered in institutions. The only way that we, as a region, will ever be able to meet their needs is in a co-ordinated fashion across Ireland. Again, it is a matter that urgently needs addressed by the North/South Ministerial Council in order to explore how the diocesan-level inquiries that are taking place in the Republic are rolled out across the island of Ireland. Colleagues will know that nearly all our Catholic dioceses cross the border. In those situations, we must ensure that there are no loopholes and no escape hatches but a fully robust and harmonised inquiry system.

I am exceptionally glad to have the opportunity to debate the Bill. I trust that the remarks I have made will be seen for what they are: important observations about the need to get this absolutely right. I hope that Committee Stage provides an opportunity to explore them further.



**Mr Lyttle:** On behalf of the Alliance Party, I welcome the introduction of the Bill by the junior Minister as a means of addressing the needs of those who have been affected by such heinous acts of historical institutional child abuse in our society. It is my hope and the hope of the Alliance Party that the Bill will provide an opportunity for the voice of victims and survivors to be heard and their needs to be met so many years after such unimaginable suffering.

There are, however, some concerns that victims have raised with me. Given this opportunity, I will speak to those today. As Mr McDevitt said, the terms of reference, as they stand, do not appear to provide for the inquiry to explore further recommendations. That should be looked at in more detail. The terms of reference should be considered to be more flexible in that regard. The scope for the time frame of the inquiry has been mentioned. Currently, it focuses on 1945 or after, with no provision for after 1995. Those who have suffered outside those dates should be considered for consideration by the acknowledgement forum panel.

A concern has been expressed that the Bill effectively postpones a decision by the Executive on redress. That is a serious concern of victims and survivors. Concern has been expressed about the powers provided to OFMDFM by the Bill. Although the junior Minister set out well-intentioned concern for good governance in relation to the inquiry, the powers to terminate the inquiry, withdraw funding and decide whether the inquiry report shall be published in full are issues that the OFMDFM Committee will want to look at in more detail and scrutinise with officials, if nothing else, to make sure that the independence and effectiveness of the inquiry can be guaranteed and the confidence of victims and the wider community secured. From hearing the Minister today, I know he is keen to ensure that that is central to the process.

Concern has been expressed about the judicial review time limit reduction, from three months to two weeks. Although there is urgency around the time limit for the inquiry, we will want to look at that in more detail. Concerns have been expressed about the need for greater information and clarity on legal representation and the criminal investigation process that will be available as a result of the inquiry. We need to look at that in greater detail. I am not aware of any plans for a similar process of inquiry for victims of clerical child abuse outside institutions. The Assembly and the Executive need to return to that in more detail.

Notwithstanding those concerns, the Alliance Party hopes that the Bill, once processed by the OFMDFM Committee and the Assembly, can deliver the process and action that the victims and survivors of historical child abuse are so long overdue.

#### 4.15 pm

**Mr Campbell:** The issue of the abuse that so many Members and the junior Minister alluded to is one of the utmost seriousness. I think that we have all heard the harrowing tales of the many victims who have spoken candidly and clearly about their experiences. Nothing, of course, can eradicate the memory of their experiences, but, if this Bill can ultimately help them to come to terms with the aftermath of those experiences in some way, the time spent on it will be time well spent.

The victims and their families are paramount in our thoughts and concerns as we begin the progress of the Bill. I want

to turn a little later to issues that a number of Members raised, including the power to withdraw funding and the judicial review times. As we begin the process, there will be a deep font of goodwill for it right across Northern Ireland and in every section of society. There will be a desire to see the Bill progressed as quickly as possible so that people can be brought to the point where they begin to see their story told and where they can come to terms with the aftermath of the terrible abuse that they suffered and all of that can begin as quickly as possible. I understand that mere recognition is something that begins to bring a sense of relief to victims, some of whom are in the Public Gallery, as well as the sense that, finally and eventually, somebody is beginning to listen to and take heed of what they have had to live with, which, in some cases, was for many years. If we bear that in mind as the Bill progresses, we will hopefully be able to get to that point much more quickly and expeditiously.

In conclusion, the wider issue that I want to turn to concerns something that I know will come to fruition not now and not, perhaps, in the next month or two, but eventually. That is the concern in the wider community about the Bill's cost implications. Almost inevitably, whenever anyone raises the issue of cost, the rhetorical question is this: what price the truth? Of course, a cost label cannot be put on the truth. The point is, however, if we get to the point where we have expended £5 million, £10 million or £15 million, at some stage in the future — maybe not today, next week or next month — many people will begin to ask how long the process will go on and how much it will cost. I understand several Members' comments about not attributing the issue exclusively or in any particular way to one denomination or another. I take those points, which are relevant and well made. However, let us be accurate: many of those who have suffered abuse have been very clear about where they lay the blame. The concern that many people have relayed to me is that, although they are not of the same faith as some of those who were abused, they may be expected to pick up the tab for millions upon millions of pounds of expenditure.

So, I hope that we can get to the truth and get to it quickly and expeditiously and that we can do that in a way that brings the victims to the point where they are as content as they can be, given their awful experiences. I also hope that we can get to that point in a way that does not open a cost floodgate that leaves us in six months' or two years' time asking when we should call a halt to a sort of Pandora's box that has been opened, in terms of cost, not of the truth.

**Ms Ruane:** Go raibh maith agat. Cuirim fáilte roimh an fhiosrúchán seo, agus gabhaim buíochas le Jonathan Bell as a ráiteas agus le Martina Anderson agus le Jennifer McCann as an obair atá siad a dhéanamh ar a shon. I welcome the Bill. I thank Jonathan Bell for his statement, and I pay tribute to Martina Anderson and Jennifer McCann. I welcome the tone of all parties in the debate. It is fair to say that everyone in the House supports the victims and survivors and wants to see them get truth and justice, and it is a credit to everyone that all parties are working together in that. Obviously, as Conall McDevitt said, parties have the right to raise issues and scrutinise: that is our job.

I pay tribute to the parties and to the First Minister and the deputy First Minister. I saw at first hand when I was on the Executive in my capacity as Minister of Education their leadership and the decisive action that they took, and we need to recognise and give credit to that leadership. At that

time, as Minister, I pledged my full support, and I have no doubt that each and every Minister on the Executive will do that in the coming times. We will work with everyone, in the Committee and at different levels, to ensure fairness and justice and openness and transparency. I note the make-up of the panel and wish its members well when they begin their work.

Like many Members, I have met families, when they visited Stormont, with Martina, and I heard their harrowing stories. I salute their bravery and courage. It is often much easier not to deal with the trauma and pain of the past. It takes courage to deal with it, and I pay tribute to the families. We pledge our support to work with everyone, and we thank all parties for their work to this point.

**Mr G Robinson:** I begin by commending the Bill and the innocent individuals who have spoken out and relayed the events that occurred in their life. They are indeed courageous people and should be fully acknowledged and supported.

Due to the extent of the abuse and the number of lives that it has damaged, an inquiry is an appropriate method of exploring the issue. The individuals who have spoken out are only a small number of those affected by institutional abuse. Our society should not tolerate a child being used and abused in such a horrendous way, and those who have committed such disgusting acts should be identified and punished. The perpetrators were ready to commit the crime, so they must now take the consequences of committing that horrific crime, which will have a lifetime effect on individuals and their families.

The inquiry should be robust and thorough and should commence as soon as possible. As time moves on, it can be adapted to deal with whatever findings are made. I want to show my support for the victims in a tangible way, and the only way in which I can do that is to support the setting up of the inquiry, providing that the full cost of it is not funded out of the public purse.

**Mr McCallister:** Like colleagues, I support the Bill, with the caveat that I have concerns over some of the issues. I am quite sure that all in the House will be supportive and want to see what we can do for the victims of this terrible, terrible crime. As Mr Robinson said, we will want to see what support mechanisms we need to put in place. Particularly once the inquiry is rolled out and up and running, many of the events will be brought to light, which may raise problems for many of the victims and survivors of the abuse.

I wish to raise some points about the legislation. I hope that, during its scrutiny, the Committee will consider and perhaps challenge the Department on the time frame and even the ability of the First Minister and deputy First Minister to change the terms of reference with limited consultation with the presiding officer and, indeed, to change the presiding officer. I have some concerns about whether that gives too much power over the inquiry to the First Minister and deputy First Minister, but I am sure that the Committee will make a judgement on that.

Other matters have to be looked at and clarified, and I look forward to hearing what the Committee will say. I think the Committee will have an important say on the Bill, and I hope that, when the Minister responds, he will assure us that he will listen not just to the concerns raised during this debate but to any issues brought up by the Committee during the

Bill's passage. I hope that its passage will not be rushed and that the Committee will be given time to make its determination and to make sensible proposals if it feels that changes should be made around the timescale.

In relation to the desire of the First Minister and deputy First Minister to limit the time, I think we are all conscious of how the Bloody Sunday inquiry went on much longer and cost much more money than was originally envisaged. There is a need for some restrictions, but we must in no way stifle the inquiry or hinder the search for the truth.

**Mr Eastwood:** I welcome the Bill. It is clear that this legislation is long overdue, and it is essential that we move quickly to set the inquiry up. Other Members have spoken eloquently about the deep hurt experienced by many victims of abuse across this country. I am glad that we will now, hopefully, begin to address some of that hurt.

I cannot begin to imagine how difficult the experience has been for so many victims of abuse. Not only were they denied their childhood, but the abuse was compounded by the denial of justice to the vast majority of victims. Many victims have died, and many are at an advanced age. I encourage the First Minister and deputy First Minister to do all in their power to ensure not only that the inquiry is set up quickly but that it carries out its duties efficiently and reports as quickly as possible. Undoubtedly, we will have some constructive discussions in Committee.

It is essential that the inquiry have the flexibility and the power to call for witnesses and papers. We need to ensure that no person or institution can hide from the inquiry. It is essential that all victims are afforded the opportunity to find out the truth about everything that happened in all the institutions involved. I also ask that the inquiry is not restricted by jurisdictional boundaries. We need to be confident that the inquiry can deal with the cross-border dimension of historical institutional abuse. The case of the Bethany survivors' group gives an example of children being moved across the border without proper authorisation or adherence to the completion of proper documentation. I ask that that issue is also considered.

We must also consider who will be held responsible after the inquiry has reported and how any issue of redress and compensation will be handled. That will have to be dealt with at a later stage, but it is essential that the state does not shirk its responsibilities.

I look forward to working with the Department in Committee, when we can, hopefully, address some of the issues around the Bill, including those raised by Mr McDevitt and others. I hope that the victims of historical abuse can now have hope that their long journey towards truth and justice will soon be at an end.

#### 4.30 pm

**Mr Allister:** Some interesting things have been said thus far in the debate, but I think that the most apt comment came from Mr McDevitt, when he said that, in judging the legislation, it needs to be as good as the victims need it to be. That is a distinct and appropriate test for the legislation. I have to say that, when I apply that test to the Bill, I feel that it comes up considerably short.

The first place that it comes up short is in its ambit, which is restricted to investigating only institutional abuse. We all know that much of the abuse was, in fact, clerical abuse, which falls outside the ambit of the Bill, unless it was carried out in an institutional setting, arguably. Mr Nesbitt spoke about there being an appropriate distinction, and, in part, there is. He said that the distinction was that there was a breach of trust in one circumstance, but I would respectfully suggest that there is a breach of trust in both. If someone is abused in a clerical setting by someone they should be able to respect and in whom they should be able to put faith, there is equally a breach of trust in that setting.

**Mr Nesbitt:** Does the Member accept that the distinction that I was making was between an individual who was non-aligned and an institution?

**Mr Allister:** I am not quite sure what “non-aligned” means in this matter. However, if a member of the clergy abuses a child who comes across his path, in whatever way, there is likely to be as much of a breach of trust as there would be if that abuse were carried out in an institution. I suppose the point that I am really making is that when we look retrospectively over the sorry history of abuse and pick out some of the low points — for example, the behaviour of Fr Brendan Smyth — and ask whether this legislation would permit the investigation of that abuse, we see that the answer would be no, it would not. That suggests that the legislation is not sufficient or adequate because it puts clerical abuse outside its ambit. I have heard various reasons for that, but it seems to me that there is a readily straightforward solution, which would be to provide that the Bill shall extend to all abuse, clerical or institutional, that took place in the jurisdiction of Northern Ireland. That would be within the legislative competence of the Assembly, and it would not cross the lines of church jurisdictions, etc. It would establish a clear and neat basis upon which the Bill would investigate. I have yet to hear a persuasive reason why the Bill does not apply to clerical abuse as much as to institutional abuse and why it does not apply to all such abuse in the jurisdiction of Northern Ireland.

The second point is that, when one comes to a Bill that establishes an inquiry into matters as seminal and important as this, one recognises straight away that the terms of reference for that inquiry are fundamental and crucial. In fact, they will be that which, ultimately, may be litigated upon, if someone chooses to do so. Therefore, we would look to the Bill to see the precise terms of reference so that we could decide as an Assembly whether we are satisfied with them, whether we want to change them, whether we want to nuance them and whether we want to make some alterations. However, when we come to this Bill, we amazingly discover that the terms of reference are not in it. Instead, they have been set somewhere else, where there was no scrutiny whatsoever. They are set in the words of a written statement that was issued to this Assembly but not made in it, thereby denying the opportunity for the Assembly, at that very basic starting point, to interrogate the issue, to ask questions about it and to pose to the Minister various issues about the terms of reference.

In this Bill, you simply have in clause 1 a declaration that the terms of reference are those set out in the statement that was made by the First Minister and deputy First Minister on 31 May 2012. That does a number of things. First of all, it says to this Assembly, “We are going to ask

you to pass legislation on this important issue, but we are going to deny you the right to determine the most important issue in that legislation, namely the terms of reference”. Those terms of reference are written in some supposed tablets of stone, handed down by the First Minister and deputy First Minister, and we can never change them. We were not even allowed to question or interrogate them. They are there, and they are unalterable.

That is, at best, a strange way to legislate. It is a Bill that sets itself apart on that particular: it does not set its own terms of reference. When you go to the Ministers’ statement to try to identify and tease out the terms of reference, it is a most befuddled document. It has a subheading, “Terms of Reference”, under which it states:

*“The NI Executive’s Inquiry and Investigation into historical institutional abuse will examine if there were systemic failings by institutions or the state in their duties towards those children in their care between the years of 1945-1995.”*

It then goes on to tell you what a child is and what an institution is. That is the apparent end to the terms of reference. I pause there and look at the adequacy of that as a term of reference. It states that the investigation will:

*“examine if there were systemic failings by institutions or the state in their duties”*

You might have thought that the starting point would be to establish what systems were in place in the institutions in the state, how the practice varied from those expectations and whether, as a consequence, there were failings in respect of those duties. There is no obligation to establish as, you might think, a chronological necessity, what the arrangements were in the institutions, whether they were adequate and where the failings were.

The terms of reference deficiency goes much further than that, because it is quite clear when you read the rest of this befuddled document that although they have not stated it, there obviously are other expectations as to the terms of reference. When you get towards the end of the statement, it says that it will advise us on an apology, but nowhere in the terms of reference is the inquiry asked or given the reference to compose an apology.

It then goes on to make recommendations about the memorial or tribute and all those issues. One would have thought that if those are terms of reference and that is something the inquiry is being set up to do, that would appear in clause 1, which would say, “Here are your terms of reference. You shall do x, y and z.” Instead, there is none of that. You simply get a reference to another document that was never subjected to scrutiny, handed down in the rather befuddled style that I suggested, without any of the scrutiny that would come with legislative scrutiny, and simply incorporated by default into the Bill. That is, I would suggest, a wrong and very foolish way to draft legislation.

I wait to hear why the terms of reference, fulsome and effective, are not in the Bill; why they are elsewhere, and why, in consequence, it is beyond the legislative power of this House to change the terms of reference. Of course, we can be told by clause 1 that the terms of reference can be changed by the First Minister and deputy First Minister. So, this House has no say in determining the terms of

reference. We are not even due the courtesy of putting them in the Bill, but Ministers, unilaterally, can change the terms of reference as the matter proceeds. Is that the proper way to proceed with legislation? I respectfully suggest that it is not. The absence of terms of reference is compounded by this unilateral right of the First Minister and deputy First Minister, on a whim or anything else, to simply change them. They can do that with no reference to the Assembly, except maybe just another written statement to tell us they have done it, and with no authority sought from this House and no consultation with the House or the Committee, just a unilateral doing of it. That seems to me to be fundamentally flawed.

Another thing that struck me as most odd when I started to read the Bill is that although it is to deal with institutional abuse, nowhere within it is an institution defined. One would expect to find that in the interpretation clause. Why not? Again, we simply refer to the definition that appears in the written statement from the Ministers. Why not have that in the Bill? What is this magic about deferring everything to what the Ministers said as if it were some document of infallibility? I suggest that that should be in the Bill.

We then come to the panel that is to be set up. We are going to set up a panel, but the Bill does not tell us how many will be on the panel. I thought that the Bill would tell us that it will be a panel of a certain size and that we would know the number on the panel. We are setting up an inquiry by legislative Act without ever specifying the number of people who will sit on that panel. I must say that I find that odd. I find it odd that there is no express provision in the Bill for appointing the presiding member. Silence again in the Bill. There are no criteria for appointing extra members. There is a power in the Bill to appoint extra members. Again, it is a power for the First Minister and deputy First Minister, but there are no criteria by which they will do that. Clause 2(3) states:

*"The First Minister and deputy First Minister acting jointly may at any time during the course of the inquiry appoint an additional member to the inquiry panel—*

*... (b) to increase the number of members of the panel."*

Again, they can do that on a whim. There are no criteria by which they would do it. It amounts to a very strange legislative vehicle indeed.

#### 4.45 pm

Then we come to clause 3, where, perhaps, some of my greatest concerns arise. Clause 3(3) tells us:

*"The First Minister and deputy First Minister acting jointly may at any time by notice terminate the appointment of a member of the inquiry panel—"*

on the grounds of physical or mental incapacity. That is fair enough. However, clause 3(3)(b) says that they can do so:

*"on the ground that the member has failed to comply with any duty imposed on the member in relation to the inquiry".*

In whose view, one might ask? Who determines that a member has failed to act on their duty, whatever it is? Quite obviously, it is the First Minister and the deputy First Minister, acting alone.

Members can also be stood down on the basis, in clause 3(3)(c), that they have:

*"(i) a direct interest in the matters to which the inquiry relates, or*

*(ii) a close association with an interested party".*

One would wonder, then, how they ever came to be appointed in the first place. Clause 3(3)(d) says that a member can also be stood down:

*"On the ground that the member has, since being appointed, been guilty of any misconduct that makes the member unsuited to membership of the inquiry panel."*

What does that mean? Again, it is in the gift or at the whim of the First Minister and the deputy First Minister that they can remove a member on the grounds that, it seems, they think that the member has been guilty of any misconduct that makes them unsuited to membership of the inquiry panel. What is "misconduct"? Have they been too interrogating or too thorough, or have they not been thorough enough? Have they been caught drink-driving or have they been convicted of something else? We just do not know, because this Bill, like so much of the rest of it, is drafted in as blasé and bland terms as possible in order to maximise the powers of the Ministers.

One of the things that strikes you most when you read the Bill from start to finish is the free hand that it gives to political appointees, namely the First Minister and the deputy First Minister. This is not going to be Mr Justice Hart's inquiry; this is going to be the inquiry of the First Minister and the deputy First Minister. Why do I say that? Well, because of things in this Bill. Let me go over some of them. They determine the number of panel members; they can revise the terms of reference; they can increase the panel membership; and they can remove panel members. They can terminate the inquiry, under clause 5. There is a power that Mr Cameron might have liked for the Leveson inquiry, but Mr Robinson and Mr McGuinness are going to have that power. Why? They can tamper with restriction notices that are issued under clause 8. Clause 11 allows them to decide who gets legal representation costs. By way of clause 12, they can rein in and thus control the panel by stopping paying it if they think that it is acting outside its terms of reference. Perhaps most significantly of all, under clause 18, it is not Mr Justice Hart who writes the rules that deal with matters of evidence and procedure, but the First Minister and the deputy First Minister.

This is a charter for control of the inquiry by politicians. It will not be an independent, free-standing, uninhibited inquiry. This is an inquiry, so-called, that is strictly reined in by the political control of the Department.

What about clause 5? When the original ministerial statement was issued, it talked about the inquiry covering a 30-month period. Clause 5 does not say that. Perhaps the junior Minister, in replying, will tell us where now it sits in the matrix of the perceived 30-month time limit. There is no time limit in the Bill as drafted. Clause 5 states:

*"For the purposes of this Act the inquiry comes to an end ... on any earlier date specified in a notice given to the presiding member by the First Minister and deputy First Minister".*

They can decide to serve a notice that says, "Mr Justice Hart, your inquiry is over. It doesn't matter that you have still



evidence to hear or that there's still a list of people wanting to be heard; we have decided, because we've been given the power by the Assembly, that your inquiry is over." Is that the right way to do business? That is the way in which clause 5 wants to do business. I find it rather surprising. If it is still OFMDFM's agenda that the inquiry is to be a 30-month exercise, is clause 5(1)(b) there so that it can simply blow the whistle and say that it is over? It is a strange sort of inquiry if that is how it goes.

Clause 6 is interesting. It seems to give the presiding member the right to take evidence on oath, and all of that, as you would expect. It states:

*"Subject to any provision of this Act or of rules under section 18, the procedure and conduct of the inquiry are to be such as the presiding member may direct."*

The problem is in clause 18, because, as I referred to, it gives all that rule-making power to OFMDFM. Clause 18 states that OFMDFM may:

*"make rules dealing with ... matters of evidence and procedure".*

Anything, obviously, that the chairman does has to be subject to the rules that are made for him in that respect. Strangely, the rules that are made under what will be clause 18 can be made without ever consulting the presiding member. One might have thought, "OK, someone has to make the rules; perhaps they have to be made under a Department." At the very least, you might have thought that you would impose an obligation on those making the rules to consult with the presiding judge to see whether the rules were suitable for his purposes. No, not in this Bill because this Bill seems to be about maximising the powers of the Department.

I made reference to the fact that, under clause 11, OFMDFM — not the tribunal — will be able to decide the extent of the legal representation costs. Again, it gives the controlling interest to the Department. Interestingly enough, the EFM says that the presiding member will advise on individual cases. However, the Bill does not say that. It is all very well for the EFM to say that, but if it is not in the Bill, it is meaningless. Why is that restraint not in the Bill if the presiding member is supposed to give advice on individual cases? There is no provision in clause 11 about that.

Clause 12 contains the draconian power for OFMDFM to rein in the inquiry and control it by controlling the money supply. Of course we do not want an inquiry that runs away with itself on expenditure. However, we do want an inquiry that does the job that it is given to do. Therefore, we cannot unduly curb the inquiry's freedom of action and independence. Under clause 12, you might have the situation of the presiding officer thinking that money needs to be spent on something but OFMDFM saying, "No. We know best."

This Bill is addressing a necessary inquiry situation in Northern Ireland, but I submit that it is addressing it in a less than perfect manner. I hope that, when the legislation goes to Committee, the Committee will make sure that it emerges from that process as a much better piece of legislation than it is in its present draft form and that, in the words of Mr McDavitt, it will be as good as the victims need it to be.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):**

I thank all the Members who contributed. Most were thoughtful and considered and displayed a depth of analysis, a strength of feeling, and empathy with the situation. It is evident that the Assembly cares passionately about victims and survivors of historical institutional abuse. I welcome the fact that the Members who spoke did so overwhelmingly in support of the Bill and talked about the need for it. I will take some time to go through the issues that Members raised. I thank the Chair of the Committee for the Office of the First Minister and deputy First Minister for engaging on the Bill before the beginning of the formal stages. Minister McCann and I and our officials look forward to working with the Committee on the Bill. We will do whatever is required to assist and support the Committee in its work.

Mike Nesbitt, speaking personally, mentioned that the terms of reference are not part of the Bill and that the Bill allows for them to be amended. It is important to note that the terms of reference were agreed with the inquiry chair and the Executive Committee and communicated to the Assembly in a written statement. Any amendment would also need to be agreed with the chair and the Executive, and Members would have to be informed. We will be happy to discuss that issue further at Committee Stage.

As regards lost opportunities, many victims and survivors have told me about their lost childhoods and the impact that their abuse has had on every aspect of their lives. The terms of reference capture all forms of abuse, including physical abuse, sexual abuse, emotional abuse and abuse through neglect.

William Humphrey raised the issue of clerical abuse and the concern about religious orders. It is clear that this inquiry will not be narrow. Its terms of reference will be right across where there has been historical institutional abuse. The issue of clerical abuse is no less important or emotive. We are mindful of the equally destructive impact that it has had on many individuals. As such, the Executive will have to give careful consideration to how that should be dealt with following the inquiry into historical institutional abuse. Revelations of rape and beatings by members of religious orders have, in many ways, shattered the dominant role of the Catholic Church in Ireland and rocked the Church's reputation worldwide. It is in order to appeal to members of the Church hierarchy and to other groups involved in institutional abuse to give their full support and co-operation to the inquiry.

Mr Humphrey put it very well, and those of us who worked for 21 years of our lives with children who were sexually abused know very clearly the betrayal that they have suffered.

It has had effects on their lives and relationships, and, often, during flashbacks, they self-anaesthetise with alcohol and drugs because of the pain that they suffered. They also self-harm. That was discussed with many of the victims and survivors of abuse. We pay tribute to those who have lost their lives in many ways and, indeed, at times, through suicide, which has been contributed to by the fact that they were abused. It is important that we pay tribute to those people today.

**5.00 pm**

Lawyers' fees and the victim-centred approach was mentioned. Clause 6 of the Bill dictates that the inquiry chair will have due regard to cost in his deliberations and will avoid unnecessary expenditure. Victims have indicated that they have no desire, in their words, in many cases, for the inquiry to be over-lawyered. This is about the victims, not about lawyers, and that message came through very clearly during hours of consultation with victims and survivors. I emphasise, however, that the clause also requires the chairman to act with fairness, and that means making sure that witnesses have the opportunity to put forward their best case and, where necessary and appropriate, that they have the full legal advice and representation appropriate to their circumstances.

Alex Maskey raised the issue of placing the needs of victims and survivors at the centre and the importance of ensuring that recommendations are acted upon. We have consulted victims and survivors throughout this process, and we have designed a process that has victims at its centre. At the end of the inquiry, the report will be thoroughly considered by the Executive, and the Executive will decide on the way forward.

Conall McDevitt raised the issue of the duty on the state and the responsibility for abuse. The terms of reference mean that the inquiry will make findings and recommendations about systemic failings on the part of the state or institutions, and it is right and appropriate that we leave the inquiry to do its work and do not attempt to pre-empt its decisions. Conall McDevitt also raised the issue of compensation, and we have asked the inquiry to make findings and recommendations on that. The Executive will consider those recommendations and decide what will happen as a result, but it is far too early to speculate about what the inquiry will find and recommend. I should also add that some of the victims and survivors that we have spoken to have mixed views on compensation. Some have told us that they would not have anything to do with the inquiry if it was an issue about compensation being given in advance. It is about acknowledgment, tracing the patterns and gaining justice for what occurred.

Chris Lyttle raised the issue of judicial review. The clause on judicial review gives people two weeks from when they know about the decision on which they are applying for leave. The reason that it is two weeks is to prevent people holding up the process. Victims and survivors have waited long enough for an inquiry, and, while the inquiry is fair and we have taken considerable time in consultation to come to where we are today, the two weeks are to ensure that it is not used to prevent people holding up the process.

Conall McDevitt also said that the redress decision was unlikely to be taken until 2016 at the earliest. We have set up the inquiry to investigate the historical institutional abuse and to make the recommendations, and we must allow the inquiry to do the work, reach a measured consideration of its issues and reach its conclusions. It is inappropriate, as I said earlier, to pre-empt the work of the inquiry.

In terms of what was raised about reported incidents of child abuse, let me be very clear that the law requires that, where allegations of child abuse come to light, they must be immediately reported to the PSNI and social services for investigation. The inquiry is not intended to replace the PSNI or the courts in investigating criminal activity. Anyone

who has information should report it so that it can be investigated, so that steps can be taken to protect children as necessary and so that, where appropriate, the alleged perpetrators can be brought before the courts.

It was raised that the legislation is well-intentioned, and I am pleased that people have recognised the good intentions of the Bill. I welcome the Alliance Party's support for the Bill, which it gave in the debate. Chris Lyttle listed important issues, and we look forward to discussing those further at Committee. I have dealt with the issue that he raised about clerical abuse. Chris Lyttle also raised the issue of the Minister's power to make appointments or change the terms of reference. Members will understand that it is only sensible to include a clause to allow Ministers to remove the chair or panel members in the very unlikely event that this is necessary. Such circumstances could include an inability to perform the role due to illness or the emergence of a conflict of interest, and I emphasise that such clauses are purely safeguards and will be subject to the scrutiny of the Executive should such a situation arise.

Gregory Campbell asked us to make progress and, as quickly as possible, come to conclusions. We agree that it is vital to bring closure for individuals and for society. We are keen to work with the OFMDFM Committee to ensure that the Bill is scrutinised efficiently and with all due energy. We have set a clear time frame for completion of the inquiry: two and a half years for investigation and six months in the reporting period.

Caitríona Ruane said that it is important to recognise that it takes a lot of courage for people to come forward to this inquiry. In conversations with Martina Anderson and, subsequently, in discussions with junior Minister Jennifer McCann, we have often talked privately about the courage that it takes for people to come forward and to confront what were horrors of the past. We salute and pay tribute to the courage of the victims and survivors, and we want you to know that you have been crucial to the progress of the Bill so far.

The issue was raised of why 1995 was chosen as a cut-off point. Members will know that the enactment of the Children (Northern Ireland) Order 1995 made the welfare of children the paramount consideration and legislated that all children's homes would operate within established processes and an established regulatory framework. Furthermore, the legislation since 1995 has significantly enhanced the safeguards that are in place for making sure not only that, if employees harm children, they are removed from the workplace by placing them on the barred lists but that they are prevented from entering into employment with children in the first place.

John McCallister raised the important point about the help and support that would be available to victims. A witness support service will be established to support victims and survivors through their contact with the inquiry process. Separate from the inquiry, the Office of the First Minister and deputy First Minister have established the wider victims support service to provide support and advice to victims before, during and after the inquiry. Victims and survivors have indicated that they need support in many areas, including housing advice; information on benefit entitlements; support on how to search records relating to their time in institutions; information on training and employment support and opportunities; trauma counselling

and support; and for police referrals for those who wish to pursue criminal proceedings against perpetrators of abuse. Interim support is available for victims and survivors through Lifeline, which can be contacted 24 hours a day. For those listening, that number is 0808 808 8000. All Lifeline staff are trained counsellors who have expertise in dealing with many issues, including trauma, suicide, self-harm and depression. Lifeline counsellors will help callers to get through the initial crisis and refer them to other support to match their needs.

Colum Eastwood raised the issue of the power of compellability. The need to provide the chair with powers to compel witnesses and evidence was central to our intentions in bringing forward the Bill. The chair will be able to issue the formal notices that can be enforced if people are convicted of breaching a notice. As I said, the law states that there will be a fine of £1,000, six months' imprisonment or both.

Colum Eastwood was concerned that the inquiry should not be restricted by jurisdiction, boundaries or the cross-border element. Victims who no longer live here will have the opportunity to speak to the acknowledgement forum. We expect the inquiry chair to advertise the inquiry in other countries and to put in place the appropriate arrangements to facilitate the victims who do not live here. As I said, reasonable travel expenses will be reimbursed.

I turn to some of the points raised by Jim Allister. I do not think, if I am being honest, that he has any real understanding of the legislation. It is apparent from what was put forward today that he has very limited understanding of the legislative process. Robust legal advice has been obtained, including advice on the drafting, to ensure that the legislation is strong and independent and that there will be a fully adequate investigation and inquiry. We took that robust legal advice, we talked about it with many of the victims and survivors directly, and we tested it out against the advice that we were given. I am convinced that the Bill allows for that strong and independent investigation and inquiry that victims and survivors deserve.

I look forward to continued engagement with the Committee and Members as the Bill progresses through its various stages.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Inquiry into Historical Institutional Abuse Bill [NIA 7/11-15] be agreed.*

## **Budget (No. 2) Bill: Second Stage**

**Mr Principal Deputy Speaker:** I inform Members that confirmation has now been received from the Committee for Finance and Personnel, in accordance with Standing Order 42(2), that the Committee is satisfied that there has been appropriate consultation with it on the public expenditure proposals contained in the Bill. The Bill will, therefore, proceed under the accelerated passage procedure.

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

I beg to move

*That the Second Stage of the Budget (No. 2) Bill [NIA 8/11-15] be agreed.*

Today's debate follows the approval of the Supply resolution last Monday by the Assembly for the expenditure plans of Departments and other public bodies as detailed in the 2012-13 Main Estimates and the second Supply resolution for the excess resources for two Departments in 2010-11.

As Members are aware, accelerated passage of the Bill is necessary to ensure Royal Assent prior to the end of July. If the Bill did not proceed by accelerated passage and receive Assembly approval before the summer recess, Departments and other public bodies may have legal difficulty in accessing cash, and public services would, therefore, be significantly affected prior to our return to the Chamber in September. However, I am glad to note that the Bill can be given accelerated passage, because the Committee for Finance and Personnel has confirmed that, in line with Standing Order — *[Interruption.]*

From a sedentary position, the Member says that he told me so. It was my powers of persuasion and nothing more that ensured that this would happen. The Committee is satisfied that there has been appropriate consultation with it on the public expenditure proposals in the Bill.

### **5.15 pm**

The Committee of the previous mandate took evidence on several occasions during the development of the Budget 2011-15, of which this Bill represents the second year, and played a useful and constructive role in co-ordinating the responses of all the Committees at that stage.

I had a constructive meeting with the Committee last week, and I thank the Committee for its agreement to accelerated passage for the Bill. I also acknowledge that the approval process is rather convoluted; it lacks transparency and is open to delay — a point that the Finance Committee and Members have made to me repeatedly. Members will be aware that I have initiated a review of the financial process that would improve the Assembly's scrutiny considerably. I can only hope that my Executive colleagues expedite that review and allow me to bring about the process amendments desired by the Committee and, indeed, by many in the House.

Standing Order 32 directs that the Second Stage debate should be confined to the general principles of a Bill. I shall endeavour to keep to that direction and, at this relatively late stage of the day, encourage others to do likewise. That is probably a futile request, but let us hope that it happens.

The main purpose of the Bill is to make further provision of cash and resources for use on services, in addition to the Vote on Account, provided in the Budget Act in March up to the requirements of Departments and other public bodies set out in the Main Estimates of 2012-13. In addition, the Bill makes provision for excess expenditure by two Departments in 2010-11 over the amounts approved in the 2010-11 spring Supplementary Estimates and the related Budget Act. Copies of the Budget Bill and the explanatory and financial memorandum have been made available to Members today, and the 2012-13 Main Estimates and the 2010-11 Statement of Excesses were laid in the Assembly on 11 June.

The Bill will authorise the issue of a further £8,203,787,000 from the Northern Ireland Consolidated Fund and the further use of resources totalling £8,424,156,000 by Departments and certain other bodies listed in schedules 1 and 2 to the Bill. The cash and resources are to be spent and used on the services listed in column 1 of each schedule. Of course, those amounts are in addition to the Vote on Account passed by the Assembly in March, bringing the total amount of cash provided for 2012-13 to just over £15 billion. In addition, the Bill sets out for the current financial year a limit for each Department on the use of accruing resources. Accruing resources are current and capital receipts totalling £2,160,054,000. Therefore the resources authorised in the Vote on Account in March and the resources and accruing resources now provided in this Bill bring the total resources for use by Departments in 2012-13 to just over £18 billion. Of course, the amounts of resources include not only the departmental expenditure limits (DEL) on which our Budget process mainly focuses, but departmental demand-led annually managed expenditure (AME).

Clause 2 provides for the temporary borrowing by my Department of £4,101,893,000. That is approximately half the sum authorised by clause 1(1) for the issue out of the Consolidated Fund. I must stress to the House that clause 2 does not provide for the issue of any additional cash out of the Consolidated Fund or convey any additional spending power, but it enables my Department to run an effective and efficient cash management regime and ensures minimum drawdown of the Northern Ireland block grant on a daily basis. That is very important when contemplating the daily borrowing by our Departments.

Clause 5 makes provision for the excesses of approximately £2.8 million of resources by the Department of Culture, Arts and Leisure (DCAL) and an excess use of resources of some £10.2 million by the Department for Social Development. The Public Accounts Committee (PAC), in its seventh report on the 2011-15 mandate, has recommended, on the basis of its examination of the reasons for excesses, that the Assembly provide the necessary amounts by means of Excess Votes.

Finally, clause 6 removes from the statute book two Budget Acts from 2009 that are no longer operative.

The Budget Bill is admittedly technical, and, on the surface, it can be hard to translate the figures that it contains into real world public services. However, it is important to emphasise that every school and hospital and, indeed, every public service provided for under the authority of this Assembly is affected by this Bill and requires the legislation to operate legally in this financial year. So, while it may not

appear so, it is crucial legislation for our public services. On that note, I will conclude. I will be happy to deal with any points of principle or detail of the Budget Bill that Members may wish to raise.

**Mr D Bradley (The Deputy Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Tá áthas orm labhairt ar an Bhille, ar son an Choiste ar dtús báire agus ansin ar mo shon féin. I rise to speak first on behalf of the Committee and latterly on behalf of myself and my party. As outlined, the Bill makes provision for the balance of cash and resources required to reflect the departmental spending plans in the 2012-13 Main Estimates. The Bill also includes provision for excess cash and resource requirements by the Department of Culture, Arts and Leisure and the Department for Social Development for 2010-11.

On the latter issue, the Committee noted the work undertaken by the Comptroller and Auditor General and the Public Accounts Committee, which recommended that the necessary sums be provided by Excess Votes by the Assembly. Both Committees have indicated that they are content in that regard.

Members will be aware of the delay in the Bill receiving accelerated passage. The reason for that was well aired in the debate on the Supply resolution. Therefore, you will be pleased to hear that I do not intend to rehearse that here today. Following provision of the necessary papers by the Department of Finance and Personnel (DFP) after the Committee's meeting on 6 June, the Committee took evidence from departmental officials on 13 June, which was followed by a ministerial briefing on 20 June.

On behalf of the Committee, I acknowledge the steps taken by the Minister to reassure the Committee, and I thank the departmental officials for their prompt responses to a series of written questions that were issued for reply before the briefing from the Minister on 20 June.

The engagement last week will, no doubt, help to restore the constructive working relationship that has existed between the Committee and the Department, and I can now say that we have shed our differences — no pun intended. In any case, the evidence from the Department has provided explanations for a series of allocations, reductions —

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

**Mr D Bradley:** Yes, of course.

**Mr Wilson:** I am glad the Member did not use the phrase “kissed and made up”, otherwise Mr Allister would have been very happy just to have heard his phrase being cast back at him.

**Mr D Bradley:** I thank the Minister for his intervention. I am sure that Mr Allister will duly take note of that.

The evidence from the Department has provided explanations for a series of allocations, reductions, technical adjustments and transfers with GB Departments that have been made since the Budget allocations were initially set out in Budget 2011-15. Clarification has also been received on the borrowing provisions included in the Bill, and the level to which similar provisions have been used in the past.



Members also questioned the use of terms such as “miscellaneous” as a Budget heading. At the evidence session on 20 June a range of issues were also discussed with the Minister, including asset realisation, capital receipts and funding that is held at the centre. Further queries around the reallocation of funding between Departments were also addressed. By scheduling two additional sessions into its work programme, the Committee was able to take detailed evidence on the Main Estimates and the Budget (No. 2) Bill. Therefore, following the Minister’s briefing, the Committee agreed that there had been appropriate consultation with it on the public expenditure proposals contained in the Bill in accordance with Standing Order 42(2). The Committee was therefore content for the Bill to proceed by accelerated passage procedure. The Chairperson informed the Speaker of the Committee’s decision on 20 June.

Though the Committee is satisfied that the requirements of Standing Order 42(2) have been met, there remains a wider issue: the scrutiny of the related estimates by other Committees. In evidence to the Committee, the departmental officials have advised that:

*“the Estimates are not completely new. They are just a further evolution in the Budget process that kicked off a year and half ago.”*

Any changes that have occurred since the initial allocations were made in the Budget 2011-15 have been notified through monitoring rounds and other statements to the Assembly.

I reiterate the point previously made by the Chairperson that Statutory Committees will not have had an opportunity to consider the cumulative effect of those changes in their entirety, particularly given that there is just one week between when these complex documents are laid in the Business Office and the Assembly debate.

The Committee questioned why it was necessary to embargo or restrict the Main Estimates 2012-13 until 11 June, and the Budget (No. 2) Bill until after its introduction on 18 June, and asked whether that has the effect of curtailing scrutiny by other Statutory Committees. Members also queried whether it would be possible for other Departments to provide their Committees with draft Estimates for scrutiny in advance.

In response to those queries, DFP advised that the embargo:

*“has been the convention for a number of years”*

— and that, while that relates to the combined Estimates document, individual Departments are encouraged to provide their departmental-specific information to their respective Committees for analysis at any stage during the process, bearing in mind that it is not final until agreed with the supply divisions within DFP. The other Statutory Committees may, therefore, wish to note this point, with regard to the potential for them to undertake scrutiny of Estimates in the future.

The Committee made a comprehensive response to the Executive’s review of the financial process on behalf of the Assembly, and we look forward to seeing how that work is progressing. In tandem with this, the Committee itself recently issued a discussion paper entitled ‘Maximising the Assembly’s Contribution to the Northern Ireland Budget

Process’ to key stakeholders. Indeed, responses are due back today.

The Committee will seek to ensure that the Assembly and its Committees can add real value to the Budget process and that they are afforded the time and the information to enable them to undertake scrutiny and exercise influence at the most appropriate stages in the process.

In the meantime, in respect of the more immediate issue before us, on behalf of the Committee, I support the general principles of the Bill.

### 5.30 pm

I will now make some points on my behalf and on behalf of my party. The Minister has noted that I am in the habit of questioning him about revenue-raising issues. I note that, earlier in the year, we were told that £1.3 million had been realised by February of this year. Last week, during the Supply resolution debate, the Minister informed us that that had leapt to a figure close to £200 million, which was £29 million in excess of the target that was set. That is a huge increase. I see the Minister nodding. Maybe he thinks I have got it wrong, but those are the figures that I have in my notes. I remember that, last time, Mr McCarthy asked him where that money came from, what was sold, by whom and for how much. The Minister, not being encyclopaedic in his knowledge, was unable to answer, but I would like to see more detail on those figures in the future, and I am sure that the Minister will reassure me by providing me with those figures.

In the course of examining the Estimates, it was noted that a figure of £198,000 was set against the Northern Ireland Events Company in the DCAL chapter. I believe that that is accounted for by legal fees involved in the winding-up process. We have to bear it in mind that DCAL initially commissioned two separate reports on the demise of that company that were paid for out of the public purse. The matter was referred to the PSNI, which could find no grounds for prosecution. Still and all, DCAL officials, supported by the Minister, insisted on referring the matter to the DETI investigation unit, incurring further costs. We could get into a situation in which the winding up and the inquiry into the facts behind the company will cost us more than the initial loss. That is somewhat ironic. Perhaps the Audit Office needs to inquire into that when the DETI investigation has been completed.

Moving on, I recall that, initially, the Minister told us that he hoped to raise £125 million from the reserves of the Harbour Commissioners. As yet, we have had no reports of progress on the realisation of that money. I think it was said that legislation would be required in order to remove that amount of money from the Harbour Commissioners. Has the Minister made any progress on that issue, or is it dead in the water? Again, no pun intended.

The Minister also told us that the Executive had agreed to reclassify £250 million of current expenditure as capital spending over the budgetary period. He predicted that capital spending would reach, I think, £1.5 billion by 2014. What is the Minister’s view on the progress that has been made in that respect?

We have discussed on a number of occasions the effects that welfare reform would have on our citizens here in

Northern Ireland. A figure of £450 million being taken out of the economy was mentioned. Originally, the Minister disagreed with that. Perhaps, later on, he came round to closer agreement to that. That obviously has a huge effect on the most vulnerable in our society, with a knock-on effect for the retail trade. My concern is for the most vulnerable people. Unfortunately, this Budget does not contain any obvious measures to mitigate the effects of those cuts. We had a social protection fund of £20 million. That has already been spent. In my view, the most vulnerable remain open to the effects of these drastic cuts. We hear the Prime Minister today speaking of making the cuts even more stringent. It is with regret that I say that the Budget does not deal with welfare reform. However, perhaps there will be time during the coming year to improve that situation. I hope that we will be able to do that.

**Mr Girvan:** I support the Second Stage of the Bill as presented to the House. I want to come back on a few points. A document has been put together for Members to read and browse. In some ways, it works, but in some ways, you may think that it was designed as a cure for insomnia. I will go into more detail of what has happened. In Committee, we have been kept informed, not just at this stage but right through the process, of how we are progressing with budgets, Estimates and spending reviews — the whole process.

One good thing is that we are not handing back any money. The Minister made representation to Her Majesty's Treasury to allow us to hold on to £49.5 million in resource and £13.6 million in capital. This year, we have underspent in those areas: £46.3 million in resource and £5.8 million in capital. Historically, we have had a problem with hundreds of millions being handed back that should have been spent in Northern Ireland. Departments are to be congratulated on how they have managed their budgets this year. That fiscal responsibility has been borne out. Some Departments have done it better than others, but, on the whole, it has been better than in the past.

The debate is a good opportunity for us to discuss things that are of some significance and interest to us. In South Antrim, a bit of noise has been made about our accident and emergency department. Accident and emergency departments are and have been very much under pressure. Noise has been made about the allocation of funds and how those funds will be spent. Some of that will be spent in 2012-13. Waiting times in the accident and emergency department have been quite long. I welcome the newbuild accident and emergency department at Antrim Area Hospital. Building has already started on that. I appreciate that it will take some time for that to be completed, but we will benefit from that.

I appreciate that the capital receipts that were received during the past financial year were mentioned, what they were and how they calculated out. I welcome the £29 million that was not accounted for, in that we got receipts for £171 million, which is £29 million more than the original prediction. So it is good that we have some additional moneys that we can make use of.

In anyone's estimation, £18 billion is quite a large amount of money, but let us be truthful: if we did not have our link to the United Kingdom and Great Britain, we would be nowhere near having a receipt of that amount. I do not

think that we could get that at all through the amounts that we raise through taxes here. We are doing exceptionally well with what we have, but that does not mean that we cannot do better. We are trying to grow our economy, but there was an issue about that in our draft Estimates and those for 2012-13. The only way to grow our economy is to focus on small and medium-sized businesses in Northern Ireland, as they are the core employment provider. We do not have many large companies involved in that, so we must focus on supporting and increasing small and medium-sized businesses. I congratulate Invest NI and the Department of Enterprise, Trade and Investment on their work in encouraging new schemes and new programmes. I also congratulate them on their work in encouraging inward investment, which will do much to grow our economy and possibly reduce our reliance on public sector employment. I appreciate that that may not be a message that everybody wants to hear, but we need to reduce our public sector to a level that allows us to sustain it with some of our private sector employers.

I agree with Members about the work that the Committee did; it was intense at times, but we did it nonetheless. One of the issues mentioned today was scrutiny of the Estimates when they come through. Some areas were dealt with in the Estimates prior to their being presented to the House and placed in the Library on 6 June this year, but we now need to see whether we can have more openness and transparency in how those areas are presented. The Estimates include too many bland areas where items come under miscellaneous headings. As the Deputy Chairperson of the Committee said, those areas need to be tightened. We want a totally open and transparent process so that there is traceability not only of what we are doing but of the areas on which we are ensuring that the public can see spend. That is vital. Some Departments have more work to do on that than others, and that body of work needs to be carried out to give us more accountability and to ensure that there is such awareness. After all, one of the Committee's jobs is to ensure that we have accountability for what is presented. We want to see that work progress.

I welcome the work on improving the processes that we, as a Committee, are dealing with. That work has to be done. I feared that we would not get to this stage this week, as one of the hiatuses appeared when someone commented in Committee last week that there was much of a hullabaloo about "a puff of smoke". We all know what that refers to, and, to be honest, it achieved nothing except to delay the process further. However, we are here today, and I support the Bill. I also hope and pray that this will create a way forward, because it allows Departments to move forward with the confidence that they have Members' support. They can also now commit their spend, not having to worry about spending up to 95% or whatever the percentage might be. Those are the facts. By going forward with this process, we can release the money and make sure that we can deliver the full spend.

The Department for Regional Development has committed to a few major spends on major projects. One of the things that it has failed to look at is maintenance of the existing infrastructure, which causes us major concern. I appreciate the need for new roads in certain areas, but the focus that DRD has on roads maintenance has caused concern. A number of roads are falling into a serious state of dereliction, and that is something that we have to address.

**5.45 pm**

**Mr Mitchel McLaughlin:** Go raibh maith agat. Speaking on behalf of my party, I make it clear that we also support the motion.

I acknowledge the Minister's efforts to deal with the issues that the Committee wished to discuss, as well as the co-operation and assistance that we got from his departmental officials. The Committee has focused for a number of years now on trying to demystify the Budget process to achieve a level of engagement and understanding right across these Benches. The situation is significantly improving. In the past, very significant sums were not even voted for expenditure but were being spent by Departments or their third-party organisations in the delivery of public services. They were not actually voted through during the Budget process. That is an issue that the Minister and his officials have responded to and have worked with the Finance Committee to improve.

The Deputy Chair comprehensively set out the issues raised with the Department and the Minister in direct discussion and in correspondence, as well as the responses that we got that satisfied the Committee. However, we are very conscious that other scrutiny Committees are still somewhat outside the process owing to time constraints. Those Committees reported to us when the Finance Committee was making a consolidated report to the Assembly that they were very dissatisfied with the time and opportunity that they have to scrutinise their departmental budgets. More work needs to be done in that respect. However, I think that developments are positive, and Paul mentioned what I consider to be a very strong positive: in the lifetime of the Assembly, going back to the first mandate, as it is known, significant improvement has been made in financial projection and management. Departments now regularly achieve their targets.

Another issue arises, and it is one that would affect any Administration, in good times and in bad. Of course, we are operating in difficult economic circumstances, and the issue that I wish to see developed as we reform and refine the budgetary process here is that we become able to track the cost of administration against the delivery of programme priorities. If we can do that, we can be satisfied that, when we set ourselves efficiency targets, they will actually be that, as opposed to cuts to vital front line services. I felt that we got a fair enough reception from the senior departmental officials on that point, and I look forward to that happening in the years ahead. You have to operate on more than a one-year canvas; you need to be able to address the issues over four or five years, possibly even cutting back from one mandate to the previous one to track the impact of measures. They are cumulative, so it can be difficult to keep a perspective. In setting out the Programme for Government targets and matching them to the available Budget, we can be satisfied that a genuine effort was made. That makes it all the more important that the process is as transparent as we can make it. We may never be able to totally satisfy opinion, because critical discussion and engagement is very important for ensuring that we have the most rounded perspective. However, I record my appreciation as a member of the Committee. I have been a member of this Committee since the earliest stages and have seen the changes and responses. I think it is proper to put that on record.

We also dealt with the issue of the Excess Votes. Again, an explanation was given by the Department and referred to by the Minister last week, which is very acceptable. That set out the circumstances and the responses. We also got the detail that was required on reallocations and transfers and the issues that can affect or amend the starting position of the budgeting process. Members of the Assembly can take some assurance that they have the up-to-date picture now, and that the motion is worthy of support.

**Mr Cree:** I am pleased that we are in a position to debate the Budget Bill today. I think it was right that the Committee took the stance it did, and the Minister well knows that we should have had more time to consider and scrutinise the information. However, it was also right that the Minister came before the Committee last week to explain the situation. I commend him for doing so, and, although I was unable to attend due to a prior engagement, my colleague Roy Beggs was there, and I am fully aware of the content of that meeting.

We are all conscious of the fact that, under Standing Order 42(2), the Committee must be satisfied that there has been appropriate consultation with it on the Budget before accelerated passage is granted. We were not satisfied that the consultation was appropriate at this stage last week; however, the Minister will have learned that, if he works with the Committee in a constructive manner, we can resolve most of our difficulties.

The Finance Minister's attitude has at times not been helpful. He accused various members of the Committee of being truculent, petulant and opportunistic. My opinion is that the Committee was simply seeking to do its job in carrying out the obligations placed on it. We were also given conflicting stories as to whether the delay was caused by the Minister or by an oversight in his private office. Some doubt still remains over the root of that problem, although I think we have probably heard enough about that.

I also want to record my disagreement with the Minister's comments that 95% of the Budget was already outlined in the four-year Budget and that, as a consequence, we should not have had much to talk about. That is wrong. Each Budget year is a stand-alone Budget year. Each Budget year, which authorises the spending of some £8.2 billion, should be given the necessary scrutiny both in the Finance Committee and in the Chamber. The public, rightly, expect that to be the case. The precedent set this year is that each year's Budget will be given the proper consideration and not glossed over because some in the House previously agreed a four-year Budget. From the changes that have been made from the 2011-15 Budget document to the figures dealt with today and in the Main Estimates it is clear that allocations have been altered in respect of the 2012-13 Budget year. For example, the Department of Agriculture and Rural Development has just under £8 million less resource, the Department of Education has £30 million and the Department for Employment and Learning has nearly £40 million more in resources. Those are just a few examples that illustrate the point. However, I reiterate that I am pleased that we have reached the Second Stage of the Budget Bill and that the Committee felt able to grant accelerated passage.

In addressing the Budget Bill, I will concentrate on the Department of Finance and Personnel, which has a sum



of £132,585,000 granted for its general purposes. That includes the Central Procurement Directorate, which is responsible for reviewing and developing procurement policy up to a £3 billion annual spend. The Finance Committee conducted a worthwhile and useful inquiry into public procurement in Northern Ireland that resulted in 41 key conclusions and recommendations, and the Minister will be aware that the inquiry has subsequently been debated on two occasions in the Assembly. Minister, in the context of the Budget Bill for 2012-13, what reforms will we see for public procurement during the coming year? What efficiencies and value for money will be delivered in that area, and how will that affect the Budget in monetary terms?

The Minister should seek to raise revenue in his Department, and I am interested to learn how that is factored into the Budget. The Department has economists and legal, advisory and business consultancy professionals at its disposal, and we must be creative in the current economic climate. Another issue raised by the Minister was the prospect of Land and Property Services using its expertise to collect money in the private sector. I would appreciate a response on where we are with projects of that nature over the coming year.

I also note in the Budget Bill that the Department is responsible for the sponsorship and provision of secretariats for other independent bodies, and, as far as I can see, that is not covered in any detail in the Main Estimates. Perhaps the Minister will enlighten the House on what specific bodies are covered and how much is afforded to each. I realise that the Minister may not have that level of detail today, and, if that is the case, I ask him to write to me.

Lastly, the equal pay claims for the Northern Ireland Civil Service remain unresolved. I understand that £26 million has been set aside for the purpose of meeting the equal pay claim and that that will still be available this year. However, there is an urgency to the issue, given that, as far as I am aware, there are no assurances that those funds will be in place indefinitely. The Minister has a duty to ensure that those claims are settled equitably, and I ask him to provide an update on the stage at which proceedings are.

**Mrs Cochrane:** I welcome the opportunity to speak in support of the Budget Bill, following last week's successful passage of the prerequisite proposals on the Supply resolutions for the 2012-13 Main Estimates and the 2010-11 Excess Votes. As stated, the Bill provides for a balance of cash and resources required to reflect departmental spending plans in the 2012-13 Main Estimates. Others have described the process that has brought us to this debate, so I will limit my comments to a few specifics in the Bill.

I turn first to social development matters, as I serve on the Committee for Social Development. I do not know what the implications will be, given that there are now likely to be significant delays in the welfare reform legislation, with no introduction expected before recess. However, I believe that responsibility and due diligence are required from Members in advance of welfare reform, and proactive measures could and should be pursued if we are to address the potentially negative consequences of the changes.

Our community and voluntary sector plays a vital role in providing services to our community. It often offers considerable value for money and is uniquely positioned as a sector that is not only innovative but effective and

efficient. However, that does not seem to guarantee its protection when it comes to departmental reductions. Arguably, the current impact of the recession, combined with the future impact of welfare reform, calls for more services in the voluntary sector rather than fewer. Vulnerable people in our society already face money problems, and an increase in advice services to assist with financial planning would go a long way. There is an evident need for enhanced financial education through organisations such as Citizens Advice and others in our community and voluntary sector, and we must be willing to shoulder the burden of responsibility for the fiscal competency of our society and to enhance the financial opportunities and status of our most vulnerable people.

With reference to the expenditure programme for OFMDFM, it is worth noting the support pledged in the Bill to develop and implement the new childcare strategy. That strategy will be imperative, especially in light of the overlapping nature and potential impact of welfare reform legislation. Providing an exceptional level of service and support to our children and young people should be at the heart of any progress that we want to achieve in the financial year. It may be worthwhile considering alternative initiatives that have proved successful in other parts of GB and Ireland. In England, for example, the London Borough of Tower Hamlets has recently piloted a scheme that seeks to provide up to 15 hours of funded childcare for two-year-olds from low-income families. That is in addition to the nursery provision already in place for three- and four-year-olds, which guarantees a funded place for a maximum of up to six terms or two academic years.

Such allowances enable those who might not otherwise be able to afford adequate childcare to benefit from this enhanced support mechanism, empowering them to better balance work and family life, as well as giving these children a head start through preparing them for primary school and their formative childhood years.

## 6.00 pm

Another issue of particular interest in my analysis of the Bill and the figures detailed within is the mention by most Departments of provision for settling outstanding Civil Service equal pay claims. Having met a wide range of constituents directly affected by this issue, it is my sincere hope that, in this financial year, we may, at last, be able to adequately address any unresolved claims once and for all. I believe there is a moral obligation to do this.

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

Finally, so as not to disappoint the Minister, I will mention the costs of maintaining a divided society. These costs manifest themselves across all Departments and spending areas, and our Executive and Assembly must ensure that the provision of good facilities and services reflect the changing attitudes to, and preferences for, sharing and integration. We must make a genuine commitment to addressing such matters. I support the Bill.

**Mr Hilditch:** I support the Budget Bill and the agreed principles within it, although I do appreciate that there are various views on how some of the departmental budgets are spread and distributed throughout.

With the economic difficulties that we continue to face in every sector, it is crucial to support the process before us

as we attempt to balance our economy. I am pleased that the issues that dominated last week's Estimates debate have been resolved, and, as a member of the Finance and Personnel Committee, I am pleased that the battle lines that had been drawn were quickly erased. Peace broke out, but not only that, a way forward was found.

Hopefully, that joined-up working can continue throughout this budgetary period, as this Assembly strives to improve the financial process and we look forward to the outcome of the Budget review work and the financial review process. That said, I do welcome the provisional out-turns of each Department and the work that has gone on in Departments, particularly aided by the useful and sensible approach in the monitoring rounds, with Departments reaching their targets and achievements. I hope that will continue over the budgetary period and, indeed, the mandate.

The Committee has undertaken considerable work, and I will not go through that again, as it has been highlighted by other Committee members. Previously, I had highlighted, within this year's spend and Budget, some of the benefits of devolution locally and some of the issues that Members would be supporting and lobbying for. I welcome some of the Department for Regional Development's major infrastructure projects being delivered through this year's spend in my constituency, such as the A2 and A8 projects; the major environmental improvement schemes that are under way in town centres throughout the Province through the Department for Social Development, in conjunction with other measures that the Finance Minister has initiated to help our retail and small businesses; and the stadium projects that will progress our main sports. I, personally, hope that many others will benefit from these schemes as they progress and that DCAL will not inadvertently create a hierarchy of sport. I am confident that it will not.

There are, however, some areas of the Budget that cause me concern in relation to local delivery. One is the reduction to be borne by the Northern Ireland Environment Agency in the Department of the Environment. Over time, in my constituency, I have witnessed a reduced service delivery on the part of that agency, specifically in the section that deals with monuments and buildings of special interest — our built heritage. I refer, in particular, to a landmark on Belfast lough, Carrickfergus Castle. We have just learned that, due to this year's financial projections, the very popular Lughnasa Fair, which attracts tens of thousands of people to the area, has been cancelled to provide a saving to the agency. This is purely a budgetary decision, and it has been met locally with disbelief. It is a major blow to the town, although that is perhaps not surprising, as we tend to play second fiddle to the only other walled settlement, Londonderry, when it comes to financial assistance for this type of cultural-heritage budgetary support. I hope that finance can be found in one of the monitoring rounds to reinstate that popular festival, which celebrated its fortieth anniversary last year. There are other issues about the castle and its fabric, parts of which are in urgent need of replacement. However, as those are not in this year's spend, I will leave that argument for another occasion.

I would like to touch on a number of other areas of the Budget, one of which is the continued provision of effective firefighting and rescue and fire safety services. I pay tribute to those involved in that for their sterling work in the dangerous environments that they have to attend. That is

an area of the Budget where we are witnessing a reduction. I am not saying that it cannot meet its requirements and needs, but I would like the Department to take a look at the provision of the service in greater Belfast locations and at getting the right balance between the work of the full-time and part-time service. I believe that such an exercise would be of benefit to that particular budget.

I note the uplift in the budgets for the Northern Ireland Commissioner for Older People and the Northern Ireland Memorial Fund. I welcome that and look forward to further detail from the Office of the First Minister and deputy First Minister over the coming months.

I support the Bill.

**Mr McQuillan:** I welcome the opportunity to speak on the Bill as a member of the Committee for Finance and Personnel and as a Member for the East Londonderry constituency. The Bill would see the transfer of the remaining moneys to the Departments and associated agencies to the end of the current financial year. The Bill is obviously necessary as it grants the Minister of Finance and Personnel the authority to do that. If the Bill were not approved, the Departments and agencies would not be able to function and would simply grind to a halt.

The focus of the remainder of this financial year and, I suspect, of many years to come is on the local economy. The moneys detailed and set out for transfer to individual Departments and associated agencies in the Budget (No. 2) Bill are vital in order to maintain the running of our health service, schools, universities and colleges and for the maintenance of roads, among many other services and resources provided for the people of Northern Ireland. It is important that the Executive maintain a standard of living for those suffering as a result of the economic downturn, never mind those suffering from long-term illness or disability.

The Executive must ensure efficiencies at this time. Much of this has been forced by the Government in London. They led a campaign based on cuts in 2010, which led to a reduction in our block grant. The Executive have already used their only fiscal power responsibility, that of raising additional moneys through increasing the regional rate. The Executive have ensured that the regional rate has remained the same in real terms and, hence, have limited the burden on households at a time when households' costs are soaring.

In the Programme for Government, the Executive committed to the reform of local government, reducing the number of councils from 26 to 11. It has been demonstrated that that will save money in the long term and, ultimately, will result in savings for those in East Londonderry, whom I am honoured to represent. The Executive have, therefore, demonstrated an ability to ensure efficiencies and to generate savings, while investing in our future.

That investment is demonstrated by the Executive's decision to freeze student fees at their current rate, while plugging the gap resulting from that decision. Universities in Northern Ireland are, therefore, no worse off. That is encouraging for young people or even for mature students who are seeking to gain a qualification in order to advance or kick-start their career. However, there are many people out there who have exceptional qualifications but are unable to obtain a job. That is why I am pleased that the Executive have committed themselves to creating 25,000 jobs within this

Assembly term. That is what we need in order to reduce unemployment, while offering our young people jobs that meet their expectations, ability and level of education.

At this time, demand outweighs supply, but we must make the best use of the resources we have and utilise them in order to assist those in need, to support training and education programmes and to support our private sector in order to generate growth.

I support the Bill.

**Mr Beggs:** Thank you for this opportunity to comment on our Budget.

The man in the street will find the Budget process rather difficult to understand. Indeed, many of us who do not come from specialist accounting backgrounds find it equally difficult to understand the process involved. Let us take, for example, the requirement that, every year, the Budget Bill will be subject to accelerated passage and will not have a high level of scrutiny or accountability or significant input from Committees in suggesting alternatives or looking at options for how the money could be better spent. I think that there is a weakness there, and I welcome the fact that the Committee for Finance and Personnel has recommended improvements to the overall finance system, supported by the Minister and the Department. That area must be pursued. Clearly, there needs to be improved transparency and accountability.

At the bottom of this, we all need to remember that this is not our money. It is not the Minister's money. It is not the Finance Department's money. It is the public's money. We all have a duty to ensure that there is transparency and that the best use is made of that money in the interests of the public, not for some narrow purpose that an individual Minister may wish to pursue.

I urge that improvements be made to the system. During our evidence session on the finance, we learned that around that time the Education Minister was opposing the new process, and I understand that his party is reluctant to support it. There must be a clearer movement forward in this area, and there must be transparency and accountability in our Budget so that money is well spent. I hope that the entire Assembly will ensure that the process moves forward, even after the Budget. Huge sums are involved, which are difficult for any of us to visualise. Eight billion pounds has already been put through the Consolidated Fund; there is a further £8.4 billion for resources through schedule 2 to the Bill; and there is £2.16 billion for accruing resources. These are huge sums, and difficult to grasp.

I concur with the points made by the Deputy Chair earlier about the Budget. The Estimates were given to the Finance Committee, but why were they withheld from all the other Committees? What harm would there have been in giving that information to the other Committees to allow them increased scrutiny? I cannot see any difficulty that would have resulted. It would be interesting to know. For the sake of improved accountability, that would have been useful. I certainly asked some questions about the Budget figures in the Estimates for which it was difficult to get answers. Other Committee members appeared not to be aware of some of the details that relate to the Budget.

Some changes in the summaries that were provided to the Finance Committee primarily concerned the Department for Regional Development with the changes to the A5: there is a minus £189 million but then a plus £123 million. The Department of Health benefited by £37 million capital, but there is a technical reduction of £3.7 million, so a net £34 million to the Department is, I understand, contained in the budgetary figures.

Accident and emergency departments are under considerable pressure. I certainly support additional capital moneys going to the Department of Health, which will help our Health and Social Care services and hopefully reduce some of the difficulties that they have been experiencing.

East Antrim is one of the constituencies without a hospital with an accident and emergency department. There is a minor injuries unit adjacent to us in Whiteabbey, which is valued by the local community. However, for Larne and Carrickfergus, there is little minor injuries provision, and that is an area that I would like to see improve in the future. For accident and emergency, East Antrim is largely served by Antrim Area Hospital and the Royal Victoria Hospital. I hope that there will be continual improvement there. They have been unsatisfactory, with some of the longest A&E waiting lists in Northern Ireland. Clearly, that needs to improve. If some capital funding helps to do that, that will be good.

I think that this capital funding could be particularly useful because much of the pressure on our accident and emergency departments can be caused by patients who feel that they have no alternative but to go to an accident and emergency department. They frequently may, and ought to, be treated in other primary care settings, and Larne and Carrickfergus clearly fall into that category. With additional moneys, along with the co-operation of GPs and the new financial health models that are emerging within health in terms of an increased use of primary care, some of those patients could be treated in primary care, and critical A&E delays would be removed. As I said, I support additional capital moneys going to the Health Department, and I hope that some of it makes its way to my constituency. East Antrim has a particular need for improved health and care facilities.

Two of our primary health centres — the one in Talyors Avenue and the one in Gloucester Avenue — are badly outdated. They have poor infrastructure and their layouts are not correct. Additional capital moneys to those centres in the Budget would help to right those problems, so I hope that that is the case. Certainly, this is an area that continues to need support, so that GPs, many of whom already have specialist capabilities, can take on more responsibility. With the right infrastructure, GPs will be able to assist in improving everyone's health, because more people will be treated locally, and the speed at which those who require accident and emergency facilities at Antrim Area Hospital or the Royal are treated will be increased. So, it is important that investment in our health capital infrastructure continues and that more responsibility is passed down to our GPs to enable them to treat more patients in their locality.

#### 6.15 pm

One of the questions that I pursued during the Committee's consideration of the use of accelerated passage was the allocation of £4.9 million to the Middletown Centre for Autism in the Estimates, which related to the capital budget

for education. When we pursued that allocation with the officials, we were advised that it has not been possible to move the money in the Budget process, even though the Department of Education had requested it. One of the officials indicated:

*"When we seek to change the system and Budget allocations, we do so through exercises that are agreed by the Executive. We have not had an exercise on the 2012-13 allocations since the Budget. The first opportunity available to the Department to do that will be June monitoring, so we will seek to do it then."*

I look forward to the statement tomorrow. However, why do the Executive not have a process for reallocating money earlier instead of allowing figures to follow forward when everyone knows that the moneys are not in the right place? I hope the Minister will be able to tell us why there could not have been a meeting of the Executive and some of those moneys reallocated, so that, ultimately, they would have been in their correct positions at an earlier stage instead of the movement occurring some three months into this financial year. I understand from the officials that it has been known for several months that that allocation would not be pursued. So, for our Budget process and the Budget figures that we are presented with, there is clearly room for improvement. I just used the Middletown Centre for Autism allocation as one small example.

As a community, we need to ensure that we get the best for our funding, that we make the best use of it and that we make the time available to spend it as long as possible so that it can be well spent. There is a danger, if money has to be spent in a short time, that it may not be as well spent as it could be. I have heard horror stories about fax machines in the old days being very busy in March because Departments had to spend their budgets. Whether or not some of the items purchased in those days were entirely necessary is another thing, but, as an Assembly, as a Finance Committee and as an Executive, everyone needs to work together to ensure that we get the best value for our community from our Budget.

**Mr Humphrey:** It has been said by many that the key element in the Programme for Government and the Budget is the rebalancing of the economy. That is absolutely the case. It is pivotal to returning Northern Ireland to the economic success that we had a few years ago.

I support the Second Stage of the Budget Bill. I want to touch on a number of Departments and their work in my constituency of North Belfast and across the city of Belfast. This is a hugely important week for the city of Belfast and the people of Northern Ireland, with the visit tomorrow and Wednesday of the head of state, Her Majesty the Queen, to Northern Ireland and to this place, and, in the latter part of the week, the Irish Open in Portrush. Those hugely important events for our people are happening on the back of other significant events. Earlier this year, we had the launch and opening of the Titanic signature project in Belfast. Just last week in the Chamber, in response to a question I asked, the tourism Minister confirmed that 200,000 people had already visited the Titanic signature project. That is hugely welcome because those who come to Northern Ireland and the city of Belfast will, hopefully, go away with a positive experience having enjoyed their stay here and be persuaders for others to come and holiday in Northern Ireland.

We are on the cusp because next year we have the World Police and Fire Games, which, I think, is second to only the Olympics in the number who will participate and come along. Again, that is a hugely significant event for the city of Belfast. We are also in the first year of our decade of centenaries, which, again, will be hugely important, and significant with regard to the maturity of our society in Northern Ireland.

I also welcome the fact that the Business Improvement Districts Bill has been agreed by the Executive and will come before the House. That is hugely important because those of us who represent cities and towns across Northern Ireland will be aware of the concern among not only ordinary individual traders but chambers of commerce and city centre managers. This is a hugely difficult period for trade. I recently met Belfast Chamber of Trade and Commerce and walked around the city centre. When you take the time to do that, you see the effect that this period is having on the high street, and not just in Belfast. I recently visited Bangor, which has been hugely dealt a hard blow. So, business improvement districts, and the Department for Social Development working closely with local councils and chambers of trade and commerce, will be very important.

Very recently in north Belfast, we had investment from the Office of the First Minister and deputy First Minister in the new Titanic distillery at Crumlin Road jail. That is tremendous in that it is a new brand and a significant year for Titanic whiskey to be launched, if I can use that term, and also to see that investment coming to a part of the city that is very run-down and deprived, and giving that old building, which is significant to our history, a new lease of life, in one of its wings anyway.

Also in north Belfast, the Office of the First Minister and deputy First Minister and the Department for Social Development have been working with elected representatives and Assembly Members, led by the Member of Parliament, on a range of issues. We got agreement on a cultural corridor that will pass up Donegall Street through Crumlin Road and up to Clifton Park Avenue, taking in all those lovely, old and architecturally significant buildings and raising the profile and streetscape of that area. The development of the North Foreshore is hugely significant and key for north Belfast.

We look forward to Crusaders Football Club, which had a significant season winning the Setanta Sports Cup and are all-Ireland champions, and winning the League Cup. They just missed out to Linfield for the Irish FA Cup.

Girdwood is a site that will be of significance in the years to come. Again, despite the antics of some in recent weeks, we have had agreement on Girdwood and on taking that site forward for the benefit of the communities that will live cheek by jowl and abut the Girdwood site, and that is to be welcomed. I raised this issue in the Chamber last week and I have to say that there was absolutely no dirty deal done around Girdwood and the Maze. Those who peddle that lie, for a lie it is, simply do a disservice to all four parties in north Belfast.

One of the blights in north Belfast is Crumlin Road jail. That causes concern to the people who live in the area and those who represent it. We have to work with local and regional government, the Environment Agency, the Belfast Buildings Preservation Trust and historic buildings organisations to



secure that lovely old building and restore and return it to new use.

A collaborative approach is absolutely vital as we move forward. For too long in Northern Ireland, we have had a situation whereby local councils have had their facilities and regional government, education and library boards and private clubs have had theirs. This country is too small, and there needs to be economies of scale. We need to share facilities and we need to share the cost. I see no reason why that cannot happen.

It is important to provide some reassurance to the general public and to taxpayers and ratepayers that we have that collaboration so that we can get the joined-up approach that will deliver cost-effectively. That is why it is important that the Assembly works with local councils and bodies such as the Special EU Programmes Body (SEUPB), the universities and the education and library boards to ensure that we get that joined-up approach. We will see that work tremendously well when we host the World Police and Fire Games.

Education is a hugely significant and difficult matter in north Belfast, particularly in the greater Shankill area, which I represent. Educational attainment, preschool provision and a poor schools estate are three of the key issues. Therefore, I was very disappointed earlier today when it became clear that the new school that was promised some years ago to the principal and the board of governors of Glenwood Primary School on the Shankill was not included in the Minister of Education's announcement. A new school had also been promised to the principal and the board of governors of Springhill Primary School in west Belfast, which is in a very poor state of repair, but it has not been delivered.

Too often, I hear politicians talking about what needs to happen in the greater Shankill area. They talk the talk, but they do not walk the walk. We need to tackle the issue in working-class areas, not just in north Belfast but across the city, because educational attainment and preschool provision are hugely important and will be on the desk of every MLA who represents the city.

I warmly welcome the announcement of the relocation of the University of Ulster campus to north Belfast. That will provide a huge boost to the lower part of the constituency, in and around the Shore Road and York Road. That area will be completely revitalised and will link in well with the Cathedral Quarter and the north-west part of the city centre around Royal Avenue, North Street and Donegall Street. The relocation is hugely welcome, and I look forward to it.

My colleague Nelson McCausland and I met the chief executive of Belfast Metropolitan College last week. The college faces a huge challenge, because it must provide courses and make them available and relevant to the young people who live in the area. We cannot simply deal with the issue of education in isolation from vocational training. There are lots of young people, particularly young males, in working-class areas across the city who are not getting a fair deal. The Department for Employment and Learning, in conjunction with Belfast Metropolitan College, needs to step up to the plate so that we have the training and provide the skills to produce joiners, sparks, plumbers, and so on, not just for the world of industry, but so that they can go and set up their own businesses as well.

As a member of the green and white army, I welcome the investment that will refurbish Windsor Park football ground. As the new manager starts his work with the national team, I hope that the refurbishment will provide the impetus for a new era. As a long-standing Northern Ireland supporter, I take this opportunity to express my sympathy to the family of Alan McDonald on his very untimely and sad passing at the weekend.

Earlier, I mentioned the architectural significance of some of the buildings along the cultural corridor. One of the key buildings in north Belfast is the former Carlisle Memorial Methodist Church, which used to be known as the Methodist cathedral.

Last week, I was very pleased to go along with some council colleagues to look at the work that has been done to ensure that the building is stabilised and has been weathered. I pay tribute to the Department of the Environment and the Minister for providing money to do that.

### 6.30 pm

North Belfast, again, and the Crumlin Road prison provides an opportunity for the location of a digital hub for Belfast. The digital hub can benefit small businesses. Ironically, the cell system in the prison can be used in a very positive way to provide units for those small businesses. It makes sense in the economic situation in which we find ourselves, but the prison also lends itself well to the arts, computers, electronic industries and so on. The Department should give consideration to that.

I started off by talking about tourism, and I will conclude by talking about tourism. Often, this place is portrayed nationally in a very negative way. We have come a long way. By no means is Northern Ireland perfect, but we stand here in an Assembly questioning a devolved Minister who has responsibility for the finances of this place. I am pleased that that responsibility rests with a unionist. He has done an exceptional job. I said last year in Committee and in the Chamber — we see it again today — that Minister Wilson is a “no surrender” Minister in the sense that he makes sure that money does not go back to the Treasury in London. We should all welcome that; surely everyone across the Chamber, as we come to this time of year, agrees that he is a “no surrender” Minister.

Tourism figures reflect the progress that we have made. In 2011, the city of Belfast had 7.9 million visitors, 1.6 million of whom were overnight stays. They spent £401 million, £168 million of which was spent by the overnight visitors. Hotel occupancy last year was 65%. This year, it is up by a further 13%. By any stretch of the imagination, that is a good news story for Belfast and Northern Ireland. What is better than the fact that those people come and then go away and are persuaders for Northern Ireland is the fact that so many people are employed. This reflects the import of tourism and hospitality to our Northern Ireland economy: somewhere between 10,000 and 15,000 people are employed in the tourism and hospitality sector in the city of Belfast. That is huge progress. Belfast is now nationally and internationally seen as a must-see destination. It is also a very popular place to come for city breaks. That is a positive story; it shows progression and development. It shows that this local Assembly is working and delivering for the people of Northern Ireland.

**Mr Deputy Speaker:** I call Mr Jim Allister.

**Mr Allister:** You take me by surprise, Mr Deputy Speaker. I thought that, some having resisted accelerated passage, this would be a most protracted process. Here we are at the end of the debate; if I am being called, I assume that it is the end of the debate. Of course, last week's sham fight turned out to be exactly that. Shrinking violets like me had to listen to all sorts of bellicose trading of insults across the Chamber. We had the Minister talking about the Committee being truculent and petulant. He was told by Mr Murphy to wind in his neck and that he was talking himself out of accelerated passage and all of that. I assured the Minister at the time that they would kiss and make up. It was indeed all bluff and bluster that signified nothing. Where is Mr Murphy — "Discriminator" Murphy? He is off to become the crown steward of somewhere or other in the United Kingdom. What an end for the man who was leading the fight against the oppression of the Department and all of that. He melted away spectacularly.

When the Minister went to the Committee on Wednesday morning, far from it being a no-holds-barred, daggers-drawn encounter, the Committee just collapsed and did not ask him the hard questions. The Minister had come to the House and said that he took responsibility for an oversight, but no one seemed to trouble to press him on what exactly that oversight was. When did your Department issue the papers? When did you receive them? Where were they in between? What was the oversight to which you referred? If ever a Minister was let off the hook, it was the Finance Minister on that occasion. Of course, it was always only a little bit of play-acting, and so it turned out.

We now have accelerated passage, whereby it takes all of just over one hour's debate to get the weighty matter of a Budget through the House. Things go on as they always do. There was I a week ago thinking that it was another occasion of "never, never, never", with the Committee never, never, never going to roll over. Yet there they were like pussycats on Wednesday morning. All was forgiven when they kissed and made up. Mr Humphrey referred to the Minister as a "no surrender" Minister. It was certainly not a "no surrender" Committee, that is for sure. It surrendered spectacularly last Wednesday morning.

Therefore, we have a Budget with a plethora of expenditure to which I object once again. That includes the bloated expenditure on this bloated structure of government in which we have four Ministers in one Department, joint First Ministers, and far more Departments than we need. We will continue to have far more Departments than we need. Out of political expediency, we just might get round to getting rid of one of them some day. That Department will go, not because it is the most deserving one to go but because it happens to be the one held by the Alliance Party, which had two Executive seats unjustly. I do not know what would have happened if the Alliance Party held the Health Ministry. I suppose that we would have had to just abolish the Department of Health, such is the political expediency of all this. I have not seen that Bill. Maybe it has reached some hitch, but I am sure that it is coming. I am sure that it will also have super-acceleration through the House.

In the meantime and thereafter, we will continue to squander whatever it takes to keep the extravagant structures of this House in place, including all those Departments and,

of course, 108 MLAs, which is far more than this House needs. Judging by the workload of this House, I think that it is certainly a lot more than this House needs. We will pour fresh money into keeping all that going. We will pour money into those useless North/South bodies. We will keep priming that pump and pouring the money down the drain. You talk about leakage, but there has never been such leakage of valuable resources than those that flow down the drain of the North/South bodies.

As I said last week, we will squander more on spin doctors, photographers and hospitality. Never mind; it is supposedly a period of recession, but there is not much sign of it when it comes to all that. And, oh yes, the Maze shrine will certainly get whatever it takes. Mr Humphrey says that there has been no deal about the Maze shrine, but his problem probably is that, if there was a deal, it would have been done well above his head and he would be one of the last to know about it. There certainly was a radical road to Damascus conversion from Mr Humphrey's party about the Maze shrine from the days when he and others, such as his deputy leader, Mr Dodds, were telling us how utterly unacceptable it was. Now it is to be built with the buildings as an integral part. If they were not an integral part, it would not be being built there whatsoever. One Member of this House, Mr McCartney, has already told us how those buildings will be used for storytelling the type of nightmarish stories that his party wants to tell. So, this Budget has the money for that.

We hear a lot of talk that the Budget is about rebalancing the economy. How many years have we not heard that? I walk down the main street of Ballymoney or Ballymena and see a lot of rebalancing, but it is rebalancing in the wrong way. It is another shop closed, another set of shutters down and another business driven off the street. Yes, there is much need for rebalancing the economy, but it seems that there are priorities far beyond that such as the Maze shrine, the North/South bodies and all that essential squander that lies at the heart of government in this place.

I say, without repeating all the points that I made, that this Budget does not have its priorities right. As long as it continues to highlight and prioritise such squander, it will be a Budget that shows itself with no real interest in turning round the economy and the fortunes of Northern Ireland. It has a greater interest in sustaining the political process that is this place, and that is the top priority of this Budget and this Executive. It is not about turning around the economy of Northern Ireland but about sustaining, at whatever price it takes, the structures of misgovernment in this Province, and, whether that will ever be admitted, it is undoubtedly the truth. With those few stumbling remarks, I make my contribution to the Budget debate.

**Mr Kinahan:** I am pleased to speak on the Budget because it is the lifeblood of everything that goes on in Northern Ireland, and we need to consider whether it is being spent in the right way. We listened to Mr Humphrey earlier and heard about all the things happening in Belfast, and those of us from other parts of Northern Ireland are beginning to wonder why it all goes to Belfast. However, it is our capital, and it deserves it. However, you have to be careful when promoting your own place so much that others do not want more in their areas.

One thing that puzzles me about the Budget process is the amount of time that we spend debating it, the Estimates

and other issues in the Chamber. We seem to go round and round with petty point-scoring. There are good debates and poor debates, and we could do it better. I urge the Minister and this Assembly to look at how we can do that more efficiently.

As I am now Deputy Chair of the Committee, I want to speak more about education. A hefty sum of £1·083 billion is being spent on schools, yet we know that it is not enough. We recognise that times are hard and that money is limited, and we know that we all have to learn how to manage it best. We should maybe debate today and on other days how to try to get that done properly. Some £50 million is being spent on preschool education, yet some goes to crèches, nurseries and to other types of education. We really must find an efficient way to make sure that everybody who needs preschool education is getting their money and their chance. The Minister wants everyone to have a preschool education, yet, somehow, we have not found a way of doing it. It needs to be reorganised better, and I ask the Minister to pressurise the Education Minister when dealing with such matters, especially so that we deal with helping out the working poor and others who really need help in preschool education.

In the Committee, we saw that the proposals on early years were roundly opposed by almost all of the groups. We must find a way to deal with early years provision properly. It needs to be reviewed and reformed. It is possibly in the Department of Education's headings as "certain services for children" or even in OFMDFM's headings under "children and young people", but we must find a way forward, and I ask the Minister to push for it.

#### 6.45 pm

In the UK, some 80% of the funding for schools is spent at the schools level, whereas here it is some 49% or 50%, with a great deal of money going to other, smaller matters before it even gets down to the schools. Once again, I ask the Minister to keep the pressure up. The Education and Skills Authority is one possible way of resolving that, but we want that to be properly debated and consulted on to come up with a really efficient system that allows the schools to have better funding and finance at their fingertips.

In the future, we will have a mass of area planning and a mass of changes to schools. Yet, nowhere in what we are seeing are we learning the cost of area planning or the benefits. There must be costs at the beginning, and there must be savings later, but we have not seen any facts or figures. All of us need to get ready for the summer and the autumn as the area planning changes cause everyone to have concern about their children's schooling and to contact their MLAs. We will need to know what we will say about that and how much it will cost.

Buried in the Budget are hidden factors that we need to know more about. There is £13·77 million for miscellaneous educational services. We need to know what is in these figures and that it will be spent in a fair and proper manner and not just kept as a contingency fund, whether that is for more Irish schools or other purposes. We must know what it is being spent on. Another £5·5 million is also under the heading of "Miscellaneous Educational Services". In this Budget process, we need to know more detail on all of the figures. Too much is hidden.

Turning to council finance, I agree with my colleagues that we need a seeding grant or something up front to help the

reorganisation of councils. Buried in the changes to councils is this concern that many councils have huge debts. If we are to look at proper use of public money and gearing it properly by borrowing from the Scottish system, which I have touched on before, we must learn how to make the best use of public and private finance. In response to a question that was asked previously, we were told that the councils would be best placed for that. We should consider whether they are going to be best placed if they are all borrowing to the hilt before we get there. Should we not be looking at how we do that ourselves at Stormont and not just at councils? Minister, I am looking to see whether we can make better use of public and private funding.

Lastly, I have a more minor point on the jargon that is thrown at us throughout all of these Estimates and budgeting processes. It made me smile when I found a heading entitled "Notional Charges in Non-Budget". Notional means that it is either a guess or it does not exist. If it is non-Budget, it is not in the Budget, so we have an empty figure or a guess of a figure that is in the Budget but not really there. Maybe I need to do a course. I did once have a Bachelor of Commerce degree in accounting, but we never came across non-Budget or notional charges.

**Mrs Dobson:** I welcome the opportunity to speak in the Second Stage of the Budget Bill. The debate really only follows on from last week to give effect to the 2012-13 Main Estimates, but, conveniently, we now have the time and the flexibility to raise a number of specific points. As the Ulster Unionist Party's spokesperson for agriculture and wider rural affairs, I will largely keep my comments to this area. I agree with a number of Members who expressed concern about the manner in which some of the information for the Estimates and Budget Bill has been presented. There are still a number of items of expenditure that few Members know the true purpose behind. I will raise a number of specific points on the Budget with the Minister. Although I appreciate that he does not necessarily decide where the money goes in the Agriculture Department, his opinion will be welcome.

At the start of the year, I called on the Minister to review the level of capital support available to farmers, and I used Scotland as an example of where a fair compromise seems to have been found. However, over the next 12 months, the Department of Agriculture and Rural Development (DARD) will be making even less grant funding available to farmers than in the previous 12 months. In addition, the Department has an absolutely awful track record of tackling TB in Northern Ireland. Over the past 15 or 16 years, the Department has spent well in excess of £300 million on its bovine TB programme. That programme has failed, given that, in some areas of Northern Ireland, incidences of bovine TB are rife and the overall rate remains far higher than it was in 1996. Rather than spending huge sums of money on compensation to farmers and fees to private vets, the Department could have resolved the problem by now if it had properly addressed the situation.

I have looked at where it is proposed that some of the money should go. In DARD this year, over £50 million is going to the Veterinary Service alone. Until Minister O'Neill is prepared to listen to advice from experts in the industry, DARD will continue to spend huge amounts of money every year on an issue that it is not genuinely trying to resolve. That was seen clearly in the run-up to the publication of



the Programme for Government. There is also continued significant investment in the Forest Service this year. Although that is welcome, my party is keen to further explore the utilisation of the agency's existing assets.

The Ulster Unionist Party is deeply concerned about the threat of infraction fines imposed by the European Union and the subsequent detrimental effect that that could have on the Northern Ireland block in general and on the budget for agriculture in particular. The Minister is already aware of the almost self-inflicted wounds in the Department of the Environment and DARD in relation to their inability to manage the horse mussels in Strangford lough. The danger is that that is likely to result in more fines. Of course, those could not have been budgeted for; nonetheless, it is something that the Finance Minister must think about.

Last year, it was proposed that the axis 1 expenditure in the rural development programme was to be £15.1 million. In reality, the Department managed to spend only £10 million. Although I acknowledge that the majority of axis 1 underspend related to schemes that were 100% EU funded and can later be reinvested and, therefore, are outside of the remit of the Bill, it still does not bode well for the financial competence of the Department.

The common agricultural policy, through the administration of the single farm payment, is another area that exposes total financial mismanagement at the heart of the Department. Legislative proposals for CAP reform post-2013 have now been published, but include a number of potential pitfalls, of which the Executive must remain conscious.

Since getting elected just over a year ago, I have strongly believed that the agrifood industry could be particularly valuable in driving forward Northern Ireland's economic regeneration, creating wealth and providing much-needed private-sector employment. It is one of the economy's greatest strengths and something that we should seek to constructively exploit at every opportunity. Although there is little that they need through the Bill or the Main Estimates, it is vital that DARD and the Department of Enterprise, Trade and Investment retain their current interest in promoting that section of our economy and allocate the fairly minimal resources where necessary.

DARD, like every other Department in the Executive, has had to make some difficult decisions. Although, in cash terms, the line remains fairly level in the overall four-year budget, it actually means that the Department is being asked to find approximately £40 million of cash savings to help fund pressures, which is a decline of 11% in real terms when comparing 2014-15 with 2011-12. The Budget Bill merely reflects the tightening of resources in the Department.

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

I will say little in my capacity as Chairperson, except to thank the officials who, over the year, have given us occasional briefings and updates, and organised a visit by the Committee to the former army barracks at Shackleton in Ballykelly, which is something that I will to return to in a moment. The Minister very kindly suggested that if we had any specific queries he would be happy to address those for us. So, perhaps the Minister can enlighten me on a couple of issues that I have as a Member of the Assembly and a member of the Committee, and in a personal capacity.

First, there is the social investment fund. Originally, it set out with a budget of £80 million over a four-year period. That, of course, has not been taken forward on time. I know that the Committee is yet to see a timetable. Perhaps the Minister can clarify the situation. The Main Estimates last week and the Budget (No. 2) Bill today shed very little light on the situation of the £80 million. I know it may be considered a bit of a drop, given that the OMDFM allocation in this year's Budget is £48,659,000.

I also want to bring up the childcare strategy, which is absolutely fundamental if we are going to make a genuine effort to rebalance the economy and empower parents and guardians with the maximum opportunity to gain and retain employment. As yet, we have no detail on the exact resources that OFMDM plans to put into that vital strategy over the year in question.

As we all know, the victims' sector is undergoing some major changes, with changes in the commission, the introduction of a victims' forum and the introduction of a Victims and Survivors Service. I wonder if the Minister will have any comment on the location of the Victims and Survivors Service. It seems to me that Millennium House on Great Victoria Street is quite an expensive location for the service and, perhaps, not the most appropriate, given that the entrance means that the victims more or less identify themselves just by walking down one of the main thoroughfares of Belfast to access the building. That is unlike Windsor House, for example, where the Victims' Commission is located. People could be visiting one of a large number of government and arm's-length bodies in that building.

Perhaps the Minister can also address the historical institutional abuse inquiry, which we were hearing about earlier today. When will the inquiry be factored into the Budget in a detailed manner? It is included in the Bill that is before us under the heading of support for the inquiry into historical institutional child abuse, but it was not contained in the Main Estimates.

The Delivering Social Change programme aims to deliver a sustained reduction in poverty and associated issues. Unfortunately, as the Minister will know, the direction of travel is opposite to that planned, as is the case with fuel poverty, and again in both cases, sometimes for reasons beyond our control. Perhaps the Minister can enlighten us as to when we are likely to see a costed implementation plan for that programme, as it is not currently available.

I will finish by returning to the issue of Shackleton Barracks. Some weeks ago, I was surprised to discover that when the Ministry of Defence offloaded Fort George in Derry/Londonderry, it was, first of all, gifted to the Londonderry Port and Harbour Commissioners, which then sold it to the Department for Social Development, which discovered that it needed some remedial costs, particularly for decontamination. The Department for Social Development was able to claw back some £3 million to £4 million, from memory, from the Ministry of Defence. That was on the principle that the polluter pays. Surprisingly, that does not seem to be the case with army barracks that were "gifted" to the Office of the First Minister and deputy First Minister.

I know the Committee has visited Shackleton Barracks. It has looked at that vast site and at some of the issues, such as the pumping station that no longer appears to be fit for

purpose and some of the drains, the annual maintenance of which seems to have drifted somewhere behind optimum provision. There are annual costs for the maintenance and security for those sites, and then there is the much bigger issue of the cost of decontamination, which, apparently, will not be met by the Ministry of Defence but will have to be met by the devolved Government.

Perhaps the Minister can give us some clarity on the costs and timescales there. He will know that, specifically with Shackleton Barracks, the way forward is so contested and the disagreement between the key players so deep that it is now officially recorded. I wonder whether the Minister believes that, when the Ministry of Defence was withdrawing from Northern Ireland and no longer had need for those military sites, it realised the potential cost of making them fit for another purpose, be it housing, light industry or recreation, realised that it was looking at a multimillion pound bill and decided that it would see if it could hoodwink the Executive by saying that they could have the land as a gift, without pointing out the many millions of pounds that the Executive will now have to find to make the sites fit for a new life and a different purpose.

### 7.00 pm

**Mr Wilson (The Minister of Finance and Personnel):** There are still some Members here, and I will not detain them. I am sure that everyone wants to get home, but points were raised during the debate, and it is only right that I should respond to them.

First, I am glad that we did not have a repeat of last week's debate. Apart from Mr Allister and Mr Cree, no one mentioned the little dispute between the Committee and me. However, I wish to allay Mr Allister's fears that there was a cuddling session at the Committee and we all kissed and made up: I did not have to hug them, and I did not even have to air kiss them. We had a robust exchange. I explained my position, they explained their position, and then we got on with the job of doing what the Committee had to do, which was to ask questions about the thing. The one point I will make is that, last week, Mr Cree was very indignant about my treatment of him and the Committee, but he did not even bother turning up to hear the explanation. Obviously, he was not that indignant about the situation.

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

**Mr Wilson:** Yes, I will certainly give way.

**Mr Cree:** I know that the Minister is inclined to forget things, and he might not have been paying attention to what I said. However, I explained to him that I was at a previous appointment doing other work that was almost as important as that which detained the Committee. The rest of the Committee looked after it fairly well.

**Mr Wilson:** What could have been more important? He explained to the Assembly how he was offended at not being properly consulted, but he did not come along to hear the answer. Obviously, he had something more important to do than listening to me, and I can understand that. Anyhow, we have now got to the point where the Committee has agreed to accelerated passage. I was somewhat dismayed by the kind of response that there was, and I want to put it on record that the Committee has been well served by DFP officials and me. In fact, we have the best record at

responding to papers and queries from the Committee and at getting papers to it quickly. Indeed, officials often go along to be asked about one subject but the topic wanders into other subjects. They still oblige, even though they have not been asked to do that. However, I will leave that aside.

I will come to some of the points that were made. Some points are common to a number of speeches that Members made. Mr Bradley spoke on behalf of the Committee. He talked about the consultation process and said that, because the Estimates were not made available at an earlier stage, Committees often could not scrutinise, and I had complained about them. There is no reason why Departments cannot share their Estimates with the relevant Committee when they are in draft form. That would ensure better and longer scrutiny. The problem is that the Department cannot force other Departments to share that with the Committees, but it would be a useful step forward.

Mr Bradley also raised the issue of the money that was paid out in respect of the Northern Ireland Events Company, even though it had been wound up seven years ago. He argued about whether it was necessary to have that amount spent. First of all, it is only a notional amount — in other words, it is an accounting adjustment — so there is not a real resource cost. That will, perhaps, address the point that Mr Kinahan made about notional amounts of money. However, under 'Managing Public Money', where a departmental accounting officer has any fear that fraud has been committed, he is duty-bound to ask for a report and trigger an investigation. Mr Bradley said that it was perhaps something that the Northern Ireland Audit Office would be interested in. I suspect that, had the accounting officer not done that, it might be something that the Northern Ireland Audit Office would be interested in. So, it was a necessary step because of the accounting officer's fear.

Mr Bradley also raised the issue of capital receipts and indicated this vast jump from £1.3 million, around January, to £171 million, which I had reported. There is some confusion. If I caused it, I accept responsibility for that. There are two sources for the receipts. First, there are receipts from asset management unit sales, which is the £1.3 million to which Mr Bradley was referring. The figure that was set for asset management unit sales for this year was £2.5 million, and the unit actually achieved £2.8 million. The other source was for capital receipts from sales made by Departments. The target there was £142 million, and £171 million was realised. That was a better performance than we had anticipated.

Mr Bradley also raised the issue of welfare reform and asked what there was in the Budget to deal with what he claimed would be a reduction in spending in Northern Ireland under welfare reform. He seemed to indicate that, somehow or other, I was coming round to the SDLP's version of events as far as welfare reform is concerned. Let me make something very clear: there will not be a reduction in spending on benefits as a result of welfare reform. What will happen is that spending will not go up as quickly as was anticipated. Between now and 2015, the amount of money spent on benefits in Northern Ireland will go up by hundreds of millions of pounds. That is the first thing; the second is this: Mr Bradley asked what the Executive are doing to help people through the impact of welfare reform on the most vulnerable. The whole point about universal credit is that it is designed to address poverty through getting

people who are workless at present and dependent on the state into work. I would have thought that that is something that everyone in the Assembly wants. Why do we want a population that is dependent? Why do we want a population some of whom have no incentive to work? The whole point of universal credit is to address that problem. Let us get these two things straight. First, there will not be a reduction in the total amount of money available; there will be an increase. Secondly, I believe it is a worthy objective to get people into work and give them the dignity of employment —

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** Yes, I will give way in a moment.

It is a worthy objective to stop the kind of dependency culture that, I must say, I have heard about from the SDLP time and again. There are people across Northern Ireland — we all represent them — for whose families worklessness has become a generational problem. The grandfather did not work, the father did not work and the son does not work. The argument is that that is a disgrace, and it is right: it is a disgrace. If we can move people away from that through reforming the benefits system and doing the work that the Executive have set for themselves on rebalancing and growing the economy, that should be a good thing.

**Mr D Bradley:** I totally agree with what the Minister says. It is certainly a laudable aim to get people back into work, but, unfortunately, there are no jobs for them. First, we have to get the jobs. That is my first point. Secondly, how does the Minister reconcile the fact that he says that there will be increases in benefit payments with what the Prime Minister said today at Westminster?

**Mr Wilson:** First, I was answering the Member's point that, as a result of welfare reform, Northern Ireland would lose hundreds of millions of pounds of spending. That is not the case. The projections are that we will get hundreds of millions of pounds of additional money, but the increase will not be as fast as had been anticipated. Secondly, as I understand it and as all the commentators do — I was listening to the Minister for Work and Pensions on Radio 4 this morning, and he made it quite clear — the Prime Minister was today setting out his stall for what will happen after this Parliament and in the next Parliament. Even with that, there are a lot of caveats, but I am not here to defend the Prime Minister or the coalition Government; I am here to explain the impact of the Budget on the current proposals and to answer the Member's questions.

Mr Girvan, along with a number of other Members, raised the issue of the vagueness in some of the Estimates and especially the use of the word "miscellaneous". I welcome that point from all the Members who raised it. Time and time again, I have said that I have absolutely no fear of transparency in the budgetary process and the figures that are given to the Assembly. There is no one who wants the money that we allocate to Departments to be well and properly spent and for Members to have an opportunity to ask why it is spent in a particular way more than me. If we are going to allocate money to Departments, I want to make sure of that, even if it is sometimes embarrassing and people find out that money is spent on things that cannot really be justified. That is the job of the Assembly.

During the Budget debate last year, I was the one exhorting Ministers to make sure that they gave their savings delivery

plans to the Committees early so that the Committees could see where they intended to make their savings and what they intended to spend their money on. I do not think that any Finance Minister would want ambiguity with a Budget. I say this again to Sinn Féin Members, who are probably sick and tired of listening to me: we do review the financial process. It is stuck with the Executive. It is designed to improve transparency, and it is designed to streamline the whole system of scrutinising the Budget. For the life of me, I cannot understand why it is continually held up. I hope to meet the Education Minister tomorrow to discuss the issue, and I trust that I will get the same response from him that I got from the Committee last week. I am not talking about rolling over or anything like that. I am simply saying that we will have a good exchange of views. We will explain our position, and we will then move on constructively together, which is what the Committee and I did last week. I hope that we can also do that with the financial processes paper.

**7.15 pm**

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** I will.

**Mr D Bradley:** The Minister is portraying himself as a knight in shining armour, a champion of scrutiny, transparency and accountability. That does not quite match up with his attitude to the Audit Office. He seems to want to control the finances and the Audit Office and, indeed, usurp the role of the Audit Committee.

**Mr Wilson:** Totally to the contrary, I want to see the Audit Office live up to the strictures it places on Departments. For example, I want to see it be responsible for the money allocated to it; be accountable for the money allocated to it; not underspend consistently; and surrender money in time so that it can be used properly for spending on other services. I have made it clear that I am not against the Audit Office; I simply want to see the Audit Office apply to itself what it would like to see in Departments. When it makes recommendations, I want to see that those recommendations are not a box-ticking exercise. Members have complained, very often, about box ticking —

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

**Mr Wilson:** I will give way in a minute.

Members have complained about the box-ticking exercises, the slowness and the caution that there is in Departments. Very often, of course, that comes as a result of recommendations that sometimes are not appropriate to the quick running of and quick decision-making in Departments.

You can be absolutely sure of one thing: when you mention the Audit Office, people pop up everywhere to defend it. All I am saying is — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Wilson:** — let us make the Audit Office as accountable and transparent as it wants Departments to be.

**Mr Hamilton:** Here is the Chair of the Audit Committee.

**Mr Kinahan:** The very vicious Chair of the Audit Committee. No, not at all.

Does the Minister understand that a change of rules is needed so that we can report the answer to the question that is being chased? That information was available in a report. We just cannot pass it to him. At the same time, there has to be a fine balance between the Audit Committee's independence and the Finance Minister's wish for certain information. There will always be a battle between the two. However, instead of discomfort, there should be comfort in how it works.

**Mr Wilson:** I am not too sure about the balance that the Member refers to. The only thing I want — I do not think it an unreasonable request — is that the Audit Office be as open in its dealings and as efficient in its spending as it expects Departments to be. I am sure that that is what the Assembly wants. Maybe we will get round to that at some stage. We will, of course, debate this tomorrow afternoon. We will have plenty of time to discuss it then.

I express my appreciation of the way in which Mr McLaughlin has dealt with the Budget and of the leadership he has given in getting it moved along. He raised the issue of administration costs. I welcome his call for transparency in administration costs. One thing we said in the Budget last year was that, if we were going to have restricted budgets, we did not want the axe to fall on front line services. We wanted to see the more efficient running of Departments. If you look at the record for this year, with a £5.3 million reduction or £5.8 million — I cannot remember; I think it was £5.3 million — in the administration costs of Departments, you will see that by and large we have succeeded in doing that. That money has then freed up resources for front line services.

Mr McLaughlin also raised the issue of matching budgets to Programme for Government targets. Although I have some sympathy with that, we have to be realistic. Some of the key commitments in the Programme for Government do not match actual lines in departmental spend. Given the way in which Programme for Government targets and commitments are worded, high-level ones especially, they do not match up. Budgets are related more to the spend on specific things in Departments. So, matching the two is not always possible.

I mentioned Mr Cree, and I am glad that he confirmed that he was not snubbing me last Wednesday but had a prior engagement. He raised a number of issues, including the PSNI equal pay claim and the ring-fencing of the money for that. There is £26 million available for that. That money was available until the end of the previous financial year, and I made sure that it was carried over into this financial year. The Treasury has made that money available to us. Mr Cree will be aware that the PSNI equal pay claim is going to the courts; I think that the hearing is set for September of this year. So, it would not really be appropriate for me to discuss in this forum the exact nature of the difficulties while a court case is pending. All I can say is that, as I have always expressed, I have no difficulty with the claim. First, as a party, we negotiated for the money to be put into the police budget for any equal pay claim when the devolution of policing and justice powers took place, and, secondly, if there is a legitimate claim, we will give it our full support. Indeed, our intervention to make sure that the money was rolled on, given that the issue had not been resolved, is an indication of our support for the claim. At the end of the day, however, before that money can be drawn down, it has to be

shown that there is a legitimate claim. I do not want to say anything more about that.

Mr Cree also raised the issue of the timeliness of the Estimates. He said that they are important in providing the Assembly with the latest financial position. Again, however, he fails to understand that the Budget is a moving process and that, by tomorrow, the figures will be out of date, because we will, of course, have the June monitoring round. Three times during the year, Departments have to say whether they have reduced requirements, which we want to get as early as possible, and we then make reallocations. That, of course, then changes the amount of money in the Budget. Compared with what we agreed this time last year for the four years, such monitoring is one of the changes that will be in this Budget. The Assembly supported some movements that were made in the monitoring round statements to improve spending on various matters.

Ms Cochrane raised the issue of the preschool expansion programme. In the 2011-12 school year, 23,000 children received funded preschool education. The Programme for Government has a commitment to provide one year of funded preschool education for every child whose parents wish to avail themselves of it. That will be reflected in Departments' spending, and the childcare strategy will be part of that commitment.

Mr Hilditch went through a number of issues concerning his constituency. I think that doing that adds colour to the dryness of the Budget Estimates; indeed, other Members did the same. We talk about the billions of pounds that have been allocated to Departments and about what each one has, but we need to think about what that means for constituencies. For example, Mr Hilditch mentioned the A2 and the A8 in East Antrim, the improvements to Carrickfergus town centre and the rates reductions that were made available to small businesses, which, again, enabled some such businesses to keep their head above water. He also mentioned the money that was spent on the Fire Service, and the incident at the weekend illustrates the importance of the service. We have to remember — in fact, I made this point at the end of my opening remarks — that this is not just about some complicated and technical legislation but about money being made available for services on the ground.

Mr McQuillan spoke about the regional rate, and I welcome his comments. I emphasise again the Executive's commitment to fair rates in our society. Rates have been the headline time and again, and a number of groups have latched on to that. It is worth emphasising that, in the previous four-year mandate and for this four years, there has been a dramatic change in the way in which we have viewed local taxation. Do not forget that, before the previous Assembly was set up, the last direct rule decision was to increase rates by 19%. Before that, the Assembly had increased the regional rate steadily. Indeed, when the SDLP held the Finance Ministry, rates went up by around 9%. We have held them — frozen them — for the past five years now and will do so for the next three years.

We have lower local taxes than anywhere else in the United Kingdom. We have concessions to manufacturing, to small businesses and to those who have properties that they cannot let that are more generous than those anywhere else in the United Kingdom. When people ask what the Assembly



has done or how it has responded to the particular economic difficulties that we face, I can say that we have not dipped into the pockets of individuals or businesses in the way in which Administrations in other parts of the United Kingdom have. It is worth repeating that. At the same time, we have said that we will look for the savings required to do that. Do not forget that that is revenue forgone. We will look for that revenue in the kinds of efficiency saving that Mr McLaughlin referred to in his speech.

Mr Beggs spoke about Middletown and the timing of Budget changes. He asked why, if the decision was known before June monitoring, the Executive could not have agreed it sooner. The implication almost seemed to be that the Executive did not care and should have agreed the funding at previous Executive meetings. We have a system for dealing with in-year changes to the Budget that is proportionate and enables Departments to have flexibility: it is called the monitoring rounds. We cannot have a monitoring round every month or at every Executive meeting. Departments consider what reduced requirements they have and what bids they want to make. Sometimes, people say that, even done three times a year, there is still not enough discussion with Committees about reduced requirements and bids for additional spending. If a monitoring round were done monthly, as Mr Beggs seems to be suggesting, in order to have that flexibility, it would not work. The reallocation of money is done at the beginning of the year, so, contrary to what he suggested, there is not a very short time to reallocate it — there is the rest of the year for that money to be spent.

The Member also raised the issues of the accident and emergency department at Antrim Area Hospital and capital funding for health. I suppose that the good news for Mr Beggs is that we now have a Minister who deals with health issues and has not, as the Minister from Mr Beggs's party did for four years, sat on his hands and fiddled while the health service went into decline and no decisions were made. We now have a Minister who is making decisions and making improvements to the health service. He has a long-term vision —

**7.30 pm**

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

**Mr Wilson:** Yes. I am glad that the Member is here.

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

**Mr Wilson:** I think he is here more often now than he was when he was the Health Minister.

**Mr Deputy Speaker:** Sorry, Minister. Point of order.

**Mr McGimpsey:** On a point of order, Mr Deputy Speaker. Is it in order for Mr Wilson to say that I sat on my hands for four years? This is the Finance Minister who told me in a bilateral meeting that I had 4,500 more nurses than I needed when compared with England. This is a man who thinks that we need thousands fewer nurses in the health service. That is the sort of decision that he expects people to make.

**Mr Wilson:** I am glad that he has appeared, because I hate having a go —

**Mr Deputy Speaker:** Sorry, hold on. The Deputy Speaker has the opportunity to respond.

The Member has now had the opportunity to put his views on record. I am sure that we can leave the matter there and continue with the Budget debate.

**Mr Wilson:** Since the matter of health was raised during the debate, I am sure that you will allow me to respond to the points that were made.

I will just point out that we have now come through the first year of the Budget. We were told during the Budget debate last year that, given the allocation that was made, the health service would be on chapter 11 by the end of April this year. I still do not have a clue what American bankruptcy laws had to do with the health service of Northern Ireland, but I suppose he hoped that nobody would discover this. We were told, anyway, that the health service would have collapsed by this stage. Not only has the health service not collapsed, but decisions have been made that are turning it around and that will enable the health service to live within the budget that has been allocated for it for the next four years.

When I said that the previous Minister sat on his hands, I think I am probably being fairly generous to him. It is quite clear that no major decisions were made during his time. I suppose he could not have sat on his hands anyway, because all he ever did was hold his hands out for more money. He could not live within his budget. It took a DUP Minister to show how not only to live within your budget but to use that budget to improve the health service and have some kind of future for it. I bet that Mr Beggs wishes he had never raised the issue of the health service now.

I will move to the remarks of Mr Humphrey, who again went through a range of things that have been done. The one thing about Mr Humphrey's contribution was that he linked some of the projects that we have spent money on to the impact that they have had. I will take one example. He mentioned the amount of money that went into events to improve tourism and the impact that has had on room occupancy in Belfast. We are now nearly up to London levels of room occupancy and have 15,000 people employed in the hospitality industry. Some people criticised the Tourist Board and the Department of Enterprise, Trade and Investment for putting money into events, but that is a good illustration of where that pump-priming of the tourist economy has reaped benefits in jobs, business, profits for business, return for investment in the hotel industry, and so on. That was a good illustration of the effectiveness of one area of government spending.

Mr Kinahan raised the issue of schools and area planning, and the Education Minister has stated that he will formally adopt the area planning exercise in the final quarter of this financial year.

Mr Allister's predictions are always wrong. The first thing he said was that this is a very short debate. He said:

*"here we are at the end of the debate, if I am being called, I assume that it is the end of the debate."*

He got that prediction wrong, and the predictions kept going wrong the whole way through. I already mentioned the sham fight and the kissing and hugging and everything else. He raised a number of issues. He talked about the money that is spent on bloated government and the need to reduce

spending on government, and I have absolutely no difficulty with him on that point. In fact the DUP has expressed its desire to bring the number of Members down to 72 and the number of Departments down to eight. However, he knows as well as I do that that will require bringing people and parties along in the Assembly. Therefore, from that point of view, we are singing off the same hymn sheet, but it is about how we get to the end result. Of course we want to bring the cost of government down.

Mr Allister also mentioned the bloated North/South bodies. All that I can say to him is that the Finance Minister in the South is supportive and is as insistent as I am in making a 3% reduction in the cost of running the North/South bodies. Indeed, the Special EU Programmes Body is already under notice that, by the end of the year, it must bring forward a plan to reduce the number of its employees from 65 to somewhere in the 40s. Where I have control, I have no difficulty in looking for ways of reducing the cost of North/South bodies or government bodies here in Northern Ireland.

Mr Allister also had the usual list of things, such as the North/South bodies and the Maze shrine. He told us that we should mark his words, that the redevelopment of the Maze was a trade-off for the Girdwood site and that there would be a shrine at the Maze as a result. All that I can say is that Mr Allister's record shows that he has eaten his words many times in the past. When Sinn Féin agreed to the terms that we had looked for in the policing and justice settlement, we were told by Mr Allister that the trade-off was an Irish language Act. However, that trade-off has not happened. When police and justice powers were devolved, we were told that Gerry Kelly would be in charge of the police, that Martin McGuinness would appoint the judges and that policing would be under a North/South body. How many years have policing and justice powers been devolved for? Is it three? That has not happened. We are used to Mr Allister's predictions, but they are not the case. Eventually people will realise that people can say anything, but whether those words come true is another thing.

Mr Allister also talked about rebalancing the economy and asked why, if we are rebalancing the economy, he has walked down the streets of Ballymena and Ballymena and has seen closed shops and everything else. There is a recession on, and I do not think that he can blame the closure of shops in those towns on the Executive not seeking to rebalance the economy. Indeed, as I outlined earlier, we have done many things, such as rejuvenation schemes, local taxation and the help that we give to promote towns by bringing events to them — this week, the north-west will benefit as a result of the money that the Tourist Board has put into the Irish Open and the money that has gone into the Giant's Causeway visitor centre. The Assembly has sought to try to counter the effects of the recession in many different ways, but there are limits to what can be done.

Mr Kinahan raised the issue of private funding, and asked whether we could find additional sources of private funding. We have had this discussion in the Assembly on a number of occasions. I have no difficulty looking for resources from other places. However, the problem is that any private funding that we bring in must not offset money that we get through the block grant. It is about finding ways around the Treasury rules, which are the big problem. Despite the fact that the construction industry has talked about that issue time and again, it has never actually come up with any ideas

for drawing in private finance, and, of course, in the current climate, it is even more difficult for it to do so. They want the Government to take all the risk. Once we take all the risk, it scores against Treasury rules.

Jo-Anne Dobson raised the issue of EU farm fines. I share her concern about DARD's ability to manage the CAP disallowance issue. The penalty in 2011-12 was in the region of £10 million. DARD was able to find that from its own resources. Do not forget that, at about this time last year, it was given some money to undertake a mapping exercise that will, hopefully, reduce any liability in the future as far as single farm payment and the proper mapping of fields is concerned. However, I expect DARD to address the issue of fines internally, and I hope that that will be a discipline on it to make sure that it does not behave in lackadaisical ways that incur fines.

Mr Nesbitt raised a number of issues about OFMDFM. I have to say that all of them were issues that I would not have expected to be part of a Budget debate but part of the scrutiny that a Member would engage in with officials when they come along to the Committee. He talked about the historical abuse inquiry, Shackleton Barracks and other issues, including the social investment fund, childcare strategy etc, all of which are more appropriate to the OFMDFM Committee. I encourage him to make sure that when he has finished decimating his party by kicking people out, he gets along to the Committee and makes an effort to ask some of those questions, which can be properly addressed there.

The one thing I will say, because it is actually a Budget issue that he asked about, is that the historical abuse inquiry is not currently funded in the Budget. No allocation has been made. The costs, as was brought out in the previous debate, have not yet been clearly identified. However, I accept that it is an issue, and it is worthwhile taking the opportunity to say to the Assembly that it is an issue that will have to be addressed at some stage in the Budget. It is an unfunded, as well as an unknown, pressure.

That concludes, really, the remarks that I want to make. I thank Members for their indulgence. Everybody will be glad to get home, and, therefore, I commend the Budget (No. 2) Bill to the Assembly.

**Mr Deputy Speaker:** Before we proceed to the Question, I remind Members that this motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Second Stage of the Budget (No. 2) Bill [NIA 8/11-15] be agreed.*

*Adjourned at 7.43 pm.*



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# Northern Ireland Assembly

Tuesday 26 June 2012

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

*Members observed two minutes' silence.*

## Ministerial Statements

### Suicide Prevention: Protect Life Strategy

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Principal Deputy Speaker, I wish to make a statement on the publication of the refreshed Protect Life suicide prevention strategy and the importance of cross-departmental involvement and ministerial leadership in its delivery.

On 31 May 2012, the Executive endorsed and approved the publication of the refreshed Protect Life strategy. The original strategy was published in October 2006 and was initially due to run until 2011. At the request of the suicide strategy implementation body, it was subsequently agreed to refresh and extend the strategy to the end of the 2013-14 financial year, the aim being to maintain the momentum in addressing suicide prevention and develop further actions based on our learning from implementing Protect Life to date. Independent overall evaluation of Protect Life is being taken forward during 2012. The findings from that evaluation will help to inform the development of the next phase of suicide prevention policy from 2014 onwards.

When discussing suicide statistics, we must never forget that every death leaves a heartbroken family and many unanswered questions. Having personally experienced the sense of devastation felt by families and communities bereaved by suicide, I have made suicide prevention one of my top priorities. It is, therefore, important from the outset that I record my appreciation of the central role that bereaved families and local communities have played in the development and ongoing implementation of Protect Life. Their courage in the face of such personal tragedy is truly inspirational.

A lot has happened since Protect Life was published in October 2006, not least the increase in funding to support the implementation of the strategy, which now stands at almost £7 million per annum. Progress has included the establishment of the Lifeline crisis response service, local research on suicide, suicide prevention training and joint departmental working, such as the collaboration between my Department and the Department of Education on the development of a pupils' emotional health and well-being programme. Despite these programmes and a very high level of commitment across statutory and community sectors, the Northern Ireland suicide rate remains stubbornly high at around 15 to 16 deaths per 100,000 of our population. This has been the case since 2006, following an unprecedented rise in suicide rates over 2005 and 2006, when recorded suicide rates almost

doubled those in the earlier part of the decade. I believe that the introduction of more robust recording processes following the restructuring of the coroner's office in 2004 partially explains this and that the current figures are a true reflection of the actual suicide rate in Northern Ireland. In essence, there was probably under-reporting prior to 2005 and, although our high rate of suicide is unwelcome, it is better to have an accurate picture of what is happening than to work with artificially low figures.

The bottom line is that almost 300 people a year are dying by suicide, which is almost six times the number of deaths due to road traffic accidents. Tragically, some families have lost more than one close relation to suicide, and the burden of suicide impacts more on certain areas and certain groups. The suicide rate is twice as high in deprived areas, and males are three times more likely than females to die by suicide. Young males in deprived areas are particularly vulnerable, as are marginalised groups such as those who are unemployed or people with mental illness and addiction problems.

The refresh of Protect Life has drawn on learning from a wide range of sources, including a review of international evidence-based best practice; local research; evaluation of component parts of the strategy; and engagement with community groups. Recurring themes from these sources include the need for training for front line service providers; an enhanced focus on addressing deliberate self-harm; the use of IT communications to reach younger people; a greater focus on males from deprived areas; and proactive outreach in mental health services. These issues are picked up in the refreshed strategy. For example, while maintaining the original strategy's long-term goal of reducing suicide rates in Northern Ireland, the refreshed Protect Life sets a new aim of reducing:

*"the differential in the suicide rate between deprived and non-deprived areas".*

With a marked differential in suicide rates between deprived and non-deprived areas, particularly for males in the 15 to 45 age group, I believe that reducing this differential has the best potential to save lives.

It is widely accepted that suicide is a societal issue and that no Department can tackle the issue on its own. Enhanced cross-departmental working is vital. I have met other Ministers regularly over the past year to explore how other Departments can play a greater role in suicide prevention, and I have been struck by my colleagues' willingness to be involved. There is definitely now a greater impetus for a cross-government and cross-agency approach to suicide prevention.

An enhanced cross-departmental approach is reflected in the revised strategy, which contains new actions falling to Departments other than the Department of Health, Social Services and Public Safety. These include involving sporting organisations in delivering positive mental health and well-being messages, identifying specific arts interventions that improve mental health and providing community-based health checks in rural areas. The ministerial co-ordination group has an important role in ensuring that suicide prevention is a priority for all relevant Departments. I aim to ensure that regular meetings of the ministerial co-ordination group are held to drive forward cross-departmental working on the prevention of suicide and self-harm.

A reduction in suicide will continue to be a major challenge, particularly against a backdrop of increasing economic hardship and high levels of deprivation. The refreshed Protect Life strategy provides the strategic direction for our combined efforts over the next two years.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. It would be childish of me not to welcome the fact that we have got to the point of getting it.

The Minister has highlighted the number of people who die by suicide every year and the impact that that has not only on families but on communities. It should not be underestimated. I commend the work that takes place daily in our areas. Without it, the reality is that we would be looking at higher figures. In his statement, the Minister mentioned the commitment of ministerial colleagues. I welcome that. I have seen that commitment. Over the past number of weeks, I have met a number of Ministers, including Ministers from OFMDFM. I met them because, despite all the rhetoric about suicide and self-harm and it being a target and a focus, the ministerial subgroup has not met in 18 months. I do not want to sound too negative: I welcome the statement today, and I welcome the commitment of not only the Health Minister but other Ministers. However, the fact that the subgroup has not met in 18 months does not send out the clear message that this is a priority for the Executive.

Although the refreshed strategy is to be welcomed, will you, Minister, give us an idea of what the agenda will be for the ministerial meeting this week? How often will the group meet? Can we have regular updates? The funding for the Protect Life strategy is being extended. Does that mean that new groups that might be formed in the wake of an incident in local areas or new fresh ideas that we gather through research cannot access the current funding?

**Mr Poots:** There are a number of issues. When I came into office last year, I met quite a number of groups that were involved in suicide. We hosted a conference to bring together all the groups. One of the things that I observed at quite an early point was that an awful lot of people wanted to assist in preventing suicide and self-harm and an awful lot of people had suffered themselves and did not want others to suffer. So many people wanted to help and to get involved, but sometimes it did not have the focus that it should have had, so we brought together all the groups to see whether we could get a better working relationship and a better understanding of what needed to be done.

I have met all the Ministers in bilateral meetings to discuss suicide and what more we can do to meet the issues. As you rightly indicated, the joint ministerial working group will meet this week. At that meeting, we will discuss things such as how we deal with this in the media. Is it something that we wish to highlight through a fairly strong and vociferous advertising campaign? We have been working very closely with the Scottish, who went down that route. Although it could not be described as empirical, the evidence that the Scots have gathered thus far indicates that that has been a positive campaign. We will look at all those things and seek to address them, and we will consider how we, as Departments, can work together. The Department of Agriculture and Rural Development will be involved in the group from here on in, which I welcome.

We have identified around £7 million for Protect Life. That funding is, per head of population, well ahead of any other part of the UK. We remain committed to that. I want to ensure that funding is well spent and that we do not give out funding for the sake of appeasing a group here or there. The Member represents the Colin area. Very good work has gone on in that area. As we all know, that was a cluster of suicide; we heard about it all the time. Thankfully, in the past year, we are aware of only two incidents of suicide. That is two too many, but, thankfully, that is a massive reduction in what went on heretofore. That is a demonstration of where things are working well. We need to look at where people are making the best impacts, learn from that and invest in that.

#### 10.45 am

**Mr Wells:** I would be interested to hear the Minister's assessment of the role of the internet in the very worrying trend of suicides and whether he believes that the strategy will deal with that issue.

**Mr Poots:** The internet is a powerful tool. It can be a really good thing, but sometimes it can be a really bad thing. For example, it is useful for promoting support, awareness-raising and signposting. Groups such as the National Union of Students and the Union of Students in Ireland use it to reach out to students, which is good. Lifeline operates a website, and the Public Health Agency maintains the Minding Your Head website. However, social networking sites have the potential for negative outcomes. Vulnerable people are often bullied on the internet, and some sites promote self-harm and suicide. There is also the potential for those sites to be used for memorials when someone takes their own life. That is a concern, as they often attract inappropriate tributes that diminish the finality of suicide and almost create a temporary cult status around the deceased that may encourage others to engage in copycat behaviour. We all know that the copycat effect of suicide among young people is very significant. The Member represented Ballynahinch for many years, when it was part of South Down. Over that period, a number of copycat suicides took place in that small town, which caused huge consternation, shock and devastation in that community.

We need to make best use of the internet and seek to clamp down on those inappropriate uses. The UK Council for Child Internet Safety was established to help to protect children from exposure to potentially harmful content on the internet and in video games, which is useful given that there are those who promote suicide. Much is being done in respect of the internet. We need to ensure that we continue

to make best use of it and, where possible, clamp down on episodes of it being used inappropriately.

**Mr McCallister:** Like colleagues, I welcome the statement and the changes to and refresh of the strategy. Does the Minister agree with me that it is important that we continue with a robust evaluation of this at all times and that we should never be afraid to change something that is proven to be an ineffective intervention and to change direction? This is simply too important not to get it right.

**Mr Poots:** I fully agree with the Member. Evaluation needs to be robust in the first place. On occasions, we need to say to people that, while they are well meaning, absolutely genuine and have been working very hard, what they have been doing does not actually work and is not a good use of their time or our money. That is what evaluation is about. It is about identifying what is best and what does not work well and investing in what works well in respect of both our staff's time and our own finances.

The initial findings of the evaluation were that community engagement in the delivery of the strategy has been very strong. It is obvious that there is huge community support for reducing the incidence of suicide. Work under Protect Life has helped to reduce the stigma attached to suicide and raise awareness of suicide. The evaluation found that there is a need for greater clarity of roles and responsibilities. Evidence on the impact of Lifeline is needed. We need more robust evaluation of Lifeline and its work. There is a need to balance innovation and evidence. It was found that there were too many actions, so those need to be reclassified and streamlined somewhat. There remains a perception that suicide is a health issue. Suicide needs to be contained within a wider range of departmental strategies. It is important that other Ministers are able to identify their role in suicide prevention within their strategies.

**Mr McDevitt:** I am sure that the House will join me in expressing our shock, sorrow and condolences to the family of 37-year-old Christopher Stokes, who was found hanged in Maghaberry prison yesterday and, unfortunately, despite the best efforts of staff, did not survive. What steps are being taken in the prison population to ensure that young men and women who are at risk of suicide are given better support? How will the Protect Life strategy work for that group?

**Mr Poots:** The prison population is a reflection of failures in society, and when young people end up in prison it is because things have failed dramatically for many years. When I chaired the Committee of the Centre way back in 2000, we did work on young people who ended up in prison and young people in general, and we discovered that something in the region of 85% to 90% of prisoners' children ended up in prison and about 90% of them gave birth to children before the age of 20. A cycle of children was being born destined to fail. We need to address the issues at the very earliest point in a child's life, from prenatal right through to early years. There is a wide group of people who do not have parenting skills and are bringing children into the world. It may shock the Assembly, but a child who suffers three or four adverse incidents in the first three years of its life is 10 times more likely to contemplate suicide or self-harm as a young adult. So one can see that many of the problems that have been identified even in the prison population go right back to childhood and are about how a child is raised from the start. Work needs to be done

by the Department of Health, Social Services and Public Safety, particularly in conjunction with the education sector, because those children are not school-ready, they are not nurtured properly and they are not given the proper love and care when they are being raised. When they become young adults, they do not know how to form relationships, are ill educated and are far more likely to end up in the justice system.

The South Eastern Trust has now taken over responsibility for the care of prisoners. Unfortunately, massive numbers of prisoners are on prescription drugs, and there is a drug culture in prisons that goes beyond prescription drugs. There are huge problems with a legal and illegal drug culture that we need to tackle and address. It will be difficult to do that because we are dealing with people whose lives are already very fractured and vulnerable and people who have ended up in jail because, very often, they have been raised in the worst possible circumstances. Work needs to be done there. We have good people working in prisons. Their work may often not be rewarding, but they are doing their solid best to support people in prison and to give them appropriate care. Sadly, incidents such as yesterday's continue to happen, and we want them to be eliminated.

**Mr McCarthy:** I welcome, as others have, the statement this morning, which is progressive and, indeed, has the potential to get on top of this important issue. In his statement, the Minister mentioned community groups, and I welcome the involvement of other Departments. He commended community groups, as I do, for trying to do what they can to get on top of the problem. He mentioned £7 million per annum, which sounds fine. However, the groups are always, as far as I am aware, complaining about delays in getting funding to carry out their work. Now there is a new organisation, FASA. Well, it is new to the Ards peninsula; I attended the opening. It has been going for some time and does tremendous work in prevention. The Minister mentioned prevention. I want to ensure that funding will go to organisations like that, not at the last minute but so that they can plan their work ahead to prevent these things in the first place.

**Mr Poots:** I tend to agree with the Member. Often, funding for organisations tends to involve long-drawn-out application processes and all of those things, whatever Department it happens to be. Co-ordinators and people who carry out good work often spend far too much time chasing funding. That is a waste of that resource and the individual's time. I indicated that I thought it very important that funding is very focused and very targeted on where we are actually delivering and can see real benefits from it. We can take a little comfort that the suicide rate dropped last year. After having gone up year on year on year to 313, it dropped by 26 persons last year. That is significant, but it still falls well short of where we would like to be. There is a huge amount more work to be done. I am sure that the Member will be glad to know that we fund and support FASA, and the work that it does has credibility to ensure that it is funded.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. It is timely because in Newry, in my constituency, three young men have, very tragically, taken their own life in the past two weeks. Minister, in your statement you talked about setting a new aim to reduce the differential in suicide rates between deprived and non-deprived areas, and you talked about interdepartmental co-operation. Is DSD taking a proactive role in the ministerial

subcommittee? Will the Minister ensure that resources are put into deprived areas to lessen the impact of benefit cuts, such as those that are coming through welfare reform in the very near future?

**Mr Poots:** DSD is one of the Departments that we have had bilateral meetings with, and there is a significant degree of willingness on the part of DSD to work with our Department on issues around suicide.

One of the contributors to suicide is alcohol abuse, and a high percentage of people who have taken their own life are found with alcohol in their system. One area that we have been looking at is the minimum pricing of alcohol, which is strongly supported by the psychiatrists who deal with suicide daily. The 'Belfast Telegraph' or whoever can come out with a survey that shows one thing, but all of the empirical evidence that is coming to me says the absolute opposite. We have people who use drink to try to raise their spirits and their morale, and it actually works as a depressant. Far too many young people are getting alone or into very small groups largely based around bottles of cider and cheap alcohol. They become involved in antisocial activity and are not going out and mixing with large groups of young people. They are not having the same engagement and are becoming isolated and depressed. All these things have very negative impacts. DSD has particular roles to play, and we will work very closely with DSD on these issues. It will participate in the group.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement, and I commend him on his continued commitment to suicide prevention. I also commend all the groups that are doing sterling work in this regard, including Foyle Search and Rescue in my constituency. Can the Minister outline what support and services are available to families and communities bereaved by suicide?

**11.00 am**

**Mr Poots:** We have a number of bereavement organisations in Northern Ireland. Cruse is one of the better known, but there are many organisations that support people through bereavement. As I was coming in this morning, I heard a very interesting discussion on the programme, 'Mornings with Frank Mitchell'. It was not about suicide; it was about the tragic case of the little boy who was run over by his grandmother in a completely freak accident and the support that counselling had been to that family at that time. It is important that we continue to support counselling services.

In respect of mental health services, we have crisis home team treatments; a psychological therapies implementation plan; and 'Beating the Blues', which is a computerised programme. Those things can be helpful to some extent. We also have counselling and bereavement support in local communities, and there is a family voices forum, which we are funding. We provide funding to quite a lot of groups that offer counselling support and counselling services. I have absolutely no doubt that some people will want to do it their own way and will not want to get counselling. However, many others will. Some people may think that they do not need counselling, but, ultimately, they will end up receiving counselling because they cannot do it on their own. Therefore, it is important to have counselling services available to people.

Sadly, we are acutely aware that, very often when one member of a family takes their own life, it can lead to other members of the family taking their own life. In my constituency, I know of two families where three members of each family took their own life. That is shockingly sad for the remaining family members.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement and commend him and his Executive colleagues for the progress that they have made in taking this important issue forward. I want to ask the Minister about the vulnerability of farmers and those in the rural community who are very much at risk of death by suicide, at times even more so than our young people who are the stereotypical people you first think about. What work is his Department doing with the Department of Agriculture and Rural Development, the Ulster Farmers' Union, NIAPA and other such organisations?

**Mr Poots:** Thankfully, it appears that the number of farmers taking their own life is not as high as it was. As I said, suicide is linked to the economy, and when the unemployment rate rises, the suicide rate rises as well. Farming is a little more profitable than it was a number of years ago. I recall so well that, in 1996, many people I knew took their own life after the BSE crisis. All of a sudden, people who had been operating relatively successfully had huge business debts that they could not contend with. Profitability was absolutely out the window.

It can be very easy for farmers to take their own life because, very often, they have accessibility to firearms, the rope in the barn or poisons. All those things are available to farmers. Greater work is going on. The Public Health Agency goes out to sale yards and places where there are large gatherings of farmers and talks to them about health issues across the board. The agency is happy to talk to farmers, whether it is about cholesterol levels or mental health issues, and if concerns are identified, it will ensure that there is the appropriate follow-up. Farmers can become very isolated. Farming is a much more isolated line of work than would have been the case 20 or 30 years ago. Farmers who are very isolated have that opportunity to tell people that they have concerns and anxieties and, maybe, ideation of self-harm. They can have someone to talk to in the system and someone to help them in that time of need.

**Ms Lo:** I welcome the Minister's statement. From my previous experience as a social worker and community worker, I have seen the devastation for families when a member of the family takes their own life. Obviously, that has very tragic consequences. What action, particularly cross-departmental measures, will the refreshed strategy be taking to reduce suicide rates in the Traveller community? Suicide rates are six times higher in that community than in the general population, with 11% of Traveller deaths being due to suicide.

**Mr Poots:** That is actually quite difficult to identify. Work was done on an all-Ireland Traveller health strategy, which found that Traveller males were 6.6 times more likely to take their own life than the general population. That equates to around four persons in Northern Ireland. However, as it is a small community, it is harder to assess whether that is a continuum or a one-off. In 2010, the Public Health Agency established a Traveller health and well-being forum. As a consequence, a number of initiatives have been targeted at the Traveller community. Those include a health



improvement programme, emotional health and well-being training, and parent and child support programmes, which goes back to what I said about good parenting. A wider review of service uptake by Travellers is to commence in September this year. Those initiatives are partly funded under the Protect Life strategy, which contains actions to ensure that support services are available for marginalised and disadvantaged groups, such as Travellers.

**Ms Gildernew:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and the way in which he has answered the questions put to him. Like the Minister, I heard that very harrowing interview on the radio this morning. What struck me is that we in rural areas do not have the same access to counselling as those in urban areas do. I want to follow on from Phil Flanagan's question about rural isolation and farmers. Rural Support, an organisation funded by the Agriculture Department, can signpost people in distress to organisations. However, the difficulty is that, unless you are still at school, people in rural areas do not have access to ongoing counselling support. Will the Minister take steps to address that anomaly and ensure that there is equality and equity across our communities, to ensure that everybody has access to counselling support when they are feeling depressed and suicidal?

**Mr Poots:** The Member will, of course, know a little about this, having been employed previously in the role of Chair of the Health Committee and as Minister of Agriculture and Rural Development. The interests of the rural community are represented on the regional suicide implementation board by the Rural Support network, which also engages HSC structures. Rural-specific initiatives, supported to date by the Rural Support helpline and Rural Connect, include mental health and suicide prevention awareness sessions held in farmers' markets and the health-promoting farmers' programme, as I indicated. Community grant programmes have funded rural programmes delivering counselling services, bereavement support and mentoring projects for people at risk of suicide.

Where do we go from here? Obviously, we have brought the Minister of Agriculture and Rural Development in to the ministerial group on suicide. I see that as a positive thing. She can bring to it her take on what is required in rural communities. We are looking at one-stop shops, which have been piloted and which could be rolled out, and we will look at any other potential vehicles that could be used to make a difference in remote geographical areas. So there is a course of things that we can look at and address, but, again, it is about spending the money that we have wisely and making best use of our money. Therefore, we need to be very targeted and focused in ensuring that the money is directed where we can see real tangible benefits. I think that that is something that we can achieve.

**Mr Anderson:** I welcome the statement and thank the Minister for bringing it to the Assembly. The Minister will be aware of the number of people, especially our young people, who engage in self-harm. What consideration has been given to the link between self-harm and suicide?

**Mr Poots:** Self-harm, particularly when it is repeated, is a high-risk factor for completed suicide. Very often, it is just a cry for help. Two main actions on deliberate self-harm are the DSH registry and the mentoring self-harm interagency network (SHINE) in the north-west. The latter is a tie-in with

Altnagelvin A&E, whereby patients presenting with injuries due to repeated self-harm are offered referral to community-based groups specialising in mentoring and counselling for people who self-harm. It has had a good rate of success. Over 95% of the participants have shown a reduction in their repeat self-harm behaviour. So that is something that we can look on positively and, perhaps, we can look at how it can be replicated elsewhere.

The lifestyle and coping survey of 3,600 16-year-olds in secondary schools in Northern Ireland found a 10% incidence of deliberate self-harm. That is very significant. The main causes were bullying, relationship difficulties, struggles with sexual orientation and, for others, exam pressures. NICE-issued guidance on long-term management of self-harm in 2011 recommended a risk management plan as part of the care plan, with an aim to reduce the psychological, pharmacological, social and relational risk factors, and offering psychological interventions.

Earlier NICE guidance on the shorter-term management — the first 48 hours — covered assessment, discharge and follow-up. That recommends supportive environments, such as quiet rooms, at A&E to minimise stress. However, we will be looking at something different. The Belfast Trust is looking to identify quiet rooms away from A&E, because, potentially, the A&E environment is not a good environment for people who are suffering from fairly significant mental health issues and contemplating suicide. In all of that, and regarding all acts of deliberate self-harm, including in people over 65, there is evidence of suicidal intent, and we should regard that as being the case until we can prove otherwise.

**Mr McClarty:** On a point of order, Mr Principal Deputy Speaker. Is it not the convention that Members who are not present for part or all of a ministerial statement are not called to ask a question?

**Mr Principal Deputy Speaker:** Anyone who is not present for the start of the statement or present for only part of it will be called at the end; anyone who comes in close to the end is called at the very end. That is what we did today.

**Mr McClarty:** Further to that point of order, Mr Principal Deputy Speaker. I have just witnessed an individual who came in after the Minister finished his statement be called to ask a question.

**Mr Principal Deputy Speaker:** We check the timings on a regular basis, but it is about trying to accommodate those who come in at the very end or close to the end and hear part of the statement. We feel that we followed that procedure today, but we will check it.

## North/South Ministerial Council: Education

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mr Principal Deputy Speaker, with your permission I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding a meeting of the North/South Ministerial Council (NSMC) in education sectoral format. The meeting was held at Farmleigh in Dublin on 15 June 2012. I represented the Executive as Minister of Education, along with the Minister for Social Development, Nelson McCausland MLA. The Irish Government were represented by Ruairí Quinn TD, Minister for Education and Skills. This statement has been agreed with Minister McCausland and is made on behalf of us both. I will summarise the main points from the meeting, ranging across all the agreed areas of education co-operation.

### 11.15 am

With regard to the education survey in border regions, we noted progress made towards the development of a questionnaire and mechanisms for a joint attitudinal survey to inform cross-border pupil movement and school planning. We agreed the planned next steps for the conduct of the survey and agreed that a final report on the results and proposals on the way forward will be available for consideration no later than the first NSMC education meeting of 2013.

In regard to educational underachievement, we noted that the educational underachievement working group met in March 2012 to review and advance its work programme. The working group has reviewed progress on the production of a joint report by the two inspectorates on best practice in literacy and numeracy in post-primary settings and the potential for a similar publication on good practice in supporting those with special educational needs. The Council welcomed the working group's planned consultation with Children's Books Ireland on the potential for a proposal to encourage young teenagers' involvement in reading. The Council noted that both Departments are giving consideration to supporting maths week in 2012, and discussions are taking place between officials on the sharing of best practice on attendance and retention.

In regard to teacher qualifications, we welcomed the ongoing liaison between the two teaching councils on issues relating to professional recognition and registration in both jurisdictions. We noted that a meeting between both councils was held on 14 June 2012. That focused on mobility, accreditation and recognition of qualifications of teachers in a cross-border context. The Council noted that their objective is to facilitate full mobility of teachers across both jurisdictions. While recognising that both teaching councils were working closely to resolve outstanding issues, I expressed my disappointment that progress in that area was taking longer than I had anticipated.

We noted the ongoing consideration being given by Marino College of Further Education in Dublin to the University of Ulster's proposal to deliver a preparatory course to enable students to undertake assessments administered by Marino College leading to the Scrúdú Cáilíochta sa Ghaeilge, which is the Irish language qualification. We also noted the continuing interest shown by St Mary's University College, Belfast in delivering the course.

On Irish-medium education, we noted the ongoing work of a jointly funded collaborative programme for the 2011-12 academic year to support 12 Gaeltacht schools and Irish-medium schools. Their participation in the programme will be evaluated with a view to identifying teaching and learning impacts and best practice examples for wider dissemination. Analysis of feedback from participating schools has taken place, and plans to develop an action plan for 2012-13 have been initiated.

We welcomed the active participation of Irish-medium teachers from both systems in educational conferences. Twelve Irish-medium teachers from the South took part in the Comhairle na Gaelscolaíochta conference in Coláiste Feirste in Belfast in March. Six Irish-medium teachers from the North took part at the Gaelscoileanna conference in Tullamore in November 2011. The Council welcomed ongoing exchanges between the two inspectorates, including their sharing of good practice in school evaluation and their plans for further paired exchanges during the 2012-13 academic year.

In regard to school, youth and teacher exchanges, we welcomed the proposed 10th SCOTENs annual conference in Cavan in October 2012 entitled 'Creative Teachers for Creative Learners: Implications for Teacher Education'. The Council welcomed the North/South student exchanges that took place in March 2012 and ongoing work to implement the recommendations outlined in the joint inspectorate evaluation report of the dissolving boundaries project. We welcomed the continuing joint support for the Causeway programme and the North/South Education and Training Standards Committee for Youth Work in Ireland.

In regard to special educational needs, we agreed to a limited expansion of services delivered by the Middletown Centre for Autism, with a focus on ensuring a sustainable future for the centre and supported joint efforts to ensure the agreed expansion is delivered as soon as possible. The Council noted the continued progress made by the centre in delivering its training and advisory service and research and information service to children, professionals and parents.

Ministers agreed that the North/South Ministerial Council in education format should meet again on 17 October 2012.

**Miss M McIlveen:** The Minister will be aware that the Education Committee visited the Middletown centre and was very impressed by the commitment of those involved. However, the original remit of the centre was to help those suffering from severe autism who could not be assisted through special schools. Can the Minister tell the House when he hopes the centre will achieve its full objectives and outline the expanded services to which he referred?

**Mr O'Dowd:** The centre was created over 10 years ago. The delivery of autism services has evolved in both jurisdictions over that time. The North/South Ministerial Council has taken the opportunity to have a full evaluation of where Middletown now sits for both jurisdictions. As the Member rightly states, the Education Committee recently visited the centre, and I believe that its remarks about the ongoing work there were quite positive. At the meeting, we agreed to a limited development of the centre.

What we in the North will be looking for from the centre — Minister Quinn will be looking for something different for his jurisdiction — is an increase in outreach support to



children, from the current level of approximately 10 children a year to 40 children in year 1 and to 60 children from year 2 onwards; expansion of the research and information services to enable increased focus on the research being carried out from working with the children who are supported by the centre; and an evaluation of staffing requirements to ensure renewed focus on the delivery of front line services and the achievement of best value for money and outcomes for young people. That is the planned way forward to meet our requirements for the Middletown centre.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement. First, I would like to welcome the progress on the education survey in border regions. I think that that is a very important initiative that people in border communities will welcome. The Minister touched on the progress made to date in the recognition of teaching qualifications but mentioned that he is somewhat disappointed that that has taken longer than was anticipated. Can he provide a further update on the progress made to date and say how he expects to see that taken forward?

**Mr O'Dowd:** I thank the Member for the question. Although there has been regular engagement between the teaching councils, I have expressed my disappointment that we have not reached a conclusion following those discussions. I hope that, at the next meeting, the General Teaching Council (GTC) and the Teaching Council of Ireland (TCI) reach agreement on recognition in the southern jurisdiction of qualifications of teachers from the northern jurisdiction. Our teacher qualifications are of an internationally recognised standard, and I see no reason why they cannot be recognised in the southern jurisdiction. I hope that the matter will be resolved at the next meeting of the councils. I think that, if it is not resolved, there will be further discussion about it at the next meeting in education sectoral format in October.

**Mr Kinahan:** I thank the Minister for his statement. I want to touch on the issue of educational underachievement. When the Department came to the Committee, we looked at the number of GCSEs and the increase in the number of grades A\* to C. That is the wrong end of the spectrum; literacy and numeracy are at the other end of the spectrum. At these meetings of the NSMC, are we going to look at ideas for getting a better measurement of added value at the other end?

**Mr O'Dowd:** The work of the North/South Ministerial Council is about learning from each other's experiences and looking at best practice in both jurisdictions. I think that the goal of all students achieving five good GCSEs, including English and maths, is still the right goal. That is a target in our Programme for Government. However, I do not believe that education will be able to achieve that on its own. Many reports point out that we will not improve education if we simply concentrate on the classroom. That is also the case with health. We have to improve people's lives in totality and ensure that social deprivation is tackled. We also have to ensure that young people and their families have a stake in their community and in life in order to improve those things.

As regards measuring added value, that is something that I wish to return to, although I am not sure about a unitary measure for those things. Clearly, education cannot simply be measured against exam result league tables. Educationalists add value to our young people through encouragement and by giving them a sense of ownership

over their lives and the community around them. So, that is much more difficult to measure, but I have no doubt that it is taking place in our education system.

**Mr Rogers:** I thank the Minister for his statement. Learning from each other, tackling underachievement and raising standards are great opportunities for us to deliver real, tangible cross-border benefits not only for research into autism but for the level of support for families dealing with autism. How active are the Dublin Government in supporting the Middletown Centre for Autism?

**Mr O'Dowd:** As I said in my report, we have now agreed a way forward for the Middletown centre. There has been some doubt around the future of the centre. We now have an agreed programme of work for that centre. The Dublin Government have been proactive in providing funding; the centre is jointly funded. We have now agreed that there are different needs in each jurisdiction. The Dublin Government's needs are different from those I have in this jurisdiction. The needs of this jurisdiction will be focused on research and outcomes for children, in the sense of accessing the centre, etc. I am confident that the Dublin Government see the Middletown centre as part of their ongoing work to improve outcomes for families and young people with autism. There is no doubt in my mind about that.

**Mr Craig:** I noted the Minister's concerns about the lack of progress towards the full mobility of teachers in the answer he gave earlier. Will the Minister give the House assurances that the issues of requiring teachers to be able to speak Irish and to possess the Catholic certificate will be dealt with in the Republic of Ireland? Both issues are seen as discriminatory by those who are non-Irish speakers and non-Catholics. I suggest that there may also be an issue of adherence to EU rules allowing freedom of opportunity in the workplace.

**Mr O'Dowd:** Both of those matters are matters for the Dublin Government and relate to their legislation and employment requirements. Today, I have set out methodologies for people to obtain the recognised qualification in the Irish language. I am not aware of the detail with regard to the religious certificate for teaching in the Twenty-six Counties. Removal of those requirements are both matters for that jurisdiction.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement. Will he tell us how many people are likely to be consulted as part of the cross-border education survey on pupil movement and school planning?

**Mr O'Dowd:** The final details of the numbers involved are not yet available to me, but we are talking about several thousand people being surveyed on each side of the border. Families will be contacted and questioned on their attitudes to cross-border educational delivery. We are talking about several thousands with regard to the survey.

**Mrs Hale:** I thank the Minister for his statement and answers so far. Let me pick up on the point my colleague made on teacher qualifications. At a time when the teaching profession is at saturation point, will the Minister assure local teachers that facilitating mobility between Northern Ireland and the Republic of Ireland will not lead to further difficulties for newly qualified teachers in getting posts? There is serious concern that this will affect the ability of

young teachers, trained in Northern Ireland at the taxpayer's expense, to secure meaningful employment in Northern Ireland.

**Mr O'Dowd:** I do not believe that teachers qualified here will be placed at a disadvantage. It is worth noting that the Dublin Government are building 20 new schools — not replacement schools, like those that I announced yesterday, but new schools — because of the rise in the population of young people. There is an opportunity for employment in that jurisdiction for young teachers from here. We already recognise teaching qualifications obtained in the Twenty-six Counties, but our teaching qualifications are not given equal recognition in the Twenty-six Counties. I want to reach a point where our teachers have an opportunity of employment in the Twenty-six Counties, in the same way that teachers from the Twenty-six Counties have an opportunity for employment here.

**Mrs Dobson:** I also thank the Minister for his statement. I note that he said he was disappointed with the slow progress on teacher qualifications on a cross-border basis. Jonathan Craig, my colleague on the Education Committee, has touched on that. On a related teacher training point, given that the Fair Employment and Treatment (Northern Ireland) Order 1998 makes discrimination on grounds of religious belief and/or political opinion unlawful in employment, does the Minister accept that schools should reflect the diversity of Northern Ireland? Will he work with the Office of the First Minister and deputy First Minister to seek a change in the order to remove the teacher exception?

**11.30 am**

**Mr O'Dowd:** The Member has made the point at the end of her question. All equality legislation and employment legislation is a matter for the Office of the First Minister and deputy First Minister to deal with. That is where the matter rests at this time.

**Mr Allister:** Staying with the issue of teacher qualification, it is clear from the statement that the Minister is much exercised about matters touching on the Irish-medium sector, but, as is evident from his answers this morning, he is much less concerned about a matter already raised; namely, the discrimination practised within Northern Ireland and cross border against Protestants on the issue of the Catholic certificate of education. Surely, that is an issue that the Minister, if he has any interest in opposing discrimination, must have discussed with his Southern counterparts, or is he, like his colleague Conor Murphy, quite happy to peddle discrimination?

**Mr O'Dowd:** If the Member wishes to broaden the terms of North/South co-operation in educational format, I am happy to do so.

## Public Expenditure 2012-13: June Monitoring

**Mr Wilson (The Minister of Finance and Personnel):** I welcome the opportunity to inform the Assembly of the outcome of the 2012-13 June monitoring round. It is, of course, the first monitoring round of this financial year and, therefore, the first opportunity that the Executive have to reallocate funding amongst the Departments. Normally, I would have an opportunity to brief the Chairman of the Committee before making the statement. Just in case it is misinterpreted, I apologise for the fact that it was not possible; business moved on more quickly than we had expected. He and I were due to meet about now but it has not been possible.

The presentation of the June monitoring position is focused on the non-ring-fenced resource and capital investment figures, since that is the funding that the Executive can use to deliver public services. That is consistent with the approach adopted during the 2011-12 monitoring rounds. However, the ring-fenced position, which relates to non-cash costs such as depreciation, is also included as a separate table to the statement. Furthermore, the Executive continue to monitor departmental administrative cost expenditure, and the latest position is also attached.

I will start by setting out the amount of resources that the Executive had available to allocate in this round. The 2011-15 Budget included a £30 million per annum overcommitment for both non-ring-fenced resource and capital expenditure. That set the initial starting position for this June monitoring round. However, a number of issues materially changed that position, and I will highlight those next.

First, we received additional departmental expenditure limit Barnett allocations for the 2012-13 financial year resulting from the 2011 UK Budget, the 2011 autumn statement and the 2012 UK Budget. Those Barnett additions amounted to £33 million of non-ring-fenced resource and £15.1 million capital investment. Secondly, Members will recall that the provisional out-turn outcome, which I announced on 29 May, resulted in planned resources of £46.3 million non-ring-fenced resource and £5.8 million capital investment being carried forward into 2012-13. Although the final amount to be carried forward will not be agreed with Her Majesty's Treasury until the final out-turn in the autumn, I do not expect those figures to change materially. Therefore, the Executive have included those amounts in their in-year financial planning, and they have been made available in this monitoring round.

Thirdly, the amount of interest to be paid on our reinvestment and reform initiative borrowing this year is now expected to be £3 million lower than planned at the time of the Budget; hence, that released £3 million of resource expenditure at the centre for reallocation.

Finally, the Executive have also made a number of decisions that had an impact on the June monitoring capital investment starting position. These included, among others, the £10 million allocation to the Department for Social Development (DSD) for co-ownership agreed as part of the 2011-12 October monitoring round; the financial implications in 2012-13 of the A5-A8 decisions; and the impact of the asset management unit's capital receipts target being adjusted. These issues resulted in an additional £16.5 million of

capital investment resources being available to the Executive in this round.

In total, all of these issues resulted in a starting position of £52.4 million in non-ring-fenced resource and £7.4 million of capital investment, respectively, available to the Executive for allocation. Importantly, that is before the departmental reduced requirements, internal reallocations and reclassifications have been taken into account. I will turn to those issues next.

Departments declared reduced requirements of £12.2 million in non-ring-fenced resource expenditure and £29.1 million of capital investment in this monitoring round. The most significant reduced requirement was the £2.5 million of capital investment surrendered by the Department of Culture, Arts and Leisure (DCAL) in respect of the regional stadium programme. I am disappointed with this slippage in the stadium programme, not only because these are important projects for our major sports, but because it will create a capital pressure in future years.

The public expenditure control framework provides each Department with considerable scope to address emerging pressures in their existing allocations on a unilateral basis. However, any proposals to move resources across spending areas in excess of the de minimis threshold of £1 million are subject to Executive approval. There may also be departmental allocations that are incorrectly classified for technical reasons. Departments may also seek to reclassify part of their budget as part of a proactive management action. All such reclassifications require Executive approval. Details of all the proactive movements and reclassifications agreed by the Executive have been included in the tables accompanying this statement.

The level of resources available to the Executive for allocation in this monitoring round was influenced by all of the issues I have highlighted so far. The net impact, including the June monitoring position, the reduced requirements and the reclassifications, is that the Executive had £76.6 million in non-ring-fenced resource expenditure and £32.2 million of capital investment. Against that significant level of available resources, Departments have bid for additional resources of £108.2 million in non-ring-fenced resource and £88.2 million of capital investment. The individual bids by Departments, again, are detailed in the tables that accompany the statement.

Before I go on to the allocations made by the Executive in this round, there are two issues that I would like to highlight: the Executive's decision to agree an invest-to-save scheme and the latest development in the green new deal.

I am sure Members will be fully aware that the Budget position will become increasingly difficult over the coming years, and I have highlighted this on a number of occasions in the Assembly. The latest projections from the Office of Budget Responsibility (OBR) suggest that this is unlikely to change beyond the 2014-15 financial year. The ongoing uncertainty over the future of the euro zone and the lack of economic recovery in the region, including within the UK, also indicates that the next UK spending review is likely to be difficult. In that context, and given the amount of resources available for allocation during this round, the Executive agreed that it would prudent to prioritise £30 million of funding towards an invest-to-save scheme, the

aim of which is to remove ongoing costs that would likely become unaffordable in later years. The Executive agreed that departmental proposals under this scheme would be signed off by the First Minister and deputy First Minister, based on my recommendations, as quickly as possible to ensure delivery within this financial year. I intend to inform the Assembly of the outcome of this exercise when we come to the October monitoring round.

Budget 2011-15 included a provision of £4 million of resource in each of the years 2012-13, 2013-14 and 2014-15 to take forward green new deal proposals. The funding was held at the centre until detailed proposals were developed. I can now inform the House that, after considering a range of options, the cross-departmental group tasked with developing green new deal proposals has recommended that the funding be channelled towards a boiler replacement scheme to be operated by the Northern Ireland Housing Executive. The £4 million of funding set aside at the centre will, therefore, be transferred to the Department for Social Development.

As £30 million of funding for the invest-to-save scheme was held at the centre, the amount of non-ring-fenced resources available to meet departmental bids was reduced to £46.6 million.

In total, the Executive agreed allocations of £53.1 million of non-ring-fenced resource and £49.9 million of capital investment. Allocations were made to a number of Departments, and each allocation is detailed in the tables attached to the statement. However, I want to highlight some of the main allocations.

The Executive agreed to allocate £37.5 million to the Department for Regional Development (DRD). That allocation will provide a significant funding boost of £27.8 million towards roads maintenance and will speed up the Coleraine to Londonderry track relay project. Those allocations will not only help to maintain our road and rail network but, importantly, will provide a significant boost for the local construction industry. The additional funding will also allow the purchase of new buses to address the ageing bus fleet and help the Department for Regional Development to maintain the concessionary fares scheme. I am sure that that will be of interest to you, Mr Principal Deputy Speaker, as it will be to a number of other Members. The allocation towards the purchase of new buses also provides the potential opportunity to access a further £5.8 million of EU funding, which would double that investment.

The Department of Health, Social Services and Public Safety (DHSSPS) was allocated £24.2 million. Some £14.2 million of that funding will go towards essential health and safety works and maintenance throughout the health estate, which will be another boost for the construction industry. The remaining £10 million will help the Department to address waiting time backlogs in key elective care areas.

The Department for Employment and Learning (DEL) was allocated £13.8 million. The allocation will provide significant funding for the Department's unemployment programmes. It includes the first tranche of £5.8 million of funding towards a new policy, agreed by the Executive, which will assist young unemployed people and those who are not in education, employment or training. The allocation will ensure that DEL is funded to provide the necessary help

and support to those who have fallen victim of the economic downturn. It will also allow it to address the specific problem of rising youth unemployment.

The Department of Education was allocated £9 million. That will maintain the integrity of the schools EYF system and provide funding towards the essential maintenance of the education estate.

The Executive also agreed to allocate £8 million to the Department of Culture, Arts and Leisure. Most of the funding will go towards preparations for the UK City of Culture events, but £1.5 million was also allocated towards the completion of the 50-metre pool in Bangor. I am sure that that will please my party's Chief Whip.

The Environment Minister tabled a bid for costs associated with local government reform. The Executive agreed not to meet the bid at this stage but asked the Environment Minister to table a more detailed paper on the issue as part of the October monitoring round. The paper would have to justify why central government should finance reform in the local government sector.

In conclusion, today I have announced allocations of £128 million, including the invest-to-save scheme. The allocations include significant additional capital investment, particularly in our roads and hospitals, which will provide a much-needed boost for our construction sector.

#### 11.45 am

The Executive have also committed additional funding to help the unemployed back into work. The new scheme aimed at young people shows that the Executive understand the importance of ensuring that no young person is left behind in what are very challenging economic times. I believe that this demonstrates that the Executive will not be found wanting where there is a real need for us to intervene. Our young people are the future of this country, and I strongly believe that this latest policy initiative shows our commitment to investing in our future.

The result of these allocations means that the Executive now exit the monitoring round with a comfortable overcommitment of £6.5 million in respect of non-ring-fenced resource expenditure and £12.7 million in capital expenditure. I believe that this is a reasonable position at this stage of the financial year, although the scope to make further allocations later in the year will depend heavily on the amount of reduced requirements that are surrendered during the next monitoring rounds. That said, I firmly believe that it is important to allocate funding early in the financial year, since doing so ensures that money is spent in a more planned and efficient manner. I, therefore, commend the June monitoring outcome to the Assembly.

**Mr Murphy (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his statement and acknowledge that circumstances meant that we were not able to meet this morning. In possibly my last opportunity as Chair of the Finance Committee, I thank the Minister for his co-operation throughout the year. We have not always agreed on everything; nonetheless, it has always been interesting, and I place on record my appreciation for the work that I have done with him.

There was, obviously, a more significant level of reduced requirements in the monitoring round statement: almost twice as much as last year in resource; and, last year, capital was only £0.3 million, whereas, this year, there is almost £30 million of reduced capital requirements. Does the Minister believe that what he set out today indicates that the Departments have fully declared their reduced requirements at this time, and how confident is he that Departments will not declare significant levels of reduced requirements at the January monitoring round, which would leave much less time to properly reallocate those funds?

**Mr Wilson:** I thank the Chairman for his comments and wish him all the best as he leaves this place.

**Mr Hamilton:** I do not know where he is going.

**Mr Wilson:** That is quite true; certainly not to Westminster. He is going to have a life of leisure.

He highlighted the issue of reduced requirements. Of course, we want Departments to identify and declare reduced requirements — although it is not always possible — as soon as possible. That is because, as can be seen from my statement, that means that we can plan ahead; we can look at which schemes are the Assembly's greatest priority and spend money on the most pressing needs, rather than have, as he highlighted, the unseemly scramble at the end of the year, where money comes in late and we are looking for things to spend it on in the short term so that it does not go back. I suppose that we have at least got the message over to Departments to declare reduced requirements early.

He asked me to look into the crystal ball and say whether or not there are likely to be significant reduced requirements later in the year. I do not know the answer to that. It is up to Departments to keep on monitoring their expenditure. There will be an opportunity in October for them to look at the figures again. However, he identified the important point that Ministers must not hold on to money until the last moment. They must scrutinise their Department's expenditure regularly and, where there is any doubt, make sure that money is returned. We do not want a situation such as last year's to arise, where huge amounts of money were returned in the February monitoring round. At that stage, had it not been for the fact that we were able to pump a lot of money into roads maintenance, we would probably have been left in an embarrassing position.

**Mr Weir:** I thank the Minister for his statement. North Down Borough Council officials and I met him several weeks ago to highlight concerns about the funding to finish the Olympic legacy pool in Bangor. I am sure that people in north Down will join me in welcoming the commitment of £1.5 million to complete the pool. Does the Minister welcome the fact that a high percentage of the work on that project has gone to local firms via procurement, and does he believe that that construction work will help to stimulate the economy?

**Mr Wilson:** I acknowledge the Member's point. The Minister of Culture, Arts and Leisure raised that early last year and returned the money. Ministers are sometimes reluctant to return money because they think that they will not get it the next year, so, even though it cannot be carried forward, they tend to hold on to it for as long as possible.

That money was returned, and, although we can never give any cast-iron guarantees that it will be made available next



year, the allocation today indicates that we will always seek to be able to make the money available in the next year. That is the case where the money has been returned in good faith because it could not be spent and for situations where there is an ongoing project. I visited the pool in Bangor, and I was very pleased to see that the mapping that had been done meant that over 85% — I think that that was the figure — of the spend on the project went to firms operating within a 60-mile radius of Bangor. That meant that a high percentage of that sum went into the small and medium-sized enterprise sector in Northern Ireland.

Despite what has been said about public procurement and the way in which we are tied by European rules and so on, that project highlights that we try to ensure that, when money is pumped into the economy through such projects, the procurement will try to make sure that as many local firms and people as possible benefit. That is not always possible, but it has a huge multiplier impact on the local economy. Once the pool is finished, the people of Bangor, and, in fact, the people of Northern Ireland, will have a fantastic facility.

**Mr Cree:** I am glad to hear that I will also have a pool on my doorstep. The pool, which will be the first 50-metre pool in Northern Ireland, has been a long time coming. So, it is good news.

I thank the Minister for the report. It mentions the invest-to-save scheme, which I was intrigued by. I cannot see that £30 million mentioned anywhere in the schedule, so will the Minister tell me whether it is in the centre, that infamous place where money seems to rest? What else is in the centre? How is the invest-to-save scheme likely to work? Will there be bids, for example? How will it actually be carried out?

**Mr Wilson:** The invest-to-save money is held at the centre. It has not been allocated to any Department yet, because, as the Member said, it is up to Departments to bid for the money. We will look in those bids for, first, the long-term savings that can be made from them; secondly, the money that the Department in question has already, the spending that it has done to try to save the money and the resources that it will bring; and thirdly, the way in which the invest-to-save proposals fit with the Executive's priorities. The important point is that the scheme seeks to relieve, in future years, the pressure on budgets that we have identified. We will judge the proposal on the amount of pressure that it relieves. I am particularly interested in schemes that show that there will be an improvement in the way in which services are delivered. If we are going to make improvements, we cannot keep on delivering services in the traditional way. We know what costs are based on that method, but, if there are proposals for new ways to deliver services that require some new investment, we will look at them. Hopefully, the bids will come in sooner rather than later, because the quicker this money can be spent, the quicker we can get down the road of making the savings. That is why we are not waiting until the next monitoring round and why we will allocate the money between now and then and simply inform the Assembly of that.

**Mr McDevitt:** I listened carefully to the Minister say that he wanted clear indications of invest-to-save bids. I remind him that, on 13 December, he said that he was open-minded about a £70 million bid to deliver Transforming Your Care, or the Compton review. Yet, despite a significant bid from the

Department of Health, there is no allocation for that in this monitoring round. How so?

**Mr Wilson:** If one looks at the statement, one will see that money has been allocated to the Department of Health, Social Services and Public Safety for elective care and for maintenance. The invest-to-save fund has only been set up. That is the first thing to say.

Secondly, bids will have to be received from Departments. The Member nods — yes, the bid has already been received. However, the Executive had to set up the fund. We agreed to its setting up, and it is being presented to the Assembly in this monitoring round. I have absolutely no doubt that DHSSPS will be one of the Departments that will make an application for funding.

I wish to make this point very clear: we will be looking to see how Departments, from within their own resources in the first instance, can contribute to any invest-to-save proposals. I think that it is right that we do that. This should be neither a penalty kick for Departments nor a way of enabling them to avoid scrutinising their own budgets. Departments will therefore have to show what they can do from within their own resources. They will then have to show what savings they believe will be released and how quickly, because, depending on their scheme, some Departments may be able to release savings much more quickly than others. Thirdly, funding will depend on the number of bids received and how they fit into the priorities that we have set. The Health Minister has already looked at a number of proposals for changing the whole care regime, so I would hope that DHSSPS will be in a position to make a bid fairly quickly, as I am sure will other Departments.

**Mr Hilditch:** I thank the Minister for his statement. Can he explain why administration expenditure in some Departments has fallen substantially, while in others it has increased?

**Mr Wilson:** The Member probably refers particularly to the increases in the Office of the First Minister and deputy First Minister (OFMDFM). In some cases, administration costs have gone up because of a transfer of responsibilities into a Department. In other cases, they have risen because of a reclassification, whereby some costs had not been regarded as administration costs before. That is the case with the Office of the Attorney General, which has put up administration costs in OFMDFM. Therefore, there can be a number of reasons for increases and decreases. Some departmental administration costs have been removed as a result of transfers of responsibilities out of Departments. Some costs have increased because of transfers of responsibilities into Departments or because of reclassifications.

That said, I think that some Departments have been much more diligent than others in reducing their administrative costs. As I said yesterday during the debate on the Second Stage of the Budget (No. 2) Bill, I am pleased that, last year, administrative costs went down by 5.3% on average across all Departments in Northern Ireland. However, that should not be the end of the story. We should still be looking for ways in which to reduce those administrative costs so that front line services are not affected where there are pressures on budgets.

**Mr Mitchel McLaughlin:** I thank the Minister for his statement. It is a mixed bag, but, all in all, there are some interesting nuggets in it.

Administration costs have just been referred to. The Minister gave me a very detailed answer yesterday, but I see that those costs in the Department of Education went up by £7.8 million, an increase that was accepted, yet a bid for £2.3 million for the reform of public administration and local councils was declined. Would that bid for funding not have been considered an invest-to-save measure that should have been supported? I have to express my disappointment that it was not.

**Mr Wilson:** First, the application for some of the costs towards the reform of public administration and local councils could not, on the basis of an Executive decision, be accepted.

The Executive had made a decision that, since the savings from the RPA would be fully held by local government, the cost of any changes and any work should fall on local government. That was an Executive decision in October last year. Therefore, the bid would have been contrary to the expressed wish of the Executive. That is one of the reasons why we said to the Minister to come back in the next monitoring round and, between now and then, bring a paper to the Executive if there is an exception. If he can make an exception, the Executive will consider it, although it is still my preference that, since the RPA is designed to release hundreds of millions of pounds of savings to local councils, they should pay the costs, as they will benefit. The other danger of simply saying that all RPA costs will be met by the Executive is that there will be no incentive for local councils to consider how savings might be made as a result of the RPA by looking at joint services, slimming down their administrative structures and so on. A balance must be struck. If substantial savings can be achieved, the costs should be looked at.

I appreciate — I am sure that the Member is referring to this — that there may well be upfront costs. I will look to the Minister of the Environment to indicate the likely upfront costs and suggest how they can be addressed so that they are spread over a longer time. There are probably ways of doing that.

#### 12.00 noon

**Mr Humphrey:** I thank the Minister for his statement and his answers so far. He will be aware of the problems with the PSNI equal pay issue. Will he confirm to the House that the £26 million that has been ring-fenced and is sitting in the Department of Justice will be there in the next financial year, if it is not spent by the end of this financial year?

**Mr Wilson:** As the Member is aware, the PSNI equal pay issue goes to court some time in September — 7 September, I think — and, therefore, I probably cannot answer anything on the specific claim. However, the £26 million was ring-fenced until the end of the last financial year. The issue had not been settled by that stage, so we intervened with the Treasury, and the ring-fencing was extended for another year. If the case is not settled by the end of this financial year, of course we will go back to the Treasury. I cannot give any guarantee because at this stage we have not discussed the issue with the Treasury, but, given the way in which the Treasury has accepted arguments to date, it can be extrapolated that money can be carried over for a further year.

I do not want this to be long, protracted and drawn-out affair. I would prefer to get the issue to court — it should

have been in court in May, but, for whatever reason, it was not listed until September — and get a decision made as to whether there is a valid pay claim. If there is a valid pay claim, the money should be paid out. That is my desire and the desire of everybody in the Department. Money cannot be paid out if there is not a valid pay claim, which is why the court adjudication will be important.

**Mr Rogers:** I thank the Minister. It is disappointing that the Department of the Environment's bid for support for RPA transition costs for councils was not met in the monitoring round, but I welcome the fact that the door is not closed. I also take on board what the Minister said about the Executive not being expected to absorb all the costs. However, does he recognise the desirability of giving councils some direct support to assist with this difficult process, which will generate mountains of work, to build confidence and reduce the pressure on business and domestic ratepayers?

**Mr Wilson:** As I said in answer to a previous question, the expectation has always been that, since the benefits would fall to local councils — there will be hundreds of millions of pounds' worth of benefits, if it is done properly — they would find the money from their own resources. The bid, as I understand it, was for the setting-up of transition committees and for the payment of officials, some of whom, I imagine, will be seconded from the councils anyway. It is really just a transfer of money there. Some of it will be for the payment of allowances etc to people who have to attend meetings. Again, that is a decision that local councils can make.

If there are inescapable, unavoidable and insurmountable costs to councils that cannot be met immediately, that is the kind of information that I want to receive from the Environment Minister. I would have thought that £2.4 million spread across 26 councils at present would not have broken the bank for the councils and, therefore, could probably have been absorbed by them. There may be costs at a later stage that are up front and would put considerable strain on council finances in one particular year. That is the kind of issue that I want to hear from the Environment Minister about.

**Mr Ross:** The Minister talked earlier about a penalty kick for Departments. I hope that they do not select Ashley Cole to take them.

In his statement, the Minister referred to the £13.8 million for DEL. Youth unemployment is a major issue in all our constituencies. He specifically mentioned the £5.8 million to fund a new policy agreed by the Executive that is targeted at assisting young unemployed people. He said that this was the first tranche of money from the Executive. What future funding will be required for this initiative?

**Mr Wilson:** Although the Executive take the issue of youth unemployment in Northern Ireland very seriously, a look at our record will show that, as a result of proactive measures, we are already probably better placed than other parts of the United Kingdom. Our youth unemployment is considerably lower than that in the Irish Republic, lower than the UK average and lower than about six other regions in the United Kingdom. It has not been rising here, when other regions have had a rise. Considerable work has been done already, but the Minister for Employment and Learning was encouraged to bring forward a programme especially for those who were hard to reach — the NEETs, who are not



in education, employment or training. There is no point in these things being one-year, one-off programmes because, very often, the problem lasts much longer than that. Therefore, he has made a three-year spending bid for that programme. I should know the exact number off the top of my head, but it is in the region of over £30 million. This is the first tranche. Obviously, it will ramp up over the years, and there is a commitment by the Executive to find funding in the third year and the fourth year of the Budget so that his application is fully funded.

**Mrs McKevitt:** I thank the Minister for his statement. When he read it out, he lost £10 million. When he was reading out the reduced requirements sent back by DCAL, he read out £2.5 million instead of £12.5 million. Anyway, that is not my question.

I am sure that the Minister will agree that the slippage on the stadium spending in the DCAL budget is regrettable. Which stadium will be affected by the slippage, and will it mean that the project is slipping beyond the comprehensive spending review (CSR) period and that some of the funding for that is now at risk?

**Mr Wilson:** I congratulate the Member on passing the test. I used to do this in school all the time to see who was listening. *[Laughter.]* Could they pick up the deliberate mistake? I congratulate the Member on identifying it; it shows that she was paying rapt attention. I have to say that, while I was reading the statement, some of my party colleagues were not paying the same attention. They did not pick it up at all. So, congratulations on that.

There have been planning and technical issues with the stadiums. Someone has been appointed to oversee the delivery of the stadium projects. In response to the Chairman, I made the point that I did not want Departments to hide any underspend that there might be but to bring it forward as quickly as possible. The Minister of Culture, Arts and Leisure, to be fair, identified that, after the projects were looked at, there were technical issues and issues that the director believed would affect delivery within the timetable that we had expected, and she declared that at an early stage. We are aware that that money will be available in future years, so we will have to plan accordingly.

The stadium projects are important for the Assembly. We cannot give any guarantees, and the Member would not expect guarantees to be given so far ahead for capital expenditure. Nevertheless, once the projects are started, we would have to see them through anyway. It will be a case of looking at what capital moneys are available. There is always a health warning put on any bid or indication that resources might be required because of slippage in future years. The health warning is always that we can recognise that the project is important, but, until we see what resources are available, we cannot give a guarantee about whether the resources can be allocated. Although it is disappointing that there has been that slippage, it is better to know about it now than be told about it at the last moment and then have to find ways of accommodating the additional money that has been made available.

**Mr A Maginness:** I thank the Minister for his statement. Would he like to address the issue of flexibility for Invest Northern Ireland? I raise the issue because, last year, Invest Northern Ireland surrendered £37 million and, this year,

it is already in a position of surrendering £11.8 million. That is because of very difficult economic circumstances, and I am not criticising Invest Northern Ireland. Should it not be allowed greater flexibility to retain those moneys so that it can reinvest them more flexibly in other areas in which they could be usefully used to create jobs and further investment?

**Mr Wilson:** I understand why the Member asked the question. At least he has not joined in the siren calls condemning Invest Northern Ireland. A lot of it is demanded: if the demand is not there, the money cannot be spent. In that regard, his response was measured. However, I am a wee bit surprised. He will know as well as I do — I have explained this time and again in the Assembly — that there is no ability to hold on to money and carry it forward from one year to the next other than through the Budget exchange system that we have designed with the Treasury, which allows us to carry over a certain percentage of our DEL and capital from one year to the next. If the money was left with Invest Northern Ireland unspent and was outside the amount that we keep under the carry-over provision, it would be lost. It would just go back to the Treasury. There is no mechanism for simply saying, “Look, you hold on to that money. You are a government body, so hold on to that money and carry it forward to next year”. If it does not fall within the amount that we hold at the centre as a result of unspent moneys each year, it goes back to the Treasury. So, there would not be any benefit in that.

I will say this, however: given the importance of growing the economy to the Programme for Government, it has happened in the past that Invest NI has come in at the last minute and said, “Look, we have an important project here”. The Bombardier one is a good case in point. That decision came after the Budget was agreed. It was a fair amount of money; I think that it was over £30 million at the time on a year-to-year basis. I have been to see the project, and it is a fantastic opportunity for Northern Ireland to get its foot in what will be a fairly lucrative market. When it came to the need for that money, we went as far as top-slicing Departments’ budgets to make sure that the bid was met. If the Member looks at it in that way, he will see that, given our priority, should there be an upturn and should Invest Northern Ireland say, “We now desperately need the money that we gave back for projects”, we will go to extremes to find the money rather than lose the opportunities.

#### 12.15 pm

**Mr Allister:** I notice that the Department of Education will get an extra £9 million of resources through this recycling. Is that Department doing all that it should to recoup the money that it ought to be recouping for the education of children from the Republic of Ireland? It appears that in excess of 400 children who come from the Irish Republic are enjoying education in Northern Ireland, and it appears, from the equivocal answers of the Minister, that not one penny is being recouped and that the Northern Ireland taxpayer is subsidising that. Is that correct? How long has that been the situation? What steps will now be taken to recover that money? How much is involved?

**Mr Wilson:** The detail of that question is more the responsibility of the Minister of Education, but the Member is quite right that there is a net inflow of pupils from the Irish Republic into Northern Ireland. I think that over 400

come into Northern Ireland to be educated and about 200 from Northern Ireland go to the Irish Republic to be educated. It is my understanding from the little investigation that I have done on the issue so far that no moneys have been transferred, which means that there will be a net cost of, I think, over £1 million to the education budget in Northern Ireland.

As I have said time and time again, there are occasions when it is a better use of our resources to co-operate and sell services to the Republic and vice versa, but it must be done on the basis that it is not a gift, especially when budgets are under pressure. I hope that the Education Committee and Members will take that issue up with the Department of Education. My investigations to date show that no money has changed hands. If that is wrong — I do not think that it is — a correction will, of course, be given. However, on the basis that there is a net transfer of young people to schools in Northern Ireland and no money is being paid — there is an average cost of £2,000 per pupil — there is, of course, a net cost to a budget that, as the Member pointed out, is hard-pressed at the moment. Any Minister should seek to ensure that all the money that can be earned by his or her Department is earned.

**Mrs Cochrane:** I welcome the monitoring round statement, particularly the investments in youth employment measures and Steps to Work. I want to touch on the invest-to-save fund. Does the Minister recognise that investment in shared facilities and services provides an important opportunity to unlock savings by removing segregation?

**Mr Wilson:** I have said to the Member on a number of occasions — certainly to members of her party — that there are a range of ways in which savings to the public purse can be made. If, by having shared services or breaking down the costs of segregation, we can, as she said, make savings to the public purse, of course Departments ought to bring those forward and show how the savings can be made. As I said in earlier answers, they should also show what they are doing within their resources in the first place to try to release those savings. Schemes of that nature will be judged in the same way as any other invest-to-save scheme that is brought forward for the £30 million that the Executive have set aside.

**Mr Beggs:** I welcome the additional £24.2 million to help to address pressures in the health system. I noticed that the Transforming Your Care bid of £18 million has been turned down. Can the Minister explain precisely why such a bid was turned down? Enabling GPs to treat more patients away from hospitals, for example, involves a degree of investing to save by our primary healthcare system.

**Mr Wilson:** It was turned down for a number of reasons. First, I was not convinced that the money for the Transforming Your Care proposals could not be found in the health budget. Indeed, all the studies that have been carried out — the Department brought in the Nuffield Foundation to look at Transforming Your Care — identified that the programme could be funded from the Department's resources because it would release savings. I interrogated the Health Minister on whether that was possible and whether he could show what moneys could be made available from his budget for this. Secondly, with any proposal, the actual savings have to be identified, and, at this stage, it was not clear what the savings were. Thirdly, since we knew that we were setting

up the invest-to-save fund, that was probably the more appropriate mechanism through which any bid of this nature could be made.

The Health Minister is a proactive Minister, so I expect that he will look at the points that I made to him and investigate how he can satisfy those queries and make a bid. The Transforming Your Care initiative is important in the long run to enabling the Department of Health, Social Services and Public Safety to live within its budget. If additional investment is required to deliver those savings, he will not be turned away. As with any other bid, he will have to answer the kind of questions that have been posed to him and I have indicated to the Member.

**Lord Morrow:** I will raise two issues on the Minister's statement. One relates to the £6.5 million for the UK City of Culture. I take it that that is additional funding. What is the total budget for that?

Furthermore, the Minister of the Environment submitted a bid for financial assistance to deal with RPA. I am disappointed that there will be no funding for that, and I suspect that the Minister who is charge of that will use it to go at his usual snail's pace in the delivery of RPA. It is obvious that there are issues that need to be addressed. The Minister himself has mentioned the lack of joint services, and that is a big missing gap here. Is there anything that he can do to ensure that joint services are looked at to provide RPA by 2014? I think that that is getting very doubtful.

**Mr Wilson:** On DCAL's bid for the UK City of Culture, a lot of money has been poured in for infrastructure and support for programmes. I cannot give the Member the figure off the top of my head, but DCAL, DSD and the Office of the First Minister and deputy First Minister have all put money into the City of Culture bid. I know that some people are sceptical of these events and everything else, but I visited Londonderry recently, and there is a great buzz and great enthusiasm about the place. Businesses are looking at how they can capitalise on that and ensure that there will be a legacy after it is all over. It is good that the success in being named UK City of Culture has added to the enthusiasm and brought some confidence to the area. Only yesterday, Mr Humphrey mentioned the impact that spending money on events had had on Belfast and the fact that occupancy of hotel bed spaces was up to around 85%. He said that 15,000 people were involved in the hospitality industry. Money spent on this is not wasted if it produces that kind of outcome and, more importantly, leaves a legacy. However, I cannot give the Member the exact figure that has been spent already.

I have explained the RPA issue. The Executive's decision is that councils should fund it themselves. The Minister has been invited to bring a paper to allow the Executive to decide whether they want to revise that opinion in total or in part and, if they were to revise it, how they would decide how funding might be made available. However, it is still my contention that, given the savings that exist in this and given the impact that it will have on the job that local councillors do — RPA will present councillors with fantastic opportunities to influence things in their area — an investment of less than £100,000 for each council, at this stage, is not a huge investment to expect councils to make.

**Mr Copeland:** I, too, thank the Minister for his statement. As he knows, I was not here during the previous mandate, but, even as a relative outsider, I was aware of the anticipation in many quarters for the arrival of the green new deal. Although I welcome the recent introduction of the boiler replacement scheme, even though some people considered that it was a bit late, does the Minister accept that the original green new deal, even in its later forms, when it concentrated on retrofitting, was about much more than just replacing inefficient boilers? Will he confirm that its wider aspirations remain on the table, perhaps for future consideration and progress? If that be the case, when might we anticipate such progress?

**Mr Wilson:** I am sure that the Member would not expect us to spend money on things where there was not value for money, a good return and a business case that showed that the money was being well spent. The truth of the matter is that, when the details of the green new deal were run through a business case and we looked at the benefits and the costs involved and whether it presented value for money, it did not stack up. Therefore, we decided that that was not how the money would be spent. We believe, however, that the boiler scrappage scheme will deal with a range of issues, including fuel poverty and the efficient use of fuel at a time when fuel costs are spiralling. It would also enable many households that find themselves under pressure at present to benefit from a more up-to-date heating system. Therefore, it was decided to put the money into something that was tried and tested rather than into a scheme that did not stack up in money terms.

I am sure that there will be a return to this, but if, in the future, some additional measures can be brought forward that make economic sense, of course we will not turn those away. The green new deal was a nice catchphrase, and nobody really looked at the economic details in the way that they should have done. It caught on for a while, but hard economic reality requires us to look at these schemes and ensure that we get value for money.

## Executive Committee Business

### Budget (No. 2) Bill: Consideration Stage

**Mr Principal Deputy Speaker:** I call on the Minister of Finance and Personnel to move the Consideration Stage of the Budget (No. 2) Bill.

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

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

*Clauses 1 to 8 ordered to stand part of the Bill.*

*Schedules 1 to 4 agreed to.*

*Long title agreed to.*

**Mr Principal Deputy Speaker:** That concludes the Consideration Stage of the Budget (No. 2 Bill). The Bill stands referred to the Speaker.

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

*The sitting was suspended at 12.29 pm.*

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

2.00 pm

# Oral Answers to Questions

## Social Development

### Homelessness Strategy

1. **Mr G Kelly** asked the Minister for Social Development to outline his Department's plans for a new homelessness strategy. (AQO 2254/11-15)

**Mr McCausland (The Minister for Social Development):** My Department introduced the Housing (Amendment) Act (Northern Ireland) 2010, which placed a duty on the Northern Ireland Housing Executive to formulate and publish a homelessness strategy. The strategy was launched on 1 May 2012 at an event at the Northern Ireland Council for Voluntary Action (NICVA), which I attended and spoke at. The strategy covers from 2012 to 2017 and has the guiding principle to end rough sleeping in Northern Ireland. It has four key objectives on homelessness prevention and services. Allied to those objectives are 38 recommendations, which will be delivered in the implementation plan that has been developed to accompany the strategy over the next five years. The four strategic objectives are to place homelessness prevention at the forefront of service delivery; to reduce the length of time households and individuals experience homelessness by improving access to affordable housing; to remove the need to rough sleep; and to improve services to vulnerable homeless households and individuals. The aim of the homelessness strategy is that long-term homelessness and rough sleeping is eliminated across Northern Ireland by 2020. The strategy aims to ensure that the risk of a person becoming homeless will be minimised through effective preventative measures and enhanced interagency co-operation and services to the most vulnerable homeless households.

The promoting social inclusion homelessness partnership, which is a cross-departmental and cross-sectoral group, chaired at deputy secretary level in my Department, not only helped to shape the final make-up of the strategy but will play a crucial role in delivering many of the key action points. The Housing Executive and the housing division in the Department for Social Development (DSD) have appeared together before the Committee for Social Development, twice in the past 12 months, to explain the rationale behind the strategy and the means by which it will be delivered. They are keen to continue to keep the Committee fully informed.

**Mr G Kelly:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. I welcome the input of the voluntary housing sector. Will the Housing Executive be able to track the thousands of young people who present themselves as homeless and yet seem to be turned away? Will he reiterate the fact that housing allocation is on the basis of objective need?

**Mr McCausland:** I will take the second point first. Of course housing allocation will be on the basis of need. There is no doubt about that.

The first question was about tracking and information. The current Housing Executive mechanisms make it difficult to track and follow through to get the hard information that we need to keep us better informed so that the development of strategies and policies is based on evidence. I have been working with the Housing Executive to ensure that we get more robust information in the future.

**Mr Deputy Speaker:** I remind Members that it is one question per Member.

**Mr Eastwood:** What role, if any, does the Minister envisage the community and voluntary sector playing in the strategy?

**Mr McCausland:** The community and voluntary sector clearly plays a key role in a number of areas. I visited some organisations, including at least one in the Member's constituency and some in my constituency, that provide services to people who are homeless, including rough sleepers. Those organisations do immensely valuable work, which we fully support through the Department. Housing associations fall into that general category, and they are at the forefront of house building. There is certainly a key role for the sector in providing support and services to people who are homeless and in ensuring that we move forward with a good house-building programme.

**Ms P Bradley:** I thank the Minister for his answers thus far. I welcome the strategy. Will the Minister explain in more detail how the strategy is to be implemented?

**Mr McCausland:** The Housing Executive's homelessness strategy has 38 action points that are to be fulfilled by 2017, at the latest. Depending on their relative urgency and complexity, each has been allocated a specific year by which it should be fulfilled, and that progress will be carefully monitored.

### Housing: North Down

2. **Mr Dunne** asked the Minister for Social Development how the newbuild social housing targets and the affordable housing targets will be met in 2012-13, particularly in the north Down area. (AQO 2255/11-15)

**Mr McCausland:** The Programme for Government contained a commitment to deliver 8,000 new social and affordable homes over the four-year period, 2011-12 to 2014-15. Work is well under way to deliver those targets. During that four-year period, over £564 million will be made available, of which £461 million will be for social housing and £103.25 million for affordable housing. That will not only deliver more new homes, it will play an important role in sustaining work in the construction industry.

In north Down, 380 units are programmed to start in the next three years, with 131 due to start in this financial year. In the previous financial year, 50 new homes were started and 25 completed, and a total of 97 new homes were on site at 31 March 2012.

Affordable homes are demand-led and cannot be identified as the Member requests. However, in the past financial year, the Northern Ireland Co-Ownership Housing Association has received £28.25 million of funding from my Department, which, in conjunction with private finance resources, supported the purchase of 643 affordable homes, which is 30% more than in the previous year. Early indications are that demand remains buoyant in this financial year, and I



will continue to keep the situation under review to ensure all efforts are made to meet that demand where the budget permits.

**Mr Dunne:** I thank the Minister for his answer. Can the Minister enlighten us as to what alternatives he is looking at in relation to providing affordable housing?

**Mr McCausland:** The new housing strategy, which I hope to issue shortly, will outline future priorities for investment in housing, including how we may expand the delivery of affordable homes. However, my officials have already commenced work with the housing associations to bring forward new affordable housing opportunities to complement the work of the Co-Ownership Housing Association.

A number of urban and rural project proposals, such as the surplus land projects, are under early consideration. If approved, they will offer a real opportunity to boost the construction industry and make more affordable homes available.

**Mr Cree:** The Programme for Government proposes that 4,600 new social homes will be constructed between 2012-13 and 2014-15, but the net stock model indicated the need for 1,900 new homes to be built each year, in addition to another 600 to bridge previous years' shortfalls. Does the Minister now dispute the net stock model?

**Mr McCausland:** That is a point that has been raised on a number of occasions. I think that it is important to stress that housing need will not be met simply through the provision of social housing. We need to look at the private market as well. That is why we need to make sure that the private sector is a much more appealing prospect going forward. It is also why the registration of landlords, and all the things that will flow from that, are particularly important. It should not be seen as a second-best option. We need to look at how we can provide the maximum amount of social housing; how we can ensure that the private sector contributes to the housing demand; and how we can assist more people to get them into the position of being able to purchase an affordable home.

**Mr F McCann:** How many apartments were bought in the past financial year to make up the social housing development programme? Does the Minister agree that the purchase of those units, some of which have lain empty for years, does nothing for the construction industry, which has shed thousands of jobs over the same period?

**Mr McCausland:** I do not have that figure to hand, but I will supply that number to the Member. It is one way in which you can remove property from the empty situation and get it occupied. Such properties, whether they are homes that have been lying empty for a long period over years or whether they are newbuilds but unoccupied, can help to meet housing need. There is no doubt about that, and it is providing people with a home. I am sure the Member will agree that that is a good thing.

As regards the construction industry, if, as a result of this, a developer is in a better financial position, that may enable him to move forward to other developments, as opposed to being stuck, unable to do any development work at all. Therefore, it is not as simple as the Member suggests. We are certainly keen, and that is why we are pushing affordable homes. That is a direct kick-start for the construction sector, and that is necessary at this time.

## Housing Executive: Maintenance Contracts

**3. Mr Hamilton** asked the Minister for Social Development for an update on the audit that he commissioned into the Northern Ireland Housing Executive's management of maintenance contracts. (AQO 2256/11-15)

**Mr McCausland:** Last year, I became increasingly concerned that the issues that led to the termination of the Red Sky contract by the Housing Executive in July 2011 may be present in other contracts that had not been the subject of any full investigation. I asked for a forensic investigation to be carried out of a sample of Housing Executive maintenance contracts, including those of the contractors to whom the Red Sky contract was reassigned on its termination on 14 July 2011. That is to provide me with assurances in relation to ensuring that the issues that led to the termination of the Red Sky contract are not present in other response maintenance contracts; the provision of the best possible value-for-money services to Housing Executive tenants; and the appropriate use of public funds.

The investigation has been carried out, and it considered, amongst other things, the quality of the workmanship undertaken; whether the invoices submitted by the contractors and paid by the Housing Executive were appropriate within the context of the work requested and the work actually carried out; whether the inspection regime in place in the Housing Executive operated as expected; whether the key controls in place to manage contracts — to ensure that the quality of works undertaken is monitored and price variations are identified, valued and approved — are adequate and operate effectively; a classification of any financial anomalies identified during round 1, which involved contractors assigned to the Red Sky contract, and round 2 inspections, which involved other contractors; and an extrapolation of any findings from round 1 and round 2 to determine the possible level of any overcharging or errors. That investigation work has now been completed, and I am due to meet the Housing Executive later this afternoon. The final report will be due on 29 June 2012, which is this Friday, and I am sure that it is eagerly awaited.

**Mr Hamilton:** Given the importance of maintenance contracts to Housing Executive tenants, I am sure that the Minister will agree that their proper management is absolutely critical. He has outlined some improvements that are required, which will require fundamental change in the Northern Ireland Housing Executive. Does the Minister have confidence in the Housing Executive's ability to develop a culture change in that organisation to make those improvements?

**Mr McCausland:** The Member raises a fundamental issue. I already have concerns in relation to the effective and timely implementation by the Housing Executive of the recommendations made in the 2010 governance review. My permanent secretary has met the chief executive and the chairman of the Housing Executive to discuss his concerns about contract management and what the Housing Executive is doing to ensure the effective and timely implementation of those recommendations. I intend to raise those issues with the chairman at a forthcoming performance review meeting. Almost 12 months ago, I met the chairman and the acting chief executive of the Housing Executive in the context of Red Sky. I asked for assurances, and I was given assurances, about other contractors. The evidence that



is now emerging raises very serious questions about the assurances that I was given by the chairman and the acting chief executive. I take that very seriously because they both sat in my office and gave me those assurances personally. The investigation that has been carried out has been thorough.

## 2.15 pm

The Housing Executive will have to be afforded an opportunity to consider the findings in order to formulate a response. Contractors will also have to have an opportunity to consider the findings and comments in due course. The information being uncovered is, I think, quite alarming.

**Mr P Maskey:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that organisations such as Red Sky sometimes seem to be like the tail wagging the dog? They seem to have something over senior members of staff in the Housing Executive. When officers in the Housing Executive were trying to put a halt to some bad practice, they were moved out of their district office. Does he agree that that was wrong and should never happen again?

**Mr McCausland:** I thank the Member for his question. It raises a fundamental issue that I touched on: it is becoming increasingly clear — it was actually clear last year to some extent, but the scale is now much clearer — that the issues that arose in regard to Red Sky are present in quite a number of contractors. There are shortcomings not only in the service provided to tenants but in the monitoring, management and inspection of work. In the past, somebody signed off work that did not even happen in a place that did not even exist. I do not know how they ever managed to sign it off.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí sin. I thank the Minister for his replies. This question is based on personal experience in my constituency. I listened very carefully as the Minister talked about the quality of the workmanship and the monitoring of improvements to homes inhabited by tenants. What is the role and function of his Department specifically in regard to housing associations and the quality of the work they deliver on the ground for tenants?

**Mr McCausland:** My Department is responsible for overseeing and monitoring housing associations. Of course, the Member will be aware that, in more recent times, there has been a much more hands-on approach to the oversight of housing associations after quite a number of them had their development status removed because of shortcomings in a whole range of areas. Work is now being done with housing associations in a range of ways. We are also talking directly to the Northern Ireland Federation of Housing Associations about ensuring, as far as possible, that there is really good practice in housing associations. So, there is a key issue with housing associations.

The question was actually about the Housing Executive. When you bear in mind that these major contracts are extremely expensive and that large amounts of public money are being spent on them, you can see that we need to be absolutely sure that there is value for money and that charges are not made for work that was never carried out or was carried out improperly, inadequately or whatever. I am determined to ensure that there is a value for money. That is why we will be engaging very thoroughly and fully with the Housing Executive over the next number of weeks and months and why, I think, others share my concerns.

**Mr Kinahan:** I thank the Minister for his answers so far. Has the investigation looked into or found out whether there are efficient and effective ways of putting in double glazing so that there is less disturbance to families in future?

**Mr McCausland:** I have seen examples of double glazing installed by a number of contractors. In one case, it was so well done that you could put your hand around the frame and see your fingers on the other side of the window — that is how well it was done. In some cases, I have seen windows that were practically butchered during installation. So, there are real questions about the quality of the workmanship. The nature of the installation of windows is a separate piece of work that is being carried forward at the moment. I think that there is a way of doing it that will save us millions of pounds and enable us to do far more maintenance work in areas where there is a great need for it. There is no point in unnecessarily chipping out plaster and replacing it.

## Social Disadvantage

4. **Ms Ruane** asked the Minister for Social Development to outline his Department's plans to tackle disadvantage in communities. (AQO 2257/11-15)

**Mr McCausland:** The 2012-13 business plan sets out what the Department plans to achieve over the next 12 months. Housing, welfare reform, strengthened communities and vibrant urban areas are the Department's priorities. The objectives in the plans are, first, to provide access to decent, affordable, sustainable homes and housing support services; secondly, to meet the needs of the most vulnerable by tackling disadvantage through a transformed social welfare system, the provision of focused support to the most disadvantaged areas and encouraging social responsibility; and, thirdly, to bring divided communities together by creating urban centres that are sustainable, welcoming and accessible for living, working and relaxing in peace.

The Department has measures in place that focus on tackling disadvantage in communities. Neighbourhood renewal assists the most disadvantaged communities by seeking to reduce the social and economic inequalities that characterise those areas. Neighbourhood renewal partnerships are fundamental to the delivery of the programme. I will, therefore, launch a code of practice in the coming weeks that seeks to build on best practice and to assist partnerships generally in building their capacity to deliver neighbourhood renewal in their area. That is based upon extensive contact engagement with neighbourhood renewal partnerships across the Province and some excellent examples of really good practice that we want to learn from, and we want to ensure that other areas learn and benefit from them as well.

My Department also provides a wide range of support to individuals, families and households through the provision of decent and affordable housing; action to address fuel poverty; the delivery of child maintenance arrangements; comprehensive social security provisions, including the delivery of a major welfare reform agenda; and supporting the voluntary and community sector.

The Department is taking forward measures aimed at addressing long-standing issues with the existing welfare system, the most significant of which is universal credit. Universal credit is intended to ensure that work always

pays, addressing poverty through tackling worklessness and benefit dependency. It will also contribute to wider and longer-term economic and societal benefits.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. I thank the Minister for his answers to date. However, with rising unemployment, proposed cuts to housing benefit and thousands losing incapacity benefit, will the Minister assure the House that objective need is to the fore in allocating resources?

**Mr McCausland:** I believe entirely that the allocation of resources has to be evidence-based, and based on meeting the needs of the most disadvantaged communities. The Member speaks of a whole range of measures that are coming down the line towards us. The important thing is that we do what we can to make sure that we get the best outcome for the people of Northern Ireland, and that is a challenge that will face us over the autumn and winter period as we move forward with welfare reform.

**Mr Campbell:** On the issue of welfare reform, will the Minister outline the measures taken to ensure that those who are legitimately entitled to benefits get them?

**Mr McCausland:** The Member makes a valid and valuable point. Improving the uptake of benefits remains a key priority for the Department. Almost £40 million in additional benefits and arrears has been generated for people across Northern Ireland since 2005. This year, another 25,000 customers will be contacted directly with an invitation to receive a full and confidential benefit assessment. A wide-ranging, multi-channel promotional campaign will accompany the direct targeting approach. The Social Security Agency will continue to work with community and other partners to encourage uptake and will focus on customer groups that, current research shows, are most vulnerable and at risk of poverty. A long-term benefit uptake strategy will be launched for consultation later this year.

**Ms Lo:** I am very pleased to hear the Minister praise the work of neighbourhood renewal partnerships. Why is the social investment fund not given to some of those partnerships rather than reinventing the wheel and setting up steering groups to implement the fund?

**Mr McCausland:** The Member is aware that the social investment fund is an initiative that came through the Office of the First Minister and deputy First Minister. We are now under way. It is important that, rather than looking back, we look forward and see what we can do to maximise the results and outcomes and also to ensure that there is complementarity between what is undertaken in neighbourhood renewal and what is undertaken in commitments by the social investment fund. Neighbourhood renewal should not simply be related to the social investment fund. Neighbourhood renewal should be related to all Departments, whether Education, Health or whatever, so that we have a holistic, comprehensive approach to addressing disadvantage.

## Welfare Reform

5. **Mr P Ramsey** asked the Minister for Social Development what action his Department has taken to promote awareness of the proposed changes to the welfare system for individuals with complex needs and disabilities. (AQO 2258/11-15)

**Mr McCausland:** I previously highlighted the importance that I attach to my Department being seen to communicate proactively with the people of Northern Ireland on the proposed changes to the welfare system and what they mean for individuals. I am also conscious that we have a higher proportion of our population in receipt of disability living allowance (DLA) and a different profile, particularly in relation to mental health. I am committed to raising awareness and understanding of the proposed reforms with all audience groups.

Across all the different reforms, there are plans to co-ordinate and manage communications and stakeholder engagement as the Welfare Reform Bill makes its journey through the Assembly. Officials continually engage with customer representative groups to explain the changes proposed by the Welfare Reform Bill through a series of conferences, workshops and meetings. I have participated in a number of those and taken the opportunity to engage with individual customers and customer representatives.

The personal independence payment (PIP) project has established a specific forum for disability groups and members of the voluntary and community sector to provide information on that payment. The forum consists of a network of over 60 different organisations, and seven successful meetings have been held to date, which ensures that the particular circumstances of individual groups are represented and factored into the design of the new benefit. The forum recently held a meeting to discuss the proposed forms and letters that will be used in the PIP process. Feedback obtained from that meeting was shared with colleagues in the Department for Work and Pensions.

Individual disability organisations have also been offered the opportunity to avail themselves of one-to-one meetings to address a wider cross section of individuals in the organisation concerned. Many organisations have availed themselves of that. There have been staff awareness sessions on the introduction of PIP, the purpose of which is to ensure that front line staff have a full understanding of the issues when dealing with customers with a disability or complex needs.

In April 2012, my Department published on its website a consultation document, 'DLA Reform and Personal Independence Payment: Completing the Detailed Design'. Individuals and organisations have been asked to consider the proposals and to respond.

**Mr Deputy Speaker:** Your time is up, Minister.

**Mr P Ramsey:** I welcome the Minister's lengthy and unfinished response to my question. Does the Minister acknowledge that, across the range of all-party groups on health and disability matters, the main issue is the fear, worry and concern of disabled people and their families about welfare reform? Will he assure the House that there will be intensive consultation with individuals and those representing disabled people with complex needs to make sure that there is a clear understanding of their concerns and worries?

**Mr McCausland:** I thank the Member for the question. I assure him that, to date, the organisations that have taken up the opportunity — I ran out of time for this bit — include Mencap; the Northern Ireland Association for Spina Bifida and Hydrocephalus; Disability Action; the National Autistic

Society; the Northern Ireland ME Association; the Southern Health and Social Care Trust sensory disability team; the East Belfast Independent Advice Centre; and the Multiple Sclerosis Society. So there has been wide consultation, which we need to continue as the process moves ahead.

I will pick up on the Member's point about fear. There are legitimate and understandable worries, because people, particularly those who have a disability or complex needs, become concerned about change. It does not help the situation at all that people make unfounded or alarmist suggestions that are not based on fact, of which there have been a number of examples in the past. That distorts and diverts the conversation that needs to take place and creates unnecessary fears among people who are already very vulnerable.

## Agriculture and Rural Development

### Rural Development Programme: Axis 3

1. **Mr Hilditch** asked the Minister of Agriculture and Rural Development for her assessment of the GROW South Antrim programme. (AQO 2269/11-15)

13. **Mr Sheehan** asked the Minister of Agriculture and Rural Development for an update on axis 3 of the rural development programme. (AQO 2281/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** With your permission, Mr Deputy Speaker, I will answer questions 1 and 13 together. Generating Rural Opportunities Within (GROW) South Antrim is one of seven competitively selected local action groups (LAGs) delivering axis 3 of the rural development programme across the rural North, using the LEADER methodology, which empowers local people to address local problems with local solutions.

At present, axis 3, with a budget of £100 million, has achieved an investment of £27.7 million. Within that, GROW, with an allocation of £8.9 million, has received 351 applications and has issued 101 letters of offer with a total grant value of £2.8 million. Forty-three of those projects have been completed, and a grant totalling £721,000 has been paid. A further 11 applications seeking grant assistance of over £1.1 million have been approved by the JCCs for the issue of letters of offer, and the GROW LAG is processing a further 16 applications seeking grant assistance of almost £1 million.

I will be visiting my colleague Pat Sheehan's constituency to view for myself some of the successful projects that have been completed and are under way in rural west Belfast. It is important that such areas, which were previously excluded from the rural development programme, use the funds available to improve the quality of life of the rural dwellers who live and work there.

### 2.30 pm

**Mr Hilditch:** I thank the Minister for her answer thus far. Although we welcome the very successful uptake of the village renewal grants, I am concerned that the business creation element has struggled to reach its full potential and

has created an underspend. What actions, Minister, have you taken or do you intend to take, considering that most of the problem lies with banks not lending to new businesses in relation to match funding?

**Mrs O'Neill:** The Member makes a valid point. Some measures are obviously spending out better than others, so, as part of the way forward in ensuring that we maximise spend, the one area we are looking at is strategic projects. That is just one element of what we are trying to do, but the local groups also have the opportunity to move money to the better spending measures, and they are actively doing that.

We recently agreed the implementation plans for 2012-13, which include some of the measures that you are talking about, particularly around basic services and village renewal, as they are high-spending measures. We want to ensure that we maximise spend.

I have also met all the main banks to talk about issues around match funding, so they are aware of the issue. They have given us contact points so that we can talk to them if people encounter particular issues when they are trying to achieve match funding.

**Mr Copeland:** What is the Minister's assessment of the grant funding available for stand-alone renewable energy projects? Is she concerned that, given that such projects cannot be used to reduce farm running costs, some farmers may be discouraged from applying?

**Mrs O'Neill:** I do not have the figures for the stand-alone energy projects with me, but I am happy to provide that information to the Member in writing. We are doing all that we can to promote renewable energy. The Executive have a Programme for Government commitment to increase renewable energy by, I think, 20% for people's own use. Those are challenging targets, but farmers are a key target group who could use renewable energy for beneficial purposes. I am happy to forward the figures on stand-alone energy projects and their uptake to the Member.

### Single Farm Payments

2. **Mr Rogers** asked the Minister of Agriculture and Rural Development what lessons have been learnt from the delivery of the 2011 single farm payment scheme to ensure that applications and payments to farmers are processed more quickly this year. (AQO 2270/11-15)

3. **Mrs Hale** asked the Minister of Agriculture and Rural Development whether remote sensing satellite imagery can be used to fast-track the inspection process for single farm payments. (AQO 2271/11-15)

**Mrs O'Neill:** I will answer questions 2 and 3 together.

I am aware that the 2011 inspection cases took longer to complete and finalise for payment than in previous years. Although I am pleased that the Department has met its targets on making single farm payments, I am conscious that later payment can add to difficult financial situations that some people find themselves in. As far as the remaining cases are concerned, I understand that interest has been paid in the past where single farm payments remained unpaid at 1 July. I have asked my officials to arrange to make such interest payments where appropriate.

I have taken forward a number of initiatives to improve the speed at which payments are made in future years. For example, land eligibility inspections relating to the 2012 application year started four weeks earlier this year than they did last year. This significantly earlier start was made possible by the intensive development of IT and business systems as well as increasing the number of inspection staff who were trained and equipped prior to the start of the inspection process. Those inspectors have been deployed at this early stage to take advantage of the generally better weather that we see at this time of the year. Although it is perhaps not that way at the moment, the weather and the field conditions are generally better at this time of year. Importantly, it provides a longer window of opportunity for the completion of inspections in order to make payments to more inspected businesses earlier in the payment cycle.

Earlier this month, I announced my intention to introduce the use of satellite imagery for approximately 250 land eligibility inspections in the 2012 campaign. Not only will that be a less disruptive method of inspections but the use of that remote sensing should improve the prospects of early completion of inspections in future years. I am aware that there has been an increased use of remote sensing among other member states over the past number of years. I am also aware of a recent 'Irish News' article that expressed concerns about remote satellite imagery being used to spy on farmers. I assure the House that that is not the case. It is an alternative way to carry out inspections, and it is designed to speed up the whole inspection process.

Looking ahead, I plan to issue a new LPIS map to claimants in time for the 2013 claim year. Those maps, which will also be made available online, should be very helpful to farmers and will enable them to submit accurate single farm payment applications. Farmers can also help themselves by using the Department's single application online service.

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

**Mrs O'Neill:** I want to point out that there was an increase in that for next year.

**Mr Rogers:** I thank the Minister for her answer. Given the existence of satellite-based aerial imaging, why is it necessary to spend more money on technology-based inspection systems in Northern Ireland?

**Mrs O'Neill:** One of the reasons for the delay this year was the inspection process and the length of time that it took to gather information. Remote sensing will obviously speed that up and mean that the information is more easily obtained by the inspectors and can be applied. It will also mean fewer on-site visits. Anything that speeds up the process is to be welcomed. If you are a farmer who is sitting waiting for a single farm payment because inspection findings are yet to be applied, you will welcome the fact that we intend to increase our use of remote sensing.

**Mr Deputy Speaker:** I call Mr Chris Hazzard for a supplementary.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. Can the Minister outline how remote sensing actually works?

**Mr Deputy Speaker:** Sorry, I have to call Mrs Brenda Hale first.

**Mrs Hale:** Will this inspection process using satellite imagery, if implemented, rule out infraction fines or make us more open to them?

**Mrs O'Neill:** As I said, there has been increased use of satellite imagery across Europe, and it has become a lot more popular. There were some problems at the start, particularly around weather and climates and whether or not, when taking your image, you would be able to identify scrub and other features. A lot of work has been done with the Commission to bring it on board with the imagery that we will use. That is positive, and I would not suggest that we will face infraction because of the use of satellite imagery.

We are going through the whole LPIS remapping process. That is a massive piece of work, remapping 750,000 fields. Remote imaging will add to the value of having up-to date, accurate maps, which is what the Commission had problems with in the past.

**Mr Deputy Speaker:** I can now call you, Chris.

**Mr Hazzard:** Go raibh maith míle agat, a LeasCheann Comhairle. Will the Minister outline how remote sensing will work?

**Mrs O'Neill:** It is a way of carrying out on-the-spot checks. Basically, a photograph is taken by satellite, and we are able, back in the office, to analyse the information on the fields that has been gathered by the satellite.

As I said in a previous answer, the methodology has been developed by the European Commission's Joint Research Centre, which proves that the Commission is on board with the use of that type of technology. The technology is tried and tested, and it is a very positive development. We hope to use it in 250 inspection cases next year, but the long-term aim is to roll it out across the board. That will obviously lead to a speeded-up inspection process.

## Youth Unemployment: Rural Areas

4. **Mr McKay** asked the Minister of Agriculture and Rural Development for an update on what her Department is doing to address youth unemployment in rural areas.  
(AQO 2272/11-15)

**Mrs O'Neill:** Through the tackling poverty and social isolation framework, my Department supports two rural youth initiatives aimed at increasing employability and promoting entrepreneurship among the young unemployed in rural areas. Through the youth employability programme — marketed as Boost — unemployed rural young people will have the opportunity to develop skills, to increase their employability and to improve their chances of securing a job. The programme includes face-to-face workshops, an interactive support package, access to a network of employment mentors and the provision of industry-endorsed certification from the Federation of Small Businesses on completion. Boost will target almost 1,500 unemployed young people by working with partner agencies such as the jobcentre networks, libraries, the Rural Development Council, the rural support networks, local action groups, local councils, the enterprise agencies, rural colleges and sports centres.

I am also supporting the rural youth entrepreneurship (RYE) programme, which aims to develop business potential



among vulnerable young people in rural areas. These areas will be identified using multiple deprivation criteria and will recruit 600 vulnerable young people onto the programme by undertaking outreach events and workshops in the areas identified. The RYE programme will create the foundations for the development of future rural businesses through upskilling, networking, mentoring and the sharing of ideas to stimulate business creation.

I am confident that these innovative initiatives will help to address the problem of youth unemployment in rural areas and, in doing so, help to reduce rural youth migration and increase the sustainability of rural communities.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Such work is important if we are to arrest the problems around emigration that affect many rural communities, particularly the families steeped in the construction sector tradition. What areas will be targeted through these programmes and how will they be targeted?

**Mrs O'Neill:** The Member is absolutely right: a lot of our rural communities are being emptied out, with young people travelling to different countries just to get work. Barry McElduff would support me in that. We know of many rural communities in Tyrone that would have problems even fielding a GAA club team. Those are the issues that we need to address. The rural youth employability programme, Boost, will target 1,500 unemployed young people in rural areas right across the North. That programme will include a marketing and promotion campaign in rural areas, through which Advantage will engage with over 350 partner agencies, such as those outlined in my initial answer.

It is important that we work in partnership with all the groups that have an interest in maintaining rural communities. Everybody has a role to play, particularly local councils, enterprise agencies, rural cottage industries etc. They will also really help us to target young people who are in their agencies and coming to their services. Through those agencies, we have the opportunity to disseminate all the information throughout the rural network and make sure that it is readily available.

The rural youth entrepreneurship programme will target young people living in deprived rural areas across the North. Those areas were identified by the Rural Development Council using the multiple deprivation criteria. The RDC proposed to recruit 600 vulnerable young people to the programme by undertaking outreach events in workshops in the areas identified.

**Lord Morrow:** What is the Minister's rationale in deciding to support an eating disorders clinic at Tullyallen Road, Dungannon, and to throw the weight of her Department behind this controversial planning application?

**Mrs O'Neill:** I fail to see what the supplementary question has to do with the main question.

**Lord Morrow:** It is to do with the rural economy.

**Mr Deputy Speaker:** I call Mrs Jo-Anne Dobson.

**Mrs Dobson:** Given the unique difficulties that those living in rural communities already have to overcome, such as reduced public transport connections and the distance to many basic services, will the Minister give her assessment

of the importance of adequate primary school provision to the sustainability of the local community? Is she concerned about the Education Minister's feared plan to close many rural schools, regardless of individual circumstances, under the cover of the much-disputed viability audit?

**Mrs O'Neill:** The rural White Paper action plan is a key document in addressing the varied needs of a rural community. It is an Executive initiative, led by the Department of Agriculture and Rural Development, that looks at all the issues, particularly rural transport, rural unemployment, education and all other services. This week, I will officially launch the rural White Paper action plan, which shows key Executive commitments from all the other Ministers, because looking after rural communities is the remit not just of this Department but of all Departments.

The Member raises the issue of the future of rural primary schools. The Education Minister is committed to making sure that he looks after young people who live in rural communities. He is very committed to making sure that he looks at rural communities' needs, which is why he argued very strongly that the criteria should not be a numbers game and that all the other factors should be taken into account, particularly the links with the local community. Often, in a rural community, a school can be the community centre and everything else. I am not fearful for the future of rural primary schools, and I think that the criteria are there to make sure that they are looked after.

## 2.45 pm

**Mr Deputy Speaker:** I remind Members that questions must be relevant and should not be read out. I now call Mr Pat Ramsey, who, no doubt, will speak from the heart.

**Mr P Ramsey:** Thank you very much, Mr Deputy Speaker. I thank the Minister for her replies so far. Given the high number of young people across Northern Ireland who are NEET, is your Department doing anything to target them by increasing the number of on-farm job opportunities for young people who are interested in farming?

**Mrs O'Neill:** We have a particular strategy, and you will be aware that our agriculture and food colleges are oversubscribed with young people who want to work in the industry. That is key to the success of the industry. The Agri-food Strategy Board, which has now been established, is looking at the key challenges for the entire industry and each of its sectors. The board will also look at young people's skills and employability needs. So, although we have a programme of work, there is still lots to be done. We now have an economic strategy, and I will do my bit to tackle rural unemployment, particularly by working with young people. I think that the Executive can collectively make a difference.

## Rural Development Programme: Strategic Projects

5. **Mr I McCrea** asked the Minister of Agriculture and Rural Development to outline her Department's definition of "eligible strategic project", following her decision that clusters should make open calls for strategic projects to underpin and realise strategic spend. (AQO 2273/11-15)

**Mrs O'Neill:** In December, I announced a refocus for axis 3 that was driven in part by low project spend and high



administrative spend. All areas have now examined their progress and have agreed to refocus by reallocating funds both to higher investment measures and larger strategic projects. Indeed, all areas are now open for calls for strategic projects.

Local authorities, NGOs and the community sector, including social economy enterprises, will be eligible to apply for the strategic projects. For a project to be eligible, it must be ready to go — in other words, there must be no impediments to starting before the end of April 2013 — and the project must be completed by 2014. There are other elements to the full criteria, which all areas published when they went to the press to open their calls. I am happy to get the Member a copy of those criteria if he so wishes.

The local action groups will make the decisions under the LEADER methodology, and it is up to them, not DARD officials, to determine what fits the strategic criteria.

**Mr I McCrea:** Now that the criteria have been set, I hope that they will be kept. It is maybe not the first time that the goalposts for some projects have been moved. How will the Department support clusters that have limited unapproved funding available so that letters of offer for approved strategic projects are issued and viable projects can be moved to implementation quickly?

**Mrs O'Neill:** The principle behind all this is that we do not send money back to Europe, so I am committed to making sure that the money that we have is spent to the best value in support of our rural communities. You talked about a number of initiatives, and I think that strategic projects are very important. Once the criteria are published, the goalposts cannot be changed, so I hope that that reassures you somewhat.

We are doing a number of things. As I said, strategic projects are very important. We have just agreed the implementation plans for clusters for the year ahead, and part of that will look at the measures for which spending is better than for others and at shifting some money around so that it is put into the better-spending measures. I am confident that a lot of hard work is being done. As you know, the JCCs work hard to get their spend out. There is sometimes a concern that calls are closed and things like that, but that is not the case. If that is ever the case, it is only because there may be a backlog of applications that need to be dealt with. You want to get the letters of offer out, get the work started and get the money for the projects spent for the best value for the rural communities. So, we have a lot of work to do over the year ahead, but I think that the JCCs and the Department are up for it. I also think that, collectively, we can make sure that we get all the money spent for the best value for the rural community.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle, agus gabhaim buíochas leis an Aire fosta as ucht a freagra. I thank the Minister for her answer. What examples of eligible projects is her Department considering? By that, I mean projects that might be termed strategic for clusters.

**Mrs O'Neill:** As I said in my initial answer, when the local areas published their call for strategic projects, they also published criteria, and it is up to each to set its own criteria.

The most important thing to me is that the strategic projects that come forward are projects that can be delivered within the time frame. Therefore, a lot of them are probably projects that people had already been thinking about or had started to work up. I suppose that the beauty of the strategic call is that, given the nature of the LEADER approach, the strategic projects for the area will be designed to meet the strategic needs identified for it. The other beauty of it is that the funding has increased. Normally it is £250,000, but that has risen to £1 million. That allows projects to come forward that may not have been able to under the normal situation. We are working jointly with the JCCs. I think that, for five of the cluster groups, the closing date for applications is Friday, so we will be in a better position next week to know the types of project that will be coming forward.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Is it true that the Department has stopped clusters opening new calls?

**Mrs O'Neill:** As I said, it is not a case of closing people down or stopping any spend. The only reason that I would ever get involved is that I have a role as the managing authority. The Department is the managing authority, but the LEADER approach dictates that the local areas will set their own strategic vision for what they want to achieve, and rightly so. They will set the criteria and assess the applications.

The only reason that I would ever get involved and say that it is not a good idea to open more calls would be that there is a pile so high on a table that needs to be assessed. It is very important to me that we get the letters of offer out to groups as quickly as possible so that they can start work and we can get the money spent in good time. That is the only time that we would get involved with the JCCs. The implementation plans that have now been agreed for 2012-13 clearly show that there is no issue with any cluster not being able to open calls.

## Business: Rural Areas

6. **Mr P Maskey** asked the Minister of Agriculture and Rural Development to outline what her Department is doing to assist the small and medium-sized enterprise sector and the microbusiness sector in rural areas. (AQO 2274/11-15)

**Mrs O'Neill:** My Department offers a wide range of assistance to small and medium-sized enterprises (SMEs) and microbusiness sectors in rural areas. Under the processing and marketing grant (PMG) scheme, aid is available to SMEs involved in the processing of agrifood products. That financial support goes towards investments in capital infrastructure and the purchase of plant and equipment. The College of Agriculture, Food and Rural Enterprise (CAFRE) at its Loughry campus provides food technology services, including training programmes, to all food-processing companies in the North. They include company-specific support, such as new product development; technical problem solving; quality systems; and factory design. The Food Business Incubation Centre has eight rental units and provides start-up food manufacturing to support new and existing food-processing businesses. All units are currently full.

The supply chain development programme, through the rural development programme, is delivered on the ground by the Countryside Agri-Rural Partnership. It supports growers and

supply chain partners to work together to improve their supply chains. Rural enterprise advisers facilitate farm families to establish new businesses or to expand existing diversified businesses on their farm. The range of support includes diversification awareness events; recruiting and mentoring for CAFRE diversification challenge programmes; and an invitation to business cluster networking events. Rural enterprise advisers will also support farm families with initial meetings to discuss their diversification ideas and provide assistance in the pursuit of project funding. That can provide the link to the axis 3 funding available to farm diversification and microbusiness development projects. Applicants can apply for up to £50,000, which they match pound for pound.

Along with the Minister of Enterprise, Trade and Investment, I have recently established the Agri-Food Strategy Board. It will be led by the industry, but it is the board's job to develop a longer-term strategic vision for the sector and to make recommendations on how agrifood businesses can be supported to realise their full potential. I am sure that you can see that the Department offers a great deal of support to those sectors.

**Mr P Maskey:** Go raibh maith agat, a LeasCheann Comhairle. The agrifood sector is one of the good news stories of recent times. I was wondering, given the pressures that are on the sector, what measures the Department and the Minister can put in place to make sure that it remains sustainable and continues to grow.

**Mrs O'Neill:** I thank the Member for that question. Agrifood is doing really well, and it is important that we support the industry so that it continues to grow. Over the past number of years, through the economic decline, agrifood has continued to grow and continued to be very successful. The Agri-Food Strategy Board that I talked about will be the key strategy developer. That project is being taken forward by myself and the Minister of Enterprise, Trade and Investment.

In the Department, CAFRE management are reviewing and prioritising the existing programmes to make sure that they are in line with the industry needs. We are currently recruiting specialist food technologists to meet the increasing demands that we have.

I also remind Members that I have offered the strategic project opportunity in the context of weak economic growth. We talked earlier about the strategic projects that are coming forward, and it is important that we recognise that this is another opportunity for rural communities and for these businesses.

**Mr Frew:** What communication has the Minister had with her counterpart the Minister of the Environment on the serious issue of planning so that rural businesses are allowed to expand? That is a big issue in the rural communities.

**Mrs O'Neill:** I can confirm to the Member that I have had a meeting with the Environment Minister on that issue. The issue was raised at length in a debate in the Chamber, and other Members have raised it before. I have picked it up as an issue for the Environment Minister to consider and not just for rural businesses. There is range of issues, such as signage, that we need to address if we are going to allow our rural communities to flourish and be sustainable in the future.

**Mr A Maginness:** I thank the Minister for her previous answers. In relation to job creation in rural areas, has the Minister conducted any conversations with the Department of Enterprise, Trade and Investment on the development of anaerobic digesters in rural areas, which could create jobs and provide income for farmers in rural areas?

**Mrs O'Neill:** I will correct myself if I am wrong, but through the research challenge fund we have recently funded anaerobic digesters. One has been passed and is operational, and there are three more to come, which is positive. There are quite a few others in the planning system. I absolutely agree with you about the benefit, particularly to the farming community. It is another avenue of income for farmers to explore.

On job creation, I cannot remember the figure, but NIFDA published a report, and there are plans to create 25,000 jobs in the wider agrifood sector. That is very positive, and the strategy that we are developing is about looking at all the challenges to the agrifood sector and at how industry and government can work together so that we lead forward in the most strategic fashion and make sure that we maximise the potential benefit.

## EU Floods Directive

**Mr Mitchel McLaughlin:** Ceist uimhir a seacht le do thoil.

7. **Mr Mitchel McLaughlin** asked the Minister of Agriculture and Rural Development to outline what action she is taking to implement the EU floods directive on a North/South basis. (AQO 2275/11-15)

**Mrs O'Neill:** My Department is the competent authority for the implementation of the European floods directive, and, through the work of Rivers Agency, the preliminary flood risk assessment was completed in December 2011.

The agency is producing flood risk and flood hazard maps for significant risk areas that are on target for the December 2013 legislative deadline, and it is starting the drafting of flood risk management plans, which are required to be completed by 2015.

The role of competent authority for the implementation of the floods directive in the South is undertaken by the Office of Public Works. While carrying out the preliminary flood risk assessment, there was full co-operation and sharing of information between officials across the island. Although it has been identified that there are no significant flood risk areas, there are three river basin catchments that need to be managed on an all-island basis: the Shannon, the Foyle and the Erne and the Neagh/Bann systems.

Given that the vast majority of the Shannon catchment is in the South, the Office of Public Works is leading on the development of that flood risk management plan. For the other two catchments, co-operation is required to draft the flood risk management plans, and I met Minister Hayes TD on 15 June to discuss that specific issue. I am pleased to announce that we have agreed a joined-up approach that will ensure that the flood risk is managed on a whole-catchment basis and demonstrate close working across this island to the European Commission.

**Mr Mitchel McLaughlin:** I thank —

**Mr Deputy Speaker:** I remind the Member that he did not translate his question.

**3.00 pm**

**Mr Mitchel McLaughlin:** The Minister understood that it was question 7, but for those who did not, it was question 7.

I thank the Minister for her comprehensive reply. Will the Minister confirm to the Assembly that substantive savings will accrue from this joined-up approach? The cost of implementation is an issue that constantly interests the Assembly.

**Mr Deputy Speaker:** I ask you to be very brief, Minister.

**Mrs O'Neill:** OK. The approach that Minister Hayes and I have agreed will deliver cost savings to the Executive and right across the island. When it comes to procurement there are more areas that all Departments need to explore, and this is one small example. The actual amount that will be saved either by my Department or by the Office of Public Works will probably be modest, but there is so much more potential there, and we need to explore it.

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

## Committee Business

### Public Accounts Committee Reports and Memoranda of Reply

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to two hours for this debate. The proposer will have 15 minutes to propose the motion and 15 minutes to make a winding-up speech. All other Members who wish to speak will have seven minutes.

**Mr P Maskey (The Chairperson of the Public Accounts Committee):** I beg to move

*That this Assembly takes note of the following Public Accounts Committee reports: Report on Campsie Office Accommodation and Synergy e-Business Incubator (01/10/11R); The Management of Substitution Cover for Teachers: Follow-up Report (20/10/11R); The Administration and Management of the Disability Living Allowance Reconsideration and Appeals Process (25/10/11R); Report on Arrangements for Ensuring the Quality of Care in Homes for Older People (39/10/11R); Measuring the Performance of NI Water (37/10/11R); Procurement and Governance in NI Water (40/10/11R); Improving Adult Literacy and Numeracy (60/10/11R); Report on Managing Criminal Legal Aid (NIA 20/11-15); Report on Reducing Water Pollution from Agricultural Sources – The Farm Nutrient Management Scheme (NIA 21/11-15); Report on Creating Effective Partnerships between Government and the Voluntary and Community Sector (NIA 24/11-15); Report on the Use of Locum Doctors by Northern Ireland Hospitals (NIA 37/11-15); and the following Department of Finance and Personnel memoranda of reply: Report on Campsie Office Accommodation and Synergy e-Business Incubator; The Management of Substitution Cover for Teachers: Follow-up Report; The Administration and Management of the Disability Living Allowance Reconsideration and Appeals Process; Measuring the Performance of NI Water; Procurement and Governance in NI Water; Report on Arrangements for Ensuring the Quality of Care in Homes for Older People; Improving Adult Literacy and Numeracy; Report on Managing Criminal Legal Aid; Report on Reducing Water Pollution from Agricultural Sources – The Farm Nutrient Management Scheme; Report on Creating Effective Partnerships between Government and the Voluntary and Community Sector; Report on the Use of Locum Doctors by Northern Ireland Hospitals.*

Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Public Accounts Committee (PAC), I thank the Business Committee for allowing this take-note debate.

It is fitting to bring this body of work to the Assembly, as the Committee has been extremely busy since the previous such debate in 2010. I am proud to have held the post of Chairperson for the past four years and I am proud of the Committee's work during that time, so I am glad of the opportunity to speak for the Committee today for the last time.

I am grateful for the support of the members of the Committee, past and present, who have worked so hard together and

made our work meaningful and my job as Chairperson easier. The Committee staff have been second to none and have done a fabulous job, for which I thank them all.

If you will permit me to put a more personal slant on things, a LeasCheann Comhairle, I am proud to say that I was elected by the people of West Belfast. I do not need to stress to the Chamber the high level of socio-economic need in that area and the amount of work that has been done in the community to generate opportunities, jobs and investment, to develop skills and direction in the community, and to address trauma and poverty.

This has given me a particular sense of purpose as Chairperson of the Public Accounts Committee. The Minister of Finance and Personnel sometimes says that I preach about our work, but I have been sent here by our people, who have experience of not having a great deal of money or the luxury of deciding how to spend it. That has given me a very human perspective on how taxpayers' money should be spent responsibly. I have to speak the truth to enable their views to be heard and to deliver for them.

As you can see from the motion, the Committee has completed a wide variety of inquiries and reports in the past two years, ranging from the quality of care in homes for the elderly to the use of capital funds to prevent environmental impacts in agriculture. The members of the Committee and, I hope, other interested MLAs will focus on a selection of those reports.

Of course, we spent a considerable amount of time on performance, procurement and governance in NI Water, which I will come to shortly. In light of my earlier remarks, however, I will start with the inquiry into the effectiveness of partnerships between government and the community and voluntary sectors. In that inquiry, the Committee went out to the premises of NICVA in north Belfast, which is another area of social need and deprivation, to hear how government was using the community and voluntary sectors. I worked for many years in the community sector prior to my life in the Assembly, and I was concerned at what I heard from people in the sector about the impact of cuts on their organisations. It was already difficult to get sustainable core funding for the sector, and now, as I said at the evidence session, there is such uncertainty around funding that the sector is haemorrhaging good staff.

During the inquiry, we heard of instances where organisations have had to put staff on notice simply because public bodies were so slow in processing funding applications and releasing funds. In other cases, some staff worked without pay for a number of months while waiting on letters of offer to be signed and money to be released. It was evident to the Committee that there is an urgent need for a joined-up approach by public bodies and agencies, particularly in relation to funding. That will require new ways of thinking.

The Committee has recommended that all public sector bodies should move towards the adoption of long-term funding arrangements, stipulating that, where funding is dependent on the outcome of an evaluation, this must be planned for, completed and decisions communicated to the organisations three months before existing funding contracts run out. The Committee also commented that payments to sector organisations must be made in a timely

manner, whether they are for the provision of contracted services or in respect of grant or grant aid. We understand that prompt payment arrangements are currently different for grant than for commercial goods and services contracts with government, but we have asked for those to be brought, as far as possible, in line with one another.

The Committee welcomes the proposed arrangement to report annually on the working of the concordat, and sees that as an opportunity to drive forward change and improve accountability. It has earmarked the report as high priority for follow-up, and will return to it in a year from the memorandum of reply (MOR) to see how progress is being made on the Committee's recommendations.

The Committee's investigation of procurement and governance in NI Water resulted in a landmark report that exposed serious failings in procurement, inappropriate and ineffective governance arrangements, and a failure to observe the high standards that are expected of senior public servants. We found that, at all levels in NI Water, there was a deeply embedded culture of thought that it was acceptable to bypass proper procurement rules. Between 2005 and 2010, procurement failures totalled £46 million. Abuse of single-tender awards was widespread, a large number of contract extensions went unapproved, and official controls were circumvented. The rules are there to ensure that contracts are awarded fairly and that they provide value for money and minimise the potential risk of fraud and corruption. Failure to follow the basic procurement rules is inexcusable.

We also found that the governance arrangements that were established by the Department for Regional Development (DRD) for NI Water represented the worst of all possible worlds. The governance model was devised for a self-financing commercial company; it was inadequate for a body whose income derived mainly from public funds. Departmental oversight of NI Water was also deficient. For example, for a significant period, DRD had no right to access key audit information about NI Water. DRD approved the appointment of the NI Water chair as interim chief executive, in direct contravention of the fundamental principle requiring the separation of roles and responsibilities at the top of any organisation. Proper oversight by the Department is essential for a public body that delivers a service of fundamental importance to the people here.

In January 2010, DRD's permanent secretary and NI Water's chief executive commissioned an independent review team to investigate governance arrangements at NI Water in light of procurement problems that were identified in a number of audit reports. Following the review, four of the five NI Water non-executive directors were dismissed. At our evidence session in July 2010, some members raised their concerns about the actions of the permanent secretary and the chief executive and the independence of the review team. The Committee then received correspondence from a member of the review team that criticised what they said was the Committee's disgraceful line of questioning. It later emerged that the permanent secretary, Paul Priestly, had a role in drafting that letter. The conduct of Mr Priestly, in seeking to undermine the Committee, was utterly disgraceful. Mr Priestly was suspended from his position by the head of the Civil Service, and, following a disciplinary process, he was demoted and is currently on secondment to the private sector.



The actions of a number of senior officials in that case undoubtedly undermined confidence in the integrity of the public sector. In fact, it impacted on the relationship between the Committee and its witnesses; a relationship that I have always sought to develop through constructive engagement when problems arise. It is crucial that the Committee can count on having good faith and completeness from accounting officers, and it was of great concern that that standard had been compromised and breached. The Committee worked with the Finance Committee to ensure that systematic change could result from the case and improve the accountability arrangements between the Senior Civil Service and the Assembly. The Committee was not happy with the secrecy around the arrangements made for the official and sent a strong message that confidentiality agreements should not be made where the use of public money is concerned.

Transparency since the Freedom of Information Act is a reality that renders much of the old way obsolete, and that is good for public administration. I believe that we have brought issues of transparency and accountability into the light of day and made serious points about the expectations that the Committee must be able to rely on. The Committee has discussed with the head of the Civil Service his programme of accountability training for the Civil Service, and that is being rolled out. That is very welcome. I know that a strong public service ethic drives most people in the Civil Service, and I hope that cases that come to PAC are rare failures in a professional service. However, the pressure is on those at the top to lead by example and apply the highest standards in public life, and I hope that these tough conversations will give a solid basis for good work by government together with the PAC in the difficult economic times ahead. I look forward to the rest of the debate.

**Mr Girvan:** You would probably need a lot more than seven minutes to go over the issues that we have had to discuss. Some of the reports that we have received are on sensitive issues, such as the one on locum doctors. How that has been managed and dealt with has created a problem. The appointment of internal locums is one point, but external locums are also brought in by private contract. The report alluded to that and identified that the locum approach did not necessarily give patients the best cover and care. It also identified that the costs associated with doing it far exceeded its benefits.

We felt that the locums who were appointed had no buy-in to keep continuity in the care that the patients were receiving. They could be in one hospital today and in another tomorrow. Therefore, some continuity was lost, and the care that patients received could be compromised because of that. The report also identified that some doctors who were working in a hospital could be brought back to act as a locum during another time when somebody else was off. Therefore, they could be creating a problem for themselves because they worked to what is called a European working time directive, which was to ensure that they did not exceed their hours of work. However, there was no mechanism to measure that, and it was up to the doctors to police it. Some — we are not saying all of them — probably far exceeded their working time directive, and they could have been working in one hospital on a shift and then moving to another hospital to do locum work. We identified a number of problems because of that.

The spend for the four years up to March 2011 was £74 million for the external and £35 million for the internal. It was extremely difficult to get a breakdown of that because trusts did not necessarily have the full information on where those costs came from, and it was not easy to extract some of that information. That was a way forward.

One of the recommendations was the introduction of a regional management and medical locum service. That has been taken on board, although there is a bit of a delay in its delivery. We believe that that should have been working internally, as trusts built up their own pool of locum doctors who could work and be called upon.

### 3.15 pm

Registration was another key issue that caused major concern. We have all heard the horror stories about doctors coming in to work as locums who have been struck off or who have had malpractice cases go against them. That has created problems, not necessarily in Northern Ireland but in other areas. There were risks to patient safety from improper registration and details being held, and that had to be tightened up.

The PAC dealt with so many reports on which we could go into detail. We did a report on the farm nutrient management scheme, which seemed to be a way of driving public money. Under that scheme, someone estimated the value of a piece of land at £200 million and built a business case on why the slurry storage systems could be built to that value to spend that money. It was identified that that valuation was, more or less, done on the back of an envelope.

Comments were made to the Committee that showed that people were playing fast and loose with public money, and it is very dangerous that that happened. A number of reports are still to be totally signed off. The report on creating effective partnerships between government and the voluntary and community sector identified many good areas that are delivering for communities but which do not necessarily link up with the funding. All of the reports were very welcome. Some other reports will probably come forward, and it is necessary to have a further debate on a number of these issues or table a take-note debate. There is the Excess Vote, benefits take-up by pensioners, and one that was really very interesting on the use of consultants. We did a report on reducing criminal legal aid, and all I will say is that some of the legal aid claims that went in were criminal. It seemed horrendous that you could decide whether a case was big and whether or not it would be a serious case to determine the level of legal aid required.

All in all, the reports that were conducted in the PAC produced a good body of work. I congratulate the staff on their work, and the evidence sessions definitely brought out some very glaring irregularities and areas that need to be closed up. The Committee made recommendations, not all of which were taken on board by the groups and the bodies that we were working with. The majority of the recommendations were accepted and will have some merit in the future.

**Mr Copeland:** The price of a bottle of bleach is, give or take, £1. I will come back to the significance of that statement later. At some stage, everyone in this Chamber will have had some experience of handling other people's money, whether as the treasurer of a Masonic, Orange or Hibernian lodge, a



church group or a community group. You know the situation as you approach the annual general meeting. You have had your accounts audited, and you stand up and present them. You think that you are getting away with it when someone at the back puts their hand up, leading to an interminable discussion, generally around a very small amount of money.

Imagine my surprise, coming from a business background into this new world, where some money is real and other money is not. In a community group or a small organisation, money, generally small amounts, that is owed or unaccounted for properly is pursued to the utmost of the law. At the other end, tens of millions of pounds seems to be spent irregularly and in questionable circumstances.

I learned phrases that I had never heard before. “Flipping” appears to be where you buy something with money that you have not got on behalf of someone else and sell it on on the same day — a wonderful procedure. There was the lawful procurement, if that is the right word, of a system of computers for £971,000, which, subsequently, totalled £10.5 million. Then there is the daddy, forgive me, of them all, which was an evidence session regarding a scheme that has been alluded to. It began, strangely enough, with the description of a clerical error — a clerical error that was subsequently held not to have been committed by a clerk, which was strange; it involved a four, a five and seven zeros and a plus sign instead of a minus and gave rise, I believe, to a variance in the budget of £90 million. The explanation for that did not take that long and, to be honest, I was not very much wiser after I heard it than I was before it started.

If I remember correctly, and I do not want to be unfair to anyone, we then went on to a description of a scheme that solved a problem that nobody was really sure existed, and expended somewhere between £100 million and £200 million of money that was not available before they realised that they had not got it. That gave rise to a necessity to acquire money. As Mr Girvan said, a valuation was acquired on the basis of a telephone call, I understand, from a Department to Land and Property Services asking the value of building land in the centre of Belfast. The answer was £2.5 million with planning approval. Based on that, a valuation was placed on a piece of land of around 86 acres in the amount of £200 million, which was, subsequently and mysteriously, inculcated into the budget and the transaction took place. Shortly afterwards, it was discovered that it was not, unfortunately, £200 million; it was closer to £2 million — a substantial difference.

There is a requirement incumbent on all of us on this Committee, and I pay tribute to the Committee Chair, who has had a lot to put up with, to be quite frank, and has discharged the duties in a fair, just and appropriate way. He has remained attentive and, on occasions, interested and kept us on the straight and narrow.

The issue that I have is that, in certain quarters, there appears to be a reluctance to be straight with us as we attempt to be straight with those who we bring before us. They appear almost to resent the questions that we put to them, and skilfully give us answers that do not answer the questions that we are asking. That tends to lead to a degree of inquisitiveness on behalf of the members, which I fully understand, endorse and support.

The reason why I quoted the price of a bottle of bleach was that I have knowledge of a small community group that, following the flooding some years ago, purchased an amount of bleach. That amount of bleach was more than the community group would normally have been expected to use, and there was an investigation into the amount of bleach.

It strikes me that there are two different types of pound — well, there are three. There is the pound that may be misspent or incorrectly accounted for by a small community group or a private citizen who, perhaps, has an overpayment of housing benefit; there is the pound that exists in this place; and there is the pound that is used here but does not really seem to exist. The importance of each of those is treated differently. The responsibility that we have here, and which we exercise through the Public Accounts Committee, is quite simple: it is to ensure that the public money we handle is properly, lawfully and justly apportioned. It is the public who pay for this by their taxes and contributions, many of them struggling and being told that they must take their share of the pain in solving a problem that they did not create.

Last night, I saw the chief executive of a nationally owned bank explain that there was really nothing to worry about, that his bank had very broad shoulders and could stand any loss. I am not surprised: he just comes to the Government to get money when he needs it.

There are some in the higher echelons of non-elected government who look somewhat fondly at the days of direct rule when they were, to coin a phrase, kings. I think that they are possessed of the notion that, in discharging its duty towards the Assembly, the Public Accounts Committee sticks its nose where it does not belong. However, I have to tell them that direct rule has gone, and those who subscribe to its continuance or linger for its pleasant memories will, like that system of government, be consigned to history. I learned two things in business about the first principles: follow and control the money, and control the stock. Exactly the same thing applies in here. If Departments are guilty of spending money inappropriately, they must be treated in exactly the same way, no matter the vastness of the amount. That is not done in an attempt to harass, annoy or find people out, but quite simply to ensure that we discharge our duty in handling the money that we hold on behalf of the people who send us here. We should not and will not be distracted from that —

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

**Mr Copeland:** — in any way.

**Mr Dallat:** At the outset, I pay tribute to the Committee Chairperson, Mr Paul Priestly, who is leaving us — *[Laughter.]* Paul Maskey certainly deserves a total and absolute apology for that mistake. Paul, I am so sorry.

Before Paul, we had Mr Billy Bell — I got his name right. Both Chairpersons have been outstanding. *[Interruption.]* Both have been —

**Mr Deputy Speaker:** Order.

**Mr Dallat:** — very much above party politics. That is the strength of the Public Accounts Committee.

I want to mention two reports briefly. The first is the inquiry into NI Water, which has already been referred to twice. The second is the inquiry into literacy and numeracy. Although the person whom I have just mentioned, Mr Priestly, drafted the letter, it was sent by Mr Peter Dixon, the chairperson of the independent review team and one of the highest-earning people today, who suffered no penalty as a result of that disgraceful act. There can be no doubt that a number of senior officials have undermined the confidence and integrity of the public sector. That said, it is equally important to emphasise that the majority of officials, at all levels in public bodies, are good and honourable people. The Public Accounts Committee, despite criticism, has sought to give credit where credit is due. I hope that that is noted by all.

As a result of the Public Accounts Committee inquiry, we know that the board of NI Water was badly let down by senior executives. Managed information was poor, and the internal audit of procurement was and continues to be deficient. The PAC report clearly laid down the ground rules for ensuring that the mistakes, inefficiencies and downright irresponsibility of the past should never be repeated. The report could not, however, clear up many of the outstanding issues. That is another avenue that I hope is pursued to its very end, because four non-executive directors were shamefully dismissed on the back of a so-called independent review headed up by Mr Dixon.

Several years ago, one of the first investigations with which I was involved while serving on the Public Accounts Committee was into literacy and numeracy. The issue affected 24% of the population. I will put that in human terms: 250,000 adults. It is not fully appreciated that a further 30% — 313,000 people — were considered able to deal only with the most simple material. Between 2001 and 2011, the Department for Employment and Learning spent some £70 million on essential skills qualifications. I am happy to acknowledge that that reduces the overall level of illiteracy and innumeracy. Some 51,000 people gained an essential skills qualification. However, it should be noted that those with particularly poor skills have not yet been engaged. We have not been able to get in touch with them. Clearly, a great deal of work is still to be done if there is to be a material overall improvement in the foreseeable future.

The Committee considers that there is a fundamental need for a major cultural change in Northern Ireland, whereby education becomes much more highly valued throughout the population. The Committee believes that tackling the adult literacy and numeracy problem is not only about improving education but about tackling much wider social issues that impact on our economic, health and justice systems.

### 3.30 pm

I believe that many of the problems that have beset this part of the world over the past 40 years could have been prevented if we had acknowledged that our education system is not the best in the world and that it fails so many young people. Many of them leave school without the ability to read, write or understand the basic instructions that would allow them to be employed. If many of those young people had been caught in the safety net, they would not have ended up in the grip of criminal groups. Such involvement resulted in many of them spending the best part of their life in jail, where the current literacy and numeracy

problems affect up to 80% of the prison population. Surely, that is a damning indictment on all of us.

I acknowledge the work of all my colleagues on the Public Accounts Committee and the staff who have, at all times, put their work on the Committee before party political considerations. It is important that the PAC continues to get the full support of the Assembly. Anyone who intentionally or unintentionally undermines it is doing themselves no favours and is certainly not acting in the best interests of the public, who, as a result of the PAC, have more accountability and a better standard of service. Surely, in these times of austerity, there have to be particularly important rules, because we all accept that our public services are under increasing strain and that any waste is not acceptable.

Finally, I pay tribute to the Audit Office, and I want to defend it. Any attacks on the Audit Office are not doing anybody any favours whatsoever. My experience, as I said, as the longest-serving member of the Committee, is that the Audit Office is entirely independent. The Members who have served on the Public Accounts Committee, many of whom I have served with, have always been above party politics. The Audit Office is independent, and I sincerely hope that there is no attempt to take away the independence of that institution, which has done Northern Ireland proud in the worst of times and will, hopefully, in the future, in the best of times.

**Mr Easton:** The Public Accounts Committee has done a wide and varied range of reports. Two that have stood out for me are the reports on the farm nutrient management scheme and on the safeguarding of Northern Ireland's listed buildings.

The agriculture industry in Northern Ireland is a significant industry, and it provides many people with employment. It has long been noted that agriculture can have a negative impact on the environment, if not managed properly. In fact, it has been seen that the agriculture industry has been a principal contributor to a number of serious water quality problems. In 1991, the nitrates directive was introduced by the European Commission. In order to comply, the Department of Agriculture and Rural Development (DARD) implemented the farm nutrient management scheme (FNMS). The scheme provided grant support for farmers to build additional storage that would be required under the directive, and when, in 2007, the budget was increased to £144 million, it became one of the largest grant schemes run by DARD.

The scheme has had a number of shortfalls, which are highlighted in the report. In my view, the most serious was the gross overvaluation of the Crossnacreevy site. The initial valuation of £200 million was the basis for securing an additional £89 million of capital funding from the Department of Finance and Personnel (DFP). In fact, a subsequent survey set the value at between £2.28 million and £5.87 million, with additional costs associated with the sale. The financial benefits of selling the site were nowhere near the original estimate. It seems that the estimate was written on the back of some toilet paper and every time the individual went to the toilet, the costs were flushed down. The handling of the proposed sale was flawed from beginning to end, with little cross-departmental interaction sought from the relevant personnel in DARD.

The second major concern highlighted by the report was that such a large amount of money had been spent — the total given in the report was £121 million — without any evidence of the extent to which it had contributed to improving water quality in Northern Ireland. Worryingly, there is also a high potential that a substantial proportion of farms could be found to be in breach of the nitrates action programme. Obviously, that casts a great deal of doubt over the entire scheme's effectiveness. In 2010, the breach levels were detected at 21%, which is one in five of the farms that were inspected. Sixty-eight of those breaches were discovered on farms that had received grants under the FNMS. That highlights a real need to be more proactive in tackling non-compliance.

The report highlights a catalogue of failings by DARD, not only in the implementation of the scheme, which was funded by the taxpayer, but in the openness and transparency of some officials called to the Committee to give evidence. The reluctance by some has meant that evaluating and assessing the scheme has taken longer than necessary, again costing the taxpayer more money than necessary. The lack of SMART — specific, measurable, achievable, realistic and timebound — targets and outcome measures has meant that it has been unable to give an accurate picture of the capacity of slurry storage in Northern Ireland before the scheme, the increase as a result of the scheme and the potential for under-capacity. The report highlights a number of important lessons that should be learned by all involved in the scheme.

On the second report, it is important to ensure that we have the wisdom to acknowledge that the gifts we have from our past can strengthen our future. In 'Safeguarding Northern Ireland's Listed Buildings', it has been acknowledged that although there was an effort in 2007 to undertake the complex task of completing a survey to identify buildings that would be suitable for listing by the Northern Ireland Environment Agency (NIEA), and although there were a number of difficulties in identifying the practical aspect of conducting such a survey, there were still a number of failings identified around the methods initially used, which meant that the project was not identified as being one that gives value for money.

One of the main findings, which identified a waste of scarce resources, was that approximately 60% of buildings surveyed in 2010 were identified as being unsuitable for listing. Although it was anticipated that a number of buildings would fall into that category for a plethora of reasons, the high rate of buildings being consigned to that category was wasteful to a cost of approximately £1.1 million. It is also a concern that NIEA did not act quickly enough to address that issue.

Grant schemes should have performance indicators built into them to ensure that they are delivering on their objectives. There was no objective measuring tool included in the development of the historic buildings grant scheme, which makes it difficult to assess how effective the scheme actually was. Although the pattern shows that the expenditure over the past five years has been directed to the most important and rare buildings, that has happened more by accident than real design. It had the potential therefore to go the other way, and it does not appear that there was any control in place to prevent that from happening.

A targeting mechanism was drawn up in 2009, but the report identified that that was not used, as applications to the grant scheme were not oversubscribed. Added to that, there is a target for the removal of 200 properties from the built heritage at-risk register by 2016, and there is still not a prioritised list of what NIEA wants removed, nor is there any mechanism identified to direct grant aid to the most urgent or important cases.

Those are just a small number of the criticisms that were contained in the report, and as Members can see, there are a lot of areas of concern around ensuring that money is not wasted and that we maintain these historic buildings in a way that future generations can continue to enjoy them.

Some of the main recommendations that were contained in the report include improved arrangements built into the current contract for targeting survey work; a formal weighting and scoring mechanism for assessing grant applications; and that NIEA undertakes a review to clearly establish the full range of management and costing information. If the NIEA accepts and implements those and the other recommendations contained in the report, we can be sure that many generations in the future will be able to continue to enjoy our valuable heritage. It will also mean that the government bodies will be held accountable for their responsibilities to the buildings that they own and operate from. Through this more collaborative working, we will ensure that our historic buildings will continue to survive into the future.

To conclude, I thank the Public Accounts Committee staff, who have been invaluable in helping us with not just these two reports, but many others. I do not know how they are able to do it all but they have done a fantastic job. I also praise the Chair.

**Mr Mitchel McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. It has to be recognised that retrospectively going over spending programmes and poring over Audit Office reports, particularly where they flag up problems, invites a certain dynamic, which can be quite negative and defensive at times. I have to say that that has been very much the exception during my time on the PAC. Very often, even very critical reports were accepted for what they were: a rigorous and forensic examination of the information to try to establish the circumstances in which anomalies or mistakes were made and, in the interests of ensuring full accountability and achieving best value for public money, to make recommendations that would address and resolve the issues. Time after time, we found that Ministers, Departments and accounting officers in fact recognised the positive value of that interaction.

Over the past number of years and, indeed, across the mandates since the re-establishment of the Assembly, the Committee has had to deal with a significant backlog of work. The reports listed in the motion follow on from a similar debate that we had in the previous session, and they show the volume of work across all Departments and spending areas. I think that the reports very often demonstrate the human quality of government in respect of the prevailing mood. At times, the delivery of projects — although they may have had a certain political or economic imperative — resulted in safeguards that were carefully developed over a period being set aside. Although that is inexcusable, I think that it is necessary to recognise that

there are different prevailing pressures on officers to deliver, which can result in people taking shortcuts.

We heard other Committee members give examples, some of which had much more serious implications than others. We as a society are in transition, as is the system and the permanent Government. For some, it has been a difficult process. Government should be publicly accountable, but I believe that the direct rule system very often invited bad practice, because we were dealing with Ministers who were here, perhaps, for 48 hours in any given working week, covering two or three portfolios. Quite clearly, there was a huge reliance on the Senior Civil Service cohort and the middle management structure. In some instances, we have found that that has been less than what people might necessarily and ordinarily expect. It is quite remarkable that they survived that experience, and I think that most of them have developed good working relationships during the transition.

We could be excused in some circumstances for being cynical about the type of answers and responses we get. However, I think that the Public Accounts Committee, in its membership and leadership from the Chair — I, too, pay tribute to Paul, who is the second Chair of the Public Accounts Committee whom I have had the privilege of working with — gels on these issues, and party political interests are set aside to come up with the best resolution or response to the circumstances that are very often based on Audit Office reports in which the factual content is not in dispute; it has been accepted. It is then a question of drilling down to find out the how and why, and to come up with responses that will help to avoid mistakes in the future. It is that kind of productive dynamic that I draw on. It is on that basis that I can say that, of all the Committees on which I have sat from 1998, the Public Accounts Committee is the best. The exercise of auditing efficiencies, money and wastage, and of addressing all those issues actually amounts to quite a remarkable contribution to the better management of public money.

### 3.45 pm

The specific report that I would like to address is that on teacher substitution, and I declare an interest in education. The Westminster Public Accounts Committee drew attention to this issue some considerable time ago, in 2002. In 2010, there was a follow-up report, based on an Audit Office report that investigated the issues of managing teachers' sickness leave, the substitute cover in those circumstances and prematurely retiring teachers who were sometimes brought back into service fairly quickly. That did not give the best outcome in value for money, or give newly trained teachers opportunities for acquiring the necessary experience and expertise on coming out of teacher training. In many circumstances, a revolving door was created, and the system was feeding on itself. The problem had worsened between the publication dates of the two reports. We were obliged to draw attention to that and do something about it. The fact that the report focused on it resulted in a short-term efficiency that reduced the cost of teacher substitution, but the problem is a long way from being solved, and we must return to that subject yet again.

**Mr Anderson:** It is some time since we had a debate on a motion such as this. If I am correct, the last such debate was in November 2010, under the previous mandate. I am,

therefore, glad that we have an opportunity to consider the wide range of reports on a wide range of subjects, as outlined in the motion, all of which reflect the hard work of the Committee.

All the Assembly Committees have important scrutiny roles, but the Public Accounts Committee has a particularly important one. Its remit is wide and can touch upon almost any area of government and administration. It is our task to do all we can to ensure that limited resources are deployed in the most efficient and cost-effective manner possible. The motion is a reminder that, under devolution, levels of scrutiny are very much higher than those under direct rule, and that can only be good.

I also wish to record my thanks to the Comptroller and Auditor General and his staff, who have an excellent working relationship with the PAC, and thanks to the Committee Clerk and her staff for all their good work. As a member of the PAC, I have taken an interest in all the reports and the discussions around them. However, I want to focus my remarks on the 'Report on Managing Criminal Legal Aid', which was completed on 26 October 2011. I have also been involved in that particular area as a member of the Justice Committee, and it is an issue that I feel strongly about. It is also worth pointing out that it was the first time that the Public Accounts Committee looked into the justice issue since the devolution of policing and justice powers to the Assembly in April 2010.

At the outset, let me say that legal aid plays a crucial part in making sure that everyone has fair, equal and open access to justice. It is only right and proper that such an arrangement exists, but, for one reason or another, the cost of legal aid in Northern Ireland has been allowed to go through the roof to such an extent that the whole thing has become scandalous. Over the past decade or so, spending on criminal legal aid has been spiralling out of control, costing the taxpayer over £400 million since 2001, with no comparable increase in the number of cases. It is one of the most expensive systems in the world, and that is certainly not a record that we should be proud of. It is important just to remind ourselves that legal aid is public money. Vast sums of taxpayers' money were thrown at the private sector, to barristers and others in the legal profession who were, to put it mildly, doing very well indeed.

In May last year, it became clear that a group of 200 barrister and solicitors' firms received — I did not say "earned" — almost £70 million in legal aid in the financial year 2010-11. The identity of some of those very rich people was made public a few months ago. In one case that I raised in Committee, a barrister had claimed £832,255, and when that was assessed by the taxing master, it was reduced by over half to £411,250. I accept that that may have been an extreme case, but it illustrates the point. When we probed officials on the matter in some depth, we got some helpful answers, but we did not always get absolute clarity as to precisely why costs had soared in the way that they had.

As the Committee gathered evidence, we were very taken aback by some of what we learned. We were shocked to hear of some of the practices over the past 10 years. For example, almost £23 million had been spent on complex cases, known as very high cost cases, which never actually went to trial or lasted more than 25 days in court. An extra



£10.5 million was paid to lawyers who appealed their fees for Crown Court cases. It is significant that defendants in Northern Ireland are represented by two barristers in over half of cases, whereas in England and Wales, it is just 5%. That obviously has financial implications. We recommended that new procedures be introduced and that all cases be subject to much stricter scrutiny than in the past. As a result, I am glad to say that tangible savings have now been achieved.

The Committee also heard that the Northern Ireland Legal Services Commission has overspent its budget every year since it was set up in 2003, requiring almost £150 million in additional funding. Such poor financial management cannot be allowed to continue. The Committee expects the Department to work with the commission to improve forecasting and bring spending within budget. That is a priority. Perhaps most disconcerting was the fact that the commission was unable to prove that legal aid has not been claimed fraudulently, either by applicants or practitioners. As a direct result, its accounts have been qualified every year since its establishment. To make matters worse, it had no cohesive counter-fraud strategy in place. The Committee has told the commission to identify the risks of fraud in legal aid and to establish proactive counter-fraud arrangements to manage them. That work has begun, and the Committee will continue to monitor its progress.

The Committee received an assurance that the criminal legal aid reforms, which were due to be completed by 2007 — five years ago — will now be implemented fully by June next year. Members will certainly agree with me that further delays are simply not acceptable, and I can assure the House that the Committee will be keeping a close eye on that progress.

There are other key areas of concern, and the Committee has reached a number of important conclusions that I will now share with the House. What is clear above all is that no one emerged with any credit from the review. The Department and its direct rule predecessors created an inherently flawed and complex system that was not fit for purpose. The Court Service introduced a series of defective remuneration schemes. The commission did not administer the system successfully, and the legal aid profession exploited loopholes in the system and, by the accounting officer's admission, and as has been referred to by my colleague, played "fast and loose" with public money.

Overall, our message is simply this: public confidence in the system must be restored. Significant improvements have to be made to the arrangements for delivering criminal legal aid, and spending must be brought under control. Although access to justice is paramount in a fair society, the Committee made it clear that that cannot come at any cost.

Finally, I should mention that the Committee for Justice has also been progressing the issue since we cross-referred our report for further scrutiny. That is to be welcomed, and it is an example of how two Assembly Committees can work in a joined-up manner for the greater good of the taxpayer.

**Mr Hussey:** I am also pleased to contribute to the debate on the work of the Public Accounts Committee. I begin by paying tribute to the staff who work with the Committee and to our Chairman, Mr Paul Maskey, who will be leaving the blue Benches of this House, possibly for the green Benches of somewhere else, in the not-too-distant future.

I will focus on an issue that sits closely with my role as a member of an Assembly Committee and as a member of the Policing Board: the criminal legal aid system, to which Mr Anderson referred. Following the publication of the Comptroller and Auditor General's report on 29 June 2011, the Committee, in its first inquiry since the devolution of policing and justice powers, took evidence from officials from the Department of Justice, the Legal Services Commission and the Northern Ireland Courts and Tribunals Service.

Criminal legal aid plays a vital role in ensuring that there is fair and equal access to justice. It pays for legal advice and representation for those who could not otherwise afford a solicitor or barrister. However, providing criminal legal aid in Northern Ireland comes at a significant price. Mr Anderson referred to the fact that it cost the taxpayer over £400 million. Unlike most other public services, criminal legal aid is a demand-led service, and the budget is not cash limited. It is delivered exclusively by the private sector, making it all the more important that it is managed and controlled properly. Until recently, expenditure was rising every year, with costs trebling over the past decade, with no comparable increase in the number of cases.

The Northern Ireland Legal Services Commission was set up in 2003 to control expenditure and implement a programme of reform by the autumn of 2007 that would lead to tangible cost savings. However, it has delivered neither of those objectives. The reform programme remains significantly behind schedule and those reforms that relate specifically to criminal legal aid will not be implemented fully until 2013 at the earliest, as Mr Anderson pointed out.

The current system for providing criminal legal aid in Northern Ireland is one of the most expensive in the world. That is something that we should be ashamed rather than proud of. The Department accepts that the current system is complex and not fit for purpose. Although the judiciary decides who receives criminal legal aid and the Northern Ireland Courts and Tribunals Service determines policy, the commission has been left to pick up the bill. As a result, no one is wholly accountable for the large sums of public money spent on criminal legal aid. The Department has acknowledged that the current system is fundamentally flawed and not fit for purpose.

The Committee is highly critical of the very high cost case regime that existed between 2005 and April 2011. Fees for these cases were paid at a significantly higher rate than for standard cases, and were decided only when the case was concluded. However, the rate of payment was not the only cause of concern with very high cost cases. In Northern Ireland, the qualifying threshold was a trial that lasted 25 days, but in England and Wales, it was 40 days. The Department conceded that 25 days was too low a threshold as it resulted in three times more very high cost cases coming through the system than expected. Also, even if a very high cost case did not eventually go to a trial that lasted for more than 25 days, legal practitioners were still paid at the higher rates.

Another important inquiry that the Committee completed looked at the use of locum doctors in Northern Ireland's hospitals. Mr Girvan raised this issue, but I feel it must be commented on again. As a Member who represents the people of West Tyrone, this inquiry was particularly relevant since the area is serviced by the Western Health and Social



Care Trust, which has a significant reliance on the use of locum doctors.

As well as the potential negative impact on patient care and satisfaction, there is a significant cost to the public purse. The demand for locum doctors has risen in recent years due to workforce issues such as increased difficulty in filling vacancies and the impact of European legislation governing working hours. In the four-year period to March 2011, almost 8% of trusts' overall medical staffing expenditure related to locums. Payments to external recruitment agencies for locums totalled £74 million, while payments to substantive staff working over and above their contracted hours totalled over £35 million.

The Committee considers that trusts need to get better at managing the potential risks to patient safety of using locum doctors. They need to be more consistent in how they screen and induct locums and in the way that they manage their performance. In the Committee's view, one failure to rigorously follow procedures is one too many. In particular, the Committee was very concerned that compliance with the controls for sharing information about poorly performing doctors between trusts has not been sufficient to allow a hospital intending to engage a locum to make an informed decision as to whether it is appropriate to employ that doctor. For a planned, flexible workforce strategy to be successful, trusts need to improve their understanding of the use of locum doctors through greater use of data and better demand forecasting.

I look forward to the introduction of the regionally managed medical locum service, which should provide a more co-ordinated and consistent approach to the management of the locum appointment process.

**Mr McQuillan:** I am pleased to contribute to this debate on the work of the Public Accounts Committee. I wish to refer to the Committee's examination of the reconsideration and appeals process for disability living allowance. Many members will be familiar with the difficulties and complexities of that benefit. The application process itself is a challenge, with an application form some 38 pages long, especially for those who are already vulnerable and suffering from disability. These difficulties are exacerbated further by the appeals process that applicants must go through if their claim process has been unsuccessful. That process can be gruelling for anyone, never mind the most vulnerable in our society.

Having heard from DSD and the appeals service, the Committee decided to hold an additional evidence session during that inquiry to take evidence from the president of the appeals tribunal. This seemed crucial and, indeed, essential for the Committee to properly assess the accountability of the process as it also involves a judicial element. The Committee's examination of the DLA reconsideration and appeals process highlighted that it was taking an excessively long time for appeals to be heard and concluded. No target was set for the end-to-end process so, of course, one of the Committee's key recommendations was that such targets should be put in place.

#### 4.00 pm

We were encouraged to note that, following the Northern Ireland Audit Office report, the average time taken from an appeal being received in the Social Security Agency (SSA) to the issue of the tribunal's decision had fallen from 31 weeks

to 22 weeks. Although that is a definite improvement, there is still room for further progress with that time frame.

It was clear from our investigation that the Social Security Agency, the appeals service and appeal tribunals needed to co-operate much more effectively, by adopting a more constructive and efficient approach and working more closely in partnership. Co-operation with the customer is a vital and fundamental issue that also needs to be addressed.

Although the Committee agreed that the independence and integrity of the appeal process should be maintained, it also found that improvements in administration and communication between the bodies was required to ensure that the service is as efficient and effective as possible and that appellants are not subjected to any more stress than is necessary. As Members will know, this is a customer-facing service, and yet our experience demonstrates that, quite often, consideration for the customer seemed to be severely lacking in the whole process. Issues such as holding appeals in appropriate places that are not intimidating or daunting to the customer: courthouses have been used as venues for appeal hearings, which, in my opinion, are not suitable venues. Their use only adds undue stress to the customer. They are appealing and should be made to feel comfortable in their surroundings. Indeed, I have had constituents wanting to withdraw their appeals because they felt overwhelmed by the thought of their appeal being heard in a courthouse. This is a service in which the welfare of the customer is paramount, and yet their consideration and needs have not always been at the forefront.

The Committee's recommendations covered a number of important issues, including improvements to the disability living allowance application process, the timely production of the president of appeal tribunals' annual report and agreement on the attendance of agency staff at tribunals. The Committee also recommended that the process should be improved by obtaining feedback from appellants on the appeals process, ensuring consistency of decision-making on appeals and reviewing the reasons for the postponement and adjournment of hearings.

The investigation concluded that contentious issues such as the attendance of SSA staff at tribunals, the notification of appeals and the setting of an end-to-end target for the appeals process had to be resolved. For too long, those issues have deflected the bodies concerned from focusing on the needs of appellants and the delivery of an efficient and effective appeal service. Those are important themes that the Committee will continue to pursue in its future work. I will also continue to gather feedback from my constituents in order to monitor the process.

For me as a constituency representative, the inquiry was incredibly significant. I spend much of my time engaged with the service on behalf of my constituents, whether to speak on their behalf, to facilitate their appointments or to help them arrange the supporting evidence and records they need to provide. As a result of the inquiry, I feel that I and the Committee have achieved real improvements that will have a positive bearing on the lives of local people, as well as achieving greater efficiency in the provision of an important public service.

This is, of course, only one aspect of the important work that the Committee has been occupied with over the past

year. However, I wanted to focus on the issue today as I frequently deal with it in my constituency, as I am sure many other Members do also.

I want to express my thanks to the Chairman for the way in which he has chaired the meetings. I want to especially thank the Clerk and her staff for their help and support to me, and their dedication to the Committee as a whole over the working year. I also add my thanks to the Northern Ireland Audit Office for its help in the Committee process during the year.

**Mr Deputy Speaker:** I call Lord Morrow. Sorry, I call Jim Allister.

**Mr Allister:** I do not know whether I can fill those shoes. I doubt it very much, but I will make my contribution nonetheless.

I greatly welcome the debate. My only regret is that, within the short space of the debate, we have to debate so many reports. I say to the Committee that, in the main, these are excellent reports, and it would, to me not as a member of that Committee, have been far more beneficial if each one of them, or two or three of them, were brought to the House for debate so that they could get the examination they deserve, rather than bringing an omnibus collection of them for a debate such as this. Indeed, when I look back over the past year and think of some of the issues that we debated, many of them were a lot less deserving than many of the matters that lie at the heart of the reports. Therefore, in future, it would be much better if we had fewer Committee reports brought for debate more often.

Given the time that I have to speak, I have to choose which report I will speak to. I was probably most intrigued by the report that dealt with the farm nutrient management scheme. That is not least because, as an MEP I was close to and familiar with the issue. I well remember and was involved in all the arguments about what was causing the eutrophication in Northern Ireland's waters. It was always clear to me that the issue was not one of nitrates but of phosphates. Yet we went head over heels into extravagant requirements under the nitrates directive, putting huge burdens on the farming community.

I was not all surprised to read in the report — having experienced from many constituents how the farm nutrient scheme was handled — that the Committee reached the view:

*“that, in a number of key aspects, the ... Scheme was poorly planned and badly managed.”*

It also had a “piecemeal approach”, and:

*“The quality of the Department's Economic Appraisal ... was far below the standard required”.*

That certainly equates with any experience that I ever had of the report.

I suppose, though, that the most intriguing part of the report is when it deals with the magical mathematics by which funding for the scheme was obtained, under the guise of the Crossnacreevy lands in Castlereagh. We had this wheeze whereby, to draw down another £85 million, we had on paper a fictional notion that there was a £200 million valuation on the Crossnacreevy lands.

I find many things about that interesting, one of which is that the Minister of Finance at the time, who — with the

then Agriculture Minister — took that proposition to the Executive, was not someone ignorant of the value of land in Castlereagh. He was not somebody who represented Strabane or Fermanagh who might not have been tuned into the nuance of value in Castlereagh. He was Mr Castlereagh himself: Mr Peter Robinson, who knew the value, if I may say so, of every blade of grass in Castlereagh; so much so that he knew that a blade of grass at one end of the constituency could be worth £5. Indeed, he purchased land for £5. The fact that that assisted him to sell his back garden for £460,000 is, we are told, neither here nor there.

This Minister knew, with great precision, the value of land in Castlereagh. Yet, remarkably, while land in one part of the constituency was worth a fiver, land in another part was worth £200 million. With a straight face, the Minister carried that proposition to the Executive table — a Minister who knew all about the value of land in Castlereagh; knew that Crossnacreevy was greenbelt land; had followed the debates, interrogations and investigations of the Belfast metropolitan area plan and the efforts to get land at Crossnacreevy into development. He also knew the interest of certain developers in that regard. Yet that Minister allowed this wheeze of land allegedly worth £200 million, which it patently was not, to go to the Executive. It was worth £2 million because, in this context, it was never coming into development and required £6 million to relocate, so the land was of negative not positive value.

Therefore, this is not just a matter of civil servants valuing land inefficiently and inadequately. We heard from the Member for East Belfast how it was done, but this was civil servants picking a figure for the generic value of development land in the development limit and multiplying that by 80 for land that was not in a development limit. That is quite an astonishing way to proceed. However, this was a situation where a Minister who knew so much about the value of land in Castlereagh was in charge yet apparently lent himself to this wheeze. I think that the PAC maybe did not fully explore that, and maybe it is something that the Minister would like —

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

**Mr Allister:** Maybe today's Minister would like to explain how it could be that a Minister of Finance and Personnel could take a proposition based on such a fallacy to the Executive table.

**Mr Wilson (The Minister of Finance and Personnel):** Thank you, Mr Deputy Speaker, and can I say that, once again, it is a great joy for me to respond to this fourth debate on the Public Accounts Committee reports — at least my officials have told me that. At the very start, I should say to the Chairman, whatever his name, that I wish him all the best. I do not know where he is going — Sinn Féin has maybe imposed a confidentiality clause on his eventual location, but I wish him all the best anyway. Maybe I will see him at Westminster sometime, but then, maybe cows will fly. Who knows — after tomorrow, anything is possible.

This debate is about how we ensure that we get value for money when spending government finances. We have to remember that the main aim of government, which takes money from the public and then uses it for various items of expenditure, is to ensure that, when that money is taken, it is used as efficiently and effectively as possible. Of course,

we have our roles to play in that. The Executive have their part to play, because they have to give the leadership, establish the structures and set the vision and the targets for the direction in which we want to go. Of course, that is set out in the Programme for Government. Departments and public bodies are under the direction of Ministers, and they have to be responsible for implementing that programme. They have to do so within a defined governance and accountability framework, and they have to ensure that they operate within the appropriate guidelines. I think that Mr McLaughlin made the point that, although we have to have guidelines, we also need the flexibility to ensure that we use money effectively, efficiently and in an innovative way. Mr McLaughlin put that point more gently than I have in the past, but I think that we have to be very careful that, when we are looking at accountability and examining the ways in which money is spent, we do not finish up creating a straitjacket that means that we lose the flexibility that we want in the delivery of public services.

Indeed, the foreword to 'Managing Public Money Northern Ireland' states that:

*"Public sector organisations can and should innovate in carrying out their responsibilities, using new technology and taking advantage of best practice in business efficiency."*

Given that that means going into new territory, it sometimes involves taking risks. The one thing that we have to ensure in all this is that we avoid laying down a framework that stops officials being prepared to take that risk. Indeed, PAC evidence sessions highlighted those various issues, and its report on creating effective partnerships between government and the voluntary and community sector focused to a large extent on the need for fresh thinking and implementation of those new and innovative practices, as well as on the importance of avoiding the kind of bureaucracy that some Members mentioned, where we get so stifled by accountability and red tape that we allow community groups almost to wither on the vine while they wait for decisions to be made about the way in which money is to be spent. If people have had a bad experience with one group or a bad report from the Public Accounts Committee or the Northern Ireland Audit Office, they perhaps become afraid to take some risks to keep groups alive. We have to bear all that in mind and get the focus right.

#### 4.15 pm

It has been said in the past that we need to ensure that there is value for public money and that officials themselves act innovatively. I am very pleased to advise the Committee that a recent training initiative will see senior civil servants receive training in their role of ensuring public accountability and good governance. The head of the Civil Service has agreed that the training will be mandatory. The initiative will include training in personal accountability and responsibilities; on the practical application of managing public money; and on the role of the Public Accounts Committee. I am sure that the Committee Chairman will be pleased to hear that. It is not that we are always wanting to fight with the Committee; rather, we want to know its role. The training will also include examples of the key lessons learned from recent PAC hearings and reports. Moreover, it will be designed to instil ethical values and high standards of corporate governance and accountability in our Departments and key public bodies.

Before addressing the specific issues raised by contributors, I will say a word or two about two issues. I am sure that the Chairman and the Assembly would be disappointed if I did not raise them. I may have already mentioned the first one, but I want to caution against what can easily become an unhealthy preoccupation with the processes and procedures, almost turning governance into an industry or an objective in its own right. We must not lose sight of the real objective, which, in all the reports, should be how we achieve the best delivery of services across the public sector.

I could cite examples from a number of reports, but I have to say that the recommendations that come from them are sometimes more concerned with processes. An example might be picked from one particular case, after which the Public Accounts Committee automatically thinks that it can be applied across the whole public sector. That is not always the case. I make that point in the round but also with regard to the Executive memorandum of reply. I fully understand why the Committee is sometimes frustrated when we note recommendations rather than accept them. I would rather accept recommendations and move forward positively, but sometimes it is important that we simply note when we do not believe that the recommendation can be applied, and applied effectively, across the service. The recommendation may be too vague or too wide-ranging, or it may not consider the wide varieties and variations that there can be across the whole system. That has detrimental knock-on effects.

Secondly, I wish to speak about memorandums of reply. I do not know whether the Committee understands their use. There has been a consistent pattern in recent years of the PAC seeking to challenge the responses provided in MORs. There has been ongoing correspondence between the Committee and the Treasury Officer of Accounts on the matter, and I know that it has been discussed with the Treasury Officer of Accounts regularly. I wish to make something clear: the MOR is the Executive response to the Assembly, not to the PAC. If the PAC is unhappy with the response, it is up to it to raise questions in the Assembly. Recently, the Committee decided to write to a number of accounting officers in relation to MORs that it disagrees with. That disregards the position that I have stated, which has been communicated and clarified to the Committee. It is not acceptable that that action has placed accounting officers in the difficult position where they are in conflict with the stated view of me as Minister and the demands of the Public Accounts Committee.

I can advise the Committee that the accounting officers will not be responding. I reiterate that, if a member of the Committee wants to raise a matter of concern about an MOR, they should do so with the appropriate Minister in this Chamber. That is the proper place to do it.

The other issue I want to raise concerns the Audit Office. Mr Dallat has already raised this: that if I criticise the Audit Office, somehow or other it is tantamount to interference with its independence or public accountability. Let me make it clear: it is not. I simply want the Audit Office to abide by the same standards of transparency and accountability that there should be across the rest of the public sector. Members will be aware that there have been significant changes to audit services in England and that changes are under consideration in Wales. I hope that the Assembly will consider having the same review.

I turn to some of the comments on the reports. Mr Maskey raised the issue of the partnership with the voluntary and community sector. The Committee's report rightly states that the Government's relationship with the sector is complex. If it is not properly managed, we can have approaches that are bureaucratic and risk-averse and fail to focus on what should be delivered. Those are not just words; they have practical implications for groups. It is important that there has been a positive response to the report from DSD: it is now working towards a programme of work that is geared toward building efficient partnerships with the key elements across the sector. The Department's project is to identify improvements that will reduce the bureaucracy and to have a new concordat between the Government and the sector, which will help with transparency and accountability.

There is also the issue that Mr Maskey and Mr Dallat raised about the governance of Northern Ireland Water and DRD. Again, it is clear from the Committee's report that DRD and Northern Ireland Water needed to take some urgent action. I have been informed that the process of looking for the weaknesses, identifying them and dealing with them is under way and that, specifically, there is a new management statement and financial memorandum put in place between DRD and Northern Ireland Water, which will provide greater clarity in respect of the governance arrangements. They are also undertaking a project to regularise the identified irregular contracts, which is to be completed by December. There will also be a procurement committee established by Northern Ireland Water, which will be able to make recommendations on the award of contracts that exceed £1 million for operational costs and £2 million for capital costs.

Mr Girvan and Mr Hussey raised the issue of locum doctors in Northern Ireland, and I have been advised that DHSSPS is working to agree the optimal split between the permanent staff and the locums for each trust. Hopefully, that will help to reduce the need for locums and, more importantly, offer potential savings. There is also to be a new, regionally managed medical locum service implemented by September of this year, which will consider the weakness in management information.

As far as the compliance with the European working directive is concerned, DHSSPS has advised that the cost of introducing a system for monitoring the hours worked by doctors would be prohibitive, particularly in the current financial climate. However, it is to look at the options that might be available.

On the issue of adult literacy and numeracy, DEL has informed me that it continues to address the absence of the necessary numeracy and literacy skills by mainstreaming essential skills provision in all its programmes, including initiatives such as learner access and engagement, the union learning fund, Steps to Work and the wider support for work-based provision. In the academic year 2010-11, 57,492 people went through essential skills, which was a 12% increase on the previous year. Of course, it is not just the number of people who go through the programmes; it is, as a number of Members have pointed out, the quality of what happens, and that is what we will have to judge it on at the end.

Mr Allister, Mr Easton and Mr Girvan raised the issue of the farm nutrient management scheme. DARD has accepted that aspects of that scheme should have been handled

differently. I understand that DARD has re-examined and revised many of its procedures and internal processes, so it should be able to implement another major scheme and will be placed to ensure that it will operate more efficiently and effectively.

I will not have time to go through all the rest of the issues. I am sorry; I do have time. I thought that I had only 15 minutes, but I have 20 minutes.

Members also raised the issue of Crossnacreevy. Mr Allister gave us the benefit of his knowledge of land prices in Crossnacreevy and Castlereagh, and the knowledge that the First Minister, then the Minister of Finance and Personnel, would have had about that. I would have much preferred to hear about Mr Allister's experience and knowledge of the legal advice and support services involved, the cost of those and the way in which barristers have been able to use them very efficiently to line their pockets. I know that we would have had a more interesting debate had he stuck to his area of expertise on that particular issue.

All I can say about Crossnacreevy is that —

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

**Mr Wilson:** I will, since I mentioned the Member.

**Mr Allister:** The Minister could also, of course, share his experience of the use of the legal system.

**Mr Wilson:** I probably could. I am trying to think what experience I have of the use of the legal system. I am sure that I have had some use of it on occasions. The one thing that I know is that any time I have used it, it has cost me an arm and a leg and it has not been on legal aid either.  
[Laughter.]

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

**Mr Wilson:** I have given way once already. The valuation of the Crossnacreevy scheme was done on the basis that there was land that the Department of Agriculture and Rural Development intended to sell, with planning permission, and, had it been sold with planning permission, it reflected the value of land with development potential at that particular time. The fact that it was not sold and could not be sold at that price makes no difference to the operation of the Department any more than the depressed value of land and assets at present makes to the efficient running of government in Northern Ireland in the current recession.

Mr McLaughlin raised the issue of the management of substitute cover for teachers and the Committee's follow-up report. The Department of Education has informed me that the introduction of the new streamlined framework for reporting teachers' sickness absence is providing employing authorities and schools with reports on absence rates and substitution costs.

The good thing about this system is that it has had two effects. First, teacher absence days have gone down considerably from 9.5 days to 7.2 days. That is still too high, but, nevertheless, that monitoring has led to that. Secondly, the introduction of the flat rate of pay for substitution cover and the undertaking of other initiatives has meant that the number of days worked by permanently retired teachers has fallen by 63% between 2008-09 and 2011-12, and it now accounts for only 6% of the total number of substitute days



worked. That offers new opportunities for young teachers who are just coming out of college. Nevertheless, Mr McLaughlin said that there is still much to be done. Given the fact that the teacher substitute bill still runs to £57 million, there is work to be done there to save money in the education budget.

I will now turn to the management of the criminal legal aid scheme. The Department of Justice has informed me that many important changes have taken place to control criminal legal aid. The first thing is that subjective assessment has been removed from Magistrate's Court and Crown Court cases. They are now paid in accordance with standard fees that are set out in legislation.

There is also an increasing use of standard fees, and many of the very high cost cases have been removed, which has helped to improve the accuracy of forecasting. A new accounting system will be introduced, which will further improve the commission's ability to manage expenditure more effectively. The implementation plan for legal aid reform should all be completed and delivered by 2013, which is the target.

#### 4.30 pm

I think that I have addressed most of the issues that Members raised. As I said, it is important that we have proper accountability when we spend public money. We may differ on occasions on how that is best achieved. It is right that we should debate how that is done, but I am sure that, at the end of the day, all of us who have contributed to the debate and contribute to the discussion on making sure that there is effective and efficient use of public resources have the same aim in view. We will have our disagreements and discussions about how it is best done, but I think that we all aim for the same objective.

**Mr P Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank all the Members for taking part in today's debate. I think that the previous one was in 2010, and a number of reports have been done since. I commend all the Committee members for taking the time to go through them and having the patience to do so, and I commend them for all their hard work and dedication. I also commend the Committee secretariat, which has been invaluable to me and the rest of the Committee members. In addition, I commend the Audit Office, which, through its joint work with the Public Accounts Committee, has saved government tens of millions of pounds that can then go into front line services. In some cases in the past, as you see when you look at the other reports, that might have been squandered or badly spent; it certainly was not value for money. The collaboration between the Public Accounts Committee and the Audit Office, along with the staff in the secretariat, has meant that tens of millions of pounds have been saved over the past number of years. That should be welcomed and recognised instead of being criticised on some occasions. That is where we are. I hope that the Public Accounts Committee will continue in that regard in the future.

I will probably touch on all the points that were raised, but I do not intend to spend a lot of time going into them. The fact is that one senior civil servant said that they were playing fast and loose with public money. That is one of the worst comments that I have ever heard from a civil servant. The fact that they were playing fast and loose tells you that

they did not care about the money; it was not theirs. The point that I raised at the start of my opening comments —

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

**Mr P Maskey:** Yes.

**Mr Wells:** The phrase “fast and loose” was used in the report on the legal aid budget. The overspend was £150 million, which is the equivalent of six new schools. Nobody was disciplined or sacked. In fact, nobody was even spoken to about that overspend. Does the Member agree that that is a disgraceful situation?

**Mr P Maskey:** The fact is that there was no fraud at that stage; we could not find fraud. However, Mr Wells's sentiment is 100% right. That is the difficulty. I will refrain from speaking about somebody being sacked or not; that is not the role or remit of the Public Accounts Committee, which is there to ensure that money is spent well. That role is for Ministers and the head of the Civil Service with regard to their civil servants; it is not a role for the Public Accounts Committee. We should not get lost in that. Once the Public Accounts Committee goes down that road, it leaves itself open to being criticised and is not doing its job as it should be. However, it is a big issue.

This is the important part of the debate. The Minister — I am Paul Maskey, by the way; maybe John does not realise that — touched on MORs in his contribution. That has a serious consequence. You said that MORs are the response to the Assembly. The PAC is doing the work of the Assembly. That is where those responses should be made, and they should be made very clearly. If that is the role of the Public Accounts Committee, that certainly should be the role of the Department of Finance and Personnel, and the other Ministers should also go down that road.

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

Mr Jim Allister, in fairness to him, said that a lot of good work and good reports are being done. However, he said that we are here today to speak about a lot of different reports, and some of them should be brought forward sooner. I do not think that some of your Executive colleagues, Minister, would want every report produced by the Public Accounts Committee to be brought to the Assembly when they are published, because it would give them more work to do. We concentrate on senior civil servants, and the whole beauty of the Public Accounts Committee is that we do not mention Ministers. That allows us to leave our political baggage at the door and not bring it into the room. Looking at the Ministers is up to the Assembly and the ministerial colleagues in the Executive. So, I think that you should think that over, Minister, and talk to some of your Executive colleagues, because they may not agree on that approach. It is entirely up to the new Chairperson of the Public Accounts Committee, who will come in very shortly, and the rest of the Committee to decide that. I wish them luck with that.

I will go back to some of the comments that were made. Paul Girvan spoke after me about the recommendations on locum doctors. Mr Girvan raised major concerns that some doctors in other places could have been struck off but could get a job as a locum doctor because that accountability mechanism is not place. That is a very worrying concern that came out of that report. People on the outside are looking in



and expecting a first-class service from our health service. They are not looking at locum doctors, but they need and want to see a doctor.

Michael Copeland started off by talking about the bottle of bleach and the community group. I was tempted to ask whether that bottle of bleach was to make sure that all the civil servants are squeaky clean, but I will not go down that road. Mr Copeland said that he heard the word “flipping” in the Committee, and that is about buying a piece of land and flipping it on again on the same day. I have heard worse terms for it, but I will not go into that. Some pieces of land were being valued originally at £200 million and being let off and then sold for just over £2 million. That is absolutely crazy.

John Dallat, the longest-serving member of the Committee, quite wrongly announced me as Paul Priestly. He had the good wisdom to come up and apologise and say that that is the worst thing that he could ever say to anybody. I appreciate that. John majored on NI Water, but he homed in on the skilling up of our young people in the basic skills of literacy and numeracy. All members of the Committee very much agreed with that.

There may be something about toilets. Alex Easton mentioned toilet paper, and I am not sure if that goes hand in hand with the bleach that Michael Copeland was using. Mr Easton made that point when talking about the costings. The reality of it is that, in some cases, it looks as if, when people are marking up costings for different projects, it has been done on a piece of toilet roll or a cigarette box because no other way could explain it. If it had been done properly, those mistakes would not have been made.

Mitchel McLaughlin looked back on a number of reports and touched on the work that Ministers have done. He mentioned the direct rule Ministers and said that some pressures on civil servants can lead to shortcuts. That is why the PAC is needed now and will always be needed. When shortcuts are taken, mistakes can be made. However, the point of it all, which we raised on many occasions, is that we are not opposed to risk and are not risk-averse. We encourage risk as long as it is well calculated and well managed, but we hope that some of those mistakes are never made again. They are too costly.

Sydney Anderson touched on legal aid. Ross Hussey spoke about me leaving the blue Benches of Stormont and probably going to the green Benches somewhere else. I hope that the green benches that you were talking about are in the Falls park. Those are the only green benches that I will be sitting on. *[Laughter.]* He also said that 8% of the overall budgets in some trusts was spent on locum doctors. That is a crazy amount of money, given all the checks and balances, and that goes back to Mr Girvan's point.

Adrian McQuillan spoke about the fact that the appeals process for DLA takes too long. I totally agree. We all deal with DLA in our constituency offices, and it sometimes takes 20-odd weeks for an appeal to be heard. You have to ask who is making money out of all this. Some appeals are postponed for a long time. I remember a Committee member saying that some appeals were held in courthouses in which murder trials were also being conducted. People who were ill and had their appeal turned down perhaps had to face the trauma of making another appeal in a courthouse.

Jim Allister was the last Member to speak before the Minister. I am glad that he welcomed the fact that the Committee produced some excellent reports. I know how hard everyone who was involved in the reports worked. The issue is about ensuring that we receive value for money, that there is good governance and that government works to deliver for all people in our society, including those living in some of the worst and most deprived areas. In some areas that are represented by me and by Sue Ramsey, who is sitting beside me, people are crying out for good governance and value for money. They sometimes do not see the benefits of government when it is not working, and they are the people whom it hurts most. I urge all Members to continue to support the Public Accounts Committee reports, and I thank you all.

*Question put and agreed to.*

*Resolved:*

*That this Assembly takes note of the following Public Accounts Committee reports: Report on Campsie Office Accommodation and Synergy e-Business Incubator (01/10/11R); The Management of Substitution Cover for Teachers: Follow-up Report (20/10/11R); The Administration and Management of the Disability Living Allowance Reconsideration and Appeals Process (25/10/11R); Report on Arrangements for Ensuring the Quality of Care in Homes for Older People (39/10/11R); Measuring the Performance of NI Water (37/10/11R); Procurement and Governance in NI Water (40/10/11R); Improving Adult Literacy and Numeracy (60/10/11R); Report on Managing Criminal Legal Aid (NIA 20/11-15); Report on Reducing Water Pollution from Agricultural Sources – The Farm Nutrient Management Scheme (NIA 21/11-15); Report on Creating Effective Partnerships between Government and the Voluntary and Community Sector (NIA 24/11-15); Report on the Use of Locum Doctors by Northern Ireland Hospitals (NIA 37/11-15); and the following Department of Finance and Personnel memoranda of reply: Report on Campsie Office Accommodation and Synergy e-Business Incubator; The Management of Substitution Cover for Teachers: Follow-up Report; The Administration and Management of the Disability Living Allowance Reconsideration and Appeals Process; Measuring the Performance of NI Water; Procurement and Governance in NI Water; Report on Arrangements for Ensuring the Quality of Care in Homes for Older People; Improving Adult Literacy and Numeracy; Report on Managing Criminal Legal Aid; Report on Reducing Water Pollution from Agricultural Sources – The Farm Nutrient Management Scheme; Report on Creating Effective Partnerships between Government and the Voluntary and Community Sector; Report on the Use of Locum Doctors by Northern Ireland Hospitals.*

## Northern Ireland Assembly: Membership

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 15 minutes to propose and 15 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Moutray (The Chairperson of the Assembly and Executive Review Committee):** I beg to move

*That this Assembly notes the report of the Assembly and Executive Review Committee on the review of the number of Members of the Northern Ireland Legislative Assembly and on the reduction in the number of Northern Ireland Departments: Part 1 - Number of Members of the Northern Ireland Legislative Assembly.*

Members will be aware that the Secretary of State for Northern Ireland intends to introduce a Northern Ireland Bill in the third session of Parliament. The Bill will provide an opportunity to make changes to the Northern Ireland institutions where there is broad support among the Assembly parties and where Westminster primary legislation would be required, such as future amendments to the Northern Ireland Act 1998. The Assembly and Executive Review Committee therefore asked the political parties and the independent Members of the Assembly for their priorities for the Committee's immediate review of Parts III and IV of the Northern Ireland Act within the available timescale set out by the Secretary of State for his proposed Northern Ireland Bill. Following consideration of the responses, the Committee agreed that its immediate review would cover the size of the Assembly and the number of Northern Ireland Departments. The Committee then agreed in the review's terms of reference that it would, first, report on the size of the Assembly by mid-June 2012 and then report on the number of Northern Ireland Departments in late October 2012. Therefore, the report today focuses solely on the number of MLAs.

To obtain wider views on the size of the Assembly, the Committee agreed to write to some 80 stakeholders requesting their specific views on five key issues set out in a Committee call for evidence paper. The five key issues were the main focus for the Committee's considerations and discussions during the review. For the purposes of this first report, the Committee concentrated on the first four issues: the statutory link between Westminster constituencies and the Northern Ireland Assembly constituencies, commonly known as coupling; the implications of the forthcoming change to the number of MLAs arising out of the Parliamentary Voting System and Constituencies Act 2011; the number of MLAs required to ensure that the effectiveness of the Assembly is maintained; and finally, the proposals to mitigate the impact of reducing the number of MLAs on the effectiveness of the Assembly in delivering its key functions, in particular proposals to ensure a robust and effective Committee system.

### 4.45 pm

The Committee's key stakeholders for the review were the Assembly's political parties and independent Members; the First Minister and the deputy First Minister and the Committee for the Office of the First Minister and deputy First Minister; Clerks of relevant Assemblies and Parliaments in the UK and the Republic of Ireland; academics whose

field of study involved devolved legislatures; NILGA and the 26 local councils; and, finally, all other political parties registered in Northern Ireland. In addition to requesting written evidence directly from those key stakeholders, the Committee used a signposting advertisement in the three daily papers to attract a wider public sector and public response to its call for evidence paper. In all, the Committee received and considered 25 stakeholder responses to the review. The Committee also received oral evidence from Professor Rick Wilford of Queen's University Belfast, the Northern Ireland Local Government Association and the Director General of the Northern Ireland Assembly, Mr Trevor Reaney. That evidence was extremely useful, and I thank all the witnesses for their contribution.

It was apparent from early on in the Committee's consideration of the review that, although we examined responses to the five key issues set out in the stakeholder call for evidence paper separately, members considered that the issues were very much interlinked and that a holistic approach to reaching a view on the size of the Assembly with regard to the number of MLAs should be taken. That having been said, the Committee could not reach consensus on the size of the Assembly. However, the report usefully sets out in some detail the position of the political parties represented on the Committee on the four key issues under the first part of the review. In the Committee consideration section, the report includes the views of other key stakeholders who responded to those issues, including the other political parties in the Assembly and one independent Member.

The report also sets out in summary options that the Committee considers may prove a useful tool in establishing a final position for the size of the Northern Ireland Assembly. The options set out in the conclusions section of the report list several scenarios for retaining or removing the statutory link between Westminster and the Northern Ireland constituencies; variations in the number of Northern Ireland constituencies and the number of MLAs elected per constituency; potential practicalities for the implementation of each option; and, finally, envisaged timing implications of each option. The options arose from the Committee's deliberations on the written and oral evidence that was received and considered by the Committee during the review.

As to the way forward, that is now for the Assembly's political parties, through the First Minister and the deputy First Minister. Finally, on behalf of the Committee, I acknowledge and thank the Committee staff for their valuable work and support during the review. I include in that the work of the Assembly research staff, legal advisers and Hansard staff. The Assembly and Executive Review Committee requests that the Assembly note the Committee's report.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom fáilte a chur roimh an tuairisc. Ba mhaith liom fosta mo chuid buíochais a ghabháil le foireann an Choiste le haghaidh na hoibre atá déanta acu. I welcome the report. I offer the appreciation of the Sinn Féin members on the Committee to the Chairperson, Stephen Moutray, for taking us through the discussion stage of the report. I also thank the staff. I know that the Chair has already outlined the people involved in compiling the report.

We looked at the size and the number of representatives in the Assembly. Throughout our discussions and in whatever discussions will take place in future, we will be guided by the

principles of inclusiveness and representativeness because, for us, those are the key issues. Indeed, we spoke about many things and, I suppose, the pending decision about the Westminster constituencies, in many ways, is an imposition of the number of constituencies in the North. It was agreed to a degree that the uncertainty of the constituencies outlined by Westminster does, in many ways, pose a challenge to us. The number can go up and down; we are not in control of the numbers. In our discussion, we said that this could be brought into line with the pending review of public administration. It opens up the avenue to have a look at the constituencies. Coming out of that, it is fair to say that the need for a Boundary Commission is perhaps something that the Assembly could consider in the future. There is absolutely no reason why we should not have the ability to decide the number of constituencies that we feel are needed to provide good representation, to set those boundaries in the context of the political and day-to-day realities of life and not have that dictated by numbers elsewhere.

When you read the report, you will see that a number of parties have put forward what they believe to be a suitable number of representatives in the Assembly. We went at this with an open mind. We remain to be convinced about what size the Assembly should be. If we are ever going to change the numbers, we will have to be convinced that safeguards and mechanisms will be in place.

What guided and, in my opinion, underpinned the Good Friday Agreement was inclusiveness. Too often, in the past, constituencies have been left not properly representative or with people representing them in a sectional way. That we have taken good steps and provided good examples, particularly in the Assembly, to ensure that inclusiveness was one of our guiding principles is a plus. There is no doubt that the model in the Good Friday Agreement was designed to ensure representation of the smaller parties and independents. In many ways, that may have been eroded to some degree, but the guiding principle and the fundamentals remain as true today as they were then. That is important. Whatever discussion we have about size, that is how we will be guided.

As the Chair outlined in his presentation, we have opened up the discussion. In the previous mandate, the AER Committee had a role in the transfer of policing and justice powers. Again, many decisions that had to be made were, ultimately, made in a wider context. In my opinion, the work of the AER Committee was part of teasing out and making people comfortable with the issues that had to be dealt with and tackled. I have absolutely no doubt that, in times ahead, as we go at this discussion about not just the number of Assembly representatives but the number of Departments, how they mix together and the review of public administration, it will all come together.

From a Sinn Féin perspective, whatever decisions we make, we will be guided by the principle that there has to be inclusivity, equality and representativeness at the heart of it.

**Mr Beggs:** I welcome the publication of the first report of the Assembly and Executive Review Committee. Go back through it again and you will suddenly realise that we have been working on this issue since last September. It has taken some time to progress, and we are only at part one. Progress has been relatively slow. At times, meetings were delayed or put off because of information not coming back

to the Committee. Nevertheless, we all recognise that we have made progress.

It is right to acknowledge the work of the Committee staff and the assistance that the Committee received from the Assembly's research and library services. A lot of very detailed information was brought together for us, which helped make us better informed about how change is happening elsewhere and the various aspects involved in making any changes to the Northern Ireland legislation.

As others have said, the Committee received a considerable amount of written correspondence and oral evidence. We have hopefully made an informed decision in putting that together for the public to see. Ultimately, I think others will be discussing it in detail and taking everything in the round.

One of the overriding factors that is taking place at present and we are in the middle of is the Parliamentary Voting System and Constituencies Act 2011, which will result in the Northern Ireland Westminster constituencies being reduced from 18 to 16. I understand that the boundaries are expected to be finalised this autumn. Section 33 of the Northern Ireland Act 1998 indicates that there should be six Members for each of those constituencies. With the new Westminster legislation, there will, therefore, be an automatic reduction of 12 Northern Ireland Assembly Members, when the Boundary Commission recommendations are finalised.

One Member said that we should deviate from the Westminster boundaries and invent our own. What difference would it make if there were plus six or minus six Members in the current Assembly, never mind in a future Assembly? In all probability, we will hover at about six. I understand that the predictions are that we might go up to 17 constituencies and, at some point, go down to 15. We will stay at around 16, and I do not think that it would be a huge issue if we went up six Members or down six.

We believe that the Belfast Agreement was about creating inclusive democratic government in Northern Ireland. That is an important concept. Recently, we agreed the new structure of local government boundaries, which will, ultimately, reduce considerably the number of local councillors. Since the Ulster Unionists believe in inclusive democracy, we argue that those changes should be allowed to bed in before we go further and take the next step.

The Committee has had discussions about how we could identify the best method for new constituencies. My Ulster Unionist colleagues and I believe that the Westminster boundaries are the easiest system. New Westminster boundaries are soon to be finalised. All of the consultation has happened, and all the costs involved have already occurred. The guidance is there to ensure fairness and equality so that each of those constituencies will be of an equal size and there will be equal representation. Not only that, the law in place will require that to happen automatically on a regular basis, so it will ensure equality in the long term.

Some have advocated following the Scottish example. They have introduced their own revised boundaries, but they had a different problem. They wanted to keep the number of MSPs and not reduce them; they wanted to maintain the status quo. That is not the case here. There are advantages in avoiding costs and in avoiding confusion with the electorate. Having Westminster boundaries, Assembly

boundaries and council boundaries would be unhelpful and confusing for the electorate.

**Dr McDonnell:** Like others, I welcome the debate and the openness that it begins to create around the issue. I thank the Chair, the Committee and the staff for the work they have done and for the time they have devoted to the issue.

These institutions are public property; they are in public ownership. Therefore, any decision on review or change must be conducted in fully open, transparent and accountable circumstances. The process should not be rushed for populist reasons or for any other reason, without a thorough and robust analysis of all the implications, ramifications and complications that might arise. While other meetings and fora have some benefits in providing space to tease out party political differences, authority for the Assembly and Executive review should and must remain within the broad membership of the Assembly and, therefore, be conducted through the appropriate channels of the statutory Assembly and Executive Review Committee, regardless of how long some might think that will take.

### 5.00 pm

Our view on the number of MLAs is a matter of public record and has been disclosed numerous times by my colleague Conall McDevitt, and he will go into this issue in some detail at a later stage. I do not want to take up undue time, but, in summary, we will accept a reduction in the number of MLAs from 108 to 96 upon implementation of the Parliamentary Voting System and Constituencies Act 2011. We are open to be persuaded in any future negotiations about any future reduction in the size of the Assembly, if people feel that it is necessary, but we would want to make sure that it is in the best interests of the public.

We have concerns about the impact of the link between Westminster and Assembly constituencies and the impact that regular and repeated changes in boundaries à la Westminster will have on the Assembly boundaries and the damage that that can do to political stability. Continuous change may also damage the important relationship between voters and their representatives.

It is important that this debate does not become, and is not defined as, a simple, narrow numbers game. It is our firm view that representation, legislation and scrutiny of the Executive must be designed around public need and best function. To my mind, the public requires more than just stability from these institutions. Those who elect us require and deserve a set of institutions that deliver for them and keep delivering for them and their families. They expect a set of structures across this island that will move the peace process and the political process that we have been involved in for a number of years on to a peace with prosperity process that will improve lives and livelihoods. That is the job of this Assembly, and that should be the fundamental root of any discussion around the number of Departments and number of Assembly Members.

I am glad that progress has been made and can be made on the issue of the number of MLAs in this Assembly, but it is rather disappointing that progress in respect of the North/South review is hindered by some of the same Members of this House, who should know better.

We have made slow and steady progress on strand one, which is internal to Northern Ireland, but we need to push forward on strand two, which relates to North/South issues, and strand three, which relates to east-west issues.

I welcome the report. I would welcome it going faster and further, but it is very good in so far as it goes.

**Mr Lyttle:** I welcome the report on behalf of the Alliance Party. The party is on record as supporting a reduction in the number of MLAs and Departments. The proposed reduction in the number of parliamentary constituencies represents a good opportunity to start the process in earnest. We are supportive of reducing the number of MLAs per constituency from six to five, with the aim of having an Assembly with closer to 80 Members. That would be in keeping with the size of Northern Ireland and would cater for the need for efficient government. The Alliance Party cautions against going below five Members per constituency, as proportionality may be affected, and proportionality is critical in a divided society seeking to build a more united community.

A reduction in the number of MLAs to approximately 80 would also result in significant savings, with additional indirect savings being made through a reduction in other running costs. The Alliance Party is content that there is little evidence to suggest that this type of reduction would be insufficient to ensure the effectiveness of the Assembly, particularly if a streamlining of the Executive happened concurrently. It is, therefore, important that a reduction in MLA numbers is accompanied by a rationalisation of Departments in order to allow sufficient government scrutiny. A reduction in Departments would lead to a reduction in Statutory Committees and, therefore, fewer MLAs would be needed to cover the number of places available. There is no reason why that should produce a negative impact on the level of governance. The Alliance Party believes that the fact that the Scottish Parliament has similar powers to the Northern Ireland Assembly and has fewer MSPs per head of population indicates that around 80 MLAs is a sufficient number to produce a proportionate and effective legislature.

It is also important to note that the public have a voice and support such a position. That was clearly displayed in a recent opinion poll that found that seven in 10 voters want the number of MLAs cut. We as an Assembly have undoubtedly come a long way since 1998, but devolution must continue to evolve. The opinion poll also showed that there is a significant amount of dissatisfaction among the public with the institutions in their current form. We must take that on board and show the public that we are willing not only to listen to their concerns but to act on them.

A reduction in the number of MLAs is not a panacea, but it can be a good starting point in the process to develop an Assembly that delivers more effective and efficient government for all our citizens.

**Mr Campbell:** I support the take-note debate on the report. Like others, I pay tribute at the outset to the staff and all those who assisted in any way in the report's production throughout some lengthy as well as some rather shorter meetings. It is a process that took considerable time.

As Mr Lyttle just outlined, the issue in the public's mind is not the same as those of us who are deeply enmeshed in the political world assess it to be. The public are more



concerned about getting a system in place in the Assembly that is lean, effective and does not cost as much as the current Assembly. That is what people want. They look at the Assembly and at the burgeoning cost, year on year, of the existing structure. That is one of the reasons why we proposed to reduce the number of MLAs to around 80.

We will have to come back to the issue of decoupling the constituencies. Although we had an initial preference for the Westminster model, the uncertainties that it throws up leave for a more undesirable outcome. If someone were to suggest that we go down the route of an 11-council model in future, would we have 11 constituencies? Could we then agree at that stage to have — six times 11 — 66 MLAs? That would be a saving of almost 40% on the current 108. One thing is for sure: the public do not want excessively expensive MLAs continually, week on week, month on month and year on year, labouring here to get legislation passed. They believe that that can be done much more effectively and efficiently.

The issue of dual mandates has come up in this context on numerous occasions, and I am sure that it will come up again. I make no apology whatsoever for saving the public purse not tens of thousands of pounds but hundreds of thousands of pounds. *[Laughter.]* I notice that the 'Belfast Telegraph' mentioned the Sinn Féin decision to take some four MPs out of the Assembly. Its headline was that that was going to save Sinn Féin £700,000 rather than saying that it was going to cost the taxpayer £700,000, which is what it will do. Either we get the dual mandate issue right by reducing the numbers or we will cost the public purse even more. People have to make up their minds about what they want. I think that we will proceed much more effectively and have much more support from the public if we move successively along the line of saying that we want single mandates and fewer MLAs and MPs. Who will argue with that? The electorate will decide. Whatever boundaries we agree through the Boundary Commission, people can put their names forward and the voters will decide. I think that we have at least the basis for some movement. People want to say to us: get on with it, get it trimmed down, get it slimmed down, get it effective, get it efficient and get it working.

**Mr Hamilton:** I have sat on the Assembly and Executive Review Committee for five years, and one thing I have learned in that time is that the work is frustrating. I concur with what Dr McDonnell said earlier. All of us who were involved in the Committee would rather that some of its conclusions were a bit more definitive than what is before us today. I echo what he said: we wish its work was faster and went further. That said, the work that is before us is a useful body of material. In the past five or six years, the Committee has been good at scoping out the broad range of issues surrounding touchstone matters such as the reduction in the number of Assembly Members. This is a very long-standing issue. Over the past five years that I have been in this place, I do not think there is a single subject on which I have done more radio or TV interviews than reducing the size of Stormont.

**Mr McDevitt:** The media is obsessed with it.

**Mr Hamilton:** Absolutely, to the point where I lamented last week the sad passing of the BBC's 'Hearts and Minds' and the time I was depicted by Ian Knox in a cartoon as a turkey leading fellow MLAs to vote for Christmas after I

got unanimous support for a motion calling for a reduction in the size of Stormont. The issue has been ever present during the time that I have been here, and it goes back further to previous mandates.

The DUP's position of supporting over that entire time a reduced number of Assembly Members is well stated and does not need a lot of repetition. We put forward our desire to see a reduced number, a range of between 72 and 80 Members, during evidence. Over the past number of years, we have seen a downward pressure, which Mr Campbell mentioned. That is borne out by a number of factors, including Budgets and the public financial situation. It would be a brave man — I can look around here and say that — who would go out and argue that he would rather have large institutions than investment in public services. Only a very brave man would say that.

The Parliamentary Voting System and Constituencies Act 2011 has already established the default position. If we do nothing at all, we will have fewer Members in this place after the next election than we do today. The argument that many of us have put forward, in this and other parties, has been won. In that respect, I agree with Roy Beggs when he says that progress has been made. Public opinion is very clearly in favour of a reduced number of Assembly Members. Even if we went to the lowest number of the DUP range, which is 72, there would still be people saying that there are too many MLAs. The argument has been won.

Look at the responses of political parties to this and what has already been said during the debate. The likes of the Ulster Unionist Party and the SDLP, who are largely the architects of the institutions that we have, have said that they are open to a reduction. Dr McDonnell said that he was open to persuasion for fewer than 96 Members, which is his party's stated position. Sinn Féin has repeated its mantra, as it always does, of inclusiveness and equality, but it has never said that it rejects a smaller number of Members. In talking about inclusiveness and equality — and I am not a Sinn Féin Kremlinologist by any means — I presume that means the type of voting system that we have and the number of Members that there would be for each constituency, but, again, there is an openness to a reduction. The Alliance Party's position is clearly stated: it is for 80 Members. It is significant that, in the debate, and in the evidence that we received during our deliberations in the Committee, not a single person has put up a defence for the maintenance of 108 Assembly Members. That is consistent with public opinion and the overall downward pressure.

As for mitigating any reduction, which we are obviously heading towards anyway, the Committee had some interesting discussions about Committee structure and what you would do with it, and what you would do with the balance between sitting days, Committee days and constituency days. However, how you would mitigate the effects of having a reduced number of Members, and the additional pressures that that might put on people, is an issue that is inextricably linked with the number of Departments. If we had fewer Departments, we would not have to worry about taking a huge cohort out of the membership of this place to populate the Executive, and we do not have to have as many Committees in the first instance anyway.



**5.15 pm**

I do not have the time to go into the issue of decoupling as much I would have liked, other than to say that, as a unionist, you instinctively wish to maintain that link with Westminster perhaps every bit as much as republicans want to diminish it. However, it is not that simple a matter. For the sake of ease, if nothing else, it is advisable to keep the constituencies as they are, rather than to confuse people.

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

**Mr Hamilton:** With many things left unsaid — I am sure that others will say them — I welcome the report. It is a useful body of work that will allow us to take the issue forward.

**Mr McDevitt:** I join in thanking colleagues, particularly the Chair and Deputy Chair, for the work that they put in. I also express the SDLP's thanks to officials for their ongoing support for that work.

I was very entertained by Mr Campbell's remarks. I am tempted to wonder whether we can explore some time what sounds to me like a charter for the reduction — indeed, possibly the disappearance — of Westminster on the basis of the principle tests he applies about when legislatures become relevant and how much they cost. I would suggest that it is considerably more expensive and a considerably less relevant place to the people of Northern Ireland than here.

On a more germane point, going back to the report in front of us today, it is important that we continue to respect and uphold the status of the Assembly and Executive Review Committee, which has, of course, a statutory basis, and which has a specific role set out in law to be not just the critical friend of the Executive and the Assembly but the forum through which stakeholders, civic society and the ordinary people of this region can participate in important debates such as this about the future structures of government or the size of this legislature.

I agree with many Members who have said that there is a series of basic principles that should always underline these debates. There should be a given principle of equality and a further given principle of fair representation. I welcome the fact that no one is in any way suggesting that we should depart from those. The fact that the Committee exists and was able to take evidence means that a voice was given to people from a scholarly perspective, and others, who had the opportunity to reflect more deeply on questions of accountable governance, proper representation and the role of this legislature. Those were people such as Rick Wilford, and I commend his evidence in the report to colleagues in the House.

The question of the number of MLAs is, as Alasdair McDonnell has said, a consequential one. It arises because legislation elsewhere will almost certainly give rise to fewer MLAs in the future than we have today. However, if we are honest about it, that is probably not the way to come at this debate. The way to come at this debate is probably in a more bottom-up manner: to think about how we wish to be represented in the future, how many constituencies we wish to elect people from, how many MLAs we wish to elect in each of those constituencies, and whether those constituencies are best coterminous with a parliamentary Westminster boundary or whether they would be better coterminous as a series of constituencies within a local

government boundary, for example. What is unfortunate about how we have had to come at the debate is that we have not had the opportunity to do that because of events elsewhere.

It is worth saying for the record that the reason we went with coterminosity in 1998 was simply because of expediency. If we had not gone with coterminosity in April 1998, we would not have been able to have elections in June 1998, for there would not have been time to have a boundary commission of our own and to do all the necessary things that we might have wanted to do in order to get the Assembly off the ground. That is a matter of fact. However, that question of expediency should not become a binding principle on which we would seek to make future policy.

A final point is about the role of this legislature, irrespective of its size. The thing that the public question sometimes is not the size of this place but its performance and its ability to do its job. They question its value in a value-for-money sense, rather than in a simple cost sense. It is important, therefore, that, in the AERC's deliberations, we reflect very carefully on how this Assembly can better do its work; how it can better hold the Executive to account; how it can better scrutinise legislation; and, as Mr Hamilton referred, how it can better organise its business so that it is more visibly able to provide a clear role and purpose to the people of this region.

I would love for us in the AERC to be able to consider questions of North/South development as well. I share Alasdair McDonnell's concerns in that regard.

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

**Mr McDevitt:** I think that, to be complete, we should be open-minded about that in the future, too.

**Mr Givan:** I, too, thank the staff for the work that they carried out, and also the Assembly Research staff. Some very interesting papers were brought forward detailing how other jurisdictions operate. Those will be beneficial to us in the future.

Colleagues touched on a lot of points, and I do not plan to repeat too many of them. Ultimately, the public expect to have the most effective system of government that is available, providing the most efficient value to the taxpayer. Nobody here will argue that having 108 Members is delivering that. The report and research papers touch on the fact that there are pressures on Assembly Members. There is more and more pressure from the public on representatives to be doing constituency work on the ground, yet we are elected to legislate, so there is a conflicting tension building. If you are not seen on the ground as being actively involved in those bread-and-butter issues that councillors would typically be involved in, it will have an impact on you as an MLA. Ultimately, we are not seen here solely as legislators, albeit we are primarily elected to legislate. However, to the public eye, we are much more than just legislators, and that puts increasing demands on our time. That public reality must be borne in mind when we consider the numbers that would be required in this place to make it work.

Ultimately, Westminster has forced this issue, so, for our particular party agenda to reduce the numbers, that link in being coupled with Westminster is delivering an outcome for

us, albeit not to the extent that we would wish. However, it has forced the reduction in the number of Members in this place from 108 to 96. That is a good thing and we would like to go further, but there are valid points. Let us look at this in more detail.

Mr Beggs pretty much said that their view is that we should be linked to Westminster boundaries, whatever the position. He asked whether people would really mind if our number goes down or up by six. I suggest that, having been reduced in number to 96, if we managed to get our electoral registration numbers to go up and it was decided that Northern Ireland was entitled to another Westminster seat, there would be a public outcry if this place went back up to 102 MLAs. We need to bear that in mind.

If you tease out Sinn Féin's stated position around inclusivity, some could say that we need more than 108 MLAs in order for this place to be inclusive of every strand of political opinion that exists. Mr McCartney rightly made the point that the objective of the agreement to have as many voices represented in this place has already been diluted in some senses because the Women's Coalition is no longer here, the UK Unionist Party is no longer here and the Progressive Unionist Party is no longer here. Clearly, the larger parties have been able to make sure that the electoral system works to their advantage and squeezed out those smaller voices. If you really want to have an inclusive place that would include the Monster Raving Loony Party, you would need to have a lot more than 108 MLAs.

**Mr Hamilton:** We have that — it is the TUV. *[Laughter.]*

**Mr Givan:** Hansard has maybe picked up those comments. Far be it from me to step into the gutter like that.

We need to be careful about what we mean by "inclusivity" and where that would take us as to how many Members this place would need to have to be an inclusive Assembly encompassing all political opinions. I support the motion.

**Mr Ross:** I did not have the benefit of sitting on the Committee to go over the report. However, after hearing some of the comments about it, I am not sure whether that would have been of benefit. Nevertheless, I think that it is a good report, and it is useful that we can debate it today.

My colleague Mr Givan mentioned that we got to the position of having 108 Assembly Members because the architects of the Belfast Agreement wanted to create an Assembly that could include as many minority opinions as possible. Mr Raymond McCartney talked about the need for inclusivity but acknowledged that some of the parties that it was created for, such as the Women's Coalition and the PUR, have since lost their seats. I would agree with the comments of my colleague Mr Givan, who said that if we wanted to include those parties again, we would have to make the Assembly even bigger. I do not think that anyone would make that argument. You could also make the same point about the number of Departments we created. The architects of the Belfast Agreement wanted to ensure that Sinn Féin was at the Executive table, and that is why we have so many Departments. However, if we were starting again now, no one would argue that we want as many Departments.

As other Members said, there is a general consensus among the public, and a growing consensus among political parties, that this place is too big and that it needs to be

reformed and made smaller. As my colleague Mr Hamilton said, the Democratic Unionist Party has been consistent on this issue. Even when we were not the largest party in Northern Ireland, back when the Belfast Agreement was being negotiated, we held the position that we did not need 108 Members. That has been a consistent approach from our party, irrespective of our size.

As others said, we are now in a position in which, because of changes to Westminster boundaries, we will have an automatic reduction in the number of Members. Therefore, even if we did not want to go any further, the number of Members will automatically reduce to 96, as we will lose two Westminster constituencies. However, it is an ideal time for us to go further. Even with 96 Members, I think that it could be argued that we have far too many Members. It has been discussed whether we should drop from six Members per constituency to five. If we were to do that under 16 constituencies, we would have 80 MLAs, and I think that most people would feel that that would be reasonable enough.

It is also useful to compare the size of this legislature with other devolved legislatures in the United Kingdom. For example, the Scottish Parliament has 129 MSPs for a population of around five million people. If we were to use the same politicians:population ratio for this place, we would end up with only 43 MLAs, and if we were to use the same ratio as the Welsh Assembly, we would end up with only 35 MLAs. It is important that we look at that. If I was to be a little bit mischievous, I might suggest that we should look at other legislatures, albeit those that operate under a different system. In the United States, the state legislature of California manages with 120 legislators in its two houses, and the state legislature of Texas manages with 181. Those states have populations of over 25 million and have budgets and GDPs that are much bigger than ours. It is worth bearing that in mind when we look at other places around the world.

I may even be convinced that we could reduce the number of MLAs to below 80. If we had four MLAs across the 16 constituencies we would end up with 64 MLAs, and I am quite sure that the Assembly could function perfectly well with that number of Members. However, there are two perfectly logical reasons why our party has said that a number between 72 and 80 Members would be the optimum. First, we know that we need to get agreement across the House to make the place smaller, and now that parties have acknowledged that we should, perhaps, shrink the size of the Assembly, it is much more achievable to have a smaller rather than a greater reduction. Therefore, a figure of between 72 and 80 MLAs — more likely 80 — is a number that we could find agreement on. The second reason is that, in the absence of reducing the size of the Executive, we need to ensure that we have enough Members to fully scrutinise each Department. That also has to be taken into consideration, and, having read the report, I know that that point was made in Committee.

On the issue of decoupling, it has been said that our preference —

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

**Mr Ross:** — would be to stay as is. However, Members on this Bench would be open to discussion on that.

The fundamental issue is that we need a smaller Assembly. The public want that, and I think that that would make the Assembly more efficient. Hopefully, that is what all the parties will now move to do.

### 5.30 pm

**Mr Allister:** On the basis of one reading of the recent 'Belfast Telegraph' poll, the right number of MLAs is zero, because there seems to be a popular perception that Stephen Nolan is more valuable than this Assembly. I doubt if even Stephen Nolan is more expensive than the Assembly. *[Laughter.]*

It is quite clear from today's debate that nothing is happening on this issue, courtesy of the Assembly. Yes, the number will be reduced by virtue of the reduction to 16 constituencies, but not thanks to anything said or done in the Assembly. This report is really just a little more whitewash in our pretending to deal with the issue.

I well recall a meeting that the Committee Chairman reminded me of when he spoke, because I think that he was there. Grandly labelled "a consultation meeting" by the DUP it was held in Lurgan Town Hall back when the DUP was deciding whether to accept and move forward, as it saw it, with the St Andrews Agreement deal. At that meeting, enthusiasts for the project assured everyone that, yes, there would be some bitter pills to swallow but for only a short time. They said that mandatory coalition would evaporate in 2015 because they had won a review. What, of course, the meeting was not told, and what some did not like when I pointed it out, was that that review was subject to the veto of Sinn Féin and, therefore, the promised result would never be produced.

Today, we are seeing that veto being exercised by Sinn Féin on the much lesser issue of the sheer number of MLAs. It is saying that it is not persuaded; therefore, we stay as we are. Just as it is on the number of MLAs, so it will be on the number of Departments. By the way, where has that Bill to remove DEL gone? It seems to have been lost somewhere; and so it will be with the reduction in the number of MLAs and with the ending of mandatory coalition. None of it will happen, because a veto was surrendered to Sinn Féin. We will talk incessantly about our "aspirational desires" to see the number of MLAs reduced; to see the number of Departments reduced; and to move to voluntary coalition. However, those who talk in those terms know full well that it is not going to happen, because they made sure it would not by surrendering the veto on it to Sinn Féin. That is why, today, we are wasting our time talking about this issue, but then wasting our time in this House is nothing new.

Some pretend an attachment to the coupling with Westminster. Where is the coupling with Westminster when it comes to procedures, to the right to have an opposition and to the right to have a voluntary coalition? Let us not demean ourselves by pretending that there is some great mirror image of Westminster in this House. There is not. There is not because the Belfast Agreement form of devolution could not be more light years removed from the Westminster style of government. So it may be right that the constituencies should be coterminous with district councils. Maybe it should be 11 with two constituencies in Belfast six times over — 72 — or five or four. In truth, we do not need 108, 96 or 80, and many people would tell you that we do not need any.

**Mr Agnew:** The Green Party stated in its manifesto its position on the number of Assembly Members, and we stated it again when we replied to the consultation that led to this report. However, I will restate it for the record: the Green Party wants a reduction in the number of MLAs, and we favour a reduction to 80. We believe, as others have stated, that, to ensure that 80 MLAs can perform the job of scrutinising government effectively, that would need to be coupled with a reduction in the number of Departments.

Some Members mentioned the need for inclusiveness, which we also believe in. However, we add to that the need for proportionality to ensure that the electorate's wishes are represented fairly in the parties that it wishes to see represented in the Assembly. That is why we proposed that, as well as any reform of the number of Assembly Members and Departments, there should be a review of the electoral system. We believe that a top-up system such as that in Scotland and elsewhere would ensure the election of regional MLAs on the proportional basis of party strength. We think that the benefits of that would be twofold: not just, as I mentioned, ensuring proportionality of representation, but ensuring adequate reflection of the electorate's wishes. It would also mean that we would have 16 MLAs who were representatives of Northern Ireland. They would, therefore, be more inclined to look strategically at issues. Look at yesterday: the Minister of Education announced funding for new schools, and every one of us, including me, stood up and mentioned schools that are in our constituencies. Under the current system, we are obliged to do that, but if we had regional MLAs, we could have Members who are mandated to look strategically at how the schools estate, for example, across Northern Ireland should be best planned. So, we believe that there would be numerous benefits to that.

We think that the power to decouple from Westminster should be in the Assembly's hands. We share concerns that departing from coterminosity with Westminster could lead to voter confusion. However, let us have that power and that debate and make the decision with that as a consideration.

The real issue for me is not so much what is in the report, because it is a copy and paste and a restatement of party manifestos. In my former role as a research officer for an Assembly Member, I attended meetings of the Assembly and Executive Review Committee (AERC), and I have a colleague who shadows it. We are not represented on it. Nothing much beyond a restating of party positions takes place at its meetings. In its response to the issue of decoupling from Westminster, the Alliance Party gave the game away to some extent by saying:

*"Given the debate around this issue we feel it would be best dealt with at the leaders meeting."*

That is the reality. These issues are not dealt with by the AERC. The AERC should be where they are dealt with, in a transparent manner through the mechanisms that the Good Friday Agreement provided to review the Assembly with full public scrutiny and in the full glare of that public. In reality, however, we know that any decisions about changes that are made to the way in which this Assembly operates will be taken in leaders' meetings and in those that take place behind closed doors. That means that the public will not be able to see the whys, hows and whens of those decisions. If we want to talk about saving money, let us get rid of the charade of this Committee, and, if we are going to have a

reduction in Members, let us save their time. Let us also save the Committee Clerk's time, because it is no fault of theirs or of the officials who produced the report that it is little more than a restatement of the party positions, as that is all that the parties have given. We could save a lot of money if we got rid of this Committee. Even better, let us actually start making decisions in the Committee and use it for what it is for. Let us give full transparency to decision-making in this Assembly —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Agnew:** — and give the public what was promised to them when they voted for the Good Friday Agreement: transparency and accountability.

**Mr Sheehan (The Deputy Chairperson of the Assembly and Executive Review Committee):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The report represents part-fulfilment of the matters referred to the Assembly and Executive Review Committee by Standing Order 59, which provides for the Committee to make a report to the Secretary of State, the Assembly and the Executive Committee, by no later than 1 May 2015, on the operation of Parts III and IV of the NI Act 1998.

Members will be aware that section 33 in Part IV of the 1998 Act specifies that Members of the Assembly shall be returned for the parliamentary constituencies in the North and that each constituency shall return six Members.

As the Chairperson said earlier, no consensus could be reached by the Committee over the size of the Assembly. However, the report usefully sets out in some detail the particular position of the political parties represented on the Committee and includes a set of options that may well aid the final determination on the size of the Assembly.

I do not propose to go through Members' contributions, except to say that we have had a mature and constructive debate in Committee, and what we have agreed is that there is a need to take the debate forward. Simon Hamilton made the point that we now have a useful body of work on which to base those future discussions.

I thank Members for their contributions. I also thank the Committee staff and other Assembly staff and researchers who assisted the Committee in its review and the production of the report. On the way forward, as the Chairperson of the Committee said earlier, that is now for the Assembly's political parties, through the First Minister and the deputy First Minister, to decide. Finally, I ask that the Assembly notes the Committee's report.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the report of the Assembly and Executive Review Committee on the review of the number of Members of the Northern Ireland Legislative Assembly and on the reduction in the number of Northern Ireland Departments: Part 1 - Number of Members of the Northern Ireland Legislative Assembly.*

## **Penalty Charges (Prescribed Amounts) (Amendment) Regulations (Northern Ireland) 2012: Prayer of Annulment**

**Mr Principal Deputy Speaker:** As is normal for debates on legislation, there is no time limit.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** With your indulgence, Mr Principal Deputy Speaker, as this is my first opportunity to do so in the House, I wish to take a minute to thank all Members who sent me cards and messages of support over the difficult days during my illness. That support came from all sections of the House, and I am very grateful for it. I especially acknowledge the messages of prayer support, which meant so much to me and my family. I look forward to that support continuing in the difficult days that may lie ahead.

I beg to move

*That the Penalty Charges (Prescribed Amounts) (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/203) be annulled.*

I find myself in somewhat of a catch-22 situation today. I have moved the motion as Chair of the Committee yet will oppose it as a Member of the House. Therefore, Mr Principal Deputy Speaker, I hope that I do not confuse you or Members along the way.

I will present the facts of the matter in my capacity as Chair. They are as follows: on 19 April 2012, the Minister for Regional Development, Mr Danny Kennedy, appeared before the Committee to brief it on the proposed legislation relating to car park and on-street parking tariffs and increases to the penalty charge notices. During the briefing, the Minister advised the Committee that he intended to raise the penalty charge for illegal parking from £60 to £90, with a 50% remission of the charge should it be paid within 14 days. Members were advised that that increase, along with the increases in car-parking charges, was contained in the Northern Ireland Budget and had been approved by the Minister and his Executive colleagues and subsequently by the House. The Minister stated that a total of £7.5 million would be required over the remaining three years of the Budget period and that the money raised would be returned to Roads Service to cover operational costs. Members did not agree the policy merits of the proposed charges, as they believed that there were further efficiencies to be realised in the collection processes. That was formally relayed to the Department by letter on 18 April 2012.

### **5.45 pm**

The Committee received correspondence from the Department dated 3 May 2012, which was considered at the meeting of 9 May. The correspondence advised that, as the Department's budget and spending plans had included the increases, and given that the Budget had been approved at a plenary sitting of the Assembly in March 2011, the Minister had instructed officials to introduce the legislation. Members responded by stating their concerns about the inappropriate time that was being given to consider and scrutinise the regulations

The next time the Committee had sight of the regulations was on 6 June when the statutory rule was presented to the Committee for agreement. The Committee had also received



a presentation from the Northern Ireland Independent Retail Trade Association (NIIRTA) at that meeting. The association said that it was opposed to an increase in the rates as it would drive shoppers out of town centres and into shopping centres, and so on, where parking is free. At the appropriate time, the Deputy Chairperson put the Question on the matter, which was defeated by four votes to one, with the majority agreeing that the Committee should seek to annul the rule.

On the following Monday, 11 June, I attended a meeting with the Minister and was accompanied by the Deputy Chairperson and the Committee Clerk. There was a frank conversation in which the Minister detailed the consequences of the prayer being carried in the House. Those consequences essentially would mean the Minister and his officials having to identify alternative efficiencies in the Department that would potentially, as the Minister put it, impact on front line services and on health and safety matters, such as reducing the cutting of grass on verges alongside roads.

On 13 June, I submitted written notice of my intention to bring a motion to Committee to rescind its decision of 6 June. The notice was discussed in the Committee meeting of 13 June and was forwarded as a prior notification to all Committee members by post and e-mail and was included in the Committee packs for that meeting, indicating that a motion would be considered at the meeting of 20 June.

The Minister accepted an invitation from the Committee to attend the meeting and again outlined his reasons for introducing the proposed charges and the consequences of their not being brought in. During the debate, alternative options to the current charging regime and ways of enhancing and communicating the discretionary powers of wardens were also discussed.

I am pleased that the Minister has agreed to look at the merits of a dual-layer approach to charging, where low-impact offences, such as being a few minutes over the time, will attract a lesser penalty than those for people who park in blue badge bays, in bus lanes and next to bus shelters.

In addition, the Minister said that he would look at protocols for enforcement officers based on those that are used in local government in England and Wales. Those define the offences and outline the steps that enforcement officers will take before issuing a ticket. Importantly, those protocols are published and are available so that an individual receiving a penalty charge also knows the enforcement powers, limitations and procedures.

As I said, there was a full and frank debate on the matter, which was followed by the Question on the motion to rescind the decision to lay a prayer of annulment. I advise the House that this was defeated by a majority of seven votes to four.

That is how we find ourselves here today, Mr Principal Deputy Speaker. I wish, with your permission, to speak now as a Member for South Belfast. I am not opposed to the introduction of increased penalty charges, because, to put it bluntly, if you break the law you have to pay for it.

As elected representatives, we are, perhaps, all aware of tickets being handed out to elderly people whose doctors' appointments have overrun by a short period or the individual who has the misfortune to run over time in a pay-and-display car park. However, I ask Members not to confuse the need for increased penalty charges as a contribution towards

departmental savings plans and as a deterrent to illegal parking with the overzealous behaviour of traffic wardens.

Since the new arrangements for traffic management were first introduced in 2006, some 700,038 penalty charge notices have been issued in towns and cities in Northern Ireland. That is one for every two men, women and children who live in Northern Ireland, which I find astonishing. I do not agree that the majority of these have been issued in error either, as the figures show that an average of approximately 123,000 tickets are issued each year. Thirteen per cent of these tickets are appealed, and, of those, 59% are successfully upheld — that is over 9,000 appeals.

The figures that I have outlined are indicative of the problem that the Department is facing in relation to illegal parking in our towns and cities. The parking charges have been set at £60 since 2006, but the problem still exists, and, apparently, occurrences are increasing at a time when the Department is investing heavily in rapid transit systems in Belfast and quality bus corridors in Londonderry, and when it is providing park-and-ride facilities to offer motorists alternatives to driving into our towns and cities. It is entirely appropriate that a real deterrent to illegal parking is offered and implemented.

During the Committee debate on the matter last week, my Committee colleagues provided a range of reasons why these increases should not be applied. Without stealing their thunder — I know that they will speak for themselves shortly — I want to address some of those reasons. First, there is an idea that this is not an attempt to achieve efficiencies in the Department, but rather a revenue-generating scheme to plug a budgetary defect. Yes, these increases are detailed in the Budget — a Budget that was consulted on, debated in the Committees and eventually endorsed by the Assembly. I am not aware of any objections being raised at any of these stages in relation to the Budget. These increases were also identified in the savings delivery plans, which, again, were approved by the House and have been before the Committee on a number of occasions. Again, there were no objections.

It is normal government accounting practice to use revenues to offset operational costs. Student fees offset the cost of education; sales of timber offset the Forest Service's budget. These parking charges offset the cost of providing an enforcement regime. The taxpayer is currently subsidising this whole process to the tune of £7 million a year. This is an opportunity to lessen the burden by some £2.5 million a year by making those who break the law pay for blocking our laneways, taking up spaces reserved for blue-badge holders and preventing other legitimate parking from taking place. It is an appropriate charge, and one which makes the offender pay.

There is also the argument that this is a stupid form of budgeting because, if the increased charges are a successful deterrent and the number of parking offences declines, you will not be able to raise the revenue that has been identified. It is a utopian dream to believe that any level of charge will remove the problem of illegal parking. If the number of offences declines, the cost of enforcement will also decline. Therefore, efficiencies in the contract will be possible. Either way, the taxpayer will be better off.

A further suggestion is that enforcement wardens have targets for the number of tickets that they must issue. Many



believe that that is the cause of the overzealousness that is displayed by traffic wardens, which supports the attitude that the red coats are out to get everyone. I have a copy of the key performance indicators (KPIs) in the contract. I assure the House that there are no targets that specify the number of tickets that should be issued. Remember that this is the legal definition and the legal document by which both parties are bound. Any breach, such as unofficial targets, would leave both parties open to judicial process.

The Minister has identified a number of areas that might have to take a hit if the statutory rule were annulled, including the possibility of further increases in car parking charges. I accept that there is a degree of sabre-rattling by the Minister, but I agree with his conclusion that, if that were the case, people who park legally will be forced to pay to support the cost of enforcing legislation against those who park illegally. In this instance, I believe that that is a greater incentive than the threat of increased fines for people to move from town centres to suburban centres. I would find it hard to condemn anyone who did so; those who obey parking laws should not have to pay for those who breach them.

Mr Principal Deputy Speaker, before concluding my comments, I ask again for your indulgence for a few seconds. As many will already be aware, this debate will be the last occasion on which the Deputy Chair of the Committee for Regional Development will speak in the House. It is hugely ironic that we find ourselves at the opposite end of the spectrum on this occasion, because we have enjoyed — and I mean this — a very good working relationship in Committee. I am very appreciative of the Deputy Chair's help and support to me on a personal basis, particularly over the past few months, which I mentioned at the beginning of my remarks. I wish him well in his new ventures, which all seem to be centred on Westminster. He tells me that he will be in that place on Thursday of this week. He is wasting no time; he will be on the plane and off to London some time after the debate today. Seriously, Pat, on behalf of all members of the Committee and personally, I thank you for your hard work and dedication to the Committee and wish you well in your work outside this House.

The problems that Members will identify today are not associated with the increased charges; they are problems that are associated with the enforcing regime. Let us address that problem separately and in consultation with the Minister, his officials, and, where necessary, other areas of best practice. We should not penalise law-abiding citizens. Those who break the law should be made to pay for their transgressions.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas le Cathaoirleach an Choiste. I thank the Chair of the Committee for Regional Development for outlining the Committee's position on the prayer of annulment. I support that annulment. I do so not because I am opposed to the increase in parking fines per se but because this is not the right time.

I say that because, particularly in the provincial towns and villages, shops and businesses are increasingly coming under pressure. At local government level, we have tried as hard as we could to keep rates as low as possible, and speaking from experience in my borough of Limavady —

**6.00 pm**

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

**Mr Ó hOisín:** Yes, certainly.

**Mr Beggs:** Does the Member realise that the purpose of the parking ticket is to ensure good parking and good road safety so that people do not abandon their cars inappropriately at entrances to roads, car parks and on footpaths? In saying that you are opposing this for a commercial reason for retailers, are you totally ignoring the road safety implications?

**Mr Ó hOisín:** Absolutely not. The purpose of the issuing of some PCNs goes further in that they restrict the time that people might use in some town centres, and that restricts the business that they can get done. In some cases, that is as little as an hour, and if you want to do anything in the town, you will not get the chance to do it in that time.

We have been lobbied by the chambers of trade and commerce in the smaller provincial towns and villages and by the NI Independent Retail Trade Association, which has outlined its objections to the proposals. Ideally, people should come into towns on public transport, but in the rural settings, that is not possible and there is a continuing diminution in the supply of transport in rural towns and areas. I appreciate that the situation is rather different in our two major cities and our larger towns.

I do not believe that we would have been in this position had we put in place the on-street parking charges that the previous Minister proposed, because that would have raised sufficient revenue to cover the shortcomings that we have been talking about. Any proposal to increase the —

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

**Mr Ó hOisín:** Yes. Go ahead.

**Mr Swann:** For clarification, are you now saying that on-street car parking would help town centres rather than penalise them?

**Mr Ó hOisín:** I am saying that I support a decent on-street car parking system whereby people could pull up and pay for the amount of time that they want to stay, be that one hour, two hours or three hours. Ideally, it should be more than one hour, but in some areas, it is just one hour, and that is certainly not enough to do your business. People are caught out when they go to the hairdresser or a dentist, or whatever, because an hour is not enough, and people come to us with appeals to challenge a ticket. Those appeals are upheld in only about 7% of those cases, and we are talking about pensioners who could end up paying £30, £60 and now potentially £90 or half thereof.

Business users who are doing deliveries are also struck by the issue. I know of one butcher who has to park his van some 500 yards from the front door of his premises because of restrictions there. Those people are sat on by the redcoats. I am not saying that that is the case everywhere.

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

**Mr Ó hOisín:** Yes.

**Mr Beggs:** The Member is objecting to parking restrictions outside a butcher's shop. You do, of course, realise that if you think that there should be no parking restrictions there, there are methods to go through to get yellow lines or double yellow lines removed. If that is the objection, why not deal with the issue in that fashion rather than simply say that you want to reduce the penalties for those who breach the rules and the law?

**Mr Ó hOisín:** The Member knows very well that it is a very cumbersome process to get any parking restrictions removed, particularly from town centres. That is an issue right across the board.

I contend that parking fines are a deterrent to trade. It also leaves a bad taste with our visitors who come here and happen to end up with a ticket. In one area, a council car park outside the council building is controlled or monitored by the redcoats, and, in the past, guests, tourists, and everybody, have been booked there. That has left a bad taste in people's mouths.

There is another issue with the issuing of PCNs. In some towns, the numbers are minimal. My town, which is one of the most congested anywhere in the North or maybe on the island, as the Minister well knows, has had two tickets issued in the six years from 2006 to 2012. On many occasions, I have seen traffic attendants in that town. There are only five disabled parking bays, and I assume that that is what they are monitoring. I rarely see anyone parking in those, so I wonder whether that is the best use of money. The Chair proposed that we might look at some sort of staged or staggered system, and that might be well worth looking at. We might also look at a differential between city and country delivery. I urge the Minister to revisit this and to come back to the Committee with new and updated proposals. I support the annulment.

**Mr Hussey:** I welcome the opportunity to speak on the prayer in the name of the Regional Development Committee, of which I am a Member. On this occasion, I completely disagree with the course of action on which the Committee has decided by bringing this proposal to the House. From the outset, I make it clear that I was as concerned as anyone else when I heard that parking tickets were increasing from £60 to £90, but when I thought about it, I realised that those who are complaining loudest about the increase are probably those who have been at the receiving end of the greater share of tickets.

I also have to admit that I, too, have been the recipient of a parking ticket. I confess that I deserved that, as I arrived early, prior to the charges being implemented, intending to use my car, as a friend and I were going to Belfast. However, he turned up and picked me up from the front of my office, and off I went, completely forgetting that I had no ticket on my car. When I came back, a ticket of a different kind was attached to the windscreen. Therefore, even the most innocently intentioned people can be issued with a parking ticket. It can happen to any of us, and no one likes the sight of one taped to our windscreens.

Sometimes, people are caught out for relatively minor offences, because their tickets have overrun by a few minutes or because they have foolishly run the chance of not paying for a ticket at all. People, such as me, who did not pay have absolutely no excuse, but people who missed

by a few minutes should be given every sympathy. We have discussed that in Committee, with the Minister agreeing to look at the options open to him by perhaps extending the time between when the ticket has expired and the time that a penalty ticket can be issued. Of course, we do not then expect people to automatically assume that that means that they have one hour plus the added minutes and a few more for luck.

I must say that I have little sympathy for people who repeatedly park on double yellow lines, which was the most common reason for being given a ticket last year. Possibly even worse are people who park in disabled bays when they are not entitled to. In fact, I am sure you are all aware of the number of blue badges that have been illegally and immorally obtained by some people. At the Committee, I even suggested that an automatic £100 fine should be introduced for this infringement.

We have looked at other schemes, and there is an option to have a scale of fines for different offences. As someone who has a disability, I find that people who feel that any empty car parking space is fair game or who feel that the disabled space might prevent them from getting their hair wet when it is raining on a standard Northern Ireland summer's day deserve to be penalised heavily for this infringement.

There seems to be a misunderstanding in some quarters about exactly why car parking tickets are issued. No one should be in any doubt about the real purpose of parking tickets. They are not simply a way of generating cash for the Department, and I will make some comments on that shortly. They are a crucial component in effective parking enforcement. People should not only be dissuaded from parking illegally but should be reprimanded if they decide to do so. Illegal parking not only compounds congestion on our roads but badly parked vehicles can present a risk to other road users as well as potentially limiting response times for emergency vehicles. There are housing estates in my home town of Omagh where elderly people live where certain individuals believe that they can park where they want. The fact that they are restricting access in and out is neither here nor there to them. The bin lorry cannot get turned, so the bins are left for another day. Ambulances have had to park in the middle of the road and attempt to bring patients out whatever way they can.

Of course, parking in Northern Ireland has, for many years, been a bone of contention. Since enforcement was privatised in 2006, the issue seems to have exploded. I never thought that we would ever hear people moaning that they miss the local traffic warden. Again in my home town of Omagh, the late Howard Hegan was a well-known character. Howard would patrol the streets day and night, and if you were getting to the point that a ticket might have to be issued, Howard would attempt to seek you out and give you the 10-minute warning. There is no doubt that if you got a ticket from Howard, you deserved it. Generally, it is fair to say that people were used to a different approach to enforcement. However, a very small minority of traffic attendants in a number of areas grew overzealous and gave the majority of absolutely fair attendants a difficult time.

On the issue of the disparity of parking tickets, I will use my home town of Omagh, with the population of 20,000, as an example. Last year, 5,097 tickets were issued. Compare that to a town such as Portadown, with 22,000

residents but only 2,506 tickets. That may be down to better parking facilities in some towns compared to others but, as the excellent The Detail website found, there are major inconsistencies across Northern Ireland.

Nevertheless, getting back to the debate in hand, if today's proposal to annul is successful, it sends out an entirely wrong message. Not only would it be seen as the Assembly backing down on tougher parking enforcement, it would totally disregard the financial consequences of such an action. Most people are already aware that enforcing an effective parking regime costs far in excess of what the Department manages to raise through fines. That is on top of a declining rate of tickets. The number of tickets issued has been falling significantly over recent years. In 2006, over 160,000 were handed out. Last year, however, only 125,800 were issued. Even then, the downward trend was somewhat bucked, as in 2010, there were only 118,000.

Even though enforcement costs far more than is raised, the Ulster Unionist Party strongly believes that the benefits of reduced congestion on the roads, improved access to our towns and villages and improved road safety are worth paying the extra for. Most people in Northern Ireland will not be affected by the increase from £60 to £90 or, more realistically, the increase from £30 to £45, as most people do not get parking tickets regularly. We all make mistakes, and sometimes we can feel hard done by. However, rules are rules, and we would complain as quickly as anyone if an illegally parked vehicle was causing any of us any difficulties.

I should also add that I have appealed quite a few tickets on behalf of constituents and won. If you can provide a reasoned argument, and provided that it is your first and only appeal, you will generally win. It must be borne in mind that the majority of people do not appeal and must, therefore, accept that they were worthy recipients of a parking ticket.

I am sure that you will be pleased to note that I am coming to the end of my remarks. However, there are those sitting on the Benches opposite who might want the Minister to bring in town centre charges for parking, as was the policy intention of the previous Sinn Féin Minister, Conor Murphy. If that were to happen, how long would we allow people to park their car in a town centre? One hour, two hours or three hours? Why not give them the full day? You would then have congestion in towns because you would have people driving round continuously looking for a parking space that they cannot obtain.

The best policy is the one-hour free parking that we have in most towns. If people want to go to a town to shop, they will go to the car parks and pay the appropriate charge. If they are going to use on-street parking, one hour should be sufficient to go into the bank or whatever. I am sure that most ladies, who were referred to earlier, who go to the hairdresser are aware of how long it takes to get their hair set. I do not have that problem. I am sure that those who go to the dentist have a rough idea of how long it is going to take. Generally, you want to get in and out of there as quickly as possible. I am sure that when most people go to the bank — unless it is the Ulster Bank — they go in and come out in a fairly reasonable time *[Laughter.]* I am sure that if you get a ticket for parking outside the Ulster Bank, it will come along and pay that fine.

The image of the Minister rattling his sabre appeals to me. I was thinking that I could just see him with his sabre rattling it about here today. However, this is not sabre-rattling; this is common sense. We have seen the need for parking charges. We know why people get tickets. You do not get a ticket for the fun of it, and it is not the sort of ticket that most people look for. You cannot win a prize but you can certainly get a fine, and if you pay it on time, you will not get the larger fine.

However, we know from experience that people are inclined to chance their hand. The double yellow line? Well, I will give it five minutes. The disabled bay? Sure I am only going in and out. If you are a disabled person and you cannot get parked in a disabled bay because somebody has parked in that bay to go into the bank or the hairdressers or whatever, you are not a very happy person. People will always try their hand. People parking on corners; people parking on double yellow lines; people parking in disabled bays or loading bays. They will continually do it. They have to be told that they cannot do it. If they do not do it, they will not get a ticket. That is the message: do not break the law; do not get the ticket; no major problems.

I do not support the prayer.

#### 6.15 pm

**Mr Dallat:** Mr Principal Deputy Speaker, I put my hands up immediately and say that I have just joined this Committee. I am very impressed by the Chairman and the Deputy Chairman; I am sorry he is leaving. I was also impressed by the openness of the Minister in how he treats the Committee. Indeed, I will be eternally grateful for all the money he found for the Derry to Coleraine stretch of railway.

That aside, this is an issue that does touch me. Before Roy Beggs gets to his feet to tell me that I am irresponsible and all that, let me say that, for the best part of my adult life, I taught road safety studies. I was very proud of my pupils when they competed in the Northern Ireland road safety competition that was held annually in Stranmillis college. And they won. So, I am not here to defend the people who defraud the blue badge scheme or the people who obstruct emergency ambulances that are trying to get to somebody in need. It is not about that.

Like my colleague Mr Ó hOisín, I am influenced. In Limavady, there are two very busy car parks. For a long time, my constituency council looked out on one of those — until the commission decided that the rent was too dear, but that is a different issue. I saw, day and daily, who was getting nabbed. Ross, it was not the people you talked about. Very largely, it was people who were retired. They came in, paid the money that they could afford, went in to the town centre to the optician or the dentist or whatever and came back a few minutes late. They had to pay £30 or £60. A lot of those people were on a pension of £147 a week. That is a big blow. The other people often caught were young mothers with children, who would be going in to the town centre to get shoes fitted or whatever. The situation is not as simple as has been described. You do get queues in the banks. You do get busy times in shops. You do get children who become excited when in the town centre and maybe keep you longer than you intended. It is not about that. The Minister, when he talked to the Committee, was entirely honest about this. Let us keep the debate honest. The measure is about

finding £7.5 million to fill a hole in the Minister's budget. That is not his fault. He is dictated to by the Executive.

Somebody compared fines and fees. This is not the pantomime season. To suggest that fines and fees are somehow similar is not quite right. Fees are something that you pay when you are getting something in return. A fine, in this case, will be something you pay to make up Danny's budget. That is totally wrong.

I am influenced by these times of austerity. In Limavady, something like 3,000 jobs have disappeared over the past five years. A lot of people will not be paying the parking fines because they have already emigrated. Those who are left behind, particularly those who come in to the town during the day, are caught. We are all human.

We know, of course, that people will get nabbed by the redcoats. I am not painting the redcoats as some kind of vicious animal going around looking for people. However, like people in this Assembly and everywhere else, there are different personalities. I know one redcoat who enthusiastically goes out to get the scalps. Of course he does. He boasts about it afterwards. I know others, and their heart bleeds to even issue a ticket. Human beings are different, no matter what they are doing.

I would not dare to attempt to speak for the Minister, but I know that his heart is not in this. *[Laughter.]* It is not. He is a kind person — *[Laughter.]* — who would not impose such a vicious fine on poor elderly people or young mothers if he could get away with it. He told the Committee that he is up against it in that cruel Executive that want to extract a new form of taxation from the oppressed people of Northern Ireland. That is what it is about; there is not much more to say about it.

I suppose I can be eternally grateful that I have got free parking up here. I do not have the problem that we are talking about. However, given the sorts of debates we have been having recently, I think I would be qualifying for parking charges regularly. Long may these fairly late debates take place; at least Members are having an opportunity to discuss the issue. I hope that Mr Spratt, the Chairman, accepts what I am saying because he knows what fines are about from his previous life. They should always be pitched at a level at which they cause pain but not distress. This increase in fine will, unfortunately, cause a lot more than pain. It will cost hardship, particularly to those who may not be so bright at interpreting the rules in the car parks, those who are not so conscious of the time on their watch, or those who, perhaps, make appointments for which the time required is difficult to predict, as is, therefore, the time they will return to their car. Those are the main reasons why I am supporting the prayer of annulment.

**Mr Principal Deputy Speaker:** The clock at the bottom end of the Chamber is either slow or stopped, so it is later than Members might realise.

**Mr Dickson:** I apologise to the House for being late in returning to the Building this afternoon. I was at another engagement in Enniskillen. *[Interruption.]* There were no parking problems there today.

The Minister has to tell us straight: is this about revenue raising or, as he has told the Committee, about improving parking etiquette in Northern Ireland? If it is about revenue

raising, then, Minister, go ahead with your draconian increase to £90. However, if it is about improving parking etiquette and, at the same time, dealing with those rogue elements who are persistent offenders, as you have suggested to us on numerous occasions, I suggest to you, Minister, that there are alternative ways of dealing with that and, perhaps, as a consequence, raising additional revenue. We all have concerns about the problems regarding the Department's budget.

Due to public demand, all, not just some, London local authorities have introduced a two-tier system of fines: lower and higher levels. There is a £60 fine, as we have in Northern Ireland, for low-level offences, and a £120 fine for high-level offences. The high-level fine is for people who block bus lanes or cause blockages outside schools or who park on pedestrian crossings, on yellow lines, in safety zones, in disabled bays or in loading bays. Minister, if you are genuine about improving parking etiquette and about bringing about a sea change in driving and parking habits in Northern Ireland, and if, as I hope, the House supports the prayer of annulment and you are required to come back with alternatives, can I encourage you to give serious consideration to the introduction of a two-tier system? Such a system would, on the one hand, deal with the persistent offenders, the people who you say you want to get at, while, on the other hand, it would deal with those people whom other Members have referred to — those who spend an extra few minutes in the dentist's surgery because an appointment has overrun, or those who have to go into the bank, for example — and for whom the overzealous traffic warden is waiting in a car park or in a parking bay on the street. Those are the people whom we do not wish to see penalised any more than they are currently. I think that £60, with the discount, is perceived to be a reasonable amount to deal with that.

There are persistent offenders and, perhaps, we could extend the two-tier process to those who receive fines on a regular basis. Offenders who had received three fines in a period for minor offences, for example, would receive a higher penalty. All those things are open and available to you. I encourage you and your departmental officials to come back to the House with constructive proposals, not draconian proposals, in respect of parking fines. Minister, that is why I oppose your proposal and support the prayer of annulment.

**Mr I McCrea:** At the outset, I will state that when the Minister was with the Committee, I expressed some sympathy with him on this matter because there are people who consistently break the law in respect of illegal parking. In that vein, I understand the need for the Minister to do something about it.

I came to the Chamber today hoping for something different in the arguments being presented by those who support the prayer of annulment but, unfortunately, I have not heard anything different. It is easy to say that we need to vote for the prayer of annulment, but it is not as easy to say what you would do in its place. I heard the Member for East Antrim suggest some alternatives, but I am not sure that there was much there, other than a charge for the rich and a charge for the poor. Nonetheless, I accept that the Minister needs to consider some alternatives to how we move this matter forward.



On a constituency basis, I have always been an advocate of trying to tackle the problem of illegal parking in our town centres. On many occasions, I have supported the need for the redcoats or traffic attendants or whatever we wish to call them. I have no doubt that there are other names that people will choose to call them, but we will call them what they are supposed to be called today. They have a difficult job. There is no doubt that support to deal with this problem needs to be given.

I listened to what other Members said in respect of the increase. Maybe it is my ignorance, or maybe I just did not hear what they had to say, but it was more an issue about the fact that there were penalty fines, not the fact that there was an increase. We have to remember that penalty fines of £60 are already in place, and the issue is the increase. I have not heard that much of an argument against it. I have not heard much of a reason why people who consistently break the law by parking illegally should not be dealt with.

There is a wider issue in respect of how we deal with this.

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

**Mr I McCrea:** Yes.

**Mr Clarke:** The Member will appreciate that some of us listen to the radio in the mornings, and there is one particular presenter who, when he is not talking about his weight, consistently talks about the price of fines and the number of times that he has been fined. Obviously, that presenter has not been put off by the amount that he has been fined. In fact, he will probably be on the radio tomorrow morning welcoming an increase in the fines.

**Mr I McCrea:** I try my best not to listen to him as much as the Member, but I believe that, recently, he was trying his best to pay his fine via the internet or the telephone. To be fair, the Minister is trying to address that issue to ensure that people can do that. On-street parking is a different matter from the fines. Nonetheless, the fine has the same end result.

Mr Dallat said that there are always one or two bad traffic attendants who bring down people's opinion of them all. I could name more than one, but I will not today.

Nonetheless, the lack of a consistent approach is a problem, and that has been raised with the Minister. There is a need for a more consistent and human approach. People should not try to see how many tickets they can give out on any given day as if it were a bonus scheme, which the Minister has assured us it is not. That needs to be addressed.

To some extent, I have sympathy with people who feel that the charge is too severe. Nonetheless, we cannot sit on our laurels and do nothing. We have to show people that we intend to tackle the matter. If that means that we have to increase —

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

**Mr I McCrea:** Yes.

**Mr Dickson:** Does the Member agree with me that the prayer of annulment is not a "do nothing" proposal but actually asks the Minister to do something, which is to come back with improved suggestions and more creative thinking on the matter?

## 6.30 pm

**Mr I McCrea:** The prayer of annulment is what it is; it is speaking out against what the Minister has proposed. Obviously, the Minister will have to take on board what is discussed if the prayer of annulment is agreed to today.

I believe that the Minister, who was praised by Mr Dallat earlier, has a heart. I also believe that he has a listening ear, and I respect him for listening to the issues that I bring to his table. I think that he will listen to the debate regardless of the outcome and will hopefully bring forward alternatives to address the problem while ensuring that people are not ticketed just because they are, through no fault of their own, a few minutes late. Some Members talked about hairdressers; I am not one of those who would get caught out by a long waiting time at the hairdresser. I suppose that I should declare an interest because my wife is one. Nonetheless, there are people who get caught out when they have an appointment and are, through no fault of their own, late getting back to their car to ensure that their ticket is up to date. Those are issues that the Minister has, no doubt, to take on board. However, I again urge Members not to vote in favour of the motion.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. As a member of the Committee, I support the prayer of annulment. There has been considerable debate about the issue in Committee. I thank the Minister for coming to the Committee and for putting forward his reasons and rationale. I am not convinced that it is not a revenue raising project. The Minister says that raising the level from £60 to £90 will act as a greater deterrent to those who choose not to park properly. He said:

*"The increase in the PCN will go towards the self-funding of car parking services which currently runs at a deficit of £7million per year. Reducing this deficit will free up other parts of my budget for maintaining front-line services such as fixing potholes and maintaining street lights."*

If the Minister is successful in doing the first, he will certainly have no money.

We do not encourage or condone illegal parking by any stretch of the imagination. The Minister told the Committee that he wanted to deter the small number of rogue drivers who incur penalties by parking in illegal places etc. However, in my experience, the vast majority of those who incur penalties are ordinary citizens going into town for specific reasons such as appointments etc, as all the other Members said. I think that Ross Hussey quoted the figure for Omagh — 29,000, nearly 30,000. Outside of Derry and Belfast, Enniskillen tops the league with almost 43,000. Is the Minister saying to me that there are almost 43,000 rogue drivers in and around Enniskillen? I live in Enniskillen and have a constituency office beside the car park. We have people coming from the car park who are angry, having received a ticket for having been 10 or 15 minutes late. People who come to shop from the border counties are being deterred. From a personal point of view, I am not saying that I incurred all 43,000 tickets, but I incurred a number of them. Possibly some were due to my own carelessness, but quite a few of them were for being 10 or 15 minutes late. A LeasCheann Comhairle, I want to tell Members that I have paid them all.



Many of the people are van drivers making deliveries. They have to park somewhere. There is an overzealous attendant or whatever you call him in Enniskillen. I know that the Minister says there are no bonuses, but I would love to know what this man is on. If you have not the change in your pocket for the machine and you have to go up the town for it, there could be a ticket on your car. You need to tell someone to stand beside your car until you come back. I know people from the outlying towns in County Fermanagh who will not go to Enniskillen to shop, unless they are going to the large out-of-town shops. They say that you will end up with a parking ticket. That is why I asked the Member down there who was in Enniskillen today whether he got a parking ticket, but I think that today was one of those days when there might not have been any handed out.

The proposed increase is far too great, particularly in this economic climate. The Minister needs, as others say, to look at other measures, reconfigure his figures in some way or look within the Department. He needs to put in place a more transparent and exact system. The one that gives out 42,000 fines in a small town is not good enough. If the penalty fines are increased, it will encourage more and more people to leave our town centres for the free car parking spaces at the large shops. I agree with the Minister when he said that he wanted drivers to park legally and consider other road users. I believe that the current penalty charges are sufficient for that. I ask all Members of the House to support the prayer of annulment.

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

**Mr Lynch:** Too late.

**Mr Beggs:** I think we are having a useful debate. It is interesting to hear some of the arguments and some of the illogical arguments. No one likes paying a car parking fine. Let us be clear: it has a deterrent value, a very important value. It has affected me. I am sure that it has an effect on all other Members, but perhaps not on some, like Stephen Nolan, who seem to be able to flout the law, continue to pick up fines and then whinge about it. In reality, the fines are there. Yes, there is a fine for illegal and dangerous car parking, and there is also a fine for those who have overstayed their dues. It is important that those who abandon their car in a dangerous place face appropriate penalties, and it is clear that there is a deterrent effect with those fines.

**Mr Ó hOisín:** Will the Member give way?

**Mr Beggs:** Yes.

**Mr Ó hOisín:** Does the Member agree, and I think that he has outlined it, that there is a difference between those who park illegally and those who have unfortunately been caught short or whatever?

**Mr Beggs:** That is something which, it is clear, has come forth in the discussion. In the discussion between the Minister and the Chair and the Deputy Chair of the Committee, it is something which — it was made clear — will be pursued further and, I hope, instigated. There is the issue of adopting protocol with those who are given the job of enforcing the law so that they do it with regard and some degree of good service to the customers, in dealing perhaps with someone who is just a few minutes late. That would go a long way towards improving the situation and would show

that, for those who may have overstayed their welcome by a very short period, some degree of leniency would be allowed.

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

**Mr Beggs:** I gave way earlier. I would like to pursue my own argument, if I may. We have heard that the fee has sat at £80 — or £30, because most people pay within the deemed period — since 2006. Whether you like it or not, there have been considerable increases in offences during that time. We were given clear evidence on that. That means that the deterrent is not working and is not sufficient. As a result, some of those who continue to flout the law, as I have highlighted, will be increasing road safety issues. They will be parking inappropriately, without receiving the appropriate penalty to act as a deterrent. That danger remains. It is clear from the increased number of tickets that it is not doing the job as we wish it to do.

I got one ticket a number of years ago. My trailer was not parked perfectly, even though I had a ticket on the car. It was at the very far end of the car park. I thought it was well away from everybody. I had to pay my ticket. I reckoned that it was not parked correctly, and I paid my ticket. I learned my lesson. I have since ensured that I have parked meticulously. I check when I have to and always endeavour to be back at the car within the appropriate period.

This is a very emotive issue. People can go on a crusade against car parking attendants or redcoats, but picture your local town without car parking attendants. The Member for East Londonderry suggested that you should be able to stay much longer outside the butcher's shop.

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

**Mr Beggs:** I certainly will.

**Mr Storey:** The difficulty I have is that, in Ballymena or Ballymoney, the car parking attendants are absolutely useless when it comes to traffic jams. They have no power to intervene to keep traffic flowing. They have no power to intervene to manage traffic in the towns. All that they are out to do is to make sure that they get some poor individual who has been in the town for four minutes over time, spending money, and chase them out of the town. That is the only benefit they are.

**Mr Beggs:** Anyone who has any knowledge of the subject will agree with me that the sooner responsibility for car parking attendants is passed to councils, the better, so that they are accountable to local people and have to respond accordingly. That is my view. If there are issues like that, that would certainly deal with them. The local council would deal with them.

I go back to the issue. If, as the Member opposite suggested, we should not have waiting restrictions outside the butcher's shop or the butcher should be able to pay to park for three or four hours, what customers will get in there? Surely, the butcher will park there or perhaps the office worker upstairs. The purpose of some of the restrictions is to enable customers to get there. We all need to look at it carefully before changing such policies. On occasions, it is right to change, but, I have to admit, I was shocked when the argument against fines was that, instead of the fines, we should introduce on-street car parking charges. I really find that ridiculous. It almost seems as if

Sinn Féin is miffed that its policy of introducing additional on-street car parking charges was avoided by passing some of the costs for the traffic management issue to those who are causing offences and not obeying the regulations. That is a rather childish approach, if that is what it is, simply because that party's original policy of wanting to charge people for parking in town centres was altered.

I go back to the issue of road safety, which is very important. I declare an interest as a member of the Carrickfergus road safety committee. Some people think that they can just abandon a car anywhere. We have to make sure that that is not allowed. Surely, after six years with a steady price and the knowledge that the fine is not working, because the number of offences is increasing, there has to be an increase.

#### 6.45 pm

There are choices. I welcome the discussion that has occurred between the Chair, Deputy Chair and the Minister. I hope that we can hear more and that the ideas of dual charging and protocols can be progressed further so that there is clarity and transparency for everyone. There are choices in everything we do. A Budget has been set that the Executive have passed. I have been a member of different Committees, and many policies to increase costs have come forward. I would have preferred many of those costs to stay at zero, just as most people would, but you have to act responsibly. Unless you can propose an alternative cost that will fill that void, you are acting irresponsibly. The only suggestion that I have heard here today to fill the void of this traffic management issue has been the introduction of on-street parking charges in town centres. I think that would have an adverse effect on our town centres and should not be introduced. I do not accept that as an argument.

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

**Mr Beggs:** Yes, I certainly will.

**Mr Dickson:** Does the Member agree that it is not reasonable to suggest that that is the only proposal that has been made in the Chamber today? The proposal that I made and, I think, others would agree with is that we should introduce a two-tier fine system. That would add to the Minister's coffers, and, at the same time, it would not penalise those who can least afford it and those who commit the most minor of offences. We need some intelligent thinking about this, not just one big slap of an increase of a fine.

**Mr Beggs:** I thank the Member for his suggestion again, but, if he were on Carrick council discussing some issue, he would know that the Budget is today. The budget is not in six months' time, after you have gone through some new consultation procedures and introduced new legislation. The Budget is today.

I am a former member of the Regional Development Committee. Officials came to that Committee just before I moved on, and I asked, or someone asked, what the choices were. They indicated, at that point, that their choices included the reduction of grass cutting on the verges. Again, from a road safety point of view, I would not want that to be reduced because of the danger to pedestrians. It is not that long since we heard of tragic accidents where pedestrians were struck by vehicles, and, if there is long grass or bad visibility at junctions, you will increase the risk of road traffic

accidents. Therefore, I reject the suggestion of reducing the cutting of grass verges.

Another suggestion — I had to take a second look at it, but I discovered that it is a very real suggestion — was to turn street lights out at night. People may be surprised and not take that seriously, but that is what many councils in England have done; they have turned the lights out in the wee hours of the night. Again, I do not wish to go down that route. There would be potential hazards for those who might still be working or going home from night shifts and possible dangers for the local community as well. Many people become attached to their street lights, and, rather than turn them off, I would much prefer that we live with what the choice is now — *[Interruption.]*

**Mr Principal Deputy Speaker:** Order. I ask that Members return to the debate.

**Mr Beggs:** I ask that we respect the fact that increased fines for road traffic offences, such as parking offences, would have a dual purpose. They would be a major deterrent. Those prices have sat there for some six years without any increase. They would also fill the void. I wish to hear more from the Minister at the end, but I understand that the alternatives would result in some potentially drastic instances. Realistic alternatives have not been presented. Therefore, regrettably, I have to support this measure. I do not want higher fines for myself or my constituents, but there are reasons why this is the best option — road traffic reasons and to fill the real budget gap. I support the retention of the costs and will vote against the prayer of annulment.

**Mr McCallister:** It has been interesting to hear the different ideas and thoughts in the debate. I certainly take issue with the Sinn Féin perspective. I find the very suggestion that somehow paying on-street parking charges will alleviate all the problems quite illogical. Before the last election, I was very much part of the campaign to avoid on-street parking charges in towns in my constituency, such as Kilkeel, Warrenpoint, Downpatrick, Newcastle and others. I congratulate the Minister on a very speedy decision to scrap the proposals for on-street parking charges. It was the right decision to make then, and it is right to support it now. I think that there is actually great support around the House for the Minister's action back then. Sinn Féin Members have talked about the economic conditions not being right to increase fines.

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

**Mr McCallister:** Just let me finish this point, Mr Anderson. On-street parking charges could have been a disaster for our struggling market towns and town centres across Northern Ireland. We were right to oppose them, and we will continue to oppose them.

**Mr Anderson:** I thank the Member for giving way. He says that he did not want additional on-street parking fees, but is he in support of additional car parking fees that were not previously charged? They are now being introduced by the Minister. That is happening in my own town in my constituency. Both are additional charges, so what is the difference between on-street parking charges and car parking charges?

**Mr McCallister:** I am surprised that Mr Anderson has now become an advocate of on-street car parking charges. There

are tough choices to be made *[Interruption.]* I support the actions that the Minister has taken on car parking, thus avoiding on-street parking charges. It was the right decision.

**Mr Principal Deputy Speaker:** Order. Make your remarks through the Chair.

**Mr McCallister:** I am surprised that the Member has suddenly moved away from that position.

My point about the Sinn Féin position is that it is totally illogical. Its argument that you should pay on-street parking charges is illogical. How will you enforce that if you do not want any type of fine? You would get into the same issues with on-street parking that we have now with people who come back to a car park a few minutes late. Either you have a fine system to enforce that or you do not. If you do not have a fine system in place, nobody will pay any of the charges anyway, because there will be no penalty. The very arguments that Sinn Féin makes are totally illogical. It simply will not work.

Parking is one of the most difficult issues to deal with in our towns. Getting the balance right in even our small market towns is difficult. Who parks in the towns? There are all-day parkers who go elsewhere in the country to work and do not bring any new business into the town. How do you manage that? There are many towns in which we have restricted parking to help to bring in business to regenerate them, and it is right and proper that we do that. We are in the process of doing that in my local town, Rathfriland, because we have had a problem with all-day parkers and cars taking up space. Those people are not bringing commercial activity into the town, and we do not want that. We need to manage town traffic and parking to increase business and throughput in all our towns. Many of our smaller towns are struggling in these difficult economic conditions. That is why parking is an important issue that we must get right.

Mr Dickson talked about other options. My understanding of the prayer of annulment is that either the motion is passed or it is not. Therefore, it is not presenting us with options. He may well have brought other options to the Committee that may be useful to explore. However, tonight, we have to make a decision on how we will fund the future of parking.

**Mr Dickson:** The Member is right: the prayer of annulment is the only way of dealing with the matter. As the Member's colleague Mr Beggs said, when departmental officials came to the Committee we saw the paucity of their proposals: stop grass cutting and turn off street lights. Those are not alternatives; they are ridiculous suggestions. The alternative is to introduce a proper, two-tier system of fines, and the only way that that can be achieved is by annulling the proposal tonight and genuinely allowing the Minister to come back with better proposals.

**Mr McCallister:** Has the Committee worked through how much that system would raise? At what level would the second tier of fines have to be set to raise some of the money? Would those who have been or claim to have been unlucky enough to have been caught several times in one year complain about the level of fine? The Minister may also want to respond to questions about the bureaucracy required to deal with such a system. We already have a gap between what it costs to administer the system and the revenue raised by parking fines. People have got the message about parking, and we should encourage the

levels of illegal parking to keep coming down. However, Mr Dickson's proposals seem to be a few ideas that he has just thought of; he has not worked through the cost and workability of such a scheme.

Like my colleague Mr Beggs, I am concerned about a reduction of grass cutting. I am also concerned about turning off lights in our towns and villages and the major impact that that could have on safety and crime. We have to take that into account.

**Mr B McCrea:** Will the Member give way?

**Mr McCallister:** Certainly.

**Mr B McCrea:** Does the Member agree with me that some Members are simply not taking the issue seriously? What we are seeing is cheap political knockabout. We have Members who have no intention of letting this through but see an opportunity for making a cheap political point. Surely it is time for Members to show that they are responsible politicians, rather than making cheap jibes from the Benches. We know how the DUP will vote and how Sinn Féin will vote. This is pure political pantomime — *[Interruption.]* It is not a serious point. I am sure that my colleague will want to elaborate on that.

**Mr McCallister:** I thank my honourable friend for that valuable contribution. It has certainly added a great deal of clarity to the debate, and, perhaps before I finish, he may wish to contribute some more of his knowledge. *[Interruption.]*

*(Mr Speaker in the Chair)*

There are important issues. Members have argued that the increase is so great that people will be unable to afford it. For most who pay within the 14-day limit, the fine will increase from £30 to £45. That is about half a tank of diesel in most cars and probably less than 10% of an average annual car insurance premium. I find it incredible that someone would be thrown into hardship if they were asked to pay £45 for a parking offence. We should bear it in mind that, if you commit an offence and are caught, you should be fined. Are we going to argue that point for speeding offences and for every other offence?

**Mr I McCrea:** I thank the Member for giving way. The Member spoke about the increase in the fine. Surely the issue is really about encouraging people not to park illegally. If they do that, they will not have to pay the additional amount, as they will not have a fine to pay.

**Mr McCallister:** The point is well made. The evidence suggests that, if the number of illegal parkers is coming down, at least part of the message is getting through. I applaud that and encourage us all to do that. I am sure that there are few Members who have not been caught out with a parking fine at some point —

**Mr Spratt:** Speak for yourself, John.

**Mr McCallister:** When I was caught, I was entirely innocent. *[Laughter.]*

**7.00 pm**

**Mr Flanagan:** I thank the Member for giving way. He talked about Members being caught for parking offences. I, too, confess to having been caught out, but it was not putting

£60 or £90 into the Department for Regional Development or paying it to red coats; it was paid to a private clumper in south Belfast, which was far worse because getting clamped cost me £85. However, a dirty rumour is circulating around the House that I ask UUP Members to clarify. Some in the House say that the Minister received a ticket in Enniskillen today. Can you clarify that? *[Laughter.]*

**Mr McCallister:** I will let the Minister clarify that when he speaks. If he received a ticket, I am quite sure that, on an occasion such as today, he will be happy to pay it before the increase goes through. *[Laughter.]* At least the Member did not claim that he was innocent when he was parked in south Belfast and got clamped.

The House has a duty to act responsibly, to set an example and, when we change things, look at how we fund those changes. That is incumbent on us all.

**Mr B McCrea:** I have to say that the Member on the Benches opposite raised an interesting point. I want to get to the bottom of whether ignorance is any defence. If you have got some sort of charge against you, should you not stand up and pay it like a man, or a woman, if that is the case? Should you not go and do that? Is that not what this House is all about: that you should meet your obligations fairly and squarely?

**Mr McCallister:** Absolute fairness and responsibility; yes. I look forward to hearing from other Members, but this is an important issue for the House to tackle and there is a responsibility on us all to vote for something that we can say is fair and responsible for the Executive and Assembly.

**Mr Speaker:** I call David McNarry. Mr McNarry may bring some order to the debate.

**Mr McCallister:** I would not have thought it.

**Mr Speaker:** Order.

**Mr McNarry:** I am sure that the House will say well done to Mr John McCallister and Basil McCrea for demonstrating how to thank the only party that is likely to support them. I am sure that that party, namely the DUP, will recognise just how trivially they treat you. You have heard it, and you decide.

I thank the Committee Chairman for the degree of decorum and seriousness that he brought to the debate. On behalf of the Committee, I thank him for his report and, personally, I admire him for being here and doing that. Thank you very much. I also concur with his comments to the outgoing Deputy Chair. At that time, anyhow, they set the tone for the debate that we embarked on.

The law currently operates fines of £60. In my opinion, that sum is adequate and fair. People pay for breaking that law. The argument that increasing the fine to £90 will prove a major deterrent has not been backed up by evidence to the Committee. However there is, has been, and I think that there will continue to be strong representation from local traders and businesses in all our constituencies who advise us that the increase will drive customers away from town centres and towards shopping complexes.

In their efforts to stay afloat, those traders have every right to expect support from their elected representatives rather than have things made more difficult, as we could with this vote, so that they can survive and continue in business.

There are no compromises here. It is not a matter of a £5 or £10 increase. It is a straight £30 uplift or nothing. However, we are told that this £30 increase is nothing to do with revenue. That is what was said to the Committee. The Committee was told that it was only about a deterrent and that that is all that it was about. So, why have we had the high-handed threats over introducing increased car parking charges and neglecting cutting grass verges? On the other hand, we were told that £7 million is required to plug a budget shortfall. If this is not revenue based, what is it? Is it revenue raising to compensate for budget savings? Or could it be that the NSL commercial contract is due for renewal this October? I add that to the mix, because, as you all know, £4.5 million is raised annually from the collection of the £60 fine. However, it costs £9.3 million to administer and collect the fines. There is no profit in that; there is not even a break-even figure on the balance sheet. So, if the deterrent aspect is to be believed, with the suggestion that fewer people are offending and that fewer fines are collected, how can it be that the £7 million extra can be collected at net value to the Department when there is a shortfall of £4.8 million?

I offer this idea. For the year for which the latest figures are available, 2008-09, the net deficit to the Department to operate overall car parking services was around £9 million. It is on the upward spiral. Do Members not agree that that is a lamentable situation and that it shows an Oliver Twist mentality of asking for more? If you decide to defeat this prayer of annulment tonight, that would seem to be acceptable, and it would seem to be acceptable that commercial people can ask for more and more and that we give and give.

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

**Mr McNarry:** Is the issue not really about a departmental inability to manage its current budget? It has a problem, which the Committee respects and recognises. However, the Department cannot have it both ways. It cannot say that a greater deterrent will reduce the fines that are collected but then add that the increase in fines will reduce a deficit of £7 million annually. As somebody else said, if the deterrent works, the revenue to reduce the deficit will not be collected.

Surely the other question has to be this: why is the £60 fine not sufficient today? Why is it not working? Is the answer not to be found somewhere? It is sufficient. It happens to be that the cost of collecting it is provoking the loss-making inefficiency that is being discussed.

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

**Mr McNarry:** So, if the House wishes to tell the public that it supports — *[Interruption.]*

**Mr Speaker:** Order. The Member should not persist. Allow the Member to continue.

**Mr McNarry:** If the House wishes to tell the public that, as a consequence of backing a £90 fine, it supports an inevitable downturn in town centre vibrancy, it should do so. If the House wants to drive people out of town centres and to be accused of doing that, it should do so. However, if we, as a House that is accountable to the electorate, genuinely want to endorse the current £60 fine and if we want to send out and reiterate the signal that the law, as it stands, should be respected and will be rigorously enforced, we should do



so by supporting the Committee's motion. It is a straight choice. You can take that choice back to your electorate, constituencies, business owners, shopkeepers and the people who use those facilities. You can take that choice back tonight after you have voted, and you can tell them how you voted. It is a simple choice, but the £60 fine surely is worth preserving and worth sticking with. We are not talking about a £5 or £10 uplift, which is something that we might have been able to live with; this is £30 or bust. I put it to you to support the motion and bust any proposal to bring the £90 fee in.

**Mr Kennedy (The Minister for Regional Development):** I am grateful to all of the Members for their contributions. Through the course of my remarks, I will address many of the questions that they have raised and the issues about which they have asked.

Our aim in managing car parking is to reduce congestion, to improve safety and accessibility and to generate a turnover in car parking spaces. Parking enforcement is essential to ensure that parking restrictions on our roads and car parks are adhered to by motorists. Those restrictions are there to improve road safety, reduce congestion and make our town centres more accessible for shoppers. Regrettably, not everyone complies with the restrictions, and so a deterrent in the form of a parking ticket is required. My main reason — not the sole reason, but the main reason — for increasing this penalty is to provide a deterrent in order to get drivers to park properly. If that is successful, parking tickets will not be issued, and that is what I really want.

Since the Department became responsible for parking enforcement in 2006, the number of penalties issued has been reducing year on year, from approximately 160,000 to approximately 118,000. However, last year saw a reversal of that trend, with an increase to approximately 125,000. That upward trend contributed to my decision to tackle the problem at source and to try to encourage drivers to park properly in the first instance. However, if a minority of drivers continue to ignore the rules and park irresponsibly, it is right that they should pay.

Although my proposal is to increase the cost of a parking ticket from £60 to £90, it should be noted that, since the beginning of decriminalised parking enforcement, the vast majority of drivers have paid their parking ticket within two weeks, at the discounted rate. In practice, that means an increase of £15 in the discounted rate from £30 to £45.

An effective parking enforcement service costs money, and it is not right that law-abiding drivers who take the time to park properly and show courtesy to others should pay for a service that is there to control the actions of a few. So, the people who flout the law should pay more for the cost of providing the enforcement service.

It has been highlighted in the debate that my Department's parking services operate at a deficit of some £7 million per year. In accordance with the principles of 'Managing Public Money Northern Ireland' and the efficient running of my Department, I have a responsibility to reduce that deficit and make parking services self-funding. The obvious way to do that, following the logic of some contributors to this debate, is to increase charges wholesale and widespread. I am not prepared to do that. However, if I cannot proceed with the increase in the charge for a parking ticket, it is estimated

that my budget will have a shortfall of approximately £2.5 million per year over the next three years, which is a total of £7.5 million. That will have significant consequences and will require me to review other parking charges to recoup the deficit; a move that I believe would not be welcome to town centre traders. It would, of course, also have the resulting penalty for motorists who park properly, as opposed to those who flout the rules.

Other options that I would have to consider if the prayer of annulment succeeds include a reduction in the frequency and extent of grass cutting, longer response times for the repair of street lights and a reduction in the frequency of inspection and repair of potholes on rural roads. Those are services that are already under pressure. These activities are already funded at a minimal level, and I am reluctant to reduce the level of service further.

### 7.15 pm

We should all remember that this is a penalty that can be avoided. All that drivers have to do is obey the rules of parking in keeping with the vast majority of drivers in Northern Ireland. I am aware of comments to the effect that people are not fully aware of the parking system. I have, therefore, asked my officials to rerun an awareness campaign to remind drivers of the issues that are associated with parking restrictions and enforcement in the lead-up to the start of the new contract in October.

It has also been suggested that my Department should produce a protocol on parking. My Department already has clear procedures on how it deals with different circumstances. These procedures form part of the training for traffic attendants and processing officers. Again, as a listening Minister, and to ensure that there are no misunderstandings, my Department will publish a protocol that will help drivers to understand the rules and avoid getting a parking ticket. The Department will take this forward as part of an awareness campaign that I have asked officials to undertake in the lead-up to the introduction of the new contract in October. I hope that this will contribute positively to the whole debate around parking and the need for parking management.

I also hope that it will highlight the issue of discretion in the system and that there is a fair, equitable and easily accessible process for those drivers who wish to appeal. The appeals process itself includes an independent body of adjudicators who are appointed by the Northern Ireland Courts and Tribunals Service in the Department of Justice. The four independent adjudicators in the traffic penalty tribunal are from a legal background. They are either barristers or solicitors, and they hear appeal cases brought by drivers.

I have listened closely to the comments about traffic attendants. I do not believe that the number of tickets that are being issued — one every two hours on average — is indicative of an over-zealous approach. However, again, as a listening Minister, and in an attempt to deal with public disquiet on this matter, I have instructed officials to reiterate to the company that is responsible for the attendants the need for improved customer engagement as they seek to perform their often difficult duties.

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

**Mr Kennedy:** I have to make progress.



I, too, am often asked about grace periods for parking restrictions. There are procedures laid down for traffic attendants that include a built-in grace period for some of the more minor offences. For example, if you pay-and-display, a 10-minute grace period is given after the expiry of your paid time. For more serious offences, there are no grace periods. For example, tickets are issued immediately to vehicles on a zigzag line, at a bus stop or on a clearway.

I am promoting and actively bringing forward the introduction of electronic parking payment across the whole of Northern Ireland, which will greatly benefit drivers. This facility means that drivers do not have to predict how long they need to park and how much they need to pay up front, because they can start and stop their parking when they need to and pay only for the time that is used. This will mean that parking penalties will not be issued for overstaying the pay-and-display time as long as time restrictions are adhered to. This facility currently exists in Belfast and Londonderry as well as Lisburn, Newry and Omagh, and I hope to extend the scheme to other towns across Northern Ireland over the coming months.

I recognise that some parking contraventions are more serious than others and that in London and in other parts of England, about which we have heard in this debate, a system of differential penalties applies. I am willing to consider the introduction of a similar system here, but it cannot and will not be done overnight. Therefore, I say to the House that the prayer of annulment is an issue of the day that has to be dealt with today.

I have engaged, as the Chairperson and the Deputy Chairperson of the Committee for Regional Development outlined, on this issue. I attended meetings with the Committee in April this year and as recently as last week. The Department briefed the previous Committee on its plans to raise additional revenue from increased parking charges and penalties as part of its savings delivery plans associated with Budget 2011-15. Specifically, in January 2011, the Department provided written and oral evidence that indicated that it intended to raise an additional £37.5 million through a combination of an average yearly increase of 15% to existing car parking income for each of the Budget years and an increase in the penalty for parking illegally. That and on-street parking charges are what we are debating this evening.

I subsequently decided not to proceed with the on-street charges. That was the right decision. It was a popular and well-received decision in town and city centres all over Northern Ireland. Following that decision, my Department wrote to the Committee in November 2011 to set out the financial consequences of that decision and to provide an updated savings delivery plan. Let me be clear: I want the number of car parking tickets to reduce further by deterring illegal and improper parking. Increasing the penalty for a parking ticket is a measure that can help to achieve that, and, therefore, it will make parking easier for everyone.

I am conscious of time, so I will very briefly —

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

**Mr Kennedy:** No, I am going to make progress.

I want to refer to comments that were made by Members during the debate. It has, in large part, been a good and

reasonably measured debate. I express my thanks to the Chairman of the Committee for Regional Development, Mr Spratt. He found himself in a difficult position: he had to present the Committee's view on the issue while not agreeing with it. That is never an easy position to be in, but he made a very balanced contribution. I am grateful to him for his support on the overall issue. That is not what I have to say to Mr Ó hOisín, who, frankly, astonished me. He almost immediately indicated that he was not opposed to the principle of an increase in parking fines, but he also said that he supported the reintroduction of on-street car parking charges. That is a huge tax on town centres, small businesses and people who are struggling to survive at this time. I wonder whether we will see a new Sinn Féin strapline on the issue: will it be "Our bay will come"? *[Laughter.]*

I was very impressed by the weighty contribution that was made by my party colleague Ross Hussey and the arguments that he advanced. He made the point that the ticketing system is a crucial tool in ensuring that there is proper parking and that the parking laws are obeyed.

Mr Dallat had sympathy for me; he said that he did not blame me personally. He talked about the impact on the local economy. I have made a huge contribution by not introducing on-street car parking to town centres. That is widely recognised by town and city centres and traders all over Northern Ireland. I am not cruel or mean or whatever, but I have to deal with the financial realities that are before me in the operation of the Department. All of us have to act properly and with sufficient control when we come to important or difficult decisions. I find myself having to make a difficult call, but it is done for the right reason.

I have addressed Mr Dickson's issue about the two-tier system, and I am prepared to look at that. However, it cannot, as I have said, be introduced overnight, and, therefore, I cannot wish away or vanish away the gaping hole in my budget. I am grateful to Ian McCrea for his contribution, particularly his acceptance of the very difficult job carried out by attendants and the need for a consistent approach.

Seán Lynch rather fell into the on-street car parking issue again. I was in Enniskillen today at one of the most tremendous services that I have ever attended. It was a truly inspiring, memorable and very emotional occasion, but it was wonderful to see Her Majesty The Queen in Enniskillen today enjoying the rapturous acclaim of her people — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** A wide range of the entire community was there, and all enjoyed the service. I did not receive a parking ticket, and, maybe if I had, I would have sought the royal prerogative of mercy.

Mr Beggs and Mr McCallister rallied strongly to my defence, and nearly lost me votes as a consequence. They expressed the fundamental views that, in essence, it should be the polluter who pays. That is the basis of this, and perhaps it is wrong or unfortunate that, since 2006, there has not been a graduated increase here. Sometimes, it is popular in politics to not introduce charges, but I think people can deal with increases as long as they are given to understand them and as long as they are applied fairly and with an even approach. Waiting six years to do this has served up some of the

problems with it. I cannot be faulted for that, because I was not in office for all those six years.

While Mr McNarry was a member of the Ulster Unionist Party, he stood on a manifesto that supported the non-introduction of on-street car parking charges. It was a pledge that, rightly, we honoured when we took ministerial and departmental office, and, as I said earlier, it was the right decision. As a consequence of that decision, we were faced with a hole in the budget because of the previous Sinn Féin budget delivery savings plans. I had to deal with that, and that is one reason why I am bringing forward the proposals. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** We are in the real world and in real politics, and we are running a Department that ultimately has to wash its face.

Finally, I say to all Members of this House, particularly those who are inclined to support the prayer of annulment — I say this respectfully — to be careful what you pray for, because there are severe consequences of not introducing the charges. A prayer against the increase could mean further increases to existing car parking charges, which, in effect, penalises motorists who obey the rules as opposed to those who flout them. It may mean a reduction in front line maintenance activities; for example, less frequent grass cutting, longer response times for the repair of street lights and a reduction in the frequency of the inspection and repair of potholes on rural roads.

I do not want to be in that situation, and I do not want to be forced to look at those possible consequences. I want to bring forward and continue to look at the issue in a mature, responsible way, and I want to continue to work with the Chairman and the members of the Committee. The Deputy Chairman is about to make his valedictory speech to this Assembly, and he is going to oppose me on this issue. I join with others in recognising the contribution that he has made to the Committee and wish him well for a successful engagement at Westminster, taking his seat and rejoining the Commonwealth, and all the great benefits that Westminster will bring. *[Laughter.]*

On a serious note, it is flawed logic to promote and support this prayer of annulment, and I ask the House to reject it.

**7.30 pm**

**Mr Doherty (The Deputy Chairperson of the Committee for Regional Development):** Go raibh maith agat, a Cheann Comhairle. This is indeed my last contribution to the House as a Member, and it is an honour to do so in my capacity as Deputy Chair of the Committee for Regional Development. It is also an honour to have served under such a fine Chairman as Jimmy Spratt, and I say that with all sincerity. At the outset, I thank the Chair and my Committee colleagues for their humour and hard work and their dedication to the Committee. I also thank the Committee Clerk and his staff. I added that bit in myself, Paul. I echo the Chair's comments that it is unusual to see the Committee divide as members are genuinely united in their opinions on how we get the best for the North in transport, roads, rail and water. This was most evident in our recent visit to Brussels in respect of the TEN-T negotiations.

I will try to curtail my comments as much as possible, because I am aware that other business has to be heard in the House. As a member of the Committee for Regional Development, I voted for this prayer to be brought to the Floor of the House. As Deputy Chair, I hope that I will reflect the opinions of all members of the Committee, but, at the same time, I will indicate that the Committee position is as delivered by a majority of its members. I will refer to the Chair of the Committee's introductory factual remarks about how we arrived at this position. This was not an easy speech for the Chair, particularly given his personal views on the charges. As would be expected of our Chair, those introductory remarks were honest and accurate. As has been heard, the majority of Committee members respectfully beg to differ with his comments as a Member of this House.

The Committee remains unconvinced of the motives for introducing these increased charges, and it called for a strategic review of car parking. The Minister has not explained why, after an initial significant reduction in penalties when the scheme was introduced in 2006-07, there has been a steady increase in the number of tickets since. Why is this the case? What research has been undertaken to explain that? If the research has been undertaken, why has it not been presented to the Committee or the House?

The Committee sees these increases as purely and simply to raise revenue. Although we acknowledged that no specific targets are defined in the contract, it must be acknowledged that, often, the policy is made up of what is not said, rather than what is in writing. In this instance, the enforcement organisation is placidly being instructed to raise an additional £2.5 million a year in ticket revenue. That is between 27,000 and 55,000 additional tickets each year. Surely, this will erode whatever little bit of discretion the wardens or redcoats have. I wholly agree with the Chair's suggestion for a dual tariff and published protocol, and this has been echoed by a number of Members in the debate. Such an action would bring a level of reassurance to the public, and I fully endorse calls for the Minister to review those areas urgently.

I do not intend to respond to all of the contributions in the debate, but I will make reference to some of them. Cathal Ó hOisín, quite correctly, talked about the pressure on small businesses and the effects on villages and small towns. Ross Hussey admitted to illegal parking, but said that the fines were a critical component of enforcement. He liked the idea of the Minister rattling his sabre, and I wondered where "beyond use" went to when he was talking about sabres.

John Dallat expressed appreciation for the openness of the Minister. He said that it was ordinary people who were being targeted and pointed out the difference between fines and fees. He also cited the conduct of one red coat and blamed a cruel Executive that was pushing a kind Minister. Stewart Dickson said that it was about revenue raising as opposed to improving parking etiquette. He suggested a two-tier system and said that £60, plus discount, was reasonable, but not £90. He asked the Minister to reconsider the two-tier system. Ian McCrea said that this was a difficult issue, but supported the Minister. However, he had sympathy with some people who were fined, particularly those going to the hairdresser. *[Laughter.]*

Seán Lynch said that it was a revenue raising issue and that it was coming down heavily on ordinary citizens. He said that he gets heavy representation on the issue, perhaps because his constituency office is beside a car park. He, too, admitted to illegal parking, but said that he paid his fines. Roy Beggs said that no one liked to be fined, but that some of the arguments being put were illogical. He noted that fines had not been increased since 2006. He said that if there were no car parking attendants, towns would be jammed up. He highlighted the need for road safety and asked what the alternative was. He said that it would not affect the Minister's budget. He also said that he was very much attached to street lighting. *[Laughter.]*

John McCallister took some issue with Sinn Féin. He did not want on-street parking charges and said that Sinn Féin's position was illogical. He supported increases in the charges and dismissed other options as not being worked through. There was then quite an interruption from Basil, which caused a bit of an uproar. I thought that he was slightly disrespectful to the Committee that had tabled the motion. John then returned to his point and quite forcefully made the point that £45 was not that big a charge. It is to some people.

David McNarry made a very measured contribution and thanked the Chair for the way in which the report was delivered to the House. He said that, if the charge was increased by £30, it would have a big negative impact on ordinary people and traders. He said that the Department cannot have it both ways and asked why the £60 option was not working. He said that, if it was not prayed against, the measure would drive people out of town centres. He also said that it was, essentially, a fundraising measure.

Minister Danny Kennedy thanked Members for their contributions. He restated the Department's position and said that there was a need for a deterrent to get drivers to park legally. He said that people who flouted the law should pay more. He said that if the statutory rule were prayed against, it would cost the Department £7.5 million over three years and that that money would have to be found by other means, which he outlined. He said that the penalty could be avoided by drivers parking legally. He said that there was training and that protocols were in place, and highlighted the fact that there will be discretion in how the charges are applied. He spoke correctly and very honestly about his dialogue with the Chair, the Deputy Chair and the Committee. I appreciate that and thank him for it. He attempted to bring forward a new Sinn Féin slogan — very badly, I must say. *[Laughter.]* Nevertheless, it was a genuine attempt. He said that the polluters should pay. He also said that we must live in the real world and that, if we do not accept this and pray against it, there could be further charges down the line.

I hope that I have accurately reflected Members' views and the thoughts of the Committee. The Committee for Regional Development supports the motion.

I would like to divert for a short while, because this is my last speech in the Assembly. I want to thank you, a Cheann Comhairle. I thank all the Speakers and Deputy Speakers — Cinn Chomhairle, LeasChinn Chomhairle and Príomh-LeasCheann Comhairle — from the time I have been here since 1998. I thank them for their courtesies and efficiencies in the way that they conducted business. I also

thank all the MLAs and Ministers with whom I have worked, in my own party and others. Finally, I say to my unionist colleagues across the Floor: I am going to west Tyrone not Westminster. *[Laughter.]*

*Question put.*

*The Assembly divided: Ayes 36; Noes 49.*

## AYES

Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Doherty, Mr Durkan, Mr Eastwood, Mr Flanagan, Ms Lo, Mr Lynch, Mr Lyttle, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr Mitchel McLaughlin, Mr McMullan, Mr McNarry, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Ó hOisín, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

*Tellers for the Ayes: Mr Flanagan and Mr Rogers.*

## NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

*Tellers for the Noes: Mr Hussey and Mr Kinahan.*

*Question accordingly negatived.*

*Motion made:*

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

## Adjournment

### Primary Schools: East Belfast

**Mr Speaker:** The proposer of the topic will have 15 minutes in which to speak. The Minister will have 10 minutes to respond. All other Members who wish to speak will have approximately seven minutes. *[Interruption.]* Order, order.

**Mr Lyttle:** Thank you, Mr Speaker. I thank the Minister for his attendance here this evening at this late hour of business. *[Interruption.]*

**Mr Speaker:** Order. I ask Members to leave the Chamber in an orderly fashion.

**Mr Lyttle:** Thank you, Mr Speaker. As we draw towards the end of the school term and the Assembly term, which is clear from the unruly behaviour we have here, I welcome the opportunity to speak on the issue of primary education provision in East Belfast. I welcome the positive news with regard to capital investment yesterday, but, unfortunately, it has been another academic year of uncertainty for many of our local schools.

Six years ago, the Bain report on the future of education provision in Northern Ireland recommended that area-based planning be implemented in order to provide a strong and sustainable schools estate. In 2009, the then Education Minister Caitríona Ruane commissioned a capital review exercise, which identified schools as being either compliant, non-compliant or partially compliant for capital investment. It soon became apparent that failure to achieve compliant status would effectively exclude schools from being considered for capital projects for some time.

The capital review exercise has now become obsolete, and, in the three-year period between 2009 and 2012, some schools in East Belfast have been left in limbo. They have been left wondering if and how much-needed capital work will be carried out at their school. During this time, the stresses on schools in East Belfast requiring capital investment have increased, pupil numbers have increased, space inside schools has become more cramped and outside space for play has decreased, with more of our children being educated in mobile classrooms.

The Minister of Education has recently advised that the focus is no longer on individual schemes or on the outcome of the capital review exercise but is based on educational need identified by the area-based planning process. The area planning process has a number of high-level objectives, including developing a network of sustainable schools; raising standards; reducing surplus places; reducing duplication; and identifying opportunities for shared learning, sharing facilities and the co-location of mainstream and special schools.

Education and library boards conducted viability audits of all schools to highlight those under stress with respect to low enrolment trends, poor educational attainment and poor financial standing. There are concerns, however, that the

viability audits have been based more on limited facts and figures than on the important qualitative data from schools or parents. I would be grateful to the Minister if he could confirm how area planning will include the input of schools, parents and elected representatives in that important strategic process at the earliest possible stage.

The Bain report envisaged area-based planning working best under a single education and skills authority, with a wide-ranging, bird's eye view of education provision across the entire region. However, due to the continued delays in the implementation of the Education and Skills Authority (ESA), originally scheduled for 2009, education and library boards and the Council for Catholic Maintained Schools (CCMS) have been authorised to develop area plans. As a result of that arguably more fragmented approach, concern has been expressed to me that separate plans are being drawn up for the controlled and maintained sectors in fairly arbitrarily chosen sub-areas, with seemingly little regard for possible shared and integrated solutions. If the ESA were in place, it may have provided a more joined-up framework in which to make those considerations. There is serious public concern that options for increased shared education and the shared use of facilities are being overlooked by the current process.

The Department has committed to increasing shared education in the Programme for Government, and increasing integrated education is a clear commitment in the Good Friday Agreement. Therefore, surely area-based planning and area learning communities present a generational opportunity to deliver that type of fundamental change. Given those concerns, there is an urgent need for the Minister to clarify what he understands as shared education and how that will be advanced by the current area-based planning process.

**Mr Storey:** I thank the Member for giving way and for his comments thus far. Is he clear in his own mind about the distinction between integrated education and shared education? Many of the problems that he highlighted in his constituency of East Belfast have been exacerbated by integrated education and schools that were created as a result of the creation of another sector. There are many such schools in my constituency, and at the end of the day, they have taken pupils away from the controlled sector in particular because the maintained sector has not yet caught up on the issue of integration or shared education.

**Mr Lyttle:** I am not sure that I agree with the premise, but I agree that, for shared education, there should be cross-sectoral options as much as solely an integrated sector. The Integrated Education Fund, for example, has presented a range of measures that could move towards shared education. I think that the concern is that we are seeing very few of those types of options being explored.

Despite the identification of area-based planning as the process by which capital investment in schools will be determined, the Minister announced an interim process for newbuild schools this week, and that, of course, has to be welcomed as a positive investment. I am particularly delighted to see the £5 million investment for the new Victoria Park Primary School in Sydenham, east Belfast, being included on the list. The school has been operating in extremely cramped conditions for a number of years, and I would like to pay tribute to the board of governors, the principal, the staff and everyone involved for all their hard



work in getting the school to that point. However, many other schools in need of capital investment remain somewhat confused about which process they should engage with going forward to achieve those legitimate aims for capital investment. For example, my former primary school, Strandtown Primary School, was not included on the list of capital announcements even though it is currently delivering exceptional outcomes in extremely difficult and unsuitable conditions.

### 8.00 pm

My colleague Judith Cochrane, who is a past pupil of the school, will discuss those issues in more depth. There is a need for the Minister to explain further how exactly the school enhancement programme, announced and aimed at refurbishing and extending existing schools, will be delivered via this process. I hope that schools in East Belfast in serious need of capital funds will be able to avail themselves of those opportunities.

I urge the Department and the boards to commence more interactive consultation and conversation with schools, parents and the community to enhance the process without delay. Their views would undoubtedly assist the development of robust area plans. It is important that their views are taken into account, even at this early stage. There are frameworks in place for this type of engagement. The East Belfast Partnership board, for example, has undertaken extensive strategic planning on education in our constituency over the past number of years. It has analysed trends and identified key areas where provision can be enhanced, particularly in inner East Belfast. Many schools and stakeholders have creative ideas and are working in innovative ways. They should be included throughout the area-based planning process to produce the best plan possible for education in East Belfast. I recall a conference organised by the Integrated Education Fund on education in East Belfast at which there were some very rich conversations. It would be useful to capture that type of input in the area-based planning process, even at this stage.

Primary schools in East Belfast cover the Belfast Education and Library Board and the South Eastern Education and Library Board, and when issues of sustainability arise, I sincerely hope that neighbouring boards will work together to find positive solutions.

Area-based planning should be seen as an opportunity to shape how we want education to be delivered in East Belfast for generations to come. Planning should not only focus on the schools that are there at present but look beyond that and start to plan how and where we want provision to be located in the future.

There are many difficult issues to tackle in education in East Belfast. Although we have many pupils achieving outstanding results, a large number are struggling. With literacy and numeracy skills, Northern Ireland has one of the biggest gaps in performance of young people, and East Belfast has one of the highest levels of internal inequality in Northern Ireland. We must work to close that gap. Attainment must be improved and aspirations set as high as possible among our children and young people.

Area plans should not be seen as static. They need to be flexible and responsive to changing needs in East Belfast, and recent high birth rates in the constituency will have

an impact on primary provision in years to come. It is important that the board and the Department foresee those challenges and are equipped to deal with them.

Area-based planning provides a significant opportunity to enhance, improve and explore new forms of education provision in East Belfast. Both cross-sectoral and cross-age options need to be fully explored to make the most of facilities and increase sharing. It is vital that schools are kept fully informed and included in the area-based planning process. These are the people on the front line. Their expertise and insight must be valued, and I urge the Minister and his Department to engage closely with schools, parents and the community over the coming months and year to ensure that we deliver the best possible educational outcomes for children in East Belfast.

**Mr Newton:** I am grateful to the Member for securing the debate. It is a timely debate and one which, I am very pleased to say, I was able to secure in December 2008, when we debated very similar issues.

Before I make my remarks, I want to thank the principals of East Belfast primary schools for their commitment, leadership and skills. I also want to thank the dedicated teaching staff who bring so much to education in the east of the city, often in very difficult circumstances. Their dedication and enthusiasm for education deserves our support. Whatever we say about primary education during this debate and in the future, they deserve our thanks, gratitude and support.

This subject concerns not only political representatives but organisations like the East Belfast Partnership, which, in a document it recently produced, confirmed the beliefs of school principals that education is a partnership, that a partnership between schools and the home is absolutely essential and that, in order to allow our children to have the best possible chance in life, that partnership between those component parts has to be nurtured. That is particularly so in disadvantaged areas where there are high levels of deprivation and poverty and where, in many cases, there are parents who have difficulty in supporting their children at school. That is not the case throughout East Belfast, but it is certainly the case in some areas. Parents who have those difficulties can become distanced from the schools, and that increases the challenge for the principals and teachers to get parental involvement and, therefore, provide the opportunities for the pupils.

There is robust evidence that parental attitudes and home circumstances play a most influential role in the formation of the skills that children receive in their early years. Their aspirations are raised and their ability to learn is enhanced in those early years. Parents act as role models and build children's self-esteem and confidence that they can succeed at whatever they want to succeed in. In the most disadvantaged areas in East Belfast, we need to see investment in preschool projects. We need to see places for children in preschool education, because those are the building blocks and the foundations on which every other aspect of education will be built, rather than parents scrambling around looking for places or, indeed, being offered places away outside East Belfast. They are even offered places across the city, which are totally impractical.



My three areas of concern about education involve the funding, the parental involvement and the education. Indeed, as has been mentioned, the strategy for preschool education, leading into primary education and the area-based approach, is needed. Pre-primary and primary school education are the most important periods in a child's learning time. I have already said that they are the building blocks on which later education is supported and on which it flourishes or, indeed, where the light actually diminishes and goes out in many cases. There are strong feelings that many children are being failed by the system that is supposed to offer them opportunities. I believe that, if we do not have the holistic approach that I have outlined, that will continue. As the previous Minister recognised, and I am sure that this Minister recognises, there are many young children, particularly young Protestant boys, who are just failing at school. Overall, children spend a relatively small period of time at school. It is the family background, the cultural aspects and, indeed, even the material needs of the family that have a significant impact on educational outcomes.

I want to pay tribute to the fact that the Minister has announced the funding for Victoria Park Primary School, but I want to remind him of what was said back on 1 December 2008 by his predecessor. In a debate on primary-school education, she said that:

*"Several major capital projects are being planned for schools in the East Belfast constituency. Those include the amalgamation of Strand Primary School with Sydenham Primary School in a new school on the existing Sydenham site, which will be known as Victoria Park School".*

Good so far. She went on to say:

*"and a new school for Strandtown Primary School on its existing site."*

So, no funding is announced for Strandtown, yet in 2008, the Minister of Education committed herself and her Department to Strandtown Primary School being funded for a new school site.

Finally, pastoral care is an important part of education. If a child is finding life difficult at home, then primary schools in East Belfast need to have the support of the Minister to provide that pastoral care in order to enhance the opportunities of our children. That requires support and funding from the Minister.

**Mr Copeland:** I declare an interest as a member of the board of governors of Braniel Primary School. I thank the Minister in this open debate for the very great help that his private office has been to me recently, particularly Claire and Willie, I think it is, who respond to me very promptly on all occasions.

My first school in East Belfast was in Castlereagh, really. Therein is part of the problem, because what is considered to be east Belfast geographically encompasses two education and library boards; the South Eastern Education and Library Board (SEELB) and the Belfast Education and Library Board. However, my first primary school was a converted German prisoner-of-war hut that had been brought from the location of Grosvenor Grammar School and located at the edge of the Clonduff estate. It leaked in the winter, you got fried in the summer and there was a coke stove that nearly poisoned all of us. I had a one-and-a-half-mile walk through

open fields across a very narrow road that is now the Knock dual carriageway.

I enjoyed every minute of primary school. It was challenging. I met people that I had never known before. In the summer, the kids from Moneyreagh made a concession and turned the tops of their water boots down, because they were mostly from farming communities. I moved from there, which was two huts encompassing four classes — three primary classes and a composite class — to a brand new red-brick primary school with a pupil number somewhere in the region of 1,000. P1 and P2 were in the huts; P3, P4 and P5 were in the big school; and P6 and P7 were in Glenburn Methodist Church hall, such was the size of that school.

Having failed the 11-plus significantly, it was a very short walk from there across the road to Lisnasharragh Secondary School. I felt in no way done down, intimidated, belittled or deprived having gone to a secondary school. There was progression within the school; there were forms, including a lower and upper sixth, allowing people to go from a secondary modern school to university. We knew we were not going to be brain surgeons or rocket scientists. Most of us ended up in commerce and did pretty well; two ended up on the West End stage; and one, I believe, is the second or third most senior person in NASA. That is not bad by any stretch of the imagination.

However, when the time came for my children to move schools, something had happened. My wife, a police officer, was in a Land Rover going into Springfield Road police station when it was hit with a machine gun. A bullet went through the constable beside her before striking her, injuring her in the throat and in the knee. She has never forgotten that. She determined that her children, if she was lucky enough to have them, would never be brought up as we had been — not knowing people of another faith or viewpoint until they were 15, 16 or maybe older. It was determined that Sarah, our eldest daughter, would attend Lagan College. That was somewhat controversial for someone with the unionist background that my wife and I had.

Sarah benefited from the integrated education to a degree. Our son, Matthew, however, was quite different. We were told when he was nine that he would never be able to read and write. Consequently, the recommendation of the primary school headmaster was that he should not sit the transfer procedure test. I think it was probably driven by two motives: one, that it would be unfair on the child; and, two, that it might depress the statistical results of the school. I remember Matthew coming home, knowing that something was wrong, cuddling up on his mother's knee and saying, "I am way ahead of everybody else". It was not true, and it was heartbreaking.

#### 8.15 pm

My wife was recovering from breast cancer at that stage, which she had when Matthew was born. Therefore, his early schooling years were disrupted by almost daily visits for radiotherapy, chemotherapy, reconstruction, reconstruction that failed, deconstruction of reconstruction and, eventually, a TRAM flap that settled the matter. My wife brought home all Matthew's books and took him through them. He did not do the 11-plus. He went to Lagan College and went into form 1F, which was pretty far down the food chain. However, his abiding desire was to become a doctor, and he eventually

went to university and got a 2:1 in psychology. He went back and did the three science subjects that he had been deprived of when he did his A levels, and he has been accepted for medicine in Queen's University this summer. I respectfully suggest that, if I had sent him to the school that I went to, he would not have achieved that. It would simply not have been possible. The school that I went to was no longer the school that I went to.

I do not believe, and I speak personally and honestly, that we, with a population of 1.92 million people, can afford four or possibly five different types of education. I believe that the only thing that matters is the education of the child; the product. I do not laud Lagan College particularly because it is mixed religiously, but I do laud it because it is mixed educationally. It is possible, within the body of one school building, to move from non-academia to academia and to be academic in the subjects you wish to pursue or have some talent for. It is also possible to forever remove the stigma of having failed or not passed an examination, which I found distressing when I was confronted with my alleged failure at the age of 11. I know that many in my party will disagree with me. I do not care what a school is called, as long as it produces well-rounded and balanced citizens who are capable of taking a place in the world and having a relationship with those around them.

At one stage, East Belfast was an industrial constituency. In fact, I know that figures exist that show that Belfast was responsible for 7% of the gross domestic national product of the United Kingdom in the latter years of the century before last. While we busied ourselves killing each other, for want of a better term, over an ancient argument, the industries that the children who went to the schools in inner East Belfast would have transitionally gone into disappeared. We maintained the integrity of our argument while the shipyard and the rope works went and Shorts reduced in size. No one ever thought, "What are we going to do with these children?" It is a damnation and a damnable comment on us all that we are producing children who are not capable of functioning as human beings in this world. The responsibility lies with us, and you sir, to do something about it.

**Mr Speaker:** Your time is almost gone.

**Mr Copeland:** The first three years are the most important. Primary education is the most important. Minister, I will support whatever notions you have to make things better.

**Mr Douglas:** I welcome the opportunity to speak on such a vital issue. I thank Chris Lyttle for securing the Adjournment debate and the Minister for his attendance. I am not sure whether it is in order, but I also want to thank you, Mr Speaker, and your staff for staying here at this late hour. We all have a big day ahead of us tomorrow.

I want to join my colleagues in thanking — I sound like Barney Eastwood — and paying tribute to all the primary school teachers, principals and staff who do an extraordinary job in East Belfast, in the face of the most difficult of circumstances at times, as my colleague Robin Newton said.

The importance of adequate primary school provision must not be underestimated. I am sure that we would all agree that primary education is the most vital part of the educational journey that our young people embark on. The foundations of primary education allow our young people to grow and

develop, and without the correct and adequate provisions in place, later educational development will suffer greatly.

A major issue that I want to focus on is funding. If our primary education system is to meet the demands required of it, we need to ensure that adequate funding is in place. Yet, for too long, that cornerstone of our education system has lacked adequate core funding. We must not underestimate the task that our primary education system has in East Belfast. It is not simply a classroom role, although that is vital. Schools in East Belfast have a wider importance, and that was spoken about earlier. Primary schools provide a focal point for our communities. They act as a centre for everyday life, fulfilling not only an educational role but a wider social and economic role. The importance of these factors must be understood and taken into account when any decisions around a primary school are taken. Any viability audit needs to ensure that the role that our local primary schools play in East Belfast is taken seriously and that all relevant stakeholders' concerns are taken on board when decisions are made.

In most cases, local communities in East Belfast drive and shape the positive direction of our schools. As other Members have done, I pay tribute to the East Belfast Partnership, under the inspired leadership of our friend Maggie Andrews, for leading the way in the support and development of an education system that we can all strive for.

Funding is a major concern for primary schools based in areas of deprivation. We all know too well the economic hardships and challenges faced by many in our communities, with four wards in East Belfast being among the top 10% of areas of deprivation. Those stark factors not only create the need for an adequate provision of primary education, they also increase the requirements placed on already stretched resources in our local schools. Teachers and staff are, in many cases, not simply educators; they are the symbol of continuity and strength, the friendly face each day, the willing listener to young people's concerns and a helping hand in difficult situations. I call on the Minister to ensure that greater action is taken in areas of economic deprivation and for his Department to note the excellent work that teaching staff, principals and others carry out in these schools.

As I highlighted, East Belfast contains four of the 14 wards that have been identified by the Department of Learning as the greatest underachieving wards; they are ranked sixth, seventh, thirteenth and fourteenth on the list of educational underachievement. Primary education provision can and must play a major role in tackling that major issue in East Belfast. Our young people have suffered for far too long from a lack of the necessary resources, and the focus should be on creating an atmosphere conducive to and suitable for developing education in the area.

We must also tackle the range of inequality in educational achievement in East Belfast. Our community contains the wards placed fourth and 561st in the list of educational attainment. The disparity can no longer continue, and provision must be made to ensure that all young people are given the education that they deserve, regardless of whether they live in the leafy avenues of Stormont or in Stormont Street, Ballymacarrett, which is one of Northern Ireland's most deprived areas. I have heard people say that, in East Belfast, we have the best and the worst in education. I think

that that is a bit extreme, but there are major problems, particularly in some inner East Belfast areas.

I welcome news of the Minister's investment in Victoria Park, although I think that it has been agreed that it was long overdue. Since being elected, one of my guiding principles has been to fight for the improvement of education provision in East Belfast. With my colleagues in the East Belfast Partnership, much work has been done to tackle this issue, yet more must be done. Education is not a luxury. A proper, well-resourced educational system is a requirement for all our young people, and yet we have failed to deliver that in some areas. More work, more focus and more action must be taken to ensure that East Belfast is not left behind.

I look forward to hearing not only the Minister's response this evening but his answer to questions that I submitted about expansion plans for oversubscribed schools in East Belfast. To conclude, I again voice my appreciation and admiration to all those involved in the primary-education system in East Belfast who have provided excellent role models for our young people. However, I ask the Minister to take on board the concerns expressed not only in the House but in the cries from the streets of East Belfast to ensure that our community is given a well-resourced education service for all.

**Mrs Cochrane:** I am glad that, along with my colleague Chris Lyttle, I have been able to bring this issue to the House. I thank the Minister for attending the Chamber.

The importance of primary education cannot be overestimated, which is why we need to get the provision right. Schooling should reflect pupils' needs in the most effective and efficient way possible. My colleague Chris spoke about how area-based planning could address that requirement, so I will take this opportunity to elaborate a little further on the needs for East Belfast, particularly where Strandtown Primary School is concerned.

At this stage, I will declare an interest, because, like Chris, I attended Strandtown Primary School — I will let you guess which one of us was there most recently — and my children are enrolled in one of the feeder schools. As you know, Strandtown Primary School is one of Northern Ireland's largest primary schools, with an enrolment number of some 900 pupils across primary 4 to primary 7. It is also famous for being an award-winning listed building that Wilshire designed in the 1930s. It was built at a time when children sat at their desks all day to learn. Nowadays, however, given the enriched curriculum, children are encouraged to move around the classroom and to participate in active learning. Current classrooms are no longer fit for purpose, and, indeed, as Mr Newton mentioned, the school was assessed as needing a newbuild.

Strandtown Primary School is also unique in Belfast in that it follows the infant/junior model, meaning that children attend feeder schools from primary 1 to primary 3 and move on to the primary school to complete their primary years. The capital review exercise was raised. That exercise caused much confusion to the principals and boards of governors, as well as to the parents of children who were enrolled in the feeder schools and Strandtown Primary School itself, as the infant/junior model was listed as non- or partially compliant with the Department's requirements, meaning that it would not be considered for a capital build project.

I understand that the focus is no longer on the outcome of the capital review exercise and that future capital decisions will be based on educational need in the context of the area-planning process. To fit in with the sustainable schools policy, schools will be assessed against six criteria, and viability audits have been carried out on the schools against those criteria. I can see no reference in the published results to any issue with the infant/junior model, and I would be grateful if the Minister could clarify whether that remains an issue for the Department. If so, I would welcome a future debate on the Strandtown infant/junior experience to explore all the pros and cons. That debate could include the educational attainment from the infant schools and the confidence building that results from four- and five-year-olds mixing only with children two years ahead of them at the start of their school life. It could also include the strong links that exist between the principals of the feeder schools and Strandtown Primary School, the wider catchment area and the opportunities that that presents and so forth. You could perhaps also judge Chris and me as examples of people who survived the system and assess whether it affected us as individuals. For now, however, I will stick to the six criteria and ask the Minister whether he can confirm that he intends to add criteria to the list.

I agree that we should focus on raising standards. When measuring educational attainment in primary schools, the targets are linked to the number of pupils who are in receipt of free school meals. However, the disadvantages of using that measure have been discussed widely in the academic literature and centre around the fact that not everyone who is eligible for free school meals may actually claim them. The board of governors and senior management team at Strandtown Primary School recognised that and showed leadership by commissioning their own research into the social deprivation indices for each child at the school. The results have shown that, although approximately 12% of the pupils are in receipt of free school meals, 24% of the school's pupils come from the two most deprived areas of East Belfast, in comparison with 55% from the most affluent areas. As part of that research —

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

**Mrs Cochrane:** Yes.

**Mr Newton:** Does the Member agree that preschool education is the building block for providing the necessary start in life for children and that, regardless of a child's circumstances and whether it received free school meals, they deserve the opportunity to have preschool education?

**Mrs Cochrane:** I thank the Member for his intervention, and I agree with that point. I am sure that he is aware of the amount of work that I have been doing on that issue, as I agree with that sentiment entirely.

As part of the research that I referred to at Strandtown, it was established that there has been an improvement in educational attainment by children from every background in the school, not only those from the most deprived backgrounds. Surely that is an example of a quality educational experience. Perhaps the Minister will be able to schedule a visit to the school in the coming months to make his own assessment.

**8.30 pm**

As for accessibility, Strandtown attracts pupils from a wide catchment area and is known for its diversity and inclusive nature. My party wants to see all children, regardless of class, religion, nationality or colour, learning together because it is clear that the opportunity for children to mix with those from other backgrounds, including different socio-economic backgrounds, can raise the aspirations of those from disadvantaged areas and increase the understanding of parents who have had more privileged experiences.

If you wanted to, you could probably hazard a guess at the background of a child who attends Strandtown by the gate they get picked up from. However, you will also see the children all leaving through the same gate as they go off to attend one another's birthday parties. The friendships forged between children and between their parents at school activities last for many years and are so important when progressing a shared future.

Enrolment trends show a clear demand for places in Strandtown, which is evidenced by the intake of the three feeder schools. For the 2012 intake, Belmont, Dundela and Greenwood received 412 applications for 258 places. Those feeder schools are operating at full capacity. That has an immediate knock-on effect for Strandtown, which will no longer be able to accommodate those numbers with eight classes per year group. Some classrooms are already squeezing in 31 pupils. The Strandtown site is large enough to accommodate the pupils, the demand is there from the parents and the educational attainment is excellent, but the building is lacking. I ask the Minister to be flexible and creative in addressing the space and capacity issues there. For example, has the Department explored the option of downgrading the listed status so that perhaps only the frontage would need to be retained and the wings could be replaced? That, surely, would be a more cost-effective option for the Department.

When considering the links to the community, we need to think outside the box. Alongside schools being fit for purpose, there should be a broader remit to examine area facilities and see schools as the hubs of the community.

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

**Mrs Cochrane:** Perhaps after-school care and parent training courses should also be accommodated.

**Mr Speaker:** I call Sean Rogers.

**Mr Rogers:** I am glad you did not forget about the outsider, Mr Speaker. I thank Chris for bringing this topic to the House for debate. I am here because, as an educationalist, I am passionate about giving children the best chance in life, whether it is in East Belfast or South Down. Primary schools in Northern Ireland, particularly in East Belfast, do extraordinary work in very challenging circumstances. Michael Copeland got it right when he said that our schools now leak in the summer as well as in the winter. For years, our schools have not received the funding that they need to do the job asked of them.

Primary education is key to the long-term achievement and well-being of children, and we expect primary schools to deliver a multitude of services: a solid core of education for life; strong numeracy and literacy skills; social skills;

pastoral care; needs-based attention for children with learning difficulties and special needs; a modern, welcoming and stimulating learning environment; IT facilities; physical education; and nutritional meals. Primary schools are the heart of our communities and they play a vital role in influencing children's attitudes at a young age. Those demands are tremendous by any measure. We have created high expectations for primary schools but, critically, we are not giving them sufficient funds to deliver the services. Teachers and principals are regularly forced to make cuts and compromises that do not make anyone happy.

Primary schools in East Belfast face particular challenges that other Members have spoken about. East Belfast was once a great centre of manufacturing and industry. Young people could leave school at 16 —

**Mr Newton:** I thank the Member for giving way. He made reference to some difficulties in East Belfast. Particularly where there are children who require support and have special educational needs, we need to see an integrated approach between the health services, social services and educational services and support for parents. A failure to ensure an integrated support approach to a child with special needs will generally result in failure to address their overall needs.

**Mr Rogers:** I thank the Member for his intervention. It is an issue I feel passionate about and have raised quite often at the Committee for Education.

As I was saying, young people could leave school at 16 and walk straight into a job. Indeed, there is a direct parallel in my constituency of South Down. In the past, there were plenty of jobs in farming, fishing and construction, and many families did not see the value of education beyond 16. Jobs have waned in recent decades, but, unfortunately, this has not been replaced by an increasing focus on education.

The loss of jobs and lower levels of educational achievement in deprived areas have meant that parents often have to deal with pressing problems at home, and some parents are unable to fully support their children at school or are unclear about the best way to do it. We cannot expect children to reach high levels of educational attainment if other serious problems are affecting their life. Such challenges place additional demands and stresses on primary schools, which are on the front line in identifying and assisting children and families in need. My party colleagues and I have spoken to primary school principals in East Belfast, and, admirably, they do not begrudge their pastoral care responsibilities. They recognise that they are often the liaison point between families, children, social services and even the courts. They accept that responsibility and want to maintain a high professional standard. However, they are not able to do this, given the current level of primary school funding.

Primary schools in Northern Ireland receive proportionately less money than secondary schools, compared with England, Scotland and Wales. That dramatic disparity in funding means that primary school educators in Northern Ireland work in stressful conditions. They are not able to deliver the support that they would like, particularly to the children who need it most. Teachers and principals in East Belfast do not receive the release time that they need to prepare for and address the demands made of them.



Recently, the Minister of Education delivered some startling figures on underachievement in education among children and young people in deprived areas. Difficulties cannot be identified and addressed at an early stage; instead, they fester and grow into problems and crises that result in the failure levels that are being experienced in secondary education. By not assisting our children fully at a young age, we leave them to deal with serious difficulties in the long term.

The need for assistance and support at the preschool stage is apparent in many neighbourhoods in East Belfast. Primary education puts in place the building blocks that shape children's learning experiences for the rest of their life, but the early years provision from nought to four provides the foundation on which that is built.

There are many examples of great practice in East Belfast, from Tullycarnet Primary School to St Joseph's Primary School in Ballyhackamore, but the secret there is parental participation. I encourage the Minister to make urgently the necessary changes to enable primary schools and preschool services to meet the demands that are made of them. Funding for primary schools in East Belfast must be increased to a level that matches people's expectations.

I welcome the upcoming review of formula funding, and I trust that the aspect of social disadvantage will be addressed. Whatever formula the Department uses to arrive at the per pupil figure, the standard aims must be to provide quality education for young children in a safe and stimulating welcoming environment and to provide teachers and principals with the resources that they need to carry out this important work.

A dramatic increase in funding for primary schools must be found without touching the funding for post-primary schools, which face their own challenges. It is a question of addressing a shortfall in one specific area of education and increasing its funding to a level that it should have received a long time ago. We cannot rob Peter to pay Paul.

The additional funding for primary schools must be channelled through core funding and not tied up in new initiatives. As one initiative after another is introduced, requiring schools to respond constantly to the new demands of short-term funding, primary schools have become laboratories for policy experiments.

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

**Mr Rogers:** There needs to be engagement with other Departments so that there are sufficient professionals to ensure that adequate early years strategies are employed. I think particularly of speech and occupational therapy and educational psychology. It is a backward step to expect teachers to train up to perform the role of the educational psychology service.

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

**Mr Rogers:** Teachers are employed to teach.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. Ar dtús, fáiltímh roimh an díospóireacht. I welcome the opportunity to respond to the debate. I hope to get through Members' comments as I work my way through.

Mr Lyttle, the sponsor of the debate, spoke about area planning and its history. Yes, it has had a difficult history; it has been a battle to get it to the stage that it is at. I believe that it is now generally accepted that area planning is the way forward. Indeed, early in July, I intend to publish area plans for consultation. I accept that that consultation process will run over the summer, but government cannot close down for the summer. Those consultations will continue until the end of October. I answered two of your questions in that sense: area planning is continuing, and communities, elected representatives, schools and pupils will have an opportunity to have their say on area plans. We want to make the process as involving as possible, and we will do that.

Area planning is the way forward. We can no longer plan our schools estate based on the needs of individual schools or sectors. We have to produce area plans that provide an education service. There will not be a plan for the Council for Catholic Maintained Schools and a plan for the controlled sector or the boards. One plan will be published that will deal with various sectors. Part of our programme of work has been to challenge sectors and ask where and how we can share education going into the future. To advance that, I will announce in the next number of weeks the membership of the ministerial advisory group on shared education. I said in the House yesterday that I wanted that panel to challenge society, stakeholders, sectors and politicians, including the Minister, on the way forward on shared education. Most people accept that it is the right way forward. Bringing it to fruition may be another difficult matter.

It is the worst-kept secret in politics that the Education and Skills Authority (ESA) is in trouble. I brought an ESA Bill to the Executive on 7 March. The very fact that that Bill has not been before the Executive shows that ESA is in trouble. The Executive will have to make up their mind in the very short period ahead: either ESA is the way forward or it is not. If it is not the way forward, regrettably, we will have to go back to the board system with a multimillion-pound package to rehire and re-employ staff of a capable standard who can provide the services that the boards did a number of years ago. That is the stark reality that faces the Executive. It is make-your-mind-up time about ESA. We can no longer continue in this limbo.

Educational standards in East Belfast and elsewhere — particularly in East Belfast — present a challenge for us all. My predecessor and I have been adamant in bringing forward policies. We have stuck to those policies down through the years because they are the right thing to do to improve educational attainment. Area planning is not about saving money; it is about providing a modern education estate so that young people have the best facilities in which to learn and so that they achieve everything that they can. If there are savings to be made, they can be redirected into education to ensure that those young people are given the best chance in life.

Members crossed over on a number of points, so I move on to Mr Newton. Education in disadvantaged areas is key. If we are to allow young people in disadvantaged areas to break the cycle of disadvantage, education is the way forward. There have been changed circumstances in East Belfast over a generation. That was mentioned by a number of Members. We have come out of the heavy industries and the guaranteed jobs. There is a role there for the Minister



of Education and the Department of Education. There is also a role for community leaders to challenge the Minister, the Department, the community and the education system in their area. Members are right to praise the principals and schools in East Belfast: they provide education in very difficult circumstances. However, we should never lose the challenge function that goes along with leadership and being an elected representative.

I am glad that there is now agreement that we do not have a world-class education system. We have world-class educationalists, we have world-class education facilities in many areas, but, in general, we do not have a world-class education system. For years, we believed in that myth and walked about with it. When you believed that, there was no need to challenge anyone because everything was right. Everything is not right, and we have to make it right. Now that we are in that space, change will come much more quickly.

#### 8.45 pm

There is specific targeting of social disadvantage, and we should look at the early years Sure Start system and at our early years programme. Members may remember that, a few months ago, I was heavily criticised for having positive discrimination in early years and targeting early years provision at those in the most socially disadvantaged communities. Why did I stand by that policy? I did so because early years is vital, especially for those in socially disadvantaged areas. The Programme for Government has set us a target to ensure that all young people have access to early years, and I intend that to be the case. Indeed, this year, we improved that, moving forward measurably, and we will continue to do so.

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

**Mr O'Dowd:** I have very limited time, Robin, and I have a number of answers to give.

Mr Copeland gave a personal and dramatic history of education, which is reflected in many families. I congratulate your son and daughter on their achievements. Well done to both of them, and I wish them every success in the future. The old cliché that we should not label anyone a failure is true. There is no such thing as a stupid child. There is no such thing as a failure with children. A principal once said to me that, when a child walks into their school, they ask a simple question: "How are you clever?" not "Are you clever?". That is important as we move forward.

I have introduced the review of the common funding formula, of which a key element is targeting social need. There is already an element of targeting social need in the way in which we fund schools, but I want to ensure that that is right, that money is directed where it is needed and that young people, especially in socially deprived areas, are given that added advantage. It will be an advantage to our entire society. If we ensure that young people are educated properly, they will become beneficial to their community, will not end up in the criminal justice system and their health will be better. As I said, they will be valuable members of the community who contribute to society.

I am aware of the issues around Strandtown Primary School. At no time has the issue of the infant/junior experience been raised with me as a negative. I am more than happy to discuss the matter further with Mrs Cochrane. I am glad that

she mentioned the listed building and how we could perhaps downgrade that. That is a significant cost factor in providing a new school. I am familiar with most of the schools that people mention to me in relation to newbuilds because they have been around for a long time. However, I want to ensure that I invest in communities such as East Belfast, and I want to bring projects such as Strandtown forward. We have to overcome a number of obstacles, one of which is the cost factor. A discussion with the board of governors and local representatives about that will be beneficial to us all.

I am not planning to add any new criteria to the six criteria for sustainable schools. That policy has been consulted on and brought before the Executive and the Assembly and is now departmental policy. I have no plans to change it. Area-based planning will decide what the landscape of education will be in the future in East Belfast. I also put it to Members that there is a challenge in area planning for all of us. Some difficult conversations will be needed in East Belfast and elsewhere about the future of schools. It is no longer about quantity but quality, and I hope that MLAs are in a position to give leadership on those matters. I am not asking them to agree with the Minister, but I ask them to interrogate the proposals and, when necessary, have difficult conversations with their communities and boards of governors on the way forward for education in the community.

I also alert Members to the fact that I am bringing forward a public campaign on education that is specifically targeted at communities that have become divorced from education for a variety of reasons. It will be based on the experiences of the Public Health Agency. Unfortunately, I do not have the same budget as the Public Health Agency to do this, but I will launch a public campaign with messages targeted at communities, parents and families in socially deprived areas and communities that have turned away from education, selling the message of what they can do to help their young people to improve their education, why we need to be involved in education and to explain that education is of benefit to the individual as well as to the broader economy.

*Adjourned at 8.50 pm.*

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# Northern Ireland Assembly

Monday 2 July 2012

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

*Members observed two minutes' silence.*

## Committee Business

**Mr Speaker:** Before we proceed, I inform Members that I have been notified by the nominating officer of Sinn Féin of a number of changes of Committee Chairs and Deputy Chairs. Ms Michaela Boyle has replaced Mr Paul Maskey as Chairperson of the Public Accounts Committee; Mr Daithí McKay has replaced Mr Conor Murphy as Chairperson of the Committee for Finance and Personnel; Mr Seán Lynch has replaced Mr Pat Doherty as Deputy Chair of the Committee for Regional Development; and Mr Phil Flanagan has replaced Mr Daithí McKay as Deputy Chair of the Committee for Enterprise, Trade and Investment. The nominations have all been accepted by the relevant Members. I am satisfied that the requirements of Standing Orders have been met and, therefore, confirm that the appointments take effect from today, Monday 2 July 2012.

## Assembly Business

### Public Petition: Townlands

**Mr Speaker:** Mr Seán Lynch has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. I present a petition of over 6,000 signatures collected by Fermanagh Townland Heritage Group, which is a non-political, cross-community group established to retain Fermanagh townlands in everyday usage as an essential component of the address system. The 6,000 signatures represent over 10% of the Fermanagh population, and more will be added in the coming months. The petition represents a huge effort by a small group of people dedicated to our shared heritage and culture.

The petition calls for the restoration of townlands to the first line of an address. I understand that that is a matter of a minor adjustment to the Pointer database. I further understand that the change is supported by Fermanagh District Council. It will be in contact with the Minister after the summer break to inform him of that, and I encourage the Minister to look positively at the request.

The second part of the petition requests that the Minister and the Assembly amend article 11 of the Local Government (Miscellaneous Provisions) Order 1995 to allow for the numbering of individual properties in townlands. That would provide precise identification for any individual property. The inclusion of the road name in the second line of the address provides an additional aid to locations for those not familiar with an area.

Townlands are an ancient Gaelic method of land division dating back to pre-Norman times. They were there long before parishes and counties came into existence. The first recorded evidence of townlands can be found in church records from before the 12th century, but it is believed that many have been in existence for over 1,000 years.

The townlands campaign is not against change. It wants a robust address system that is based on townlands but also incorporates postcodes and house numbers to ensure efficient and effective post delivery. Minister Attwood can make a historic decision. After thousands of years, he can be the person who eventually legitimises Fermanagh townlands as a legal form of address.

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

**Mr Speaker:** I will forward the petition to the Minister of the Environment and send a copy to the Chair of the Environment Committee.

**Mr McCarthy:** On a point of order, Mr Speaker.

**Mr Speaker:** Is it a bogus point of order?

**Mr McCarthy:** No, absolutely not.

**Mr Speaker:** Let us hear the point of order.

**Mr McCarthy:** It is about townlands. I want to advise —

**Mr Speaker:** Order. I know where the Member is going, and it is certainly not a point of order. Let us move on.

## Assembly Business

### **Congress of Local and Regional Authorities of the Council of Europe: Regional Chamber**

**Mr Speaker:** As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That this Assembly nominates Mr Stewart Dickson to be a substitute member of the regional chamber of the Congress of Local and Regional Authorities of the Council of Europe with effect from October 2012. — [Mr Weir.]*

## Executive Committee Business

### Suspension of Standing Orders

**Mr P Robinson (The First Minister):** I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for Monday 2 July 2012.*

**Mr Speaker:** Before I put the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for Monday 2 July 2012.*

**Mr Speaker:** As the motion has been agreed, today's sitting may go beyond 7.00 pm, if required.

## Ministerial Statements

### British-Irish Council Summit: 22 June 2012

**Mr P Robinson (The First Minister):** In accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the eighteenth summit meeting of the British-Irish Council, which was held in Stirling Castle, Scotland, on 22 June. All Executive Ministers who attended the summit have agreed that I should make this statement to the Assembly on their behalf.

The Scottish Government hosted the summit, and the heads of delegations were welcomed by the First Minister of Scotland, the Rt Hon Alex Salmond MSP. The UK Government were led by the Secretary of State for Scotland, the Rt Hon Michael Moore MP. The Irish Government were led by the Taoiseach, Enda Kenny TD, and the Welsh Government by the First Minister, the Rt Hon Carwyn Jones AM. The Chief Minister, Senator Ian Gorst, represented the Government of Jersey, and the Chief Minister, Deputy Peter Harwood, the Government of Guernsey. Finally, the Isle of Man Government delegation was led by the Chief Minister, the Hon Allan Bell MHK. In addition to the deputy First Minister and me, the Northern Ireland Executive delegation included the Minister of the Environment. A full list of participants is attached to the statement that has been provided to Members.

The summit again underlined the British-Irish Council's unique and important role in promoting and developing links between its member Administrations and in providing a forum for consultation and co-operation on east-west issues. Member Administrations continue to consult, discuss and exchange information with each other on a wide range of matters of mutual interest. All parties at the summit welcomed the opportunity it provided to engage directly with their counterparts on issues of significant common interest and concern. The summit discussed the economic situation across each jurisdiction. The delegations each outlined the challenges they are facing and the actions they are taking in response to what is, despite some variations across the jurisdictions, a common picture of economic uncertainty.

The Council exchanged views and examined early progress on the various initiatives aimed at helping young people into employment in each member Administration. That was also discussed at the previous summit in Dublin. In order to sustain and develop that important work, the Council agreed to commission and consider at its next summit in Wales specific proposals to develop further its work on youth unemployment or employment.

The Council reviewed in detail the work undertaken by the British-Irish Council marine energy work stream and welcomed the progress on advancing marine energy co-operation since the issue was last discussed in 2010. It noted the excellent progress that has been made in negotiations with the European Commission since 2010 and endorsed the formalisation of the EU-wide partnership for marine renewables through the establishment of an ocean energy ERA-NET collaborative action between member states and the Commission. The Council also considered how the issue of marine energy could be progressed at European level during Ireland's presidency of the European Union in the first half of 2013.

The Council noted the progress outlined in the update reports provided by each of the 11 BIC work sectors. They are set out in the communiqué. The Council had a brief exchange on the possibility of collaboration within the British-Irish Council on the issue of creative industries. Heads of Administrations asked the secretariat to prepare a scoping paper in time for the next summit on the potential benefit of BIC member Administrations co-operating in that area.

Finally, the Council noted the secretariat's progress since its establishment in Edinburgh on 4 January 2012 and endorsed the secretariat's business plan. At the conclusion of the meeting, the Council noted that the next BIC summit in November 2012 will be hosted by the Welsh Government.

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

I thank the First Minister for his update. Given, as he said, that the BIC is an opportunity to engage directly with counterparts on issues of significant common interest and concern and given the potentially devastating impact of welfare reform on the nations and regions of the UK, why was there no discussion on that key issue?

**Mr P Robinson:** Welfare reform was discussed at the Joint Ministerial Council meeting between the member Administrations. Obviously, it would not be a matter for the Guernsey, Jersey and Isle of Man Governments. However, as the Member stood on a manifesto along with the Tory MPs who voted welfare reform through the House of Commons, we know what side he would have been on.

**Mr Campbell:** The First Minister indicated that the economic outlook of the various countries was discussed. Can he give us an update on the progress, such as it is, on corporation tax being devolved?

**Mr P Robinson:** We referred to the issue of corporation tax during the meeting, and we continue to take every opportunity we can to indicate how important it is to the Northern Ireland Administration that we rebalance our economy in Northern Ireland. It is one of the key issues for this Administration. We have pressed the case not only at JMC and BIC meetings but at a meeting of the working group dealing with corporation tax, which was held during the week. During that meeting, we could not reach agreement with the Treasury and NIO Ministers on all the issues, but we were able to agree on a considerable number of the working arrangements, should corporation tax be devolved and tax-setting powers be given to the Northern Ireland Administration. There are outstanding issues to be settled, particularly in relation to the cost of the Northern Ireland block.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Chéad Aire as a ráiteas go dtí seo. I thank the First Minister for his statement. Was there any discussion on the banking situation? I note that this has been a particularly difficult week for people who have accounts in various banks. I would appreciate an update on that.

**12.15 pm**

**Mr P Robinson:** There were discussions on banking, but they related to issues that occurred earlier than the problems faced by Ulster Bank and, indeed, RBS customers elsewhere in the UK. I agree with the Member: it is inexplicable to many of us how it can take so long to resolve the issue and why it takes longer to resolve in Northern Ireland than

elsewhere. Meanwhile, people are being refused easy access to their funds, and, in some cases, if they are out of the country, they cannot access them at all. I implore the Ulster Bank to put the necessary resources in place to get the matter finished within hours, rather than further days.

**Mr Eastwood:** I thank the First Minister for his statement. Can he give us any more detail about youth unemployment? Can anything be learned from other jurisdictions about alleviating it?

**Mr P Robinson:** I will be careful here. First, in relative terms — I underline the phrase “in relative terms” — the Northern Ireland situation is not as dire as that elsewhere in the United Kingdom or the Republic of Ireland. We have lower levels of unemployment and youth unemployment, although, to the deputy First Minister and me and the Minister who has responsibility for education and learning, those are still unacceptably high.

As First Minister, I always avoid stealing the thunder of Ministers who are about to make a statement, and I understand that Minister Farry will make a statement later on a strategy dealing with youth unemployment that is based on early interventions and looks at building up a covenant between the Government, the employer and the individual.

**Mr Lyttle:** I thank the First Minister for his statement. Will he elaborate on the nature of the discussions about potential collaboration in the creative industries?

**Mr P Robinson:** We were very pleased to take part in discussions on that issue, and we agreed that we would deal with it as a major focus of our next BIC summit in Wales. As everyone knows, the creative industries have become increasingly important in Northern Ireland. It is a significant growth sector, not only with the film industry coming to Northern Ireland or television series being produced in Northern Ireland but with the spin-off of that, particularly Project Kelvin, which allows people to create music in Northern Ireland and to have it on the west coast of America or, indeed, New York in an instant. That means that we have opened up the possibilities for people in the creative industries in Northern Ireland globally.

We also have people at the forefront of app design, which is a growing area in the creative industries. So, there is massive potential for us. If we believe that we can create partnerships and working arrangements with other Administrations that will be to our benefit, we will be happy to do that. Of course, one of the key factors has been the indication that the Chancellor gave about tax on major television productions. That had been a tax break for the film industry, but, with it being a tax break for television, it should allow us to be much more competitive in bringing companies to Northern Ireland.

**Mr G Robinson:** Can the First Minister give the House an update on the establishment of the BIC secretariat?

**Mr P Robinson:** As I indicated in the statement, the secretariat officially went live on 4 January. Scotland won the bid and is taking it forward enthusiastically. It is good to see Scotland looking to the long term with its British heritage in taking the British-Irish Council secretariat forward.

We have six members of staff in place already. The UK Government and the Irish Government have put in



senior officials to head up the office. The three devolved Administrations have placed a policy officer in the secretariat, so Northern Ireland has a policy officer seconded to it. In the medium term, we expect that the other three territories will provide us with a further member of staff.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I thank the First Minister for his statement. Can he give us some more detail and an update on marine renewables?

**Mr P Robinson:** I have to say that that is not an area of departmental activity in OFMDFM. However, I found the discussion of the possibilities to be vastly encouraging. I think that everybody knew that we had wind and waves around our shores. At the moment, that is probably one of the more costly forms of renewable energy; nonetheless, it is important and will play its part in our realising our legal requirements under UK legislation and our PFG targets.

As far as Northern Ireland is concerned, we are receiving bids at present for a 600-megawatt offshore licence. There is also 200-megawatt activity off Rathlin Island. So, there are real possibilities there. Our ultimate goal is to get in the range of 40% of our energy from renewables by 2020. That requires us to increase the amount from that source from about 1,400 megawatts to something in the region of 1,800 megawatts. That is a challenge for us. The Executive have set clear goals for that in the Programme for Government, and they intend to meet them.

**Mr Wells:** Can the First Minister give his assessment of the strengths of the economy in Northern Ireland compared with other BIC members?

**Mr P Robinson:** We have very different economies in the BIC. We listened to some of the small islands lamenting the fact that they had 1.5% to 2% unemployment. You can understand that, in the kinds of arrangements they have, it is a very different problem to tackle. Compared with England, Scotland and Wales, we have a lower level of unemployment. We also have a lower level of youth unemployment, but we have a much higher number of economically inactive people, and, in that sector, you will find that almost 50% of young people are economically inactive. That is unacceptable. However, it is acceptable in one set of circumstances: Northern Ireland has a higher level of young people who are students than elsewhere in the United Kingdom.

We have to look at the causes of economic inactivity. The Minister for Employment and Learning will start to drill into that area when he deals with youth unemployment issues. The Executive are looking at other initiatives to reduce economic inactivity in Northern Ireland and to ensure that people are skilled up, educated and able to take the jobs that become available.

**Mr Kinahan:** I thank the First Minister for his report. When discussing the issue of helping young people into employment, did the Council discuss Zivildienst, as the Germans and the Swiss call it, through which the young spend a year serving their state during which they learn to have pride and learn their place. It is also a good way of getting people into employment.

**Mr P Robinson:** It was not discussed at the summit, though I have had discussions on those issues with the Minister of State, who is looking to bring a particular project to Northern Ireland. So there are possibilities there. I think that

it is a good start in life. Making a contribution to society is better than remaining at home and watching television or sleeping in bed for half the day. The Minister for Employment and Learning will certainly look at that. However, given his responsibilities, he is looking more at ensuring that people are trained up and get the day-to-day experience of working life in order to take them off the economically inactive register.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Regarding youth employment, he said that the issue was discussed at a previous summit in Dublin. Can the Minister give an update on that?

**Mr P Robinson:** The discussion in Dublin set the ball rolling. Certainly, it was the Taoiseach's view that, having discussed the subject in Dublin, albeit more in the margins of a general discussion about the economy, we should not simply drop it but should take it forward to Scotland and have a more detailed discussion there. When we got to Scotland, the discussion was of sufficient merit and there was sufficient interest around the table that we decided to charge officials with bringing forward recommendations to our meeting in Wales. So, there has been a steady progression since Dublin of the merits of having a joint and combined approach and of learning the lessons from each other's Administrations on how we can assist in this area.

**Mr Buchanan:** I, too, thank the First Minister for his statement. I know that this has been touched on by Chris Lyttle, but will the Minister again elaborate on what benefits will be derived by Northern Ireland from greater collaboration on the creative industries within the BIC?

**Mr P Robinson:** The benefits for Northern Ireland of growing the creative industries can be best seen in HBO's series, which is moving forward at the Paint Hall — I think that it is now renamed Titanic Studios. The Executive constructed a second studio to take away some of the pressure that was building up in that area. That has created something in the region of 700 jobs. If we can build up and use further locations — many of the locations are outdoor — it gives us an excellent opportunity to take people who have a creative bent and use their skills and talents in a way that best suits the economy as a whole.

Sometimes, when we look at the creative industries, we think of entertainment more than anything else, but it is a key factor in our economy. When HBO comes, it spends tens of millions of pounds in our economy. It employs people and takes services from within our economy, so it is all very supportive of the Executive's overall main priority, which is to build and rebalance the economy in Northern Ireland.

As far as the benefits of collaboration are concerned, the one thing that any of us who have been involved in politics realise is that, the more you speak to other people who do the same kind of things as you but maybe in a slightly different way, the more you learn lessons that you can build into your own *modus operandi*. That can help us to do things better, sometimes at a lower cost.

**Mr Allister:** The communiqué refers to ongoing work that needs to be undertaken:

*"to achieve greater integration of wholesale British Electricity Trading and Transmission Arrangements*

*(BETTA) ... with the Single Electricity Market (SEM) ... to realise the full benefits of interconnection".*

Is that an acknowledgement that all is not as well in the functioning of the SEM as it should be? What action needs to be taken to achieve better integration between the wholesale British arrangements and the single electricity market?

**Mr P Robinson:** It is an acknowledgment that, as in every form of life, including the Member's own, everyone can do better.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the First Minister for his statement. He touched on the issue of youth employment and unemployment and has referred to the fact that the Employment and Learning Minister will make a statement to the House later. Was the issue of emigration arising out of youth unemployment touched on? If so, was there any discussion of the long-term social impact that it will have?

**Mr P Robinson:** There can, of course, be emigration outside the islands to other parts of the world, but there is also the movement of young people within the United Kingdom. Our young people, particularly after we have taken them through education and, in many cases, higher and further education, are a massive resource and one that we are very keen to ensure is not lost to the Northern Ireland economy. That is why the Minister will make his statement with the support of his Executive colleagues: to ensure that we have people who not only have the skills to take up a job in Northern Ireland but recognise that they should see their future here, as opposed to elsewhere in the world.

**12.30 pm**

**Mr McClarty:** I thank the First Minister for his statement. Will he advise the House if he has experienced any opposition from any of the constituent members of the BIC, namely England, Scotland or Wales, to our application for a reduction in corporation tax?

**Mr P Robinson:** At a political level, I have not experienced any opposition. I think there is a concern that one of the devolved Administrations will be enthusiastic for Northern Ireland to get that power because they want to get it for themselves, and that might have an overall impact on the decision that will be taken by the Cabinet. However, the Treasury Minister, the Secretary of State for Northern Ireland and the people who we have met from the UK Government have been supportive and are looking at moving forward in a positive way. The First Ministers of Wales and Scotland are both enthusiastic that Northern Ireland should be able to move forward.

It is to the benefit of everybody that we are able to pay our way in the world and that we are less of a burden on the UK Treasury. All that the Northern Ireland Administration need to be sure of is that the cost that there will be to our block grant, because of the Azores ruling, is not such that it sets back the public sector functions that we have to carry out and that need to be carried out at the front level of service. If there is a reduction in our block grant, that will clearly have an impact elsewhere. The money has to come from somewhere. Someone has to do with less. We have to be sure that the boost that we will get to our economy from having corporation tax lowered will be better than the fall that might take place from any loss that might occur as a result of a reduction in spending.

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

## Youth Employment Scheme and NEETs

**Dr Farry (The Minister for Employment and Learning):** This statement is on the launch of a new programme to help unemployed young people into the world of work, and some other measures to address those people who fall into the not in education, employment or training (NEET) category.

Members will recall that, in March of this year, the Executive approved my policy proposals targeted at 18- to 24-year-old unemployed young people, and, at the end of May, also endorsed the NEETs strategy — Pathways to Success. I have been in discussions with the Finance Minister over the resourcing of those new measures, and I am pleased that a business plan covering this and the next two financial years has been agreed. I warmly welcome the decision of the Executive to agree to the Finance Minister's recommendation of £5.8 million of funding in the June monitoring round to fully cover those costs during this financial year. The Executive are making the investment in the future of our young people, and, therefore, our economy, a key priority.

We should be clear on the scale of the task ahead and the reasons why we must act. Youth unemployment is a major and growing issue across these islands, elsewhere in Europe and further afield. At present, in Northern Ireland, there are around 20,000 unemployed 18- to 24-year-olds. Those young people who are unemployed but actively seeking work are only one aspect of those falling within the NEET category. There are also those who are economically inactive and are not engaged in education or training. Overall, the number of young people aged 16 to 24 who fall within the NEET category is around 46,000. Whatever way you look at it, in absolute terms, it presents a major challenge.

The raw numbers do not, of course, capture the personal impact of the ongoing difficult economic conditions on young people. Many young people find themselves unemployed, despite their education and training. Those are people who would have otherwise expected to be in work today if it was not for the economic downturn and reduced opportunities. Some simply need the chance to gain experience. It is a catch-22 position for those young people: they cannot secure a job without experience, but they cannot get experience without a job. If we do not intervene, there is a real risk that the current generation of young unemployed people may become the long-term unemployed of the future. The costs of that in terms of impact on public finances and lost economic opportunities will be considerable. That is a risk that we are not prepared to take.

There is also a wider economic case for additional measures that link new interventions to the future skills needs of the economy. That is a vital step in preparing for the upturn in the economy.

One of the few assets that we have is the skills of our workforce. We need to develop those skills, as they can help to create the employment opportunities required to rebuild and rebalance the economy in line with the Northern Ireland economic strategy. If we miss that opportunity, we risk losing some of the added value already provided by our existing investment in education and training, as some skills that our workforce already has will go stale. Those are

long-term effects that will be difficult to reverse. Measures are therefore needed to help young people to compete on a more equal basis with older, more experienced workers in a difficult labour market.

That having been said, it is important to recognise the difference between that type of youth unemployment and the issue of those young people who are NEET and facing obstacles to re-engagement. They require much more intensive support and more tailored interventions to overcome their barriers. The overall aspiration of the NEET strategy document, 'Pathways to Success', is:

*"by 2020, every young person will not only have an opportunity to access education, training or other preparation for employment but, to the extent that they are able, also avail of that opportunity."*

The strategy aims to deliver a three-tier package of measures to prevent young people falling into the NEET category in the first place; to help young people in the 16 to 18 age group, especially those facing barriers; and to assist unemployed young people aged 18 to 24 more generally.

I will start with new initiatives specifically for 16- to 18-year-olds. Although it is clear that the current Department for Learning and Employment (DEL) and Department of Education provision is comprehensive and that the overall level of activity is demand-led, current provision may not fully meet the needs of some of our most vulnerable young people. Although much of what follows is intended to be additional to the existing provision, many programmes and strategies, such as essential skills provision, the Training for Success programme and courses at further education colleges, are also highly relevant, in addition to the role played by the Careers Service.

The additional measures include a community-based access programme that will engage and mentor young people using community and voluntary sector organisations; a new training allowance for 16- and 17-year-olds participating in existing programmes funded by the European social fund; an innovation fund to test new approaches, based on sound evidence aimed at piloting a range of other approaches to re-engaging those young people in the NEET category; and a new community family support programme that will focus on the needs of the most disadvantaged families to enable young people to re-engage with education, training or employment. We will invest £1.8 million in those initiatives in 2012-13, and £3.6 million and £4.6 million respectively in the following two financial years.

I will now outline the proposals for 18- to 24-year-olds. Overall, the proposal for the 18 to 24 unemployed age group aims to deliver up to 6,000 work experience, training and job opportunities annually by March 2015. The proposal comprises several elements. The first is enhanced support through improved diagnosis of skills needs and additional adviser time from both the Employment Service and the Careers Service. That is complemented by immediate additional referral and support for young people who have barriers to participation. Initially, 1,000 short two- to eight-week work experience placements, designed to ensure early engagement with the labour market, will be available. That will rise to 3,000 placements annually by March 2013. The cost of that element will be £200,000 in 2012-13, rising to £400,000 and £600,000 respectively in 2013-14 and 2014-15.

Four hundred training places will be offered, coupled with additional sector-based work experience of between six and nine months in sectors that have the potential to help rebuild and rebalance the economy. The number of such training places will rise to 1,800 by 2014-15. While in training, young people will receive a training allowance of £100 a week. That will cost £1.1 million in 2012-13, rising to £5.3 million in 2013-14 and £6.4 million in 2014-15.

A total of 800 employer subsidies of £5,750 a year will be provided in sectors that have the potential to help to rebuild and rebalance the economy, provided employers agree to facilitate and enable further skills development. The number of employer subsidies will rise to 1,200 in 2014-15. The costs will be £2.3 million in 2012-13, rising to £5.75 million in 2013-14 and £6.9 million in 2014-15. My Department will also invest £400,000 in direct employer engagement this year, rising to £1.1 million in 2014-15. That will provide for marketing and developing a cadre of staff to manage employer engagement and participation in the various strands of the initiative.

That brings the total cost of the package of proposals for both age groups to £5.8 million in 2012-13, rising to £15.6 million in 2013-14 and £19.6 million in 2014-15. That is a major investment at an enhanced level relative to our neighbouring jurisdictions. Under devolution, the Northern Ireland Executive and my Department are doing more than any other region of the UK to assist our young people.

Members will note the strong employer emphasis in the initiative. There is a very sound evidence base for such an approach, locally and internationally. However, the success of the 18-24 initiative in particular will depend on the commitment of a large number of employers.

My Department is putting in place a strategic approach to engage employers in the private and the social economy sectors to secure the necessary work placements, training placements and, potentially, job opportunities and apprenticeships. Initially, we will target major indigenous employers and seek to recruit high-profile champions from key sectors to help to secure commitment to the initiative. The approach will be to ensure that a range of businesses and sectors are seen as equal partners with government in securing workforce development and economic growth.

I have had informal discussions with employer representative bodies to gauge the level of commitment, including but not limited to, the Confederation of British Industry, the Federation of Small Businesses, the Northern Ireland Chamber of Commerce, Manufacturing Northern Ireland, the Construction Employers Federation, the Northern Ireland Council for Voluntary Action and the Bryson Charitable Group. Those discussions indicated that there is genuine interest in supporting the initiative, and a number of companies have signed up to offer different elements of the package. The public sector must also play a role; therefore, a variety of work placements will be sought in key parts of the public sector, such as health, education and local government. In discussions about the package, Executive colleagues have signalled their commitment to ensuring that their Departments and arm's-length bodies contribute to the initiative. Continuous communication and liaison between participating young people, participating employers and the employment service will be necessary to ensure that the

right levels of quality and commitment are being maintained by all the parties involved.

Now that the resources are available, my Department will commence the initiative and will build its capacity to deliver over the coming months. The formal engagement of employers and clients will now begin. There will be a challenge to continuously improve the quality and range of opportunities that are available.

The focus of the whole initiative is on ensuring that young people who are currently unemployed are provided, at the earliest possible stage, with the skills to gain jobs, to compete for jobs that are created in the future and to retain employment and progress in jobs. The focus is also on reducing the short-term employment development cycle that many face. This is not only beneficial for the individual economically and socially but benefits society as a whole.

**Mr B McCrea (The Chairperson of the Committee for Employment and Learning):** It would, perhaps, be churlish not to welcome the proposals. However, I would like the Minister to address some issues, because, in light of the challenges faced by our young people, there is a danger of me being somewhat underwhelmed by what he has proposed. He highlighted the fact that there are 20,000 unemployed 18- to 24-year-olds and 46,000 NEETs overall. However, we appear to be looking for places for only 6,000 of them, which seems to be a drop in the ocean. The Minister stated that his Department and the Executive have done more for youth than any other part of the United Kingdom. Is the £1 billion that was allocated by the coalition Government the unhypothecated money that will come to us, or is it additional money?

Towards the end of the Minister's statement, he mentioned the public sector. Given that people routinely talk to us about the public sector accounting for 65% of our economy, should it not be incumbent on our public sector to do more to give jobs to those with learning or other disabilities and NEETs? It is not enough simply to tag that on at the end of his statement.

Finally, I hope that the Minister will look at a more overarching approach to the issue. Surely we need to find a way to encourage our young people to make choices earlier in their careers so that employment prospects are available to them rather than putting on a sticking plaster when things go wrong.

**12.45 pm**

**Dr Farry:** I think that I detected a welcome from the Committee Chair, so I thank him for that. I am somewhat disappointed that he is "underwhelmed" and regards the initiative as a "drop in the ocean". This is a substantial investment in the future of our young people. It is worth stressing that, in direct comparison, this region is doing more than any other UK jurisdiction. The scale of what we are doing in Northern Ireland, relative to our population, dwarfs what is happening elsewhere. Furthermore, we are taking the opportunity to build in a skills premium, so there is clear evidence of wider strategic thinking.

The Chair referred to the Barnett consequential that arose from the youth contract in Great Britain last November. As he knows, it is important that we stress that those resources come to us unhypothecated, and the Executive determine how they will be distributed. It is worth stressing again that

the investment — I quoted the figures that we agreed with the Department of Finance and Personnel in our business case — is of a greater scale than the Barnett consequential that accrue to Northern Ireland from the youth contract. That is further evidence that we are doing more in Northern Ireland on the issue than are any of our neighbours.

The public sector is a key element. We obviously want to rebalance our economy and to have a more even split between the public and private sectors. However, I am impressed by the willingness of public sector bodies to engage. Of course, we have wider programmes that are based on trying to ensure that we unlock everyone's potential and that those who face the barriers of a mental, physical or learning disability are able to access employment. A lot of good work is happening.

The statement is, of course, on youth unemployment and the resourcing of initiatives that we are taking forward. We recently published the NEETs strategy for Northern Ireland, which is a key objective of my Department. We also have a full suite of programmes that addresses the needs of young people. The Chair highlighted careers, and I appreciate the fact that the Committee wants to look at that area, for which policy has been in place for a number of years and responsibility is held jointly with the Department of Education. We need to consider that as we look to the future to ensure, in particular, that it provides enough accurate labour market information and engages people at an early stage.

**Mr Deputy Speaker:** I remind Members that a Chairman is set a level of latitude that is not available to other Members, so it is one question per Member.

**Mr Buchanan:** I thank the Minister for his statement. I welcome the strong employer emphasis for 18- to 24-year-olds in the initiative. Will the Minister tell the House what targets are in place to measure and monitor the success of 18- to 24-year-olds finding full-time employment? We do not want a short-term fix. We want something in place that will really deliver in getting our 18- to 24-year-olds into full-time employment.

**Dr Farry:** I thank the Deputy Chairperson for his comments and his general welcome. He is quite right to stress the critical importance of employers in the programme: it will not happen without the co-operation of employers. I have been impressed by the attitude of employers who recognise the opportunities that may come to their business from taking on a young person. At present, a lot of them are caught in a trap where they are unwilling to take the risk because of the costs associated with doing so. Hopefully, the employer subsidy, which we are offering at a very attractive level, will make the difference when it comes to employers taking people on.

The Member is also right about the importance of measuring outcomes in that regard. We have existing programmes, such as Steps to Work, and we need to see a step change in the number of sustainable jobs from them. Intensive working with young people, particularly on their employability skills, will make that crucial difference and deliver improved outcomes.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing this long and quite detailed statement to the House, and I welcome it. It has been very good to see the Minister trying to create a legacy in the



short time he has been in the Department. Who knows how much longer he will be in it?

The creation of any kind of facility whereby young people have access to meaningful training and employment is very welcome, but we have to question whether there is any point unless there are proper jobs for them at the end of it. Does the Minister agree that the next step has to be the publication by the Executive of an overarching job-creation strategy that puts tackling youth unemployment and long-term unemployment at its core?

**Dr Farry:** I thank Mr Flanagan for his general welcome. It is worth stressing that the Executive have a comprehensive strategy in the form of the Northern Ireland economic strategy. There are two themes in that strategy: the rebalancing and the rebuilding of the economy. There is a recognition that, particularly in the short to medium term, there has to be a very strong emphasis on job creation. Jobs targets are set out in the Programme for Government. The Member, among others, will be acutely aware of the potential job opportunities that will come from a lower level of corporation tax, and it is important that we plan ahead for that.

He is right to ask what that means in the context of the demand not being there. A lot is happening to try to create that demand, and it is important that we are able to match our supply of skills with demand, and that is built into this initiative. Also, the Department's skills strategy highlights the need for a much more general upskilling of the population. All the projections show that people will need higher-level skills in the future and that there will be fewer opportunities for those with low or no qualifications. Already, even if you drill down into the unemployment figures for young people, there is a very clear differential between those who have a higher level of qualifications and those who do not. There is almost a 2:1 advantage, which is strong confirmation that it is worthwhile for a young person to engage in training. If they do so, whether it is training through an apprenticeship or through further or higher education, their job prospects, even in these difficult times, are enhanced.

**Mr Byrne:** I generally welcome the statement from the Minister. At least it is something positive on tackling youth unemployment. Given that there are 46,000 unemployed people in the 16- to 24-year-old category, in the 18- to 24-year-old category, what about those who are graduating this week in civil engineering, quantity surveying and building cost estimation? What chances do they have of getting a work placement in the Department of Agriculture and Rural Development or bodies such as the Water Service, Roads Service or the Rivers Agency, where there is a very big shortage in design staff?

**Dr Farry:** I thank Mr Byrne for his comments. It is important to clarify that 20,000 of 18- to 24-year-olds claim jobseeker's allowance. When we talk about the wider NEETs category, 16- to 24-year-olds, we are talking about 46,000, but not all of those are claiming jobseeker's and, therefore, classified as actively seeking work.

I hope that there are job prospects for people who are graduating. The detail of that lies in the hands of my ministerial colleagues. However, it is worth reiterating that there is a general commitment across all Departments and

public agencies to look at work placements. I have no doubt that those Ministers will take note of what Mr Byrne said.

**Mr Lyttle:** I welcome this multimillion-pound investment in employment and training for young people, which we must make a priority for the Assembly. I welcome in particular the additional training allowance for young people on pre-vocational schemes. The Committee for Employment and Learning has done a lot of work to lobby the Minister on that issue, and it is a welcome inclusion in the programme.

Why is it so important to take specific actions to address youth unemployment, rather than unemployment overall?

**Dr Farry:** I thank Mr Lyttle for his question and his comments. He is right to say that we have been lobbied considerably on the training allowance by the Committee and a number of community and voluntary groups, and we have listened to those comments.

There was a desire, at one stage, that we would seek to extend education maintenance allowance (EMA) to capture that, and, at the time, I tried to caution that, perhaps, there were other ways to address the anomaly that exists in the system for those who are participating under the European social fund schemes. This training allowance is the response that allows us to take that forward.

We are, of course, addressing the issue of the wider unemployed population as a whole, and we will shortly move to a new employment programme for Northern Ireland, but there are very strong reasons why we want to concentrate a degree of our resources on addressing the needs of young people.

Some 28% of jobseeker's allowance claimants come from the 18 to 24-year-old category. That six-year cohort of the overall adult population accounts for almost 30% of those who are seeking work. There is a real concentration of unemployment among young people. Our profile in Northern Ireland is at the extreme end of the spectrum in that regard, so there are some very strong public policy rationales behind investing in young people at the scale that we are. We want to avoid a situation where we have a lost generation of young people, not just for their sake but for the health of our economy.

**Mr D McIlveen:** I thank the Minister for his statement. How do youth unemployment figures in Northern Ireland compare with those in England, Scotland, Wales and the Republic of Ireland? Perhaps he would offer some reflection on and analysis of those figures.

**Dr Farry:** I thank Mr McIlveen for his question. The figures in Northern Ireland, by and large, reflect the trends that we are seeing elsewhere in these islands. It is worth stressing the point that, in common with our neighbouring jurisdictions and in contrast to some other European countries, we have a real concentration of unemployment among young people, which is why we need to act.

The formal unemployment figures are only one part of that equation. The First Minister reflected on that in his response to the British-Irish Council summit. We have issues with regard to those people who are in the NEET category, in that our figures are some of the highest in the UK, if not the highest. We also have the much wider issue of economic inactivity in Northern Ireland, for which we also have the highest figures. My Department, in conjunction



with the Department of Enterprise, Trade and Investment, is commencing work on a new strategy for dealing with economic inactivity, which we hope to issue for consultation in the autumn of this year.

**Mr Douglas:** I welcome the Minister's statement. During a recent visit to Harland and Wolff in East Belfast, it was clear to me that there was quite a number of opportunities for young people. However, there seems to be a disconnection between DEL and companies such as Harland and Wolff. Bearing in mind the current strategy, what difference will the new strategy make in ensuring that those young people will have opportunities to take advantage of the initiatives that the Minister has outlined?

**Dr Farry:** I thank Mr Douglas for his comments. If there are any particular issues with employers, my officials will take note of that. In every challenge there is an opportunity, and we will ensure that that is followed up.

### 1.00 pm

The strategy aims to make a real difference by giving people the work experience and the employability skills that are so important in the increasingly competitive labour market. We have young people who have availed themselves of education and training and those who are extremely willing to engage in work. It is not a situation in which we are trying to force into work young people who would otherwise be sitting at home actively being lazy. There are people who really want to get into work but do not have the opportunities. Owing to the lack of experience, they are caught in a catch-22 situation in which they are not able to compete on equal terms with some older, more experienced workers, because they lack experience and employability skills. The intervention is designed to break that vicious circle.

It is also worth stressing that employers may be reluctant to take a chance by taking on a young person. They may be fearful of the cost implications and wonder whether they can afford it. Hopefully, the employer subsidy will create an incentive for employers to take on that young person. More often than not, we will find that employers realise that that young person adds to the bottom line of the business and gives a real added value. Moreover, after the subsidy is withdrawn, I hope that the company will come to the conclusion that it wants to keep on that young person and support him or her fully.

**Mr Allister:** On the delivery of these aspirations, which are all very good, what part, if any, does the application of sanction play for young people who perhaps start on a project, a placement or a training exercise and then drop out? Do they simply revert to benefits or is there any inducement to ensure that they continue to attain the essential skills that they will need?

**Dr Farry:** I thank Mr Allister for his question, which creates a good opportunity to address the controversial issue of sanctions. We have exemptions through work experience regulations that allow young people to remain in receipt of jobseeker's allowance while engaging in the work experience initiatives. Sanctions are a massive distraction to that. We had the debate in England and Wales earlier this year, and employers clearly said that sanctions were becoming a distraction. Where sanctions are available under Steps to Work, they are applied in an extremely small minority: in less than 2%, and those are the most extreme cases. We

do not propose to deploy sanctions to the initiatives that I announced today, except for a situation in which a young person engages in gross misconduct in the workplace. That clearly is unacceptable.

That goes back to the point that I made to Mr Douglas a few moments ago. We do not perceive the need to force people into work experience or to stay in work experience. We have a very good deal in resource terms, and we will be able to deal with a lot of young people. I fully expect that there will be great hunger and demand from young people who are out of work, realise the importance of getting into work and want to engage in work experience. We are talking about meaningful work experience for people, not about slave labour and exploitation by companies. It is about something that is good for the young person's opportunities and good for businesses. Through partnership, it will be a great success for Northern Ireland and the economy.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. I have a number of concerns about the roll-out of the scheme, not least over ensuring that there is no exploitation of young people. Thousands of people have been sanctioned through DEL or DHSSPS, so I ask you to check the figures that you have been given, Minister.

The important thing is to ensure that companies that take in young people provide meaningful employment and that the young people obtain the level of skills required to ensure that they can go into employment or an apprenticeship. Some of the stuff in the past has not given kids essential skills.

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

**Mr F McCann:** How can you guarantee that kids will not be exploited?

**Dr Farry:** I detected several questions there; it was a very creative effort. I answered the question about sanctions in response to Mr Allister. To be clear: sanctions are a distraction and a non-issue in relation to this initiative.

As regards Steps to Work, those are the figures. It would be only in the smallest subsection of cases that sanctions would ever be considered. We are not trying to force people into these opportunities. There is hunger out there for the opportunities to be taken forward. Progression is a key element. We are trying to get people onto the ladder. We want people to move onwards and upwards into different types of employment and further training.

The staff of the employment service will monitor exploitation very closely. It is a partnership with business. In the very rare circumstance of a company exploiting young people, we will intervene, remove those young people, look for other experiences for them and not use that company again. It is worth stressing that I do not see that being the situation because the companies that I have spoken to and the young people want this to work.

**Mr P Ramsey:** I thank the Minister and welcome the statement. I commend him for being able to draw down £6 million in June monitoring. Well done. I welcome, in particular, the Include Youth training allowance, which will hopefully satisfy those on the family support programmes.

The Minister will be aware that when the Committee carried out the NEETs inquiry, there was clear evidence that Scotland and Wales were doing it much better. Can you assure the House that there is full buy-in from Departments? Would it not be better to have a NEETs-dedicated unit that reflects all Departments to reach the targets that the Minister hopes to meet?

**Dr Farry:** I thank Mr Ramsey for his questions and comments. He focused on NEETs, and it is worth stressing a number of points in that regard. First, when I took over as Minister for Employment and Learning, there was not a dedicated budget for NEETs. We had a commitment to produce a strategy, which, at that stage, was viewed as a better presentation of the existing work that Departments were doing. Over the past year, we have taken that forward and created a number of new initiatives, whether through my Department or those of my ministerial colleagues. We have now created a budget based on the June monitoring round and agreed the wider business case with the Department of Finance and Personnel.

Delivery will be key in taking forward the NEETs strategy. My Department is happy to provide the lead in that regard, as we did in the drawing up of the strategy. However, the implementation will be placed within a wider Executive framework. The Member will be aware of the Delivering Social Change framework that is emerging through OFMDM and through which a number of strategies are being run to ensure that we have proper co-ordination and buy-in from Ministers. That is an appropriate vehicle to take forward the NEETs strategy and should preserve the already good buy-in to the strategy from Ministers.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire, agus is maith an rud go bhfuil sé inár measc inniu. I thank the Minister for his statement. However, I will point out that, in government, there appears to be a kind of myopia about youth emigration. The problem of youth emigration, which is having a detrimental impact, particularly on the vitality of rural communities, is not referred to anywhere in the statement. Does the Minister's Department have any idea of the scale of or the figures around youth emigration, particularly from rural communities? What is the Executive's and DEL's overall strategy to stem the tide of youth emigration?

**Dr Farry:** I thank Mr McElduff for his questions. It is difficult to achieve an accurate figure for inward and outward migration. Those figures are not necessarily maintained under devolution, and, of course, within the framework on these islands, we have freedom of movement for young people. That said, I recognise it as an issue, and, ultimately, what we are doing on youth unemployment, NEETs, extra provision in further education, freezing tuition fees and investing in our local universities is about trying to maximise the number of our young people who will stay in Northern Ireland and build their careers here. Although we may not have mentioned the words directly, everything that we are doing is about investing in the future of our young people, investing in this region and asking them to make their careers here.

**Ms Lo:** Like others, I very much welcome the Minister's statement and commend him on his great commitment to helping young people to gain employment and work experience. In Great Britain, there is the youth contract,

which has various programmes. How different are his proposed measures from those in the rest of the UK?

**Dr Farry:** I thank my colleague for her comments. It is worth stressing that we have learned lessons from others' experiences, whether in Great Britain or in the South of Ireland, and what they have done to assist young people. Of course, this issue is fully devolved to Northern Ireland, and we take our own decisions locally. It is worth reiterating that we propose to spend more on youth unemployment relative to all other jurisdictions on these islands. This is a bigger-scale intervention, and, as an Executive, we are making it a bigger priority than our colleagues are. That is a clear sign and benefit of devolution.

The second core element on which we are different from our neighbours is that we are building in a heavy skills premium, and we have a clear economic strategy in which we have identified the need to grow our economy. We have also, through my Department, identified the priority skill areas for the future of the economy, and we are trying to concentrate work experience opportunities in those key strategic areas so that we give young people the opportunity and so that we build, in a proper fashion, for the future economy of Northern Ireland.

**Mr Deputy Speaker:** That concludes questions to the Minister for Employment and Learning.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. Will you explain to me, perhaps through the Speaker's Office, whether the decision to call Members who have not been in the Chamber is a Speaker's ruling or a Business Committee ruling? We are already considerably ahead of our schedule — some 30 minutes ahead — and it is difficult for people to be here on time for the next bit of business. I understand that if a statement is made on time, it is only right and proper that you do not call people if they are not here for it. However, we need to look at that situation again if we are going to be so far away from our indicative timings.

**Mr Deputy Speaker:** As the Member quite rightly points out, they are indicative timings, and all Members of this Assembly should realise that. It is the Speaker's ruling, and it is custom and practice first to call Members who are in for the full statement. After that, those Members who were in for part of the statement were called.

## Education: Early Years Strategy

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ráiteas a dhéanamh leis an Tionól. I want to make a statement to the Assembly on the outcome of the consultation on the early years strategy, the 0-6 strategy, and to indicate the approach that I intend to take to move that important work forward.

Investment in early intervention and early years makes sense. That is clear. There is growing evidence that demonstrates the importance of effective early interventions. We are learning more about the importance of brain development in the early years and the impact that positive early life experiences can have on overall outcomes. Although there is widespread agreement on the need for increased early years intervention and support, there is less consensus on how that might be achieved. I am keen to proceed quickly to finalise an early years strategy, and that will provide a clear platform for the development of future provision and will complement the existing policies that are already raising educational standards. Enough time has been spent debating and considering the issues, and the time has now come to decide the strategic approach to be adopted.

### 1.15 pm

It is vital that we continue to build on the positive actions that we are undertaking already. In May, I announced additional funding of £13.1 million for early years services over the next three years. That will expand Sure Start services from the current coverage of 20% to cover the 25% most disadvantaged wards in the North. In addition, it will increase the availability of preschool places and will help to close the gap in funding between statutory nursery provision and that in the community, voluntary and private sectors. That will mean that my Department's investment in early years services for 2012-13 will be £84 million. That compares with £73 million when the draft strategy was launched in 2010.

Over recent years, real progress has been made on the ground. For example, between 2006-07 and 2011-12, the number of children in funded preschool provision increased by over 2,000 and the number of statutory nursery settings increased from 307 to 319, resulting in over 400 more places, and over 1,800 additional funded preschool places have been made available in the voluntary and private sector. Sure Start funding has more than doubled from £9.3 million to £22.5 million, and the Sure Start developmental programme for two- to three-year-olds, which was first introduced in 2007, will be delivered to over 1,600 children in their penultimate preschool year in 2012-13. We should recognise, too, the improvements that have been achieved in the quality of provision in our preschool settings as indicated by Education and Training Inspectorate (ETI) inspections and the chief inspector's reports. Those improvements have resulted from the clear focus that has been placed on early years since 2007.

The draft early years strategy was originally launched for public consultation in June 2010. Such was the interest in it that the closing date for the consultation was extended to January 2011. We received almost 2,000 responses from a wide cross section of interests. I welcome the focus that has been placed on the early years and the genuine appreciation that there was among respondents of the

importance of those years to a child's development. We have had an opportunity to reflect on the views that were submitted, and decisions now have to be made about how to proceed.

As a next step, today I am publishing an analysis of the consultation responses, highlighting the key issues and priorities that have been raised. I have to report that although most respondents agreed that the strategy needed further work, there was not one clear, collective view on the best way forward. At a strategic level, some respondents, particularly the larger organisations, were supportive of the vision and aims but thought that integrated early years services needed cross-departmental support and should perhaps be centrally driven. Some respondents wanted us to concentrate on improving the early education system before embarking on a wider agenda. They wanted us to deal with issues in preschool provision and to prioritise the implementation of the 2006 review of preschool education. There were calls for more work with parents and families, as well as for greater recognition of the requirements of children with special needs and disabilities. The need for more outreach to families that are at risk of exclusion was also raised.

In the light of the varying views that were emerging, I considered some fundamental issues before deciding how to proceed. I believe that it is clear that the focus of a revised strategy must be on the child and their needs. We must also reflect the Programme for Government priorities that recognise the importance of providing a year's free preschool education for every child. The progress on early years that I outlined provides a solid platform for the development of future work. I want to consolidate and build on the positive improvements to preschool education that we have delivered already. We acknowledge the need to intervene early in many children's lives to ensure that they do not start school already at risk of falling behind their peers. However, it does not fall to one single Department to do that; other Departments also have a role in giving young children the best possible experience. I recognise the importance of a more joined-up and co-ordinated approach to early years. To that end, I will proceed with a two-stranded approach to the early years issue.

The first strand will be the development of a revised strategy with a clear focus on early education and learning. I want to focus on what the Department of Education can do to ensure that young children are prepared, supported and encouraged to learn. By finalising an early years education strategy, I will complete a suite of educational policies that will drive educational reform, raise standards overall and close the gap between the highest and lowest achievers.

Education does not begin and end at the school or preschool gates. Children learn first and foremost from their parents or carers. In striving to make improvements and enhance early education, the role and support of young children's parents and carers is key. To support the work of teachers and early years practitioners, this autumn I will be launching an advertising campaign aimed at raising the value that local communities place on education. Education can be the route out of poverty, but only if parents, families and communities value it and are encouraged and enabled to support their children to get everything they can from it. If parents who aspire to a better future for their children do not realise the importance of good education, much of this work will be in vain.

The strategy will be outward-looking. It will require close partnership with other Departments, particularly the Department of Health, Social Services and Public Safety, to ensure that early years services are delivered effectively. I have held meetings with Minister Poots to identify areas of common interest and to ensure that both Departments are working together effectively in the development of relevant policies.

Early support for children can make a difference. It helps to develop good emotional well-being and resilience and addresses special educational needs. I have asked my officials to engage with a range of key stakeholders, including the early years stakeholder advisory group, so that I can make final decisions about how the proposals can best be taken forward. These discussions will take place over the coming months, after which I will finalise my proposals by November.

I turn now to the second strand that I intend taking forward. In parallel with the development of an early education and learning strategy, I want to target early years support for those living in disadvantaged areas. The evidence of the impact of disadvantage on education outcomes is clear. School leavers who are entitled to free school meals consistently attain poorer education outcomes than those who are not. This is why I intend to engage with my ministerial colleagues to explore the potential for enhanced co-operation around early years intervention. It may well be that the new Delivering Social Change framework can offer a vehicle to target additional support to those with young children living in disadvantaged areas. The Delivering Social Change framework was included in the Programme for Government and is intended to co-ordinate the efforts of different Departments to tackle poverty and social exclusion. I plan to explore the potential of this group to bring together the efforts of a number of Departments to achieve enhanced collaboration and improve the delivery of early years services in areas of disadvantage. Through this mechanism, Ministers could work in a co-ordinated way to tackle some of the most fundamental and intractable problems in our community.

To conclude, the development of an early years strategy has proved a complex and challenging exercise, with conflicting views from many different stakeholders. The approach I have outlined today will build on the excellent progress made in recent years, not just in early years support and education but in the improvement of education attainment at all levels of our system. As with the review of special educational needs and inclusion, I am willing to listen and respond to the views that are expressed through the consultation. However, the time has come for me to indicate clearly the approach that I intend to take. To begin with, I intend to ensure that we have a clear focus on early education and intervention, and on what the Department of Education can do in partnership with other Departments. The early years strategy will provide a solid platform for the provision of relevant services. Building on this, I will explore the potential of the Delivering Social Change framework to harness the work of different Departments and to target support and resources for early years services in areas of greatest need.

I will ensure that at the heart of all this work will be the aim of enhancing the quality of early education for our youngest children and their families. I am committed to ensuring the best educational early learning experience for all our children. Go raibh míle maith agat.

**Mr Storey (The Chairperson of the Committee for Education):**

First of all, I thank the Minister for the pre-briefing that he gave to the Deputy Chair and me prior to the statement being made to the House.

It is with some degree of dismay that we come to the House today, many months and indeed years after the publication of a policy by the Department in relation to early years. To say that the process to date has been shambolic would be an understatement. What confidence can the Minister ensure will now be instilled in those providers who are paying attention to this announcement today that the Department that has brought us to the state that we are in at the moment will be able to deliver a clear, coherent vision and policy for preschool education, and that it will not be as it has been in the past?

In relation to the early years stakeholder advisory group, will the Minister explain to the House how he intends to ensure that that group, which has not to date engaged with the primary school sector that will ultimately be either advantaged or disadvantaged by whatever policy is set in train and set in place, will involve and listen to and engage with that sector?

**Mr O'Dowd:** I thank the Member for his question. Ideally, we would like to be further on in the debate over a strategy than we are. However, the consultation responses show that, even among the 2,000 respondents, there was little and, in places, no agreement on the way forward, which is regrettable. I accept the responsibility: politicians and Ministers are elected to make decisions. I have outlined today the consultation responses, and I am making them available to the Committee, other Members and the public to study. Over the period ahead, my Department and I will engage closely with key stakeholders on the way forward.

However, we have not been standing still. As I said in my statement, it is worth noting that we are now spending £84 million on preschool services. When the consultation was launched, we were spending £73 million. There are 2,000 more children in preschool education today than there were two years ago. I have expanded Sure Start from 20% of the most deprived areas to cover 25% of the most deprived areas. Almost 2,000 children will enter the two- to three-year programme for Sure Start this year. Sure Start touches the lives of almost 34,000 children annually. Progress is being made in early years, but I accept that we need to move towards a strategy, and we need to have a firm strategy, not only from my Department but between Executive colleagues and their respective Departments.

The Member commented on the early years strategy group and its connections with the primary school sector. I will take what he said on board and investigate it further. It seems logical that both sections will engage with each other, and I certainly take that comment on board as our deliberations continue.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Does he agree that Sure Start and the voluntary and private nursery sector are moving on with the provision of preschool places and ensuring that our children get the best possible start in life? Does he also agree that it should not just be the Health and Education Departments involved? All other Departments



need to be on board in pursuing the strategy. The Minister is keen, but how keen are the other Departments?

**Mr O'Dowd:** I thank the Member for her question. Significant developments have been made in Sure Start and early years provision over the past number of years. Standards, particularly in the community, voluntary and private sectors, are rising. I made a significant investment in them in the early part of this year. I accept that investment is required. However, I also accept that there is responsibility on the bodies themselves to ensure that standards continue to rise. The Education and Training Inspectorate will play a crucial and central role in ensuring that standards improve in all sectors of our education system.

How do I go forward with my Executive colleagues? I sit on a number of cross-departmental subcommittees. On each, the focus and discussion often centres on early years provision. Whether I am partaking in bilaterals or plenary meetings with my Executive colleagues, they accept that, in general, all Departments have a responsibility to ensure that we make investments in early years. I mean not simply investments in early years education but investments in all areas of a child's early development, because that is where the real results are proven to begin. Be it a child's emotional development and well-being, how it bonds with its parents and its family, and how it develops with others, studies show that those are the crucial years in the brain development of a child. We are engaged in discussions with my Executive colleagues that will have positive outcomes.

**Mr Deputy Speaker:** I remind Members that we are aiming for one question per Member.

**Mr Kinahan:** Thank you, Mr Deputy Speaker. I hope that you are not aiming that at me.

I thank the Minister for his statement and for his briefing beforehand. I am concerned about the fact that the Minister said that responsibility does not fall to "one single Department". We seem to be setting ourselves up for excuses in the future. Are we going to see one lead Department in time? Will we see a strategy from the Health Minister that fits to this Minister's strategy, with actions and timelines, by November?

**1.30 pm**

**Mr O'Dowd:** I assure the Member that that line is not there to offer excuses for my Department or any other Department not delivering on its early years commitment. It is just stating a fact. As I said to the Member who asked the previous question, the Department is around the table. I accept that, unless we get it right at early years, we are allowing difficulties to develop, not only for the individual child but for society as well. If we can get the early years right, the child's educational development will prosper, the child's health will improve and the child's interaction with their family and community will be much improved. That child will be less likely, as a young adult, to end up in the justice system.

From a purely selfish, financial point of view, the right thing to do is invest in early years. From a moral point of view, the right thing to do is invest in early years to improve a child's life. I assure the Member that I am pleased with the engagement from my Executive colleagues on early years. I am more than pleased with my engagement with the Health Minister on early years. In the intervening period between

now and November, I intend to intensify those discussions with my Executive colleagues.

**Mr Rogers:** Minister, thank you for your statement. I particularly welcome your words that we are moving towards a strategy. Like other Members, my concern is that every year it takes to get this strategy is five years in a young person's life. Parents, like schools, play a key role in early years education. Are there any plans to increase the provision of parenting programmes, such as the type of work that is being piloted by Sure Start and is happening in some of our nursery schools?

**Mr O'Dowd:** I reassure the Member that, as we have been developing the strategy, we have not been standing still. I emphasise the list of developments and improvements that have taken place, as outlined in my statement, and the significant financial investment we have made in early years over the past number of years. The Member mentioned Sure Start. He will be aware that, several weeks ago, I announced to the House that I have expanded Sure Start from the top 20% most deprived wards to the top 25%. We will monitor that programme as it rolls out. If the finance is available in the future, we will look at expanding that even further. At the moment, we want to concentrate on the most deprived wards.

Engagement around parenting is clearly an area that we want to see expanded and developed. Sure Start touches on those matters. A number of schools already use their extended school funding for parental engagement, which I encourage. I will examine that further under any early years strategy.

**Mr Lunn:** I thank the Minister for his statement. The figures that jump off the page at me are the 400 extra places in statutory nursery settings and the 1,800 in the voluntary and private sector. Given the evidence that outcomes are better in the statutory sector, does the Minister have any plans to redress that balance over the years or improve the qualification levels of those teaching our children in the voluntary sector?

**Mr O'Dowd:** I intend to continue to focus on the community and voluntary sector. Previous inspection reports for that sector are mixed, but they have been improving. I take heart from the most recent Education and Training Inspectorate report on those facilities. It is clear that the vast majority of facilities provide an excellent service to our young people, but there are areas of concern.

Recently, I made a significant investment in the community and voluntary sector. I accepted that the sector's work was somewhat limited by the finances available. I accepted that there was a requirement for further investment, and I made it. With that investment, I expect to see markedly improved outcomes for all young people coming out of the community and voluntary sector. There are examples in the statutory sector I can point to where inspection reports are not glowing. There are many examples I can point to where the reports are glowing. Across sectors, we are improving all the time in the delivery of our educational services. However, I take the Member's point: those concerns have been raised previously, but I believe that we have a strategy in place to correct them.

**Mr Givan:** I thank the Minister for his statement. Locally, the Resurgam trust in Lisburn has carried out excellent work in our working-class estates to identify the need



for early intervention. So we are ready to go on the co-ordination strand, which was the second strand that he touched on. We have a document — if he does not already have it, I will send it to him — that highlights the issue of the Department of Education, the Health Department and the Justice Department working together. When will Ministers and Departments co-ordinate and recognise that upfront investment and a long-term output will be required? Ultimately, that will not be delivered for a long time, and it will require Ministers to make big decisions.

**Mr O'Dowd:** I welcome the fact that your area in Lisburn is ready to go. If you want to send me a copy of the document, I am more than happy to go through it. I see a number of elements at play. In the Programme for Government, the Delivering Social Change element may be the umbrella under which a number of Departments will be able to work together and finance initiatives. Recently, I have been in correspondence with a number of my Executive colleagues seeking their views on an early intervention fund. I do not want to go into more detail on that, because, in fairness to my Executive colleagues, the letter was sent only in the past number of days. I want to give them a chance to study it and to make their views known to me. There is the potential for a combined early intervention fund in a number of neighbourhoods, which will assist young people.

I emphasise again that I am confident that there is a view among Executive colleagues that early intervention and investment in early years represent the way forward, first and foremost, to improve young people's lives and, in the long run, to save government millions of pounds. If we get it right in the early years, a young person has a better chance of succeeding in life.

**Mr Agnew:** I thank the Minister for coming to the House with the statement. When the draft strategy was launched, it was the 0-6 early years strategy. At that time, my concern, with the strategy sitting in the Department of Education, was that, although some two-year-old children come into contact with DE, most children do not come into contact with the Department until they are three, four or even five years of age. The Minister mentions close partnerships with other Departments, including the Department of Health. Will the Minister guarantee that it will be a 0-6 strategy and will be not only a close partnership but a joint strategy with the Department of Health? One strategy for children aged nought to two, nought to three or whatever in the Department of Health and a separate DE strategy would not be acceptable to me, my party or, I believe, the children's sector.

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

**Mr Agnew:** Will the Minister guarantee that there will be genuine collaborative working, rather than two separate strategies?

**Mr O'Dowd:** It is important that Departments have common cause, which is to ensure that there is early intervention for young people to improve their life. I believe that a 0-6 strategy is still achievable; in fact, it will probably be more achievable in the future than it has been in the past. My discussions with my Executive colleagues thus far have been very positive, and I will continue to work towards a 0-6 strategy. However, I have responsibility for young people from the age of three onwards. Other Departments have responsibility, to varying degrees, for children aged nought

to three. I also fund the Sure Start programme, which is delivered by the Department of Health, and there is a good working relationship on how that is rolled out. However, I do not believe that the issue is about Departments protecting territory or budgets. We must ensure that we deliver on the existing co-operation and that we formalise a strategy on the way forward, which is a common cause across the Executive table.

**Miss M McIlveen:** Given the diversity of the early years sector, how will the Minister ensure that there will be equity in the way in which the various sectors delivering early years provision are assessed by the inspectorate?

**Mr O'Dowd:** Regardless of the setting that the inspectorate goes into, it has common inspection themes. The inspectorate wants to ensure that there are age-appropriate educational opportunities for young people in early years. There is no inspection process for a statutory setting, and there is no separate inspection process for a community and voluntary setting. The inspection process is there to ensure that an age-appropriate curriculum is delivered in those settings and proper standards are adhered to. Sectoral interests have been a difficulty in agreeing the strategy. As a Minister, I will move forward and listen to the different sectors, but I will make decisions on what I believe to be right for the sector and for early years. That will not always please everyone, but I will make them on the basis of information and consultation, and then we will move forward. The responsibility of Ministers is to listen and then make decisions, and that is what I intend to do.

**Mrs Overend:** We are touching on the same sort of question that I want to ask. How does the Minister propose to measure the success of his strategy? Will there be specific targets that can be measured and monitored at varying stages, or shall we have to wait until a child reaches the end of their education within your responsibility to find out how successful that child has been?

**Mr O'Dowd:** The ultimate test of how successful a strategy will be is when the child reaches young adulthood. Our Government are involved in many programmes of work, and it may take 10 to 15 years before we know the outcomes of them. We are working on an evidence base that I believe to be thorough and robust, so we can move forward.

As for measurements in the strategy, my main focus at the moment is getting the strategy. I will build in measures and outcomes within that and will report to the Assembly. However, my focus at the moment is to get the strategy down on paper, get it agreed and move forward with that, and we can build in measures in regard to outcomes etc.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and commend him on the proactive approach he has taken to early years to date. The Minister and the Committee will be well aware of the criticism that came in following the publication of the earlier consultation. The Minister and the Committee were very keen to listen to those consultation responses, to take them on board and to ensure that a proper strategy was put in place that reflected the views of everybody. Have we genuinely learned anything from that process and from those responses? Does the potential exist for us to move forward with a joined-up strategy that enjoys the support of stakeholders and gets buy-in from other Departments?

**Mr O'Dowd:** Consultations by Departments are often treated with scepticism by the public and in the sectors. This shows that consultations have an influence on government. I could have come into the Chamber today and announced a policy that I believe to be the right way forward, ignoring the consultation responses. However, I am here today saying to Members and to the general public that we accept that the consultation responses are largely critical of the strategy set out, though there is no agreed way forward or common theme on the way forward from the consultation responses, and we want to take a short time to engage again with the stakeholders, the Education Committee and my Executive colleagues and then produce a firm strategy on the way forward. That is a clear indication that we have listened and are prepared to listen to move forward.

The key objective is to ensure that we have a strategy that is deliverable, makes a difference in people's lives and makes a difference in our society. As I said to one of the Members who spoke previously, the role of a Minister is to make decisions. I will listen again in the short time ahead, and then I will make a decision on the best way forward.

**Mrs D Kelly:** Two years on from when the strategy was first launched, we are now hearing a response to the consultations. Does the Minister agree that that is shambolic, appalling and a dog's dinner? One wonders whether there was a strategy to begin with. How did he and his predecessor get the strategy so badly wrong in the first instance? Can he put some meat on the bones in respect of the time frame for November and an action plan?

**Mr O'Dowd:** I await the SDLP's response in the coming months. I have no doubt that the SDLP has an early years strategy sitting waiting to be wheeled out into the public domain to tell all the sectors how we will proceed. Having listened to the Member's question, I can say it seems her party knows how it should be done. Therefore, I will listen to the SDLP I will study — *[Interruption.]*

**Mr Deputy Speaker:** Order, please. I encourage the Minister and the Member to address their remarks through the Chair.

**Mr O'Dowd:** I will study with interest the SDLP's early years strategy. I will take on board the elements of it that are workable and will go forward in a collective and agreeable manner.

1.45 pm

## Access to Justice Review: Departmental Action Plan

**Mr Ford (The Minister of Justice):** On 13 September 2011, I announced the publication of the final report of the access to justice review and invited views on its 159 conclusions and recommendations. I have considered the responses very carefully, and I am today publishing my formal response to the review, together with a departmental action plan setting out the 38 reforms that I propose to take forward in the life of this Assembly. The projects set out in the plan cover more than 100 of the 159 recommendations in the final report of the access to justice review. The plan will be a living document, and further reforms may be added to it if I conclude that they are necessary and that it is feasible for my Department to deliver results within a meaningful timescale.

When I was elected Justice Minister, I said that my goal is to create a better justice system for everyone: for victims of crime; for those who seek redress through civil law or who need the assistance of the legal system to resolve family or other disputes; for those called to give evidence; and for those facing prosecution as a defendant. The access to justice review has made a very significant contribution to my thinking about how to achieve that goal, and I am grateful to all who made submissions to the review team and provided comments as part of the public consultation.

Today, I want to set out the programme of work that I will take forward. I have set three strategic objectives in the departmental action plan: improving access to justice; bringing legal aid expenditure within budget; and improving governance and accountability. Although each of those three objectives is important, I want to stress the particular importance that I attach to the first: improving access to justice. It is, perhaps, inevitable that coverage of my statement today will focus on the aspects that are aimed at bringing expenditure within budget. However, the access to justice review was about much more than that, and so is my response. Indeed, half of the 38 projects in the programme are aimed at improving access to justice. That reflects my desire to see real and lasting improvement in the justice system and to ensure that the justice system plays its full part in creating a fair and just society. It is also an indicator of just how much work will be needed to achieve that.

Another 12 projects are aimed at the second objective of bringing legal aid within budget. The high cost of legal aid has been one of the most common complaints that I have received from members of the public and from MLAs on behalf of their constituents. Few would deny that certain aspects of the arrangements for the provision of legal aid here have been too generous. The challenge that faces all of us who are committed to access to justice is to maintain and improve such access but to do so on a real value-for-money basis. I am determined that we will not go down the path being followed elsewhere, with budgets cut by reducing the scope of support for those who genuinely need assistance in accessing justice. Rather, we — elected representatives, the legal profession, and voluntary and community organisations — must work together to develop and deliver reforms that are effective and affordable.

The reform programme set out in the action plan also includes seven projects intended to improve governance

and accountability. That is another area where there has been significant public concern, as well as critical reports by the Northern Ireland Audit Office and the Public Accounts Committee. The Justice Committee has also expressed its concern about accountability for legal aid expenditure. Addressing issues of accountability and ensuring that proper measures are in place to protect against fraud has to be a priority, and the plan reflects that. I am confident that my proposed reforms and other improvements in governance already under way will address the problem. If more work is required, it will be taken forward as quickly as possible.

When I published the final report of the review last year, I said that consultation would not hold up work to deliver necessary reforms, and it has not. I have already acted on some of the review recommendations, and work has begun on 25 of the 38 projects listed in the departmental action plan. Indeed, work on some of the review recommendations has been completed. For example, the review commented on the need for tight and precise criteria for decisions on how many counsel should be funded in cases in the Crown Court, and new, tighter criteria were introduced in April 2012. Experience to date suggests that the new rules will save £2 million each year, more than originally anticipated.

The review recommended the introduction of a new power for the Legal Services Commission to recover money from convicted defendants where it becomes clear that they can afford to pay for their own defence. Since I became Justice Minister, Members and constituents have raised with me a number of high-profile cases where convicted defendants had received legal aid but it subsequently became clear that they were well able to pay the fees for their defence teams. I am pleased to tell the Assembly that I have made new rules to allow costs to be recovered in such cases and they were laid before the Assembly this morning. The rules, which will introduce recovery of defence costs orders, will come into force in the autumn after the start of the new legal term.

In other areas, good progress is being made. I accepted the review recommendations that my Department should seek to develop partnerships with the voluntary and advice sectors and that we should make more use of pilot projects. A pilot project to help people facing court action for housing repossession or eviction from rented accommodation, by way of grant funding for the Housing Rights Service, is now under way. In addition to providing funding, we have found a way of expanding the service to the whole of Northern Ireland, to areas where it was not previously available, and that is now being rolled out.

Work has also begun on developing an alternative approach to what are known as “money damages cases”. The review recommended that such cases, which include claims for such things as injury from tripping, should be removed from the scope of legal aid, once an alternative approach had been developed. The Legal Services Commission has been working for some months, in discussion with the legal profession and representatives of the insurance industry, to develop alternative arrangements, and good progress has been made. That is the kind of constructive engagement that I want to see replicated across the wider programme of work.

Other projects in the programme have the potential to bring yet further improvements to the justice system. The provision of early legal advice is very important in ensuring that both criminal and civil cases progress quickly and

get the right result. The current system for funding early advice, known as the “green form scheme”, is regarded by all, including the legal profession, as administratively time-consuming yet providing poor financial control. The plan includes a project to review the green form system and to develop a better approach. That should be widely welcomed.

I have also commissioned a mapping exercise to explore the current use of alternative dispute resolution mechanisms in the justice system. As I have said on many occasions, I believe that there is scope for better use of such approaches, both to avoid time-consuming and expensive court proceedings and, where appropriate, to support proceedings. The mapping exercise will begin work in that area.

I will also commission a review of the legal needs of young people. Although my Department gathers and considers a wide range of information about legal needs and experiences, it does not at present have sufficient understanding of the legal needs of young people and children. I do not believe that we should assume that they have the same needs as adults in the justice system. I am, therefore, commissioning research to ensure that the Department's policy development can be properly informed in respect of the needs of children and young people.

I turn to my second strategic objective: bringing legal aid within budget. Members are aware that there has been significant public criticism of the high cost of legal aid and that the Northern Ireland Audit Office has been critical of the extent to which expenditure has exceeded the available budget. Since taking up office, I have made significant improvements to legal aid, but more needs to be done. Although I have brought through reforms that will save £20 million a year, that is not enough to bring legal aid expenditure within the annual budget, which will be reduced to £75 million by 2014-15. The progress made in relation to criminal legal aid must now extend to civil legal aid, and the plan includes 12 projects that will make further savings of more than £8 million a year when fully implemented. I am confident that we can make enough progress on those reforms to bring legal aid within budget by 2014-15.

There will be a comprehensive review of remuneration for legal representatives in civil legal aid, with a view to putting in place more accountability, as has already been done for criminal legal aid. I estimate that that work will deliver savings of some £4m a year. Work on that has begun. A review of the arrangements for funding legal representation in civil cases is already under way, and I plan to bring forward proposals for new criteria — again drawing on the criminal legal aid work — in the autumn. That project is expected to save some £3 million a year. A comprehensive review of legal aid fees in Magistrates' Courts is well advanced, and I plan to publish proposals for consultation in the autumn. A review of fees in the Crown Court will commence in January next year.

I have also commissioned work to consider the introduction of a fixed means test for criminal legal aid and to review the existing means test for civil legal aid. In developing proposals, I will consider carefully any impact on access to justice, to ensure that legal aid remains available for those who really need it. That work is under way, and I plan to publish proposals by next year. Taken together, I am confident that all the projects that focus on legal aid

expenditure should bring legal aid within budget by 2014-15 and will ensure that it remains within budget thereafter.

My third and final strategic objective is the improvement of governance and accountability where there has been criticism by the Northern Ireland Audit Office, the PAC and the Justice Committee. Members have also raised this individually, through correspondence and Assembly questions. Seven projects in the plan aim to address it. They include the introduction of a compulsory registration scheme, whereby legal practitioners wishing to undertake work funded by legal aid must sign up to agreed standards, and improvements in the internal management information and IT systems operated by the Legal Services Commission.

The potential for fraud in legal aid has been a particular concern, as highlighted recently by the Comptroller and Auditor General in his report on the Northern Ireland Legal Services Commission's 2010-11 accounts. The action plan includes two projects that relate directly to the PAC and auditor's concerns, with one project specifically to address the issue of potential fraud. Accountability is a critically important issue for all Departments, and I will commission further work, if required, to ensure that proper accountability for legal aid is put in place and maintained.

I have today set out my reform programme in some detail. I believe that it can deliver real improvement in the justice system in a meaningful timescale. I will work with the judiciary, the voluntary sector, the legal profession, other Departments and statutory agencies to ensure that it does so.

**Mr Givan (The Chairperson of the Committee for Justice):**

I thank the Minister for his statement. We will seek to support most of the recommendations when they come to the Committee. The Justice Committee has had a particular interest in legal aid and access to justice, not least because of the vast sums of public money involved and the concerns that many members have, given the repeated reports highlighting the abuse of the system that has taken place within the legal aid budget. There are a number of areas in which we welcome changes, not least on the two counsel matter and the fact that that will now achieve £2 million more than anticipated. The Committee initially hesitated about the approach the Department was taking on that and, together, people listened, and we found an approach that has now yielded a much better outcome for the taxpayer.

I ask the Minister why we are still paying for delay in the criminal justice system, in that a different fee is still applied whenever a case is contested. That has been dealt with in Scotland, resulting in a 40% increase in earlier guilty pleas at arraignment. Will the Minister give an undertaking to address the different fee structures that, some would suggest, incentivise the legal profession to contest a case, when the evidence in Scotland suggests that a composite fee would result in earlier guilty pleas?

**Mr Ford:** I thank the Chair for his positive words and, indeed, for the constructive engagement that the Department has had with the Committee as a whole on these issues. I should make one point. When he referred to the savings around two counsel being around £2 million more than anticipated, I fear that he did not include a comma. The correct phrase is "£2 million each year, more than originally anticipated."

The Member referred to paying for delay. Unfortunately, at the moment, there are still cases going through the

courts for which the fees were set under the previous arrangements. Obviously, those fees will reduce as more cases set under the new arrangements that were agreed last year for criminal work come through and as we continue to work on civil legal aid.

The Member raises an entirely valid point about the experience in Scotland. We hope that we will have a project completed during next year for both the Magistrates' Courts and the Crown Court, although the work on the Crown Court will potentially not be completed until early 2014. The work being done next year will look at the benefits of a single fee. I do not necessarily agree with the suggestion that lawyers might see advantages in cases being run to considerable length, although that case was put fairly forcefully when I met the Committee. The key thing is to see that we get the best possible value for money and that those who are going to plead guilty anyway should have no disincentive to do so at the earliest possible opportunity.

**Mr Elliott:** I note that the Minister mentioned a couple of times the issue of potential fraud in the system. Is he actually suggesting that there was fraud or maybe still is fraud in that legal aid system? Also, the Minister notes that there were 159 conclusions and recommendations, of which 100 are covered in the 38 reforms.

What were the 59 that were not covered, and are any of them significant?

**2.00 pm**

**Mr Ford:** I thank Mr Elliott for those questions, but I fear Members might complain if I were to go through the 59 recommendations. Actually, there are slightly fewer than 59 remaining, as over 100 recommendations are being taken forward. The simple reality is that this was an extremely large piece of work. It was a very complex report, and a lot flowed from it. Even a Department as efficient as the Department of Justice is incapable of dealing with everything all at once. The key issue was to see that the priorities were established and that things were moving very rapidly. As I said, a number of issues have already been covered completely.

On his substantive point, not being an auditor, I am not in a position to say whether fraud happened. However, Mr Elliott and others from the Committee will be aware that the potential for fraud has been highlighted by the Audit Office and the PAC. The Justice Committee has taken quite a close interest in that. It is more important that we close down any potential for fraud than for me to suggest that I know exactly what was happening when I do not have that information.

**Mr Dickson:** I thank the Minister for his statement, which is very welcome. As a member of the Justice Committee, I agree with what the Chair said: you will certainly get our support in bringing forward these reforms.

I refer to the work with the voluntary sector and the comments that the Minister made, for example, with regard to grant funding for the Housing Rights Service. What other areas of the voluntary and community sector does the Minister see as valuable areas for co-operation?

**Mr Ford:** The key point that I highlighted was the good work being done by the Housing Rights Service in helping people avoid repossession through the advice that it provided, initially in the Royal Courts of Justice at Laganside, and



which we are now in a position to roll out across other courts in Northern Ireland. I am sure that those of us who do not represent areas within the Belfast Court division appreciate the importance of seeing that such services are made available as well as they can be in every part of Northern Ireland. That was an example where advice that was provided informally — although unfortunately at the last minute in that case — had quite a positive outcome in that it avoided housing repossession and helped people to make arrangements with their creditors, whether mortgage companies or landlords. Without being able to give any details of other projects, it is an example that we are seeking to replicate. There is undoubtedly a lot of good work being done by some local advice centres, by CAB and others, where sound legal advice is being provided that helps people to avoid problems and gives them access to justice without needing to end up in courts. That is the kind of work I am keen to encourage.

**Mr Weir:** Will the Minister expand a bit more on the alternative approach that is being taken in money dispute matters? Are there any opportunities for the application of an alternative approach to look at the hearing-loss claims, for example?

**Mr Ford:** The problem with having a document with 38 detailed reforms is that when someone asks you a question like that, it can be quite difficult to find the particular point.

I am not sure that it would be possible to make any significant changes to the way the hearing-loss claims are being handled, given that a number of those are under way. However, clearly, they are an example of where a lot of money has been expended on legal fees rather than necessarily being to the benefit of those who suffered loss. The important thing in an alternative to money damages is to find an appropriate way of removing from the scope of legal aid for court adjudications such cases that result from, for example, negligence or tripping over pavements, which afflicts DRD. We need to look at whether there are insurance-based options or conditional fee options. There are a variety of possibilities for dealing with such cases and the potential to save £1 million a year from the legal aid budget. I cannot give much detail because that project is at an early stage, although the research is under way, but I hope to come back to the Committee during the course of the next year with information.

**Mr Anderson:** I, too, thank the Minister for his statement. He referred to alternative dispute resolution mechanisms. I accept that particular route has merit from various points of view, but will he assure the House today that there will be built-in safeguards for victims in that type of resolution and that it will not result in the criminals getting off lightly?

**Mr Ford:** I can certainly assure Mr Anderson that that is the case. Youth conferencing demonstrates how such mechanisms do not result in young people getting off lightly, as they are forced to face up to the consequences of their actions through, potentially, direct reparation and direct confrontation with the victims or representatives of the community. Those examples show how ADR can be positive in that field.

We must also consider civil disputes, particularly those that involve family matters. An adversarial court system may exacerbate poor family relationships, as opposed to seeking

a way of mediation or another form of ADR that would assist with the process. If I may go back to my past career, I think that we have moved on from the days when one solicitor represented two parents and another solicitor represented the former health and social services board or, as is now the case, a health and social care trust. A number of QCs could be involved in such cases. The danger is that, the more lawyers you bring in, the more they have to justify their fees by advocating their client's case, rather than seeking the kind of informal, quiet resolution that can often be brought about through a mediation process to much better effect for the family concerned.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Thank you, Mr Deputy Speaker, and I thank the Minister for his statement. The Minister said that he has:

*"commissioned a mapping exercise to explore the current use of alternative dispute resolution mechanisms".*

Has he included restorative initiatives in that mapping exercise?

**Mr Ford:** I thank Mr Lynch for his question. I certainly think that restorative approaches are a key part of alternative dispute resolution. As I said in answer to the previous question, youth conferencing is one very important aspect of that, and I think that we need to look at potentially extending it.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí go nuige. Thank you, Mr Deputy Speaker, and I thank the Minister for his responses to date. The Minister referred, rightly, to the potential for legal aid fraud to be a particular concern, and members of the Justice Committee shared that concern. The Minister also referred to an action plan that includes:

*"two projects which relate directly to the PAC and auditors' concerns, with one project specifically to address the issue of potential fraud."*

Will the Minister please elaborate on the detail of that?

**Mr Ford:** I thank Mr McGlone for that question. It may be that elaboration will require more detailed discussions with the Committee in the autumn. It is clear from the Audit Office report that there are problems with the accounting mechanisms that the Legal Services Commission has the legal authority to carry through. It simply does not have the full powers that may be required to, for example, inspect the books of solicitors and counsel.

It is key that we look, first, at the voluntary register of those who are engaged in legal aid purposes and, secondly, at the potential for taking legal powers to enter offices and inspect books. There is clearly a concern that the potential for fraud is quite significant. In the interests of those lawyers who claim properly, it is vital that we ensure that anyone who might be tempted to do otherwise is checked up on fully.

**Mr Allister:** I declare an interest as a member of the legal profession. I encourage the Minister by saying that any self-respecting lawyer will have no difficulty with his pursuit of fraud. However, I want to come to a different matter. The Minister has set his eye on bringing the reforms that were made to criminal legal aid to civil legal aid. Does that include attacking the granting of two counsel to plaintiffs, who will, very often, face two counsel that are paid for by



insurance companies? Is he satisfied that the important matter of equality of arms will be retained in the pursuit of justice, or are we looking for justice on the cheap, with the result that it may suffer?

**Mr Ford:** I thank Mr Allister for his encouragement in ensuring that all lawyers are living up to the high standards that we expect. He may not have heard the early part of the statement, but, as others will recall, in the two years that I have been Minister, I have made clear and always referred to my desire to ensure that we maintain access to justice and that we do not go down the line of other jurisdictions by reducing the areas in which legal aid can be applied. That said, there are difficult choices. We have also seen circumstances in the past where, in criminal matters, two counsel may have been funded for the defence and only one for the prosecution. That is hardly equality of arms either. There are difficulties in getting the balance in all these matters, but I believe that the road that we are on will ensure that we maintain proper access to justice while recognising that it comes at a cost that must be weighed against the cost of every other part of the Department's budget.

**Mr Deputy Speaker:** That concludes questions to the Minister of Justice. I propose, by leave, to suspend the sitting until Question Time at 2.30 pm. The statement from the Minister of Health, Social Services and Public Safety will be made immediately after the question for urgent oral answer to the Minister for Regional Development.

*The sitting was suspended at 2.10 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.30 pm**

## Assembly Business

### **New Assembly Members: Ms Megan Fearon, Mr Declan McAleer, Ms Rosaleen McCorley, Ms Bronwyn McGahan**

**Mr Speaker:** Before we move to Question Time, I have been informed by the Chief Electoral Officer of the return of a number of new Assembly Members. Ms Megan Fearon has been returned for the Newry and Armagh constituency to fill the vacancy resulting from the resignation of Conor Murphy. Mr Declan McAleer has been returned for the West Tyrone constituency to fill the vacancy resulting from the resignation of Mr Pat Doherty. Ms Rosaleen McCorley has been returned for the West Belfast constituency to fill the vacancy resulting from the resignation of Mr Paul Maskey. Ms Bronwyn McGahan has been returned for the Fermanagh and South Tyrone constituency to fill the vacancy resulting from the resignation of Ms Michelle Gildernew. I hope that I have pronounced all those names reasonably well.

Each of them signed the Roll of Membership in my office earlier today and entered their designations. They have all now taken their seats, and I wish them well for the future.

# Oral Answers to Questions

## Office of the First Minister and deputy First Minister

### Social Investment Fund

1. **Mr Easton** asked the First Minister and deputy First Minister when the screening for the social investment fund will be operational. (AQO 2283/11-15)

**Mr M McGuinness (The deputy First Minister):** The social investment fund received Executive approval on 17 May 2012. That approval finalised many of the operational decisions of the fund. It also brought with it the priority of getting moneys on the ground as quickly as possible. The first step in doing that is to establish the steering groups within the social investment zones. Each zone will have one steering group, and each steering group will comprise a maximum of 14 representatives from the community, voluntary, statutory, political and business sectors.

Nominations for the community voluntary representatives opened on 11 June 2012 and closed on 29 June 2012. During the application period, officials held a series of public information seminars on the nomination process, and all the information was made available on the Office of the First Minister and deputy First Minister (OFMDFM) website. Events were held in each of the nine zones and were well attended, which indicated the level of interest in steering group representation and the fund in general. The First Minister and I will consider all community and voluntary nominations received. We anticipate being in a position to inform successful candidates by August. Once the structures are in place, we will commission the area planning process to identify objective need within each of the social investment zones.

**Mr Easton:** I thank the deputy First Minister for his answer. If communities identify issues such as mental health issues, educational underachievement and substance abuse as key priority areas, could such schemes and interventions be used as part of any plans for the investment zones?

**Mr M McGuinness:** We have made it clear from the very beginning that we see engagement with the community as very important. This is us responding to the needs of the community and the issues that they identify as priorities for them. All the subjects that you raised could be matters for consideration with the steering group.

**Mr Speaker:** I remind Members that if they are trying to get in for a supplementary, they need to continue to rise in their place.

**Mr Lyttle:** I thank the deputy First Minister for his response. How does he respond to the concerns expressed that some community groups have had as little as three working days between the final information session and the deadline for nomination to the steering groups?

**Mr M McGuinness:** The nomination process was conducted in a fashion that allowed people in communities to be very much engaged. If there is a difficulty around the time span that was used, that will have to be considered. However, the appointments to the steering group were very important to

ensure that we were moving forward decisively. We recognise that it is important to deal with these matters in a way that ensures that enough time is given to communities so that they can put forward representatives who will deal with the issues that are of concern to them. Given the level of engagement and discussion over not just a matter of days or weeks but many months, many local communities have had ample time to consider how they will be represented on the groups. We are satisfied that the meetings, which were very well attended, reached a proper outcome because of the amount of time that people had to nominate.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an LeasChéad Aire as a fhreagraí ar na ceisteanna go dtí seo. Has any consideration been given to amending the boundaries of the zones to allow for areas that are naturally working together on common themes?

**Mr M McGuinness:** I have referred to that a number of times in the Assembly. The boundaries for the investment zones generated a major part of the feedback received, and the issues were raised at the consultation events and in written responses. We have sought to make the boundaries compatible with the local areas to ensure that there are direct linkages with ongoing work in areas, and we have had representations from some areas, such as in Belfast, for which we took account of work that has taken place but does not fit easily within the Assembly boundaries for the four zones. Our officials are looking at how we can best address the issue to ensure that areas that already work collectively can continue to do so. Every now and again, issues around the designations of the zones and their geographical spread will crop up, but I am certain that officials will approach all that with considerable flexibility.

**Mr Durkan:** I thank the deputy First Minister for his answers so far. Will he give detail on the criteria to fill the membership of the zonal steering groups of the social investment fund?

**Mr M McGuinness:** A community and voluntary nomination process has been followed very diligently. The formation of the steering groups is under way, and nominations for the community and voluntary positions have just been closed. The next stage of the process is for the First Minister and I to select from the applications received, and that will be completed by August this year. Political representatives will be selected using the d'Hondt process. Statutory representatives, with the exception of the one council representative, will be determined once the priorities of the strategic plan have been identified and may work on a rotating basis. Business representatives will be identified by the steering groups and can come from large-scale business in the zone, smaller business enterprises or representative bodies, as the steering group deems appropriate. Support for the fund has also been registered by trade unions, and the Irish Congress of Trade Unions, the umbrella organisation for unions in Ireland that represents some 750,000 workers, responded to the consultation and wrote separately to the First Minister and I endorsing the ethos of community involvement and decision-making in local areas.

### EU Funding

2. **Mr G Robinson** asked the First Minister and deputy First Minister to outline the progress made in drawing down EU funding. (AQO 2284/11-15)

**Mr M McGuinness:** The Executive intend to increase the drawdown of competitive EU moneys by 20% over the period to 2015, and that target will bring around £52.8 million of additional EU funding to the region. In 2011-12, year 1 of the target, £15.8 million was secured, which was an increase of £4.8 million over the 2010-11 baseline of £11 million. That represents an excellent start to the Executive's Programme for Government commitment, and we expect further success this year.

In year 1, we also undertook substantial capacity-building, and four desk officers are now located in our Brussels office to provide dedicated support to Departments on identifying funding opportunities. In March, junior Ministers led a highly successful Brussels engagement programme, involving over 50 meetings, to make the Executive's voice heard at a time when the European Commission is preparing the next generation of EU funding programmes for 2014 to 2020. Departments are influencing negotiations on key funding sources for this period, such as the Connecting Europe Facility and Horizon 2020, which are potentially worth €50 billion and €80 billion respectively.

A few weeks ago, the First Minister and I met the European Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn, to press upon her the need for Horizon 2020 to be more accessible to our small and medium-sized enterprises (SMEs). During our discussion, the Commissioner advised us that our total drawdown from the seventh framework programme to date had increased from €36 million to €43 million, which is more excellent news.

**Mr G Robinson:** Does the deputy First Minister agree that EU funding helps to release much-needed funding for Northern Ireland's departmental budgets, particularly given the present harsh economic times?

**Mr M McGuinness:** Yes, I absolutely agree. We have been very focused in the meetings that the First Minister and I have been involved in with Máire Geoghegan-Quinn over a period. We have identified that much more work can be done by our Departments. Quite an amount of work is being done, and the opportunities are clearly there.

Providing a context for funding drawdown is essential. Benchmarking is the only way in which the Executive and Assembly can assess our true performance on realising new and additional EU moneys. We know that our absolute performance in year 1 of our target period has been good. We have delivered a significant increase in our drawdown. On a relative basis, however, the picture is still unclear. So, for the year ahead, which is year 2, we will place greater emphasis on comparing our relative drawdown with the best performing regions in Europe. The statistical basis for comparison has yet to be agreed, but we will be looking to measure such things as drawdown on a per capita basis by EU funding programmes, using that to determine our performance against other devolved Administrations, the South and comparable regions in the EU.

It is vital that all our Departments are involved. I can report, as the First Minister has said previously, that all our Departments are very energised and knowledgeable about what needs to be done. The extra resources that we are putting into our Brussels office will be of great assistance.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The Minister may have covered some of this subject in his answer. Will he outline the Executive's European priorities for 2012-13?

**Mr M McGuinness:** We published our European priorities for 2012-13 on 28 May. Our European priorities were developed to align closely with the Europe 2020 strategy, the European Commission's legislative and work programme for 2012 and our own Programme for Government. Innovation and technology is one of our four main European priorities. Supporting SMEs, increasing R&D and promoting creative industry and STEM — science, technology, engineering and mathematics — initiatives are all identified as key objectives for the year. We continue to work actively to increase our engagement in European networks, policies and funding programmes. Every Department was involved in drafting the Executive's European priorities and carries responsibility for their delivery.

The First Minister and I will continue to use every opportunity to influence the Commission and ensure that future EU funding programmes remain responsive to the needs of our region. A key consideration for this year will be to continue to monitor and influence, where possible, negotiations on key policies such as regional aid, the Connecting Europe Facility and the new EU funding programmes for 2014-2020.

**Mrs Overend:** As regards cohesion funding, the deputy First Minister will know that the Executive suggested alternatives to GDP as the determining factor for defining whether Northern Ireland is classified as a less developed, transition or more developed region. What were those alternatives? What was the response from Europe?

**Mr M McGuinness:** We are making it absolutely clear that we recognise the challenges we face in relation to the changing face of Europe and even to the changing priorities that Europe itself is laying down. From our perspective, we hope for a Peace IV programme, and it is important that we focus on the need for that, given that there has been much speculation that, when it comes to an end, Peace III could be the end of a programme that has been very much involved in cohesion, particularly in border areas.

I think the fact that we have gained the support of the British Government and the Irish Government, as well as the representations made by the First Minister and me to Europe, means we can have a reasonable expectation that that programme will continue. We are always looking at other ways in which we can draw down support from Europe, and of course we have working parties under the Barroso task force consistently looking at new ways to ensure that we get the best result from our connections with the European Union.

2.45 pm

## Delivering Social Change

3. **Mr Molloy** asked the First Minister and deputy First Minister for an update on the Delivering Social Change framework. (AQO 2285/11-15)

**Mr M McGuinness:** Mr Speaker, with your permission, I will ask junior Minister McCann to answer this question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** For some time now, Departments have been working hard to tackle poverty

and social exclusion. However, all too often, these efforts have not delivered the step change that is necessary. Genuine efforts have been fragmented and dispersed over too many strategies, action plans and targets, and, at times, Departments have focused on their core issues without seeing the benefits of greater collaboration. The Executive agreed that we needed to find new ways to ensure effective cross-departmental working to tackle poverty and deprivation. We needed a framework for action that complemented the much larger social and economic policies that operate in this area, provided streamlined governance with clear lines of accountability, and focused on delivering actions that add real value and achieve measurable improvements.

Delivering Social Change is a framework designed to support joined-up working in government and to reflect the leadership that has already been demonstrated on the ground. The framework is being laid by junior Minister Bell and me through the Executive ministerial subcommittees on children and young people, and poverty and social inclusion. The intention is that, once a year, the First Minister and the deputy First Minister will also chair these subcommittees. The Executive subcommittees are being supported by a programme board chaired by junior Minister Bell and me, with key Departments represented by key officials. To date, the programme board has met twice on a formal basis and has had a number of workshops. Its early work is focused on the identification of short-, medium- and long-term strategic actions that will help the Executive meet their Programme for Government commitments around tackling poverty, social inclusion and improving the life chances of children and young people. It is hoped that proposals with regard to initial priorities and actions under the framework will be presented to the First Minister and deputy First Minister for agreement by the end of the summer.

**Mr Molloy:** I thank the junior Minister for her response. Can she give an assessment of how Delivering Social Change is going to assist with the integration of policy across the Departments?

**Ms J McCann:** A key element of the Delivering Social Change framework is the policy project, which has a role in integrating policy more effectively. This means that we will not have all the multiple plans addressing the same issues in the same ways. We will have one strategic framework — our plan — and if more plans are required to fulfil statutory or other commitments, they will draw on the overarching plan. It has been very clear that we need to move away from the fragmented and dispersed policies. This is important because it will support a more joined-up approach and ensure that there is not an overemphasis on policies and strategies at the cost of delivery. It will also avoid duplication, whereby multiple planning documents address the same issues.

The emerging thinking from the strategic discussions to date has identified two key products that need to be developed. They are the Delivering Social Change framework document, which will identify the major issues together with recommendations as to how to address these, and the other one, a children and young person early actions document, which will provide details of initial actions or flagship services and produce early impacts.

**Mr Speaker:** Robin Swann. I take it the Member certainly wants to ask a supplementary question.

**Mr Swann:** Yes.

**Mr Speaker:** He needs to rise properly in his place.

**A Member:** He was. *[Laughter.]*

**Mr Swann:** Now, come on. Mr Speaker, are you going to allow that sort of heightism in here? Come on.

**Mr Campbell:** It is time for new material here.

**Mr Speaker:** Allow the Member to ask —

**Mr Nesbitt:** Sit down, Speaker.

**Mr Swann:** Thank you very much, Mr Speaker — I think.

Can the junior Minister explain further how the Delivering Social Change framework will work alongside the Programme for Government, the economic strategy and, as was mentioned earlier, in even more detail, the social investment fund?

**Ms J McCann:** Up to now, our work relating to children and young people has been guided by a range of strategies, action plans and conventions, such as the children and young people's strategy, the play implementation plan and the Child Poverty Act. We are still fully committed to them, but they now need to be taken forward through the Delivering Social Change framework. We are trying to move away from action plans with long lists of existing activities towards smaller numbers of cross-cutting and strategic objectives that can really make a difference and are additional to existing work across government.

Achieving sustained social improvement for children and young people with a reduction in intergenerational poverty means that Ministers will work more closely together in the context of a longer-term view, which encompasses the next comprehensive spending review and Programme for Government period and the years beyond. That includes work to improve income and keep down household costs. In practical terms, we will have a Delivering Social Change framework that will take in the social investment fund and the other policies that are key to reducing poverty.

**Mr Rogers:** I thank the junior Minister for her answers so far. With reference to social change, will she give the reaction to the recent Equality Commission survey on discriminatory attitudes?

**Ms J McCann:** I do not have those details with me. I will write to the member if there are some things that I can explain further. The outcomes associated with the Delivering Social Change framework are a sustained reduction in poverty and an improvement in children and young people's health. We need to have that equality of opportunity for all our children, and that cannot happen until we reduce poverty and ensure that the life chances of all children are the same.

**Mr Agnew:** I congratulate the junior Minister on her appointment. With regard to delivering social change, I welcome the efforts made to co-ordinate cross-departmental working. However, we have heard today from the Education Minister, or at least got a hint from him, about the trouble that he has had in getting a truly cross-departmental strategy —

**Mr Speaker:** Could the Member come to his question?



**Mr Agnew:** — for early years. Will the Delivering Social Change framework ensure that we do not have single Departments dealing with cross-departmental issues?

**Ms J McCann:** I thank the Member for his congratulations.

We have already stated the outcomes associated with the Delivering Social Change framework, such as the reduction in poverty and associated issues right across all ages. Also included in that is the improvement in children and young people's health, well-being and life opportunities. The Delivering Social Change framework is the Executive's new delivery framework for social policy and our approach to reducing poverty and tackling social exclusion. Therefore, it will deliver services in a more integrated and holistic way, as the Member said, because, in the end, that will have the greatest impact on the lives of children and young people — the lives that we are trying to change.

### Commissioner for Public Appointments

**4. Mr Nesbitt** asked the First Minister and deputy First Minister for their assessment of the work of the Commissioner for Public Appointments. (AQO 2286/11-15)

**Mr M McGuinness:** In 1995, the first report of the Westminster Committee on Standards in Public Life, which was chaired by Lord Nolan, recommended that there should be an independent commissioner for public appointments. That recommendation was accepted and current public appointment policy requires that there be a commissioner for public appointments. The office of Commissioner for Public Appointments was subsequently created by the Commissioner for Public Appointments Order 1995. That order sets out the commissioner's main functions, which include publishing a code of practice that sets out the process for making ministerial public appointments, auditing departmental public appointment processes to establish whether the code of practice is being observed, and investigating complaints. The commissioner also publishes an annual report that provides information on the work of his office. The current commissioner is Mr John Keanie, who was appointed by the First Minister and me and took up office on 1 August 2011.

The commissioner has an important role to play in enhancing and sustaining public confidence in the appointments process by holding Ministers and their Departments to account. He operates independently of government, sets standards for Departments to follow by publishing a code of practice, audits departmental appointment processes to check whether his code of practice has been followed, and investigates individual complaints and publishes his findings in an annual report. The commissioner provides an effective and credible external scrutiny role, which I am sure that everyone welcomes.

**Mr Nesbitt:** I thank the deputy First Minister. Will he outline what further actions his Department may be considering on foot of the Fair Employment Tribunal finding against the former Minister for Regional Development, Conor Murphy, to guard against further discrimination in public appointments on the grounds of religious belief?

**Mr M McGuinness:** I am aware that the Fair Employment Tribunal found against the Department for Regional Development in a case involving the appointment of the

chair of NI Water. The Department for Regional Development is considering the tribunal's judgement. It will, I am sure, wish to consider all the available options, including an appeal. The tribunal judgement raises a range of serious issues. The implications of the decision on public appointment procedures will be fully considered by all concerned. Any changes to the Commissioner for Public Appointments' code of practice arising out of the case are a matter for the commissioner.

**Mr Campbell:** The day after that handshake last week, the deputy First Minister talked about the history of nationalist inequality in Northern Ireland and that, for 40 years of his life, he was addressing that inequality. Is the inequality in appointments via the then Sinn Féin Minister Conor Murphy that was reported last week the change that he was talking about?

**Mr M McGuinness:** No. As someone from a community that was long discriminated against until these institutions were established, it is certainly not in my interests, or in the interests of anybody associated with me, to be involved in discriminating against anyone. I understand that, as a result of the ruling last week by the Fair Employment Tribunal, a number of people associated with whatever decision was made at the time are considering legal advice. At this stage, it is too soon to say what the outcome will be. However, I would be very surprised if there is not a very vigorous challenge to the decision.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline how OFMDFM public appointments are regulated by the Commissioner for Public Appointments?

**Mr M McGuinness:** Ministerial public appointments to the following OFMDFM public bodies are regulated by the Commissioner for Public Appointments: the Commissioner for Children and Young People; the Commission for Victims and Survivors; the Commissioner for Older People; the Ilex Urban Regeneration Company; the Strategic Investment Board; the Maze/Long Kesh Development Corporation; and the Northern Ireland Judicial Appointments Commission. The Police Ombudsman is appointed by the First Minister and me, although the ombudsman's office is sponsored by the Department of Justice. That appointment is regulated by the Commissioner for Public Appointments. Although most public appointments are regulated by the commissioner, appointments to a tribunal are not. As a result, appointments to the Planning Appeals Commission, such as the recent appointment by the First Minister and me of a new chief commissioner, are not regulated by the commissioner.

**Mr Dallat:** Does the Minister agree that the manner in which public appointments are made can be a beacon of light for the future or a dark cloud of what happened in the distant past? Will the Minister ensure that, at all times, public appointments are beyond question?

**Mr M McGuinness:** Yes, absolutely. I have no difficulty with the Member's final remark. It is important, particularly against the backdrop of a new dispensation here, that all of us are rigorous in defending everyone's rights. Discrimination must be banished to the dustbin of history. If lessons are to be learned from individual cases, as opposed to the general situation that existed for far too long, it is in all our interests to ensure that those lessons are learned as



we go forward. However, given that, in all likelihood, people are considering their options in relation to last week's finding, it is much too soon to say.

## Child Poverty Report

5. **Mr Cree** asked the First Minister and deputy First Minister why there was a delay in laying the annual child poverty report before the Assembly. (AQO 2287/11-15)

**Mr M McGuinness:** With your permission, Mr Speaker, I will ask junior Minister Jennifer McCann to answer the question.

3.00 pm

**Ms J McCann:** The Executive agreed the first annual report required by the Child Poverty Act 2010 on 31 May of this year. The report was laid before the Assembly on 6 June 2012 under a written ministerial statement from the First Minister and deputy First Minister. Since publishing the child poverty strategy in March 2011, we have started to develop a poverty outcomes model that would reflect the separate inputs of all Departments. Junior Ministers sought to progress work to deliver the child poverty strategy on the basis of the approach recommended by the outcomes model. Ministers also developed the delivering social change framework, which I spoke about earlier, to deliver a sustained reduction in poverty and associated issues across all ages, and an improvement in children's and young people's health, well-being and life opportunities, thereby breaking the long-term cycle of multigenerational problems.

In the first year of delivering the child poverty strategy, progress has been made in developing that programme framework. Political agreement, administrative structures and a monitoring framework have been developed, and they will enhance the capacity of Departments to deliver on their commitments and to measure more accurately progress overall and the distinct contributions of individual Departments. Set in the context of the other work that was ongoing, the drafting of the first annual report was, regrettably, delayed.

## Education

### Schools: Area Planning

1. **Mr Hussey** asked the Minister of Education how he will ensure during the summer period that schools and their staff are kept adequately informed on progress with area planning. (AQO 2298/11-15)

**Mr O'Dowd (The Minister of Education):** Last September, I commissioned the boards and the Council for Catholic Maintained Schools (CCMS) to draw up plans for a network of viable and sustainable schools in their areas. I asked for plans for primary, post-primary and special schools. I now have the post-primary draft area plans, and those will be published for public consultation on Thursday 5 July 2012. I understand that the boards wrote to all schools before the end of the summer term to inform them of the commencement of the consultation. That will run for a full 16 weeks until 26 October, as it has been extended to take account of the school summer holidays.

The boards will be making an online facility available from September to complement the normal channels for response. The area planning consultation offers an opportunity to reshape our education system for the future, and I encourage as many people as possible to respond.

It is important that the plans are considered from the perspective of all young people in an area and not focused on individual schools. I will want to be assured that the plans provide viable and sustainable schools, access to high quality education, and proposals that will enhance the curriculum offered for young people.

Following the consultation, boards will analyse the responses and submit revised plans to me for consideration in November. I anticipate that I will be in a position to approve the plans by the end of the year. As I have constantly stated, the interests of young people will be the primary focus throughout the process.

**Mr Hussey:** I thank the Minister for his answer. What communication plan will the Minister put in place to ensure that all interested parties are kept properly informed of all stages of the area planning consultations?

**Mr O'Dowd:** As I said, the plans will be going out to consultation from the end of this week. Boards were to inform schools of that process before schools broke up for the summer. I appreciate that it is over the summer holidays, but, alas, government cannot close down over the summer, and the Department of Education has to deliver a rigorous work programme, which requires us to ensure that we achieve a sustainable and viable schools estate. The plans will be out over the summer months for fairness to stakeholders. That will give them time for reflection and to study the plans. In September and October, those bodies will have an opportunity to come together in a more formal setting and discuss and debate the plans. They can do it over the summer, if they so wish. The education boards will be available to schools and other stakeholders, if further clarification is required over the summer months.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. What is the Minister's assessment of how the managing authorities have complied with the reference, in the terms of reference, to the area planning process on assessing the potential for cross-border models? At this stage, does the Minister know whether any of the proposals that are coming out in the consultation on Thursday include any cross-border proposals, such as a cross-border area learning community?

**Mr O'Dowd:** I do not wish to make an assessment of plans that are just going out to public consultation this week. However, I would encourage border communities especially to involve themselves in the consultation process. If there are opportunities for cross-border working and cross-border planning that have not been included in area plans, there is an opportunity for elected representatives, community groups, schools and stakeholders to make those views known. When the plans come back to me after the public consultation, I will study them against the consultation responses and the terms of reference to ensure that all has been adhered to and that views have been taken on board. However, we are handing this over to the communities for their views on area plans to be heard. There are clearly opportunities for cross-border work along border communities.

**Mr Byrne:** Does the Minister agree that, when two primary schools agree to come together into a single school, as has

happened in Omagh with the former CBS Primary School and Loreto Convent Primary School, it is very important that all services and systems help to enable sites to be adapted or changed? Does the Minister support the efforts being made to try to improve the buildings of those two schools at the moment?

**Mr O'Dowd:** I am aware that West Tyrone representatives met departmental officials this afternoon on that very subject. I will await a report from my departmental officials on the matter and then take whatever action requires to be taken.

The Member will be aware that, as part of my capital bills announcement last week, I announced a £4 million enhancement programme available to schools. It is targeted at schools that are amalgamating, coming together or enhancing services to schools in their communities, and that will come on stream from 2013 onwards. However, I will study the details that have come out of today's meeting and report back to Members collectively.

**Mr Lyttle:** Will the Minister give his assessment of how education and library boards have complied with the terms of reference guidance to explore shared education solutions? What is his understanding of the meaning of "shared education"?

**Mr O'Dowd:** As I said to a previous contributor, I will await the public consultation on the reports. When my officials report back to me, I will examine them through the prism of the terms of reference and the consultation responses to ensure that views have been taken on board and the terms of reference have been met. Those documents are now the education and library boards', and they are going out to public consultation under their remit. My responsibility is to ratify them at the end of the process if I am satisfied with them.

I was asked what my definition of "shared education" is. I hope to be in a position to announce in the near future membership of the ministerial advisory group, which was committed to under the Programme for Government. I have set aside terms of reference for that body, and I want it to examine the potential for shared education. I want the body to challenge the Assembly, individual Members, the sectors and the Minister over shared education and for it to ensure that we can exploit the full potential of shared education. Let it bring forward the conversation, instead of the Minister standing up in the Assembly before the group has even had a chance to meet to decide what shared education will mean.

## Newly Qualified Teachers

2. **Mrs D Kelly** asked the Minister of Education how he intends to create more employment opportunities for newly qualified teachers. (AQO 2299/11-15)

**Mr O'Dowd:** I am keen to ensure that newly qualified teachers are afforded every opportunity to obtain full-time positions. The number and type of vacancies for which newly qualified teachers may be eligible to apply is primarily influenced by decisions made by schools on the basis of the funding that they receive under the local management of schools (LMS) common funding formula arrangements.

Data from the General Teaching Council in January 2012 shows that 70% of teachers who graduated here in 2007 have gained a permanent or a significant temporary teaching

post; that is, employment for one term or more. My Department has taken measures to ensure employment opportunities for newly qualified teachers, including reducing intakes to courses of initial teacher education by almost 32% since 2004-05 and discouraging the re-employment of prematurely retired teachers through provision of employer guidance and changes to pay, premature retirement, and LMS funding arrangements.

**Mrs D Kelly:** I am interested in the Minister's definition of "permanent employment". He said that 70% of teachers have been employed for one term or more, and that equates to a permanent position. I do not think any bank lender would equate that to being the case. Will the Minister assure us that teachers who get employment will have their needs met for their professional development in their early years, post-qualifying?

**Mr O'Dowd:** I do not think that this is the time to be taking advice from any of the banks, given some of their practices.

What I said was that data from the General Teaching Council in January 2012 show that 70% of teachers who graduated in 2007 have gained a permanent or a significant temporary teaching post, meaning that they have been in employment for one term or more. Clearly, we want to ensure that young and older people who go through teacher training achieve employment in teaching. However, we are dealing with one of the worst economic downturns in modern history. That is reflected in my budget, in the schools budget and in the opportunity that graduates and postgraduates in all fields have to gain employment in their respective areas. However, I am continuing to examine ways and means of ensuring that we have teaching personnel in our schools.

I am looking at how we train our teachers. As part of that, I am also looking at how to give our newly qualified teachers access to the workplace. I note that the Scottish Government's report into the provision of one year's training for newly qualified teachers has been completed and has gone back to the Scottish Executive. I believe that it was recommended that the course that they have in place should continue. It is estimated that that would cost the Executive here between £10 million and £17 million a year, but I will study the report to see what, if anything, we can learn from it.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. As a result of the recent changes that he introduced to their terms, how successful has the Minister been in reducing the number of retired teachers re-entering employment?

**Mr O'Dowd:** We have made it significantly less attractive for retired teachers to come back into the workforce, given that their pay rates have been reduced. We have also emphasised the need for boards of governors to take on board the view, expressed in the Assembly and by the public, that newly qualified teachers should be given the opportunity, through substitute teacher and other cover, to increase their employability by making their CV more attractive. We have been successful, but, at the end of the day, boards of governors are the employing authorities in schools. They make the decisions about who they will employ and who they will take on board even on a temporary basis. My role is to set policy. As I said, I have made it more difficult and less attractive for retired teachers to return. I encourage boards of governors to take on board the views of the House and the public.

**Mr Elliott:** Given what the Minister said, is he content with the number of teacher training places that are being funded through local universities and colleges?

**Mr O'Dowd:** I have recently made my views on teacher requirements for the next year known to the Minister for Employment and Learning. There has been a reduction of 63, and that affects our universities. I am content that we have made the right decision at this time. I am aware that the Minister for Employment and Learning is to bring forward a review of the viability and sustainability of our teaching training programmes, and I await the outcome of that before making any further decisions.

### Primary Schools: East Belfast

3. **Mr Douglas** asked the Minister of Education what plans he has to allow some of the oversubscribed primary schools in East Belfast to expand. (AQO 2300/11-15)

**Mr O'Dowd:** In the current school year, five of the 19 primary schools in East Belfast were oversubscribed with first-preference applications in year 1, and 6 children remain unplaced. However, all the schools have spare spaces available in years 2 and 7.

Last September, I commissioned the boards and CCMS to draw up plans for a network of viable and sustainable schools in their areas. I asked for plans for primary, post-primary and special schools. The planning process will enable the needs of each sector in a given area to be assessed. I am content for those plans to allow popular, oversubscribed schools to grow further. However, pupil numbers in any area are finite. The expansion of numbers in one school will inevitably result in a reduction in others, and planning must take account of that. I have received the boards' plans for primary schools. My Department will consider them and will work with the boards, CCMS and the integrated sector to progress them.

**Mr Douglas:** I thank the Minister for his comprehensive response. Does he agree that, given the potential increase in population in East Belfast as a result of the Titanic Quarter and other such proposals, there will be an increase in the number of children looking for places at schools there? Can he outline the timescale for the process that he mentioned?

**Mr O'Dowd:** For clarity, my last comments should have ended with the words "integrated and Irish-medium sectors". We brought forward the plans to garner local knowledge about population growth, the sustainability of schools and the spread of schools that is required in an area.

### 3.15 pm

There is an opportunity for the community and political representatives of East Belfast to make their views known in the post-primary sector. The primary school area plans will go out to consultation later this year, and my Department has received them. We are currently studying them, and then we will return them to the boards and ask them to send them out to consultation. So, that is an ideal opportunity for community and political representatives of East Belfast and other areas to make their views known. I think that that is a better way of planning than my Department simply stipulating the number of schools required in an area and

how many children should be in each school. Let us hear the voices of communities on those things.

**Mr Kinahan:** In looking at the numbers of primary schools for the future, will the Minister review the Bain numbers and go for fewer, particularly in rural areas?

**Mr O'Dowd:** No. I have no plans to review the Bain numbers. We have the sustainable schools policy, which is a product of the Bain report. It has been out to consultation and has been adopted by the Department. It is in place, and I think it is still a viable document.

This is not a numbers game; I have always said that. Others in the House and the media have sometimes referred to this as a numbers game. There are six criteria against which schools will be judged in regard to sustainability for the future, and that is how we intend to move forward. There will always be circumstances, especially in rural communities, where school enrolments will be well below the number indicated in the sustainable schools policy. However, when we match them against the other five criteria, it will be clear whether that school should remain and operate in the future.

**Mr A Maskey:** Go raibh maith agat, a Cheann Comhairle. The Minister has already referred to this in a previous answer, but will he elaborate on the opportunity for the other schools in the wider community of east Belfast to participate and make their views known in the planning process for the future?

**Mr O'Dowd:** We will set out the example of the post-primary consultation at the end of this month, and, as I have said, I accept that that is happening over the summer months. However, we cannot close down government for two months. The Department of Education and others have to keep working through a rigorous work programme. The primary school area plans are with my Department at the moment. We are going through them and making a number of checks on them to ensure that issues are clear, that there is a common theme and that they will be understandable to the public once they go out to consultation. We will send them back to the boards and ask the boards to put them out to consultation. At that stage, as with any other public consultation, the community and its political representatives should make their voices heard — and pupils and parents should make their voices heard too. I urge everyone to involve themselves in the debate, not simply about individual schools or the schools closest to them but about the future provision of schools in an area. It is not the quantity of schools in the area that matters but their quality. That is what will ensure the quality of education for our young people going into the future.

**Mr McDavitt:** I am sure that the Minister agrees that a school that is consistently oversubscribed over a period of time is a school that, by definition, is meeting the demands of its communities. Will he, therefore, definitively outline whether he is willing to review the admissions policy for schools that are consistently oversubscribed over a period of time?

**Mr O'Dowd:** Every year, the Department of Education looks at the enrolment numbers for schools, and every year it contacts the boards, the CCMS and key stakeholders for advice on enrolment figures. It is then that the opportunity should be taken by schools and the managing authority, to discuss whether school numbers should be increased at an individual school. However, the methodology that I have set in place ensures that we do not look at individual

schools. If we increase the numbers at school a, then schools b, c and d are affected, because there is only a set number of pupils in any area. So we want to know what the impact will be on schools b, c and d before we increase the numbers at school a. The area plans that I have set out give ample opportunity for all those questions to be debated and answered, and when the area plans are published, communities and schools will have a clear definition of the make-up of the schools estate in the future.

## Ministerial Appointments

4. **Mr Allister** asked the Minister of Education, in relation to ministerial appointments, what the respective success rates have been for Protestant and Catholic applicants since May 2007. (AQO 2301/11-15)

**Mr O'Dowd:** Since May 2007, there have been 244 ministerial appointments. The Department does not hold information on the community background of new applicants for boards of governors posts. That information is requested on behalf of the Office of the First Minister and deputy First Minister (OFMDFM) for monitoring purposes and only after the successful applicants have been selected.

Excluding applications for the 135 board of governors appointments and reappointments, there were 109 applicants from the Protestant community, including 10 councillor nominations for reappointments, and 53 of those were successful. There were 102 applicants from the Catholic community, including six councillor nominations for appointments, and 53 of those were successful. Five applications that were received are not included in those figures, as the applicants' community backgrounds are not known or are other community backgrounds, and three of those applicants were successful. For the 135 boards of governors appointments and reappointments, there were 65 successful Protestant applicants plus 53 successful Catholic applicants. There were 17 successful applicants whose community background was other or not known.

**Mr Allister:** In welcoming the fact that there is apparently a greater degree of parity in those figures than there was in DRD under Sinn Féin control, will the Minister tell us specifically what the ratio of appointments by the Department to the Education and Skills Authority (ESA) in its various forms has been?

**Mr O'Dowd:** The numbers appointed to ESA are of such a small significance that, if I were to reveal the religious background of those successful applicants — I have not got the information in front of me — their identity would be known, and I am not prepared to do that.

**Mr Campbell:** Does the Minister appreciate the difficulty that he has been placed in courtesy of the outcome of the tribunal last week involving his former colleague Conor Murphy? Does he appreciate the extent that he will have to go to in order to ensure that the unionist community believes that there will be fair play in ministerial appointments by a Sinn Féin Minister?

**Mr O'Dowd:** The deputy First Minister outlined in detail where that Department for Regional Development case is. *[Interruption.]* Do you want to hear the answer?

**Mr Speaker:** Order.

**Mr O'Dowd:** I put this to the Member: if the Member had his way, there would be no fair employment tribunals, because the Member has always been opposed to those being in legislation. There would be no Equality Commission, because the Member has always been opposed to that. There would be no employment legislation whatsoever in this society, because the Member opposite has always been in opposition to any form of equality whatsoever being in legislation. That is where we would be in this society if the Member opposite had his way. No member of the public, no Member of this Assembly or anyone else would be aware of the appointment process of my Department or any other Department. I assure the Member of this: I share the views of the deputy First Minister. I do not believe that there is a sectarian bone in Conor Murphy's body. *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to ask a supplementary question.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. It seems that some Members have very long memories. They stretch back to May 2007. Does the Minister have any opinion on the comparative figures under direct rule, or, indeed, under Jim Allister and Gregory Campbell's Camelot of the old Stormont regime?

**Mr Allister:** Or under Martin McGuinness.

**Mr Speaker:** Order.

**Mr O'Dowd:** The record shows that any attempt to introduce fair employment or equality legislation in this society has been opposed by the two gentlemen who have previously questioned me in regard to this matter. It is quite clear that they would be happy to return to a one-party state that failed not only the Catholic community but the Protestant community on the island of Ireland. What we have in place now, despite their continued opposition, is a much fairer, much more equal society. I assure everyone in the House that I, and all of my ministerial colleagues, will comply with the rigour of the law.

**Mrs Overend:** When considering appointments within the Department of Education, will the Minister confirm how many applicants, and, indeed, successful applicants, have come from outside the Civil Service?

**Mr O'Dowd:** I apologise to the Member. I do not have those figures in front of me, but I will ensure that, if the figures are available, they are provided to the Member.

## Castle Tower School, Ballymena

5. **Mr McKay** asked the Minister of Education for an update on the proposed capital works scheme for Castle Tower School in Ballymena. (AQO 2302/11-15)

**Mr O'Dowd:** In my statement to the Assembly on 25 June, which outlined my plans for capital investment in the schools estate, I was pleased to announce that the process for building a new school for Castle Tower special school in Ballymena will be advanced. Funding of up to £21.8m is available for that project.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. I think it is an understatement to say that last week's announcement



was well received by the school and the local community in Ballymena. What assistance will the Department and the board provide to Castle Tower School to ensure that it can complete the necessary paperwork and administration so that the practical work is started on the ground as soon as possible?

**Mr O'Dowd:** As I left the Chamber last Monday, the first person I walked into was the principal of Castle Tower School. I introduced him to my head of capital development, whom he already knew. They are to meet in the very near future to see how they can progress this plan. I have also spoken briefly to the chief executive of the North Eastern Education and Library Board about the plan and how we can move it forward.

When I was in Ballymena last Wednesday visiting Castle Tower School to open its new sixth-form centre, I was fortunate enough to meet representatives of Ballymena council who also want to be involved in discussions and give any assistance they can in moving the Castle Tower School plan forward. I think that if we have goodwill and we all put our shoulder to the wheel, we will see Castle Tower going on to site even sooner than we would have expected or hoped. I assure the Member that it is budgeted for and it will be built. The only question is when it will be built.

**Mr Storey:** I welcome the Minister's announcement. He knows that I was not at Castle Tower School last Wednesday because we were welcoming her gracious majesty the Queen to these grounds.

I welcome the fact that the Minister has already had contact with the North Eastern Education and Library Board to move the plan forward. Can he explain what the implications will be for Braidside integrated school, which is adjacent to the existing property? At a time, there was a discussion around a new build for Castle Tower that would benefit Braidside integrated school —

**Mr Speaker:** Finish.

**Mr Storey:** — which is also in need of capital spend.

**Mr O'Dowd:** I assure the Member I do not feel snubbed; I was aware that he was elsewhere last Wednesday. As regards Braidside, I do not have the details in front of me, but I am happy to correspond with the Member on that matter. I do not want to give half an answer, so let us correspond on that matter and clear up any detail that needs to be cleared up.

### Nursery Schools: Placements

6. **Mr Girvan** asked the Minister of Education how many pupils were not successful in being placed in their first choice nursery school and are currently awaiting placement for September 2012. (AQO 2303/11-15)

**Mr O'Dowd:** By the closing date, 22,799 applications for final preschool age children were made for admission in September 2012. Over 84% of these children were accepted into their first preference setting, and 94% obtained a place from their list of preferences. Of those who participated fully in the two-stage admissions process, fewer than 20 children have not yet secured a preschool place. That means that nearly 23,000 children have obtained a suitable nursery place. Education and library boards are continuing to work with parents, guardians and preschool providers

to try to secure places for the unplaced children in the coming weeks. My officials are also working with the boards to ensure there is sufficient provision of places across the North. I have a commitment in the Programme for Government to ensure that at least one year of preschool education is available to every family who wants it.

**Mr Girvan:** I appreciate that the Minister has undertaken a review of the July/August birthday issue. When will he look at the other criteria that are discriminatory against those from a working-class and poor working-class environment and appreciate that they are not being addressed under the current criteria?

**Mr O'Dowd:** These issues were examined in a review that I reported on to the Assembly in autumn 2011. The issue of how we change the criteria around social disadvantage is caught up with welfare reform. I cannot move until we have a definitive answer as to how the Assembly is progressing with welfare reform. Universal credit will have an impact on the level of earnings that I will set for low-income families, both those on what was unemployment benefit under the former benefit system, and those who are working poor. Let us await the outcome of the welfare reform. I am part of an Executive working group on that matter and have a close interest in it. I assure the Member that I want to move to broaden the criteria, which I see as positive discrimination for those from low-income backgrounds.

**Mr Molloy:** How can the priority given to children from socially disadvantaged backgrounds assist in tackling educational underachievement?

**Mr O'Dowd:** It is clear from all the reports and evidence in the possession of my Department and from information that would regularly flow from other Departments that when you are from a socially deprived background, the chances of you succeeding educationally are limited because of that background.

If we, as a society, want to lift people out of poverty, it is clear that we will have to put the resources where they are needed. Education is a way out of poverty, and, if we invest early in young people who live in socially deprived areas, the outcomes will be positive for those individuals and for society.

Earlier, I made a statement to the Assembly about early years. I said that it was clear that, if we invest in early years, especially for socially disadvantaged young people, those young people are likely to become more productive. That is the benefit. They are also likely to become a more productive member of society, will have better health outcomes and are much less likely to end up in the judicial system. That is good for the individual and society, and that is why I believe that continued investment in socially deprived areas is the right thing to do.

3.30 pm

**Mrs Cochrane:** Although the Minister did not answer my priority question for written answer, I thank him with regard to the July/August birthday criterion. I made phone calls and found that out.

Following on from what others have said, has the Minister considered a scoring mechanism as a way to improve the application process and make it fairer?



**Mr O'Dowd:** The fact that I have not answered your question releases you from your bet. You will be aware that I have set the legislation in place that will annul the July/August birthday criterion. Members have until mid-September to table a prayer of annulment, but I am not aware that any Member will do that. The legislation is now in place, and, by all accounts, the criterion is now annulled.

How a school sets its criteria is largely up to it. I set the broad criteria for schools, and they set the criteria below that. I will have to overhaul things as part of the Welfare Reform Bill. I will take the Member's comments on board at that stage to see whether we can bring forward a truly transparent and fair system for applications to preschool settings.

**Mr Speaker:** Order. That ends questions to the Minister of Education.

**Mr Campbell:** On a point of order, Mr Speaker. I would like your guidance on what redress Members have if they have been the subject of totally inaccurate and scurrilous comments, such as those just made by the Minister of Education. Should a Member like me table a question to try to establish what appointments were made by Ministers since the beginning of devolution and who made what appointments, on what basis and by community breakdown? That would allow us to establish where the discriminatory purposes really lie.

**Mr Speaker:** Order. Let me take a look at Hansard and come back either to the Member directly or to the House. *[Interruption.]* Order.

## Question for Urgent Oral Answer

### Regional Development

#### Flooding

**Mr Speaker:** Mr Stewart Dickson has given notice of a question for urgent oral answer to the Minister for Regional Development. *[Interruption.]* Order. In view of the seriousness of the issue, I intend to provide more Members with the opportunity to ask a supplementary question than I normally would. I have to say that I have been lobbied by all sides of the House to widen this question out. I normally do not do that, but I intend to do it this afternoon.

**Mr Dickson** asked the Minister for Regional Development to report what steps he proposes to take to reduce the possibility of further flooding.

**Mr Kennedy (The Minister for Regional Development):**

At the outset, let me say that my sympathies go out to those who have suffered flooding and its consequences. As you may know, I took the opportunity to visit affected houses, properties and businesses in South Belfast, East Belfast, West Belfast and Lagan Valley to see, at first hand, the effects of flooding on people and their properties. I understand the frustration and distress that people feel. I am also aware of the flooding episodes that took place in other areas of Northern Ireland, including Cushendall and, in my constituency, Armagh.

The priority of Northern Ireland Water and Roads Service has rightly been to prepare for any recurring events, to assist in restoring things to normal and to help those affected. Unfortunately, the spell of unusual weather is not yet over. The Met Office has just issued a "Be aware" yellow notice affecting the east of Northern Ireland, and further heavy downpours are predicted.

The immediate cause of events such as the flooding on 27 and 28 June can be easy to identify — exceptional rainfall in this case — but complex to draw the right conclusions from. We await the conclusions of all the operational agencies involved, following the standing down of emergency response plans. Roads Service and NI Water have begun the debrief process, but many other agencies are involved: Floodline is the responsibility of the Department of Finance and Personnel; the drainage authority in Northern Ireland is the Agriculture Minister's responsibility; and local authorities are the responsibility of the Environment Minister. There are also other issues, such as the effect on power to this estate and, indeed, to Parliament Buildings. Clearly, there is a need for effective co-ordination between all those agencies.

The Executive will discuss the events of 27 and 28 June at their meeting on Thursday. It is right that decisions be taken in the light of the full picture. Any assessment of the bigger picture will need to take into account information; co-ordination between agencies, which I have mentioned; response capability; legal responsibilities; and, indeed, investment. It is also important to acknowledge the limits of what can be done. We cannot eliminate the risk of surface water flooding. Nonetheless, I think that there is a good

case for asking the Executive to look at how increased investment in our infrastructure might help to improve drainage in our worst-affected areas. Where appropriate, we are looking at how interim measures could help to alleviate problems. We all — householders, the Rivers Agency, Roads Service, NI Water, councils and emergency services — have to remain vigilant to ensure that we can respond to any new events to the best of our ability. It is important that we take time, as an Executive, to consider our longer-term response to surface water flooding, if we are to take positive steps to improve matters to the benefit of all our citizens.

**Mr Speaker:** Before I call Mr Stewart Dickson, I advise Members that we do not want further statements in the Chamber. I encourage Members to come to their supplementary question quickly.

**Mr Dickson:** I am disappointed that it has taken a question for urgent oral answer to bring the Minister to the House today. Minister, would you agree that the actions taken as a result of the widespread flooding were totally inadequate, causing a great deal of damage and heartache? Will you explain the lack of co-ordination between your Department and others? Will you explain how you intend to put the necessary investment into modernising and maintaining our water and drainage systems to make them fit for the 21st century, and how you are going to do that —

**Mr Speaker:** I must encourage the Member — *[Interruption.]*

**Mr Dickson:** — without an appropriate charging system?

**Mr Speaker:** Order.

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, his original question. There are issues around and lessons to be learned from the events of last week. Those issues are not peculiar or specific to the Department for Regional Development. There are interagency issues that have to be addressed, particularly concerning responses and the initial response. Floodline is the responsibility of another Department, and it is important that there is a co-ordinated response on behalf of the Executive so that we can put an effective response regime in place for the future. That is what I am about, and I hope very much that I will have the co-operation — I know that I will — of other Ministers and Members, including members of the Regional Development Committee.

**Mr Speaker:** Before I call Seán Lynch, the Deputy Chair of the Committee for Regional Development, I advise Members who are rising in their place for a supplementary question that we have a speaking list. Members need to come to the Table to get their name on the list. This is totally different from Question Time.

**Mr Lynch (The Deputy Chairperson of the Committee for Regional Development):** Go raibh maith agat, a Cheann Comhairle. As Deputy Chair of the Regional Development Committee, I record my thanks to all those who worked hard over the past week in the bad weather. Does the Minister accept that it was processes and not people that failed yet again? How does he intend to co-ordinate with his Executive colleagues to ensure that that is not the case in the future? Will he seek additional funding for the appropriate infrastructure as soon as possible?

**Mr Kennedy:** I am grateful to the newly selected Deputy Chair of the Regional Development Committee for his comments. In particular, I join him in paying tribute to staff and workers from all the agencies that were involved. A great many officials from the various Departments and agencies gave of their best to assist in very difficult circumstances through Wednesday and Thursday and since. So, I join him in thanking all the people involved.

It is crucial that there is a co-ordinated and appropriate response from the Executive on the issue. I talked about the agencies that are involved and the Departments that have an input. However, the most critical issue is that the Executive can have confidence in emergency response systems. That may require additional financial support for our overall infrastructure. As Minister for Regional Development, I can think of a number of schemes that I would like to bring forward if the required finance were made available.

I very much welcome the comments that the First Minister made in the immediate aftermath when he said that there was a case for greater resources to be invested in the infrastructure to improve the systems that we have in place. That has to be co-ordinated. There is no quick fix, and there are no easy solutions, but it is important that the Executive address this with the utmost urgency.

**Mr Douglas:** I thank the Minister for his responses so far and for coming to East Belfast last Friday. One of the areas that he went to was the Bloomfield commercial park, where there are, I think, 14 businesses. That area could flood again tomorrow if there were enough rainfall. He mentioned exceptional circumstances, but does he agree that we need exceptional action to deal with this? Residents of Orangefield and other places that could flood again are asking me to say today that we need exceptional action from all the Departments.

**Mr Kennedy:** I thank the Member for his comments. I took the opportunity to visit areas of East Belfast, as well as the other areas that I mentioned. I saw at first hand the impact on householders and local businesses, who are clearly struggling, especially in the current economic climate. The emergency payments, which I welcome, have been triggered by my ministerial colleague Minister Attwood, but, in some cases, £1,000 will not go very far to address many of the issues that the flooding has caused. So, it is very important that the Executive look at this not only in the round and in a measured way but in a way that can give comfort to people that responses will be immediate and infrastructure projects that will help to alleviate or eradicate flooding issues can be brought forward as quickly as possible.

**Mr McGimpsey:** I thank the Minister for his statement and for his help during the flooding, particularly in South Belfast. I also put on record my thanks to Belfast City Council, the Housing Executive, Roads Service and the Water Service for their actions when they got into operation. The distress for householders caused by raw sewage flooding their house is a huge emergency and something that the Executive must take seriously.

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

**Mr McGimpsey:** Thank you, Mr Speaker. Will the Minister accept that the system is not fit for purpose, that you have a combined system that should be separate systems and that thousands of extra homes have been built in South Belfast?

Does he agree that the only way that the problem can be fixed is through proper investment — I think the estimate is around £30 million — and that the Executive must find that investment?

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

**Mr McGimpsey:** Thank you.

**3.45 pm**

**Mr Kennedy:** I am grateful to the Member for his comments, and I thank him for the responsible way in which he and others in his constituency are helping the people most affected. I know that NI Water has earmarked schemes that it wants to carry forward in the south Belfast area. We are also looking at measures that will at least alleviate the potential risk of flooding in the area. We will continue to bring those forward.

I will not be slow or shy in putting forward the case at the Executive table for improved infrastructure and the need for additional finance for that requirement, given the experiences that people have had and that I witnessed last Thursday when homes, families and small local businesses were so severely affected.

**Dr McDonnell:** All our hearts go out to the people whose homes were flooded. I was particularly concerned with the Finaghy area of South Belfast and Greystown, Sicily Park, Marguerite Park and Orchardville. What I experienced in those streets was horrific, and I beg the Minister to do all that he can with the infrastructure to ensure that it does not happen again.

That is all down the road, but one thing that distressed me was the total failure of the agencies to integrate and work together. Can he give us some undertaking that we will create a joined-up government effort across all Departments — I am thinking of Northern Ireland Water, Roads Service, the Rivers Agency and even the police and the fire brigade —

**Mr Speaker:** I must insist —

**Dr McDonnell:** — so that there is no more passing of the parcel?

**Mr Kennedy:** I am grateful to the Member for his question and his comments. I had the opportunity to discuss with him further some of the issues affecting his constituency, and I refer him to the answer that I gave to his constituency colleague Michael McGimpsey.

What is crucial is that, at their discussion on Thursday, the Executive will, I am sure, want to bring forward a co-ordinated response, not just on overall infrastructure but on the issue of who does what and who responds quickly and immediately so that there is no buck passing or hand wringing and we get on with the job of dealing with the emergency at hand.

**Mr Givan:** I thank the Minister for the time that he spent in my constituency. He is aware that a large number of properties were affected in Lagan Valley. Will he undertake to investigate some of the circumstances in the Pond Park area, where a considerable amount of new housing has been built and there is a clear feeling that the necessary improvements to the infrastructure have not followed the increase in the volume of housing? Will he also investigate

why DRD diverted sandbags that were en route to Lisburn to Belfast, when we needed them in Lisburn as well?

**Mr Kennedy:** I am grateful to the Member for his comments. The number of houses and properties that have been given planning permission with insufficient catch-up in the overall infrastructure was a contributing factor in last week's events and will remain so in the immediate short term. Clearly, there are spatial planning and overall infrastructure issues that Ministers and the Executive should address. I will raise the specific issues in Lagan Valley that the Member mentioned and reply to him.

**Mr A Maskey:** Go raibh maith agat, a Cheann Comhairle. First, I acknowledge that the Minister visited a number of homes from Bloomfield to Pond Park, on the Lisburn Road and in Orchardville, Twinbrook and other areas. He saw for himself the damage caused to many people's homes and to small businesses in particular.

I would like the Minister to address two points. Obviously, he does not have responsibility for the range of agencies, but there are agencies that are within his remit. Has he met the heads of NI Water and Roads Service over the weekend or since then to address what many of us identify as their abysmal failure to respond to the crisis? There was due notice; everybody knew that the weather was going to get really bad. Has he met the heads of those agencies to examine their response? Most of us see that as none.

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

**Mr A Maskey:** Secondly, will the Minister confirm whether he has sought an urgent report from the agencies on what causes the problems in a lot of the locations? Clearly, there has been a lot of comment about —

**Mr Speaker:** I must now insist that the Member finish.

**Mr A Maskey:** I will finish on this point, Mr Speaker. There has been talk about large infrastructure projects. Not all of the problems —

**Mr Speaker:** I must insist that the Member take his seat.

**Mr A Maskey:** We need to identify those problems for those householders.

**Mr Kennedy:** I am grateful to the Member for his comments and questions. I have been in constant and ongoing contact through my departmental responsibilities with senior officials since the events of Wednesday and Thursday. I am also having the specific cases compiled on an area-by-area basis to see what, if any, early measures can be taken to alleviate some of the problems.

It is important that there is proper co-ordination among all the agencies. It is certainly my intention to pursue that at Executive level with Executive colleagues so that we can improve the co-ordinated response as part of any future emergency. I have indicated to the House that there is another weather alert. I think that we all accept that we are perplexed at times by the weather patterns. Nonetheless, if you are impacted on in the way that I saw at first hand last Thursday, you will expect the Executive to act quickly to ensure that all possible measures are taken to alleviate and, hopefully, eradicate the risk of further flooding.

**Mr Dunne:** First, I advise the Minister of some flooding in the Holywood area of north Down. Will he clarify the policy of Roads Service on the supply of sandbags? It is important that we get clarification. They should be available so that people can protect their property at the early warning stage rather than during the flood.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am aware of the issue. There needs to be greater clarity about who provides sandbags as a measure of assistance to householders and at what point. There is an argument that, if a particular area is known as a hotspot where there is the risk of flooding, perhaps sandbags could be stored at a location close by, so that people can readily access them. I am prepared to look at that in conjunction with other Departments and Executive colleagues.

**Mr Beggs:** I thank the Minister for his responses so far. Will he ensure that all the agencies feed back to the root cause of the flooding so that, if there are failings, for instance, in Rivers Agency or in our rivers and streams, they are addressed at that point and any subsequent planning applications upstream in areas of flooding are seriously delayed or prevented until the necessary improvements have taken place?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He made a very valid point. Greater co-ordination between Departments in the assessment of planning applications and the input of the various agencies will become increasingly important. It is certainly a matter that I want to raise with Executive colleagues.

**Mr McMullan:** I thank the Minister for taking the question. I will go on record to thank his Department for its work in Ballymoney. I also thank the emergency services, the Rivers Agency and even the local lifeboat station. At one time, we had nine fire tenders in Cushendall's main street pumping out water. The word from Cushendall, the rest of the glens, Cushendun and Glenariff is this: "Here we go again". I make a heartfelt plea for you to please do something about this. I was a bit disappointed that we did not hear any word from your office after I phoned it on Thursday to invite you down to the glens to show you the situation at first hand. That invitation stands today: I ask you to come into the glens to look at the problems there.

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

**Mr McMullan:** You mentioned the exceptional weather. We are getting this weather year on year, Minister. It is no longer exceptional. Go raibh maith agat.

**Mr Kennedy:** I am grateful to the Member for the points that he raised. I know that he was active in the emergency that applied to Cushendall and other areas in his constituency. If it is appropriate, I am happy to go to see the conditions that he described. I also join him in paying tribute to all the staff from the various agencies who were involved out on the ground, particularly staff from the Department and the agencies that are relevant to me. We need to continue to work on some issues to identify, as Roy Beggs MLA said, the exact source of the problem, to seek to eradicate it and to deal with it at source rather than continuing to run the risk of a "Here we go again" situation.

**Mr McDevitt:** Does the Minister agree that the people whom he met with colleagues and me in Sicily Park, Marguerite

Park and Orchardville Crescent last Thursday morning are the victims of a systemic failure in drainage, sewerage and the policy towards informal culverts on undesignated waterways and covered rivers and that their situation will be improved only —

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

**Mr McDevitt:** — when a strategic, long-term investment programme, as well as a strategic emergency response programme to flooding, is owned and exists across all Departments?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I know that he was also out on the ground on Thursday. I joined him with constituency colleagues to look at some of the areas that he mentioned. Let me say absolutely that I would not be in any way pleased or content if it happened to my property. I would not want those conditions visited on anybody. I have absolute sympathy for those who have been affected by the flooding episode that they have endured. Therefore, as a Minister with some responsibility — not entire responsibility but some, given the agencies that I am in charge of — I am determined to improve things. That makes it important for me to argue at Executive level and on the Floor of the Assembly for additional resources to improve the overall infrastructure to reduce the impact and danger of flooding. That is what I am about, and I expect Executive colleagues to agree with me when we have a discussion on Thursday.

**Mr Easton:** As the Minister knows, Ardmore and Tudor Oaks in my constituency of North Down have been affected. Will the Minister tell us what capacity there is for the Water Service to spend its capital money, considering that it seems to have handed money back over the past three years? Indeed, will the Minister tell us how much capital money the Water Service has handed back over the past three years?

**Mr Kennedy:** I am grateful to the Member for his question. NI Water wants infrastructure work and other projects to be carried out. Some of the moneys that were given back to DFP to reallocate involved efficiency savings programmes. Through good, efficient use of resources and by not spending money on capital projects on different budgets, it has been able to save money for the benefit of other Ministers.

NI Water is very keen to advance a range of schemes that will help the overall infrastructure, and I, as Minister for Regional Development, will support it in making those cases.

#### 4.00 pm

**Ms S Ramsey:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for the information thus far, and I, with party colleagues, will meet him tomorrow to get into the specifics. I thank the Minister for taking calls from elected reps during that time; that needs to be recognised. One of the failures that I saw in the Colin area was the lack of a co-ordinated response or approach to dealing with the issue there and then, and other colleagues have raised that. Even though it is not his responsibility, is the Minister taking on board the delay in Lisburn council kicking in, outside of what Belfast has done? People are saying that there seems to be a lack of a proactive approach to cleaning drains in the areas that have flooded. Is the Minister ensuring that his Department is out now, when we have this break in

the weather, proactively cleaning drains in areas that are inclined to flood?

**Mr Kennedy:** I thank the Member for her comments and question. She raises a very relevant point. It is important that as much structural maintenance as possible continues to be carried out, particularly in areas that have been affected, and I will reinforce my view within the Department that we should carry that out as quickly as possible. The Member will know that the maintenance budget for my Department has received a very severe cut, and, whilst we were glad of some relief last week from the Finance Minister in the area of structural maintenance for roads, there is, nevertheless, quite a gap compared with the record levels that we were able to spend last year. Within the resources that have been given to us, we are seeking to provide as much service as possible, and it is important that areas that have been recently affected are given some service and checking to ensure that gullies and drains are cleared as quickly as possible.

**Mr Lyttle:** The list of affected streets in east Belfast that have been systemically failed by the Government would be pages long, so I will not go through them today. I thank public servants and community volunteers, without whom many residents would have been left stranded during the flooding period. I thank the Minister for accepting my invitation, on behalf of my colleagues Naomi Long MP and Judith Cochrane MLA, to attend Bloomfield commercial centre. Given the damage that he saw at first hand to that business park, will he raise at the Executive table the possibility of emergency financial assistance for businesses as well as residents?

**Mr Kennedy:** I am grateful to the Member for his comments and the supplementary question. Indeed, I accompanied him and colleagues to Bloomfield park to see the impact at first hand. I will not make promises that I cannot keep. The overall response to the flooding crisis will have to be an Executive response. If there is to be a financial response to that, it will clearly involve the Finance Minister and the Executive as a whole. I have witnessed at first hand the impact on houses, homes, families and businesses, and I will report that to Executive colleagues on Thursday.

**Mr Allister:** It is obvious that the infrastructure has failed in many areas. It is equally obvious, from what the Minister says, that there is a deficiency in capital spend on infrastructure. Why is it, then, that when he was allocating his budget, he chose to put the lion's share of capital spend into a project such as the A5 and not enough into water and sewerage infrastructure?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He will know, because I have oft repeated it, as have others in the House, that the A5 scheme is a priority for not just Regional Development but the entire Executive. That is the case, and it remains the case. I have indicated that I want to see increased resources made available to my Department and the other Departments affected, as we seek to address the issues of flooding and infrastructure failings that are so evident after the events of last week. I will continue to make the case, and I hope that, if there is the opportunity to do so on the Floor of the Assembly, the Member will give his support to that as well.

**Mr Agnew:** I thank the Minister for coming to the House today and addressing these questions. Each time that a Minister stands up and talks about exceptional weather and exceptional rainfall, it has less credibility as these events occur with increasing regularity. The extreme weather conditions that we are facing have, of course, been predicted for many years through climate change predictions. Will the Minister work with his ministerial colleagues to bring forward a climate change adaptation strategy, including such things as sustainable urban drainage systems, to ensure that we are not just —

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

**Mr Agnew:** — responding to these incidents but preventing them?

**Mr Kennedy:** I am grateful to the Member for his contribution. He has advanced those arguments before. Yes, I will, of course, take on board his comments. Exceptional weather patterns have developed over recent years. People will say that it becomes not an exceptional flood but an annual flood. That is why we have to be sure that we take all possible measures to mitigate the likelihood of these floods recurring and why a co-ordinated response involving the entire Executive is so crucial.



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

## Ministerial Statements

### Health: Maternity Strategy

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Deputy Speaker, I wish to make a statement on the publication of a strategy for maternity care in Northern Ireland for 2012-18.

In September 2011, a draft maternity strategy was issued for public consultation. At that time, the drivers for change were safety, quality, sustainability and the promotion of choice in maternity services, together with a focus on the maximisation of resources, especially human resources. Following consultation, which included a number of workshops and 132 responses from a wide range of interests, I now have pleasure in launching the final version of the strategy for maternity care in Northern Ireland for 2012-18.

The birth of a baby is a wonderful event. Most women and their babies experience high-quality services, but more can always be done to improve service provision. This strategy is about improving service provision and outcomes for mother, baby and the wider family, recognising that maternity services should be responsive to needs and be safe, effective and sustainable. The strategy has six desired outcomes: to give every baby and family the best start in life; effective communication and high-quality maternity care; healthier women at the start of pregnancy — that is, preconception care; effective, locally accessible antenatal care and a positive experience for prospective parents; safe labour and birth — intrapartum care — with improved experiences for mothers and babies; and appropriate advice and support for parents and baby after birth. Change is inevitable if we are to deliver on those outcomes. Such change has many component parts, but it is largely based around clinical leadership, service reconfiguration, continuity of care and multidisciplinary team-working, with the recognition that parents are partners in maternity care and part of the team-based approach.

We must support women and their partners to be as healthy as possible before pregnancy begins and facilitate them, by providing information and support, in making informed choices about what is best for them and their baby. That must include better antenatal education to prepare prospective parents for parenthood, and information to facilitate them in making an informed decision about the place of birth for their baby. There is a need to provide prospective parents with a balanced description of the benefits and risks associated with the different types of maternity settings: midwifery-led units; home births; and consultant-led obstetric units.

Pregnancy is a normal physiological process. Therefore, for the majority of women, a culture of normalisation of pregnancy and birth offers them the best chance for a successful outcome and a positive experience for mother, father and baby. To that end, we envisage midwives as leaders in maternity care for straightforward pregnancies, working collaboratively with other members of the team, who include maternity support workers, consultant midwives,

consultant obstetricians and other hospital doctors, health visitors, community nurses and primary care professionals, including GPs and pharmacists.

Women will be encouraged to make early, direct contact with their local midwife. Risk assessment throughout pregnancy and the postnatal period are of major importance so that women who are at higher risk of adverse outcomes are detected as early as possible to ensure that specialist care, appropriate to their needs, can be arranged as early as possible. Poor lifestyle choices and health inequalities contribute to adverse outcomes for both mother and baby, as does a range of other social, emotional and clinical factors. For women and families living with complex conditions, specialist maternity services may be required. There will still be a team-based approach, but women with complex obstetric conditions will have their care led by consultant obstetricians.

The majority of maternity care will be locally based. That means that most women will not have far to travel to access maternity care. Indeed, it may mean that some women will have less far to travel than they currently do, but a small minority of women who need specialist services may need to travel a little further to access the full range of specialist care appropriate to their needs. What is of paramount importance is the availability of the necessary services to secure the safety and well-being of the woman and her baby. As our services begin to be reconfigured, it is important that a networked approach to maternity care be developed in order to maximise the multidisciplinary skills and expertise of staff and to enhance the use of technology.

The approach identified in this maternity strategy is consistent with the principles outlined in 'Transforming Your Care'. The strategy does not stipulate where services will be located, but, where smaller maternity units exist, the Health and Social Care Board and local commissioning groups, working with local people and trusts, will need to examine whether their service is sustainable in the longer term as a consultant-led unit. If not, consideration should be given to those units becoming free-standing midwifery-led units to promote a sustainable balance between accessible local services and sustainable consultant-led services. To maximise choice for women, and in keeping with a culture of normalisation of birth, where a consultant-led obstetric unit is provided, a midwife-led unit will be available on the same site. Postnatal care, provided by the maternity team in the community, will offer a woman-centred home visiting schedule, which will be responsive to need for a period of not less than 10 days and will include visiting by midwives and maternity support workers.

People expect a high standard of care at the pivotal time of the birth of a baby. For the majority of couples, that event occurs but a few times in their lives, and for the baby and family it has lifelong consequences. I am determined to see the strategy implemented. I have asked the Health and Social Care Board and the Public Health Agency to co-lead on the implementation of the strategy and to work with other health and social care organisations, and others, to effect change. My Department will be provided with an annual report on progress towards achieving the desired outcomes, which are underpinned by 22 objectives listed in the document.

In conclusion, the strategy seeks to promote choice for prospective parents and to provide high-quality, safe and sustainable maternity services, regardless of where one lives in Northern Ireland. I take this opportunity to thank the co-chairs, Dr Paul Fogarty and Professor Cathy Warwick CBE, for their major contribution. I also thank all those who contributed to the consultation process and the dedicated maternity staff whom we have working in our hospitals and in the community.

**4.15 pm**

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. Like the Minister, I also pay tribute to the dedication of maternity staff and staff in general who work in our health sector. I welcome the Minister's statement. Will he confirm, to settle some nerves, that the publication of strategies like this and others from his Department is not a cover for reducing or diluting services in local areas? The strategy states that the board will consider how to maximise choice. Will the Minister provide further details of how and where that might be shared in the border areas?

As a constituency MLA, it would be remiss of me not to ask the Minister for a further update on the regional women and children's hospital.

**Mr Poots:** This is not about downgrading services; it is about providing the appropriate service for what women want and need. We have a high rate of intervention in Northern Ireland in comparison to other places. The more work that a midwife can do with an expectant mother at an earlier point, the better. If things were well explained, better choices would be made by individuals. We want to work very closely with the parents of the baby to help them to come to the right decisions for the birth and for their care throughout the pregnancy and thereafter.

As regards the women and children's hospital, as the Member knows, the critical-care unit will be finished later this year and will be commissioned next year. From around the middle of next year, that facility will have three floors operating for those receiving postnatal maternity care, etc. That will relieve some of the pressure on the Royal Jubilee Maternity Hospital. We all know that it is under pressure, and that will help us to deal with that pressure. It will also assist us in how we consider proposals in the Belfast Trust area, and we will have to bear in mind the capacity of the Royal Jubilee Maternity Hospital for any proposals elsewhere in that trust area.

**Ms P Bradley:** I thank the Minister for his statement, which I welcome. He said that the birth of a baby is a wonderful event and that most women have a positive experience. However, it is not quite so positive for some. What actions are being taken to support perinatal mental health?

**Mr Poots:** I am just back from the Ulster Hospital, where I was with a mother who gave birth at 10.40 am today.

**Mr McDevitt:** Congratulations, Minister. *[Laughter.]*

**Mr Poots:** Thankfully, I had nothing to do with it. *[Laughter.]*

They were very delighted parents, and they had a wonderful experience. That is the case with the vast majority of people.

However, the Member is right: it is not the case for everybody. The maternity strategy acknowledges that there are a number of causes of increased risk of poor outcomes for mothers and babies. Sometimes, those involve social, emotional, biological or clinical factors. Perinatal mental health was not part of the maternity strategy, but it is being taken forward through the Bamford action plan, which is under revision. That plan recognises the importance of good mental health for the mother and its impact on the well-being of the new baby and the wider family. A subgroup on perinatal mental health is taking forward actions on the training of staff and the development of integrated care pathways, which includes early detection, intervention and treatment of mental illness in pregnancy. That integrated care pathway will be published in the coming years.

The majority of perinatal mental health services are located in the community, but it is recognised that a small number of women require inpatient mental health services. So, 'Transforming Your Care' supports the development of a regional plan to address the needs of mothers with serious psychiatric conditions. We are certainly giving consideration to that through capital build for mental health services in the Belfast Trust area.

**Mr Gardiner:** I thank the Minister for his report on those very sad occasions when mothers and fathers lose their children. I am sure that that experience will always live with them. Although we can try to forget about it to an extent, it will continue to live with the families. I welcome the Minister's statement. I encourage him to press forward and to raise the standard even further. I thank Dr Paul Fogarty and Cathy Warwick for their sterling work. The Minister mentioned —

**Mr Principal Deputy Speaker:** We need a question.

**Mr Gardiner:** — those names. Where is the Minister going to try to raise the standard yet higher so that, when people go into maternity units, they can come back out, hopefully with their baby in their arms?

**Mr Poots:** In the vast majority of cases, people have a good experience. Sadly, some have bad experiences. Sometimes, they can have the bad experience of a baby being born but left either physically or mentally harmed as a result of the birth.

Some people will question the safety of midwife-led units and the absence of obstetricians. In 2008-2010, a study in England looked at 65,000 low-risk women, which were cases that would have gone to a midwife-led unit. The study found that, for straightforward pregnancies, giving birth is generally very safe, with no adverse perinatal outcomes. For example, stillbirth in labour, early neonatal death or specified birth-related injuries were low, at around 4.3 events out of every 1,000 in the population. However, I understand that, for the parents involved, even four children out of 1,000 is very significant.

An action plan for performance measures will be put in place. The strategy acknowledges bereavement. I commend the work that is carried out by the South Eastern Trust, which has a bereavement nurse who specialises in dealing with parents who have lost babies. I know that families have found great benefit from that service, because I have met and talked to them. The trusts need to take cognisance of those things. Other trusts would do well to look at that service, which, in that instance, is provided in the South Eastern Trust.

**Mr McDevitt:** I welcome the statement, particularly the strategy's acknowledgement that midwives are to take a leadership role in cases where pregnancies are straightforward. Does the Minister accept that there is a workforce planning issue behind the statement? Although we are very privileged to have a very experienced group of midwives, unfortunately, the average age of a practising midwife in this region is maybe a little higher than we would want it to be. What steps does he envisage being taken to ensure that we get a new generation of equally talented midwives coming through?

**Mr Poots:** That certainly is an issue, and I have a number of things to say about it. Northern Ireland is in a much better place than any other part of the United Kingdom where midwives are concerned. There are very serious problems, particularly in England, which has an absence of midwives. At this point, we are still losing midwives to Great Britain, which is unfortunate. However, we have adequate numbers to cover the care that is required in Northern Ireland. Sometimes, we get the argument from people in finance, for example, that suggests that we probably have too many midwives. However, the good outcomes that we have will ensure that we have the right number. That is something that is worth maintaining.

There is always a challenge with workforce balance. The Department of Health is often criticised for giving support to young people for nursing, allied health and midwifery qualifications, but when they finish their degree or receive their qualification and are ready to go into the workplace, no jobs are available. That is that balance. Many people go to England or other places for work, and many of them return, having gained a number of years' experience. We will continue to attempt to manage the issue because it is important that we have the appropriate number of midwives for the future.

There are a greater number of births now than were predicted a number of years ago. In that respect, it is difficult to plan ahead for workforce requirements. Statisticians believed that the Northern Ireland population would go into decline, but the reverse is the case. The education sector now faces that issue: our primary schools are filling up well, but a considerable number of desks in secondary schools lie empty. We have a similar situation with workforce planning. I do not know what the birth rate per thousand of population will be in 10 years' time. We can make only a best guess based on the evidence from past years, but we need to do our best.

**Mr McCarthy:** Like other Members, I support and welcome the publication of the strategy this afternoon, particularly its six desired outcomes. Will the Minister tell us what extra measures, if any, he has taken to ensure that all the necessary public health messages about the dangers of smoking, alcohol and drugs reach young girls and women of childbearing age, even before pregnancy?

**Mr Poots:** The Public Health Agency has carried out considerable work, and will continue to do so, to get messages out. People who believe that it is all right to smoke during pregnancy must be living in a cave in which they do not hear these messages, because they are out there all the time. The latest message is that a baby can be harmed if the male partner in a relationship smokes. People need to take the messages on board and give them due cognisance and respect.

The public health agenda is very broad. Although it is not part of this action plan, messages will continue to go out. Our midwives will continue to work with people, and if they want preconception advice on folic acid or on other issues that can help them to have a better pregnancy, those midwives can offer advice. People are free to come to us, and there is absolutely no problem in advice being dispensed.

**Ms Brown:** I thank the Minister for his statement and his answers thus far. What resources are allocated to maternity services each year?

**Mr Poots:** The maternity strategy contains an evidence update on the safety of midwifery-led units. The total expenditure returned by trust for all the programme of care for maternity and child health in 2010-11 was £147.5 million, of which approximately £99 million related to maternity hospital services and community midwives. That figure does not include neonatal care, which amounted to some £18 million. We need to promote new roles and, when appropriate, move care closer to home and into the community. That will make best use of available resources. The strategy is consistent with the principles outlined in 'Transforming Your Care' in that it promotes a networked approach to maternity service provision and recognises that further development is needed to enhance information and communication technology and communications.

#### 4.30 pm

**Mr Brady:** Go raibh maith agat, a Leas Cheann Comhairle. I thank the Minister for his statement. As the outworkings of the strategy roll out, can he assure us that the lessons learned from the pseudomonas report will be put in place? As someone who represents a border constituency, I would like to know that efficient and effective maternity units, such as the one at Daisy Hill, will benefit from cross-border co-operation.

**Mr Poots:** In respect of cross-border co-operation, I was approached by an obstetrician in the new South West Acute Hospital, and he indicated that they have been approached by mothers-to-be from the South who would like to give birth in the new hospital. I completely understand that, and, if the Southern Government are happy to pay for it, we will be happy to provide the service. It will help to sustain and enhance the service provided locally. Therefore, I can see that there is considerable logic in helping to strengthen our services locally by providing services for others.

In respect of pseudomonas and neonatal deaths, the recent cases of pseudomonas in some of our neonatal units have caused huge concern for families. The trusts, the Public Health Agency and the Department are all working to implement the recommendations from the independent review. Although neonatal care was not part of the maternity strategy, nonetheless, there is a proposal from the Troop review that neonatal care should come under one organisation. Therefore, we will have one body looking after neonatal care, so it does not really matter whether the care is being provided in the Royal Jubilee, Altnagelvin or Craigavon; it will be part of a network. It is very appropriate that we do that.

**Mr Dunne:** I thank the Minister for his statement. Is he aware of the demand on services at the Ulster Hospital maternity unit, which was built just five years ago? At

present, there is 40% overload in capacity. That became evident to the Health Committee during a recent visit.

**Mr Poots:** The Ulster Hospital maternity unit is very popular. It is a recently built unit, and that may contribute to its popularity. The South Eastern Trust has reviewed its workforce and has increased consultant cover in maternity units. It has recruited additional middle-grade medical staff and additional midwives. It has changed its rota to make better use of current midwifery staff across the trust. It is promoting the normalising of childbirth, as recommended in the maternity strategy, more midwifery-led care, where appropriate, fewer caesarean sections and more normal deliveries.

The South Eastern Trust has a robust plan in place to deal with busy periods. Senior midwifery staff assess and prioritise presenting women. There is an effective use of the day obstetric unit in managing pregnant women and of adjacent gynae beds as overflow from maternity if needed.

As for where we go in the future, a strategic outline business case is being prepared by the trust. It is developing a case to expand the labour ward, induction bay and transitional care within existing space. That is expected to be submitted to my Department later this year. Following its receipt and the approval of the business case from the trust, with commissioner support, we will be in a position to consider the availability and timing of necessary capital funding for such a project.

**Mr D McIlveen:** I thank the Minister for his answers so far. Will the Minister outline whether he is satisfied that the strategy promotes a range of maternity choices for women?

**Mr Poots:** One of the objectives of the maternity strategy is to improve choice for women and their partners in how they access maternity care and where they give birth. Northern Ireland has been behind the rest of the UK in providing choice, particularly in respect of access to midwifery-led care. Recent evidence from the large Birthplace study indicates that midwifery-led units appear to be safe for the baby and offer benefits to the mother.

We will support women to make informed decisions about where they give birth by providing them with a balanced description of the benefits and risks of the different types of maternity settings. That will include information on midwifery-led units, home births and consultant-led units.

**Mr Allister:** In his presentation thus far, the Minister has said very little about costs and savings. Can he tell the House whether the strategy is cost-neutral, has costs attached or has savings attached? Can he quantify that? Does he expect any present maternity units to close as a consequence of the strategy?

**Mr Poots:** No; I am not expecting maternity units to close as a consequence of the strategy. Having more midwifery-led services will not cost us more money. In fact, it will probably cost us slightly less. However, that is not what this is about. It is not about cost but about providing the appropriate service for people. Greater numbers of ladies in Northern Ireland are giving birth by caesarian section, and I think that it would be good if we reduced those numbers, but we have not set a particular target for it. The Belfast Trust area, for example, has a considerably higher number than other trust areas. We need to encourage people to look at the best outcome for mother and baby. That is what this is about.

This is not a document about saving or spending money. It is a document about delivering the right service in the right place for the people who need it. That is what our focus must be at this time.



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

## North/South Ministerial Council: Environment

**Mr Attwood (The Minister of the Environment):** Mr Deputy Speaker, with your permission, I wish to make a statement, in compliance with section 52 of the Northern Ireland Act 1998, on the 15th meeting of the North/South Ministerial Council (NSMC) in environment sectoral format, which was held in Dublin on Friday 15 June 2012. The statement has been agreed with Danny Kennedy MLA, Minister for Regional Development. Minister Kennedy and I represented the Northern Ireland Executive at the meeting, which I chaired. The Irish Government were represented by Phil Hogan TD, Minister for the Environment, Community and Local Government.

The meeting followed a meeting of the NSMC in plenary format, on which the First Minister reported this morning. During that meeting, I made the points that the St Andrews review of North/South opportunities had not been concluded or published over five years after it was meant to have commenced and that some of us had not seen a piece of paper about how North/South opportunities could be expanded in the future. In my view, that is deeply unsatisfactory, given the needs of the island at this time of recession and the changing character of the global market, and I told the NSMC that that was my view.

The Council welcomed reviews in both jurisdictions of policies on the management of waste tyres and the opportunity for greater engagement on an all-island basis, with a view to maximising environmental benefits and deterring illegal operators. Ministers noted that a report on an all-island survey, led by the Department of the Environment (DOE), is expected at the end of July 2012. As soon as is appropriate thereafter, I will pass a copy to the Environment Committee. Consultants appointed by the Department of the Environment, Community and Local Government to conduct the review of the producer responsibility initiative model will specifically examine the issue of waste tyres in consultation with the Department of the Environment. I confirm to the House that the tyres action plan being developed will be informed by the all-Ireland tyre survey, by the work being undertaken by Dublin for the initiative model and, indeed, by the Committee's interim report on this very issue in order to provide a cohesive action plan to deal with the issue.

Ministers also noted that arrangements are under way for the appointment of a new chair of the North/South market development steering group as a successor to Margaret Daly. I would like to acknowledge her contribution and thank her for it. It is a group defining market, economic and jobs opportunities on the island of Ireland in this critical issue. The Ministers also noted and endorsed revised terms of reference for the steering group, which will focus on strategic priorities with relevant experts co-opted to the group, as necessary, to deal with specific initiatives identified in the work programme.

It was reported that an update on the bulky waste reuse management feasibility study, led by the Dublin Department of the Environment, Community and Local Government, will be presented to the next North/South Ministerial Council environment meeting.

The Council noted that reports on the repatriation of waste from sites at Kilkeel and Newry during 2011 and 2012

are now with officials in Dublin City Council and include an outline of the lessons learnt for consideration when dealing with future sites. A further two sites have been identified for the 2012-13 programme, and planning for that work is under way. I assure the House that the authorities, North and South, including the environmental crime unit as a part of the Department of the Environment in the North, continue to investigate the illegality of such sites and to try to identify opportunities for prosecution of those who may be involved in that illegal activity.

Ministers noted that a tender for the procurement of landfill capacity has recently been issued by Dublin City Council for all remaining sites and is expected to be completed by July 2012. Clearly, that is critical in order to have the capacity for the waste on the far side of its repatriation to the Republic of Ireland. A further tender for the procurement of transport for remaining sites from 2013 onwards has issued.

It was reported that joint enforcement actions to deal with illegal operators is a priority for both Environment Ministers, and Departments continue to target resources on that. In advance of the sectoral meeting, we received the report of the House of Commons Select Committee on 'Fuel laundering and smuggling in Northern Ireland', which made very challenging reading. Arising from that and as part of my response to it, I will meet tomorrow with the Minister of Justice in order to identify how DOE may further assist, if appropriate and possible, in dealing with the issue of illegal operators and fuel laundering.

The Council also noted that EU directives in the areas of environmental quality and protection generally contain provisions requiring co-operation between member states in relation to cross-border issues and significant trans-boundary effects. Ministers noted the current work on EU directives on air quality, industrial emissions and noise within each jurisdiction and noted the requirement for information sharing and joint action in certain circumstances.

We are about to commence a second phase of noise mapping, which arises from EU directives but clearly impacts upon the quality of lives of people on the island. Given that we have a border on the island, the noise maps address noise issues in and around a three-mile buffer zone of the border and cross-border roads. Beyond the second phase of noise mapping, there is a requirement to do a third. Minister Hogan and I will be looking at ways and means of procuring that work on an all-Ireland basis in order to reduce costs, given our common interests and the requirement for compliance with the EU directive. Today, I instructed officials to look at further opportunities in the work of our sector for shared tender and collaboration in order to reduce costs and get the full benefit. Ministers requested that officials should research further opportunities for mutually beneficial joint working in that area and present their findings to Ministers at the next NSMC environment meeting.

Ministers noted that co-ordination is ongoing in relation to the implementation of the current river basin management plans and the preparation of the second cycle of the plans required under the EU water framework directive. That is a matter that, I think, may become part of the narrative around the forthcoming European presidency of the Commission starting in January and finishing next June, around which I will have some further comments to make shortly.



**4.45 pm**

The Council noted that the North/South working group on water quality will receive regular updates, as appropriate, on EU policy developments in the area of water quality that may arise during Ireland's presidency of the European Union — not the Commission, as I indicated previously — in the first six months of 2013.

The Council welcomed the recent success of the respective awards ceremonies for Ireland and Northern Ireland under the blue flag and green coast schemes organised by An Taisce and Tidy NI. It is a postscript to yesterday's events up on the north coast, with the success of the Irish Open. All of the five beaches under assessment that are within the responsibility of Coleraine Borough Council are blue flag beaches — Portrush west, Portrush east, Castlerock, white cliffs, and, inevitably, I forget the fifth. That is the only county on the island of Ireland — Portstewart is the fifth — where all the beaches have blue flag awards. That is another statement about the scale and wonder of the Causeway Coast and about the opportunities, way beyond golfing, that that presents.

The Council welcomed the publication of the Environmental Protection Agency's state of the environment report, 'Ireland's Environment 2012', in June 2012, and looked forward to inclusion of the joint environmental indicators in the next publication of 'Ireland, North and South: A Statistical Profile' compiled and produced by the Central Statistics Office and the Northern Ireland Statistics and Research Agency.

Ministers noted the FP7 environment workshop organised jointly by InterTradelreland, the Northern Ireland Environment Agency (NIEA) and the Environmental Protection Agency (EPA), which was attended by over 60 researchers, and provided an update and guidance on the July call for research proposals. That was an initiative that Minister Hogan and I took forward, given the opportunities of framework programme 7 (FP7), to draw down money for environmental projects. I have not seen Minister Foster's written statement to the House yet on FP7, but I think it is generally accepted that we are far behind the game when it comes to accessing the €50 billion fund that is FP7 in the residue of its life to 2014. Minister Hogan and I made it very clear to officials that we did not want that gathering to be a talking shop. We want to see outcomes, and we firmly instructed officials to bring forward outcomes in order to identify opportunities for submissions following the July call for research proposals.

Ministers also noted the publication of a preliminary report in May 2012, funded by the EPA, on the environmental impacts of hydraulic fracturing, and that a more comprehensive programme of research is planned. The NIEA and Geographical Survey NI will be invited by the EPA to provide input to the scoping and steering of that work. I think that is very important, because, given that Lough Allen is a shared basin on the island of Ireland, we should, as far as possible, have a shared or mutual approach to dealing with the proposal for fracking. I can confirm again, if I have to confirm it again, that there will be no headlong rush to fracking. It will be on the far side of best evidence and best science that, in my view, a decision should be taken on that matter. When it comes to the responsibilities of DOE, all appropriate planning and environmental requirements will be complied with at all stages of the proposal. No planning application

has been submitted yet. That is anticipated for some time this year. On the far side of the planning applications being submitted, an assessment will have to be made on whether they are article 31 planning applications, ultimately decided by the Minister, and a further assessment made further down the tracks on a public inquiry. I am not prejudging, in any shape or form, what may or may not be the call in that regard, save to comment that, on the issue of the North/South interconnector, there is currently a live Public Accounts Committee hearing in that regard.

When it came to issues of all-island energy, a precedent was set for public inquiry as a way of interrogating the evidence and hearing all views. While that may or may not happen in respect of the fracking proposals, I think it is sufficiently noteworthy that I bring it to people's attention.

The Council considered the recommendation of a selection panel for the appointment of a chief executive to the trade and business development body. A further announcement will be made in due course, following acceptance of the appointment. The Council agreed to hold the next environment meeting in autumn 2012, which will be very close to the commencement of the Irish presidency on 1 January next year.

I am not sure whether the First Minister reported it, but there were discussions at the NSMC meeting and at the DOE sectoral meeting about the opportunities for staff from the North to become embedded in the life of the Irish presidency, both at departmental level in Dublin and, hopefully, in the Brussels system as well, in order to build up our capacity and understanding of the European opportunities that, as I indicated earlier, are in some ways unfulfilled.

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his statement.

I am very pleased to hear about the good co-operation between the two jurisdictions on a number of environmental protection actions. I particularly welcome the commitment to consultation between the two authorities on used tyres. As the Minister mentioned, the Committee has produced an interim report on the disposal of used tyres. Did the Minister discuss with his counterpart any practical ways to improve the audit trail of used tyres on the island, North and South?

**Mr Attwood:** We touched on the issue of the disposal of used tyres, but we did not interrogate it at any great length and did not touch particularly on the issue of an audit trail. However, those issues will be dealt with on the far side of the all-island survey, which, it is anticipated, should be concluded by the end of this month; the development of our action plan that will deal with the issue of audit trails on an all-island basis; the carrying out of further assessment of the interim report from the Committee; and trying to embrace and capture that in the action plan and in the work to be taken forward by the Council and on an all-island basis. If we deal with waste, water and so on more and more on an all-island basis, it is self-evident that we will have to deal with the issue of used tyres on an all-Ireland basis, and that includes how best to deal with the very difficult issue of ensuring the best audit.

**Mr Hamilton:** I want to ask the Minister about the regular fixture at these meetings of cross-border movements of waste. If I recall rightly, I think there are more than a dozen sites in Northern Ireland where waste has come from the

South. Why are we working at a rate of what appears to be clearing two sites a year? Is it a fixed rate of two a year? If we work at that rate, it will be five, six or perhaps seven years before they are all cleared. Does he have sufficient funding from the Irish Government to do it, or is it a capacity issue?

**Mr Attwood:** I thank the Member. Waste is a regular feature in these reports. First, I should confirm that the two sites that have been identified are in the Clogher Valley. As I understand it, the assessment of the sites that remain, and that is a significant number, is that they are of a lesser scale and have a lesser impact than the ones that have been dealt with. We are dealing with significant illegal waste, but it is potentially, I hope, less significant than the sites that have been disposed of to date.

I do not have any criticism of the Irish Government on the operation of the framework agreement between the Dublin and Belfast Administrations about the management, disposal and financing of the repatriation of illegal waste. The heavy financial burden falls to the Irish Government. I occasionally hear mutterings and comments — this is bound to be the case, given the financial situation in the Republic — that maybe the framework agreement disproportionately favours the North. I obviously do not agree with that. However, if that is the view in Dublin, it has not formally raised it with me, and I have gently indicated that I hope that it will not raise it with me. Consequently, I have no criticism of Dublin's commitment to and financial backing of that enterprise. Subject to correction, I think that 90% of the cost is funded by the Dublin Administration.

Under the framework agreement, the programme of repatriation has been agreed. Although I recognise that the issue is acute and should be dealt with in a timely fashion and hope that there will be no undue delay, I am not inclined to try to encourage the Dublin Government, in all the circumstances that we face, to expedite that time frame. If there is a need, if something acute arises with a site on which there is illegal waste, or if I hear that there is any inclination to try to extend the period over which all the sites are cleared and the waste repatriated, I will look at that again. However, in general, I have no criticism of Dublin. Indeed, when there appeared to be the potential for some uncertainty over landfill capacity because of tender requirements in Dublin City Council over the past number of months, that potential problem was resolved and a tender was awarded.

**Mr Elliott:** I thank the Minister for his statement, in which he mentioned fracking. Can the Minister give us any more details on the comprehensive programme of research he mentioned? That research appears to be being conducted on an ongoing and ad hoc basis, as opposed to being more significant and deeper research. Will the Minister give me some guidance, reassurance and confidence that it will be a more detailed research programme?

**Mr Attwood:** I thank the Member for his question. Although various streams of research are ongoing, I want to give the assurance that its character is not ad hoc. Taken in totality, the various streams of research will build up the best evidence- and science-based picture around the issue of fracking. So what are those streams of work? First, the Irish Government recently completed their own commissioned desktop study on fracking, which was undertaken by the University of Aberdeen. On the far side of that, it was quite clear that a much more comprehensive piece of work was

required, and the Irish Government are now undertaking that work. We will sit on the steering committee for that work, and it may be that we will eventually be asked to contribute to it. However, it will very much be a shared undertaking and initiative in the lives of our two Governments in order to come to a bigger picture.

Secondly, the European Union is also undertaking its own research, and a representative from the DOE is involved in that. The scale of that research is greater than that which would be undertaken by the two Administrations on the island of Ireland in order to build up a European picture of the issue of fracking — Poland is all for it and France is all against it — and to build up the profile there.

Thirdly, although it is beyond the authority of the Northern Ireland Government and our role in Europe as a member of the European Union, the Environmental Protection Agency in America is undertaking two phases of work. The first phase will run up to Christmas this year and will look at the academic literature and the science of fracking, and the second will run from Christmas this year to Christmas 2014 and will look at case studies. Given the experience of fracking in America and various other places, that work will allow them to interrogate air quality, water and other issues. I met representatives of the Environmental Protection Agency on 16 March, who were enormously helpful. Clearly the scale of their research is in advance of even that which Europe is undertaking, not least because, in his State of the Union address in January, President Obama indicated that, subject to it being safe, he was very much in favour of this method of extraction of reserves, even though he did not use the word “fracking”.

And so on and so forth, because, as people know, last week there was a further report on fracking experiences from one of the royal colleges. Put all that together and it seems to me that there is a lot of science. However, there needs to be a lot of science, because those jurisdictions that embraced fracking, particularly America, did so with very little regulation and, on occasion, very little protection in various states that were given the freedom to decide what should or should not happen.

#### 5.00 pm

On the far side of that, there will be a bigger science picture, around which people will come to their conclusions. From my point of view, that will be helpful. However, I repeat that all appropriate environmental assessments will be made. They will take as long as is needed, and those who think that this will happen quickly are wrong. A judgement will be made when it is right to do so, and that will take as long as is necessary.

**Mr Rogers:** I welcome the Minister's statement and his proactive approach to dealing with two issues in south Down — at Ballymartin and Mayobridge — that were a potential environmental nightmare. What progress has been made, through North/South co-operation, on dealing with the residue from laundered diesel?

**Mr Attwood:** I thank the Member for his question. His mention of Mayobridge refers back to a question from the Chair of the Environment Committee. We need to have robust enforcement to deal with a tyre problem where we have one. The person in control of a site in Mayobridge was certainly in breach of various environmental requirements under his

licence. He was also in breach of certain conditions of the planning permission. However, the site operator has been fully regularised because of robust enforcement. I think that the community in that neighbourhood know that it was robust enforcement over two or three months that led to the matter being resolved. That only sets the standard against which the Department and the NIEA have to be judged in taking enforcement forward generally. That is why, last week, I held an enforcement summit in Church House in Belfast, at which people from outside and inside the Department were brought together to see where we should go with enforcement. That was done not least because a Queen's University academic is of the view that, for all the embedding of European standards in the life of government in the North through directives, we are now at greater risk of infraction. People will dispute or may agree with that. Nonetheless, it was a health warning to us all to make sure that, when it comes to enforcement on the environmental side, we live up to the standards.

Fuel laundering is not part of the arrangements between the Republic and the North under the waste repatriation framework. The authorities inform me that evidence of fuel laundering residue being moved back and forth across the border is anecdotal rather than conclusive. Nonetheless, we discussed it, and one reason that fuel laundering was on the agenda of the NSMC meeting was to raise its profile after the issue arose in the previous environment sectoral meeting, not least because of the difficulties that were identified in a House of Commons Committee. That said, there are various other interventions to deal with the fuel laundering waste issue. We are about to start rolling out the fly-tipping protocol in 11 pilot councils around the North, the reach of which could extend to fuel laundering waste. Therefore, I acknowledge that there is a big issue around it and that environmental damage has been caused by it. It is on the radar of the North/South Ministerial Council's environment sector. It is clearly on the radar when it comes to North/South enforcement through the Organised Crime Task Force and other interventions. It is also on my radar, as shown by my rolling out of the fly-tipping protocol as a way for central and local government to work to resolve that problem.

**Mr Weir:** I thank the Minister for his statement, particularly the bits that were in the original statement. He welcomes the blue flag successes for Northern Ireland and the green coast schemes in the Republic of Ireland. What is the next step to improve beach quality, particularly in the blue flag context?

**Mr Attwood:** A protocol governs what can be included in a written statement, which I find quite frustrating.

**Mr Weir:** That is all too obvious.

**Mr Attwood:** Yes. The written statement has to reflect the communiqué, which is the agreed position of the respective Governments. However, the agreed communiqué tends to be rather limited in what it can convey, so it seems appropriate, when delivering a statement, to give a sense of the flavour and conversation at a North/South meeting. Otherwise, the statement will be rather dry when, if it is given its full life, it can be the opposite. I hope that that will be the case when the review of the North/South bodies is complete, which is, allegedly, by Christmas. I hope that my commentary adds a bit of colour to the conversation that Minister Hogan and I had.

I keep saying that the scale of our natural environment on these islands is unsurpassed; I will touch on that issue in the debate on archaeological artefacts. An expression of that is the scale of the awards, blue flag and others, for the quality of our beach environment. This year, from memory, 24 beaches got awards, of which 13 got blue flag status and others got green awards, and so on. That is why, a few weeks ago, I joined Phil Hogan at a hotel in Portmarnock — not on the strand because the weather was not good enough — to hand out awards, including to Coleraine, which, as I said earlier, has five awards, all of which are blue flag. It is in the only county on the island of Ireland with so many awards.

However, there is more to do, which is why, at the three or four beach summits that I convened over the past year, we have considered ways to improve the beach environment, upscale our tidy beach strategy and look for coastal communities opportunities. Given all that, we are about to launch our first clean beach campaign. We have a website — [www.beachni.com](http://www.beachni.com) — that details the water quality in live time for all the beaches to demonstrate that our beaches are part of our natural wonder and are an indicator of tourism and economic growth.

**Lord Morrow:** My question is about the dumping of illegal waste, and I am particularly interested in two sites in the Clogher valley. It has been a long time since the sites were first identified, but it appears that we are not much further forward. Minister, your written statement says that the issue is a priority for your Department, yet you say that you “continue to target resources”. You do not seem to have the resources to tackle the problem and have not made resources a priority. What exactly has happened with the two sites in the Clogher valley?

**Mr Attwood:** I refer to my previous answer. There is a framework agreement between the two Administrations, North and South, which governs how the repatriation of waste is managed and handled. I would be in breach of my ministerial duties and the Government would be in breach of their obligations under that framework agreement if we worked outside its scope. So we are where we are with the framework agreement, which was negotiated between the two jurisdictions before I became Minister. I work with the framework agreement because it is a good agreement, not least because the Irish Government have accepted their responsibility to fund the vast majority of the work and take the waste, and because Dublin City Council will dispose of that waste.

This framework agreement, in resolving the problem on one hand, managing the waste and covering the cost, falls heavily to the Irish Government. Look at how, for example, the waste was managed and disposed of in Ballymartin, where people went on site and discovered a very mixed picture of the waste that was deposited there. I went on the site, where huge holes had been discovered in various parcels of land where the waste had been dumped. It had not been dumped all in the one place where it could be dealt with in one intervention but had been dumped in various parts of the site and in various locations, which made the management of the clear-up and the repatriation of waste much more difficult.

I will not criticise the Irish Government. I think that they have lived up to their responsibilities in the framework agreement, and I welcome that, as should we all. Yes, people would

like this matter to be expedited, but there is a framework agreement that governs what is to be done. I would have thought that, given Lord Morrow's local interest, he would have welcomed the fact that the issues at the two sites in Clogher valley will, come the end of the summer and thereafter, be conclusively addressed.

**Mr P Ramsey:** I welcome the Minister's statement, which was of some quality and was colourful without keeping to the script. Given the very serious issues that he has highlighted today, is he satisfied that there is sufficient co-operation with his Department, and is there scope for deepening those relationships and that co-operation?

**Mr Attwood:** As I said, the environment sectoral meeting of the North/South Ministerial Council is the one that, arguably, lends itself most easily to North/South operations. Behind the somewhat dry words of the communiqué, you get a sense that there is a significant dynamic around North/South environment issues. Do I believe that we can do more? Yes.

Phil Hogan and I launched the Horizon study of the management of plastics on the island of Ireland nine months ago. Thirty per cent of plastics are recycled, and of that, only 30% are recycled on the island of Ireland; the other 70% go out of the country. That creates opportunities to protect our environment better on the one hand and job and economic opportunities on the other.

There is ongoing work on a strategy for bulky waste such as white goods, and how, on the island of Ireland, we can have a co-ordinated approach to the disposal of such items. Are there opportunities, arguably, for waste procurement? We are a small island, and, in the North, three waste procurement programmes are ongoing. A waste disposal facility is being built in the South, in County Meath, mindful of the trans-boundary issues surrounding the movement of waste between jurisdictions.

I believe that we can escalate all that, but the environment sector has shown good authority when it comes to the opportunities and scope for North/South co-operation, and there is more to come. I just hope that, come December, when finally, if at all, we get a report on the North/South review of opportunities to grow North/South co-operation, that also shows good authority and does not end up, again, failing to live up to its potential.

## Executive Committee Business

### Charities Bill: First Stage

**Mr McCausland (The Minister for Social Development):**

I beg to introduce the Charities Bill [11/11-15], which is a Bill to amend the Charities Act (Northern Ireland) 2008; to transfer certain functions of the Department for Social Development to the Charity Commission for Northern Ireland; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

**5.15 pm**

### Budget (No. 2) Bill: Further Consideration Stage

**Mr Deputy Speaker:** I call the Minister of Finance and Personnel to move the Further Consideration Stage of the Budget (No. 2) Bill.

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

**Mr Deputy Speaker:** No amendments have been selected, so there is no opportunity to discuss the Budget (No. 2) Bill today. Members will, of course, be aware that they will have an opportunity for a full debate at Final Stage. The Bill's further Consideration Stage is therefore concluded. The Bill stands referred to the Speaker.



## **Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012**

**Mr McCausland (The Minister for Social Development):** I beg to move

*That the Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 be approved.*

The regulations were laid before the Assembly on 20 January 2012. Young people face disproportionate difficulties in finding work during and after periods of recession. There is now a major youth unemployment problem, with some 26,000 young people in Northern Ireland having never worked since leaving school or college and 9,000 children growing up in homes in which no one has ever worked. The welfare system needs to be overhauled so that more young people can be supported to take their first steps on the career ladder. These amending regulations are an important part of that process. The work experience programme is the first in a set of initiatives that is being introduced by the Department for Employment and Learning in an overall reform of back-to-work support for recipients of out-of-work benefits. The Department for Employment and Learning (DEL) is introducing the work experience programme in response to the rise in youth and long-term unemployment. Minister Farry announced today that the programme will start immediately.

The work experience programme will be voluntary. It is aimed principally at young people aged 18 to 24 who are in receipt of jobseeker's allowance. The programme will, in time, be expanded to include claimants from all age groups and other age-benefit recipients as additional placements are secured. New provisions are required to enable the jobseeker's allowance claimants to be given the opportunity to gain experience in the workplace under the work experience programme. The purpose of the regulations is to ensure that participants on the programme retain their entitlement to jobseeker's allowance during their placement. People who are involved in such programmes have a better chance of moving off jobseeker's allowance if they continue their job-search activity. For that reason, participants will be asked to show that they continue to make an effort to find work.

Originally, it was the intention that a person who agreed to take a place on the programme and failed to attend, gave up the place without good cause or lost the place through misconduct would be liable to a benefit sanction. In line with the rest of the United Kingdom, the policy has been revised since its introduction. The decision has been taken that sanctions of two to four weeks will apply only to individuals on the work experience programme where they have been asked to leave by the host employer owing to gross misconduct. In taking that decision, I hope to ensure that work experience will benefit employers and young people. I assure you that no claimant of any age will be sanctioned for failing to take up a place on the work experience programme, for failing to attend or for leaving it, unless that person loses the place through gross misconduct.

In bringing forward these regulations, we are creating the framework to give young people the opportunity to boost their confidence, employability and prospects. All the measures are part of a wider commitment to make sure

that all, especially young people, are given the right support to make the transition into the workplace, no matter which path they choose to get there. This is the only way to help people to work their way out of poverty and generate the long-term jobs that we need to build a sustainable economy for the future.

**Mr A Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for moving the motion to propose this regulation. Speaking on behalf of the Committee, I will say first that the Committee considered this regulation at length. Indeed, we considered it in discussions with officials from the Department for Social Development (DSD) and also invited officials from the Department for Employment and Learning to address a range of concerns that were expressed by members from — I think it is fair to say — across all the parties.

The range of concerns included those of members who were worried that, when young people were asked to go on these schemes, an element of coercion would be involved. They were conscious that they did not want to support the legislation if it meant that young people, in particular, would feel obliged or forced to take up some of these projects. I will go back to how the Department responded to those concerns in a second or two. Members were also universally concerned that people would be asked to do what were not meaningful jobs and that the sense of getting job experience would, therefore, be diluted quite substantially. Members gave certain experiences and examples, and there was, in fact, a lot of media commentary on that around the time.

There were also concerns about the range of sanctions that would be imposed on people. As the Minister said, this was designed initially to involve young people up to the age of 24 but would eventually be rolled out to involve all people of all ages who are on jobseeker's allowance. Members were concerned at the range of sanctions that would be imposed on people for, for example, failure to keep up with a job that many would feel was not meaningful. The Committee reflected well the dilemma that everybody also has in that they want to ensure that every person gets an opportunity to experience work. It was mindful that it is often much easier for people to get a job if they can demonstrate that they have had employment previously and that their work record is good.

The DSD and DEL officials came to the Committee on a number of occasions and addressed all of the members' concerns. In fairness to the departmental officials, they all did their best at their personal and departmental level to assuage the concerns expressed by the various Committee members. On the basis of the concerns having been put forward and addressed, members, with varying degrees of reluctance, agreed that they were content that the regulation will be made.

This was one of the regulations around which reservations were tabled, and, in the aftermath of this protracted debate, the Committee was very concerned that it was putting significant reservations on the record and, while they were addressed, there was the issue of it being a matter of parity and the regulation having to be complied with anyway. Members again very judiciously expressed and teased out their concerns with the various departmental officials and, with varying degrees of reluctance, ultimately agreed that the regulation be made.



It is interesting to note that, as a result of the debate around this regulation and other similar types of regulations, the Committee agreed that it was not content that we routinely place reservations on the record but then reluctantly agree to something either because it was a matter of parity or because certain assurances were received from departmental officials. As a Committee, we agreed that, from here on in, we would work with the Department and agree to build into the Committee's forward work programme a process for monitoring the outworking of the regulations.

I have pointed out before to this House that the Committee agreed to seek that structured approach with the Department. In other words, where we have expressed reservations — in some cases, quite fundamental reservations — you would hope that, when the implementation of the policy or regulation is worked out in practice, we would have from the Department a report in six months, nine months, one year or whatever was appropriate to each regulation, saying that the outworking of the regulation was either a, b or c and hopefully addressing members' concerns as unfounded. That is what we wanted to hear. Equally, if we were told eventually that some of the fears of members were well founded, that would lead to another discussion on seeking to change those rules and regulations.

The Committee deliberated on that considerably with the DSD and DEL officials and raised a range of issues. I have listed some of them, including whether the young people going into the schemes somehow or other felt obliged or coerced into them, and the Department officials tried to address that. We also did not want young people to go into what many thought, in some cases at least, were jobs that were not exactly meaningful. We also wanted assurances that the young people who were taking up the posts were not replacing employees who should have been employed there. In fact, any vacancies should have been made up by way of normal recruitment practices and the jobs filled as appropriate. Afterwards, the Committee was quite concerned when we heard organisations such as Tesco say that, from there on in, it did not want to take part in the scheme and would employ people directly. That seemed to contradict the concept behind the work experience project, which was that people were not going in to replace existing jobs or to fill vacancies that should have been filled by way of routine recruitment.

The Committee's last position on considering the matter was, with varying degrees of reservation or concern across all the parties, to agree that the regulation be made. Therefore, we have had no opportunity to consider any further developments on the matter. The Minister has referred to some of the experience directly from Westminster, and the Committee for Social Development has not had an opportunity to consider any of that. I appreciate that the Minister is saying that there is now a change in how those sanctions, as outlined in the regulation, will be interpreted. All I can say on behalf of the Committee is that it has not had an opportunity to discuss or debate any of that, and all the members and parties will have their opportunity to address that issue today. So, on the record, the Committee, on earlier consideration, agreed that the regulation be made.

I will now speak as a party representative and an MLA representing South Belfast. One member was concerned about the matters and raised reservations, and, as I said earlier, credit must go to officials in both Departments

for trying to address those concerns. However, we saw the outworking of this in London and then saw that the Department, following on from London, is now saying that the sanctions in the regulations will not really be applied other than for gross misconduct. I want to point out that, speaking as a party representative only, we had a long discussion at the Committee on good cause because people could avoid sanctions if there was good cause, and we had a range of discussions on what might constitute good cause. We did not have an opportunity to consider what might constitute gross misconduct, and some of that is referred to in annexes of various papers that have been recently produced. Speaking on behalf of Fra McCann and Mickey Brady, we, as members of that Committee, have not had an opportunity to consider those issues.

I wholeheartedly respect the Minister's personal commitment to this, in which he says that the sanctions will now be reduced to a certain category called gross misconduct, but it is very difficult to expect us — I certainly do not want to be in this position — to agree a regulation that will set in law a set of sanctions that will underpin a particular policy, even though we are being advised that, following what has happened in London, we will not implement or not enforce those sanctions.

I certainly could not support legislation which says, "We are going to have legislation to underpin a particular way of going", but in actual fact then say, "But in reality we are not really going to do that". That would lead us to seriously flawed legislation. On the one hand, we are saying, "This is what the legislation provides for", but, on the other, "We are actually not going to enforce it, so do not worry about it". I am not saying that that, at all, is a cavalier approach from the Minister; far from it. I want to say to the Minister that I respect his personal commitment on this, but next year or in six months the Minister may not be in post. Someone else might be there, and we could have a different set of interpretations from a different Minister or a different head of the relevant agency.

### 5.30 pm

Our problem is that we have to look at this from the point of view that we are being asked to enshrine it in legislation. Bear it in mind that a lot of the reservations were raised across the board by all the parties. Certainly, my party was very firm about those reservations being put on the record. We were concerned, and yet we were given cast-iron assurances by the Department's officials. Lo and behold, at the end of the day, it transpired that the commitments given by the officials could not have been stood over. Hence, you have now a different set of circumstances. Now, I feel that that vindicates the members of the Committee who had those reservations, teased them out and raised them, I think, very constructively and certainly very robustly. Speaking from a party political point of view, I certainly do not want to support and will not support legislation that says, "We are enabling this legislation to provide these sanctions, but in actual fact we are really not going to enforce them".

We were given assurances. I do not second-guess the integrity of any of the officials who gave those assurances, because they gave them with the best intent available to them. We were told, "Here are the assurances we are going to give you", but, months later, we were then told, "Well, in actual fact, it did not really work out". Now, I think it is

foolish to ask people to pass legislation on the basis that we are really not going to enforce it. At the end of the day, that is the legislation that will be there. It will be interpreted, I have no doubt, by at least some officials and will lead to tribunals and disputes and arguments. At the end of the day, the bottom line will be that the legislation will have been passed.

Again, I think that, regrettably, on this occasion, the reservations that were outlined, teased out and, we thought, addressed, actually were proven not to have been fully addressed. The outworking of them elsewhere proved that the reservations were correctly levelled and laid on the record. So, on that basis, our party certainly will not support this regulation. We urge the Department, respectfully, to go back to the drawing board on this regulation and bring back a regulation that we will be able to wholeheartedly put on the statute book. We want to make sure that young people and, as it rolls out ultimately, everybody who is on jobseeker's allowance will have the opportunity to taste what work is like, particularly those who perhaps have not had the opportunity heretofore.

We want to make sure that people are encouraged into work and that people who are in work or go for job experience behave responsibly. We also have to respect the employers who are willing to take on trainees and people on work experience. We want to make sure that people who have an opportunity to go on work experience are encouraged to do so. We want them to do it on the basis that they will have meaningful work experience, we want to make sure that that encourages them in the workplace, and we want to make sure that anyone who wants to sit around not doing any work really does not feel comfortable doing that. But it would be wrong for us to support legislation that we are being told from the outset will not really be enforced.

**Ms P Bradley:** I rise as a member of the Social Development Committee. With the rise in youth and long-term unemployment, it is paramount that we as an Assembly support and encourage back-to-work initiatives for those on unemployment-related benefits, especially young people. As has been said, this regulation was debated at length by the Social Development Committee, and I understand the concerns highlighted by the Chairperson here this evening. However, within any work environment there are rules, and I believe the regulation promotes an employment ethos of discipline and responsibility, which are qualities that many of our young people are unable to learn. For most, that is through no fault of their own. The regulation also provides an amount of protection for the host business and the time and the resources that they invest in providing such placements. I support the motion.

**Mr Durkan:** I oppose the motion. As the Chairman of the Committee for Social Development Mr Alex Maskey said, there was huge opposition to the legislation in Great Britain. It makes two amendments to existing jobseeker's legislation. There was massive media coverage of the backlash, which eventually forced the Government to backtrack a bit, removing sanctions for those who leave in the first week of work experience. Despite the huge negative publicity, I recognise that those work experience schemes are voluntary and not mandatory. However, the public perception was that a huge amount of coercion was involved.

In theory, we see the benefit of work experience schemes. They show people, particularly young people, the demands

of the workplace and teach them the discipline required therein. However, the sanctions proposed for breaching that discipline are excessive. I heard the Minister state today that the only people who will be sanctioned are those guilty of gross misconduct; I welcome that commitment. However, that is not what is written in the legislation, so we cannot vote for it. What is written in the legislation is that those who leave during the first week will be exempt from sanction, but for many the novelty of work experience will not have worn off until after that. The removal of their benefit for two weeks, should they opt out after week one, is, in my opinion, draconian.

The objective of work experience should be to give young people suitable experience to help them when they enter the labour market. However, how can they seek employment if they are indisposed carrying out that work experience? Just how useful and relevant is the experience gained on those placements, and how many participants secure employment as a result? Furthermore, there is a concern, to which the Chair referred, that the scheme may be exploited by unscrupulous employers who, in effect, see it as an opportunity to utilise slave labour. The fact that they can get people to work for free will inevitably result in their hiring fewer people or reducing the hours of existing workers.

Although training and meaningful work experience benefit individuals and society as a whole, we need to focus more on actual job creation rather than on punitive and counterproductive sanctions. As the legislation is written, the youngest people — school leavers — will be exempt from sanctions. Ironically, they could benefit most from the training aspect and the discipline of the scheme. Those who are sanctioned — I appreciate that it will be at the discretion of a decision-maker or employment adviser — will in turn become a burden on their family, many of whom may be on benefits themselves.

A breach from parity on this issue will not have the massive financial implications that we are often warned about. Today, we have been provided with a rare cost-neutral opportunity to show that we are a devolved Government capable of differentiating our policies from those of Westminster when we can see no logic in the coalition Government's proposals.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. My colleague Alex Maskey covered our views on the legislation well and comprehensively. It is a matter of record that I had strong and serious reservations about the legislation, which I continue to have. Without being too cynical or sceptical, from my many years of experience in dealing with social security legislation for which sanctions are in place, I know that, however they may or may not be put across, they will eventually be enforced. That is all I have to add.

**Mr Swann:** I speak on behalf of Michael Copeland, our member of the Committee for Social Development, who is inescapably absent from the Assembly today. We welcome the fact that the much-discredited work experience programme is being addressed. It is only right and proper that people should not be disproportionately penalised for taking part in work experience. We support today's regulations as simply corresponding to provisions contained in the regulations made by the Secretary of State for Work and Pensions. People will still need to show a demonstrable approach to seeking employment, and rightly so.

We have concerns, not least about the ambiguity of the wording. We are concerned that DWP and DSD have proposed regulations that have not been changed to reflect gross misconduct. We ask for clarity from the Minister on that. Should we take solely the Minister's word on the regulations? We need to ensure that, in all cases, parity is preserved.

**Mr F McCann:** I will be brief. Like Mickey, I raised serious reservations about this at quite a number of meetings. I voiced my concern that young people were being asked to go into meaningless job experience for nothing and could be open to abuse by employers. In the aftermath of when we first raised the issue, a difficulty arose in England. It was pointed out that many, many young people had fallen into a trap set by the people who were supposed to be looking after their interests and placing them in meaningful employment. I say that for a reason. We say that we are trying to skill young people up to go into employment, but that employment does not exist. We say that we are trying to give young people an opportunity to be skilled up to go into employment, but many of them end up in a supermarket, because the training they get will not ensure that they go into employment that would give them a good, well-paid job to prepare them for the future.

There are serious difficulties in the proposals. I have a serious concern that young people will be placed in employment and not paid. Only a certain section of people will receive £100 for the work that they do. Young people will go into employment where they do not receive a wage and are expected to work long hours. At the end of the day, there will be no compensation for that. That has to be wrong. The other concern is around not being able to view the regulations that have been drawn up so that we can have a good opinion of what is being put in front of us.

There are a number of concerns that mean that we cannot support the motion as it stands. Ultimately, this is all sanction-led. If the regulations or legislation had said that provision was being made to ensure that people are not going to be sanctioned or asked to go into employment that has no end product for them, we might have considered it. Because that does not exist, we cannot support the regulations.

**5.45 pm**

**Mr McCausland:** There were a number of contributions and a number of issues raised in the course of those. In particular, I will pick up on the points raised by the Chair of the Social Development Committee, Alex Maskey, who raised four or five issues.

The first issue concerned coercion and whether people were being forced or obliged in some way — certainly coerced — into participation in the scheme. The position has been made absolutely clear: this is an entirely voluntary scheme. There is no deviation or variation from that. There is no equivocation. It is entirely voluntary. Therefore, the issue of coercion can, I suggest, be set aside.

The Member also raised the issue of media coverage. This was debated quite extensively in the media, particularly in Great Britain some time ago, and it received some coverage in local media at the same time. That coverage was around the issue of meaningful jobs. When you get into the area that we are in now, you are on safe ground in so far as the scheme is entirely voluntary and, therefore, people will have the opportunity to see whether the jobs that are available

and being offered to young folk are meaningful. I think that discernment will be exercised by young people in that regard. If they do not wish to go into a particular place of employment or they feel that the work there would not be meaningful, they would have every opportunity to say, "No, that is not where I want to be". Therefore, I think that the issue about the nature of the jobs and whether they are meaningful has been addressed by the entirely voluntary nature of the scheme.

The issue around not replacing staff and filling vacancies was also raised. It was suggested that employers would simply use young people to undertake the task of filling shelves or some other fairly routine task. They might not perceive it as being meaningful, but, through doing it, they would, nevertheless, displace existing staff or enable the company concerned not to fill a vacancy. Again, since the scheme is entirely voluntary, I suggest that young people would have the opportunity to look for jobs that are meaningful and would bring them benefit. I do not have a concern in that regard. Public opinion and the opinion of the young people — all those things — will shape how this develops.

The issue for most people is around sanctions. Several Members referred to sanctions. The sanctions are very simple, and it is very clear: sanctions will be applied only in circumstances of gross misconduct, such as stealing, racial abuse or sectarian abuse. Those are the things you are talking about when it comes to gross misconduct. Those are things that, I am sure, everyone in the Chamber would say are unacceptable. It could be a matter of theft and dishonesty on the part of an employee; obviously, all of us would accept that that is unacceptable. I am sure that no one is going to condone racial abuse in any way, and the same applies to sectarian abuse.

Individuals will be able to leave the programme at any point if it is not right for them. If they go into it but think that the job is not meaningful or relevant for them, they can walk away from it, and they will not be subject to any sanction. The sanctions will apply only in circumstances of gross misconduct. A first offence in that regard will generate a two-week sanction — a two-week loss of jobseeker's allowance. That is only for gross misconduct such as theft or racial or sectarian abuse. A repeat offence within a 12-month period would generate a four-week sanction, but, again, only in the case of what is clearly and demonstrably gross misconduct. I think that I have addressed the core points that were raised by Alex Maskey.

Mark Durkan raised the issue of whether the scheme was voluntary or mandatory, and he acknowledged that the scheme was entirely voluntary. That is the core element: it is an entirely voluntary scheme. He spoke about suitable work and work that would be useful and relevant. The key there is that the young person going into a place of employment for some experience for eight weeks will be able to decide after a short period whether the job was suitable or relevant for them and will have the opportunity to walk away from that. I suggest, therefore, that the question of the suitability, usefulness and relevance of the work is covered by the voluntary nature of the scheme.

As regards exploitation by unscrupulous employers, people have used the term "slave labour". Again, it is a voluntary scheme. Therefore, the protections for the young person are built into it right from the beginning, and they can move away

from it if they feel that they are not being given the right sort of opportunity.

**Mr Durkan:** Thank you for letting me in again. You said that added protection is built in for the young person, but, from what we have seen thus far, the protection is not written in.

**Mr McCausland:** The point has been made that the scheme is entirely voluntary. The very nature of the protection is the fact that it is entirely voluntary.

Other points were raised by Mickey Brady and Robin Swann, and Fra McCann spoke about it being sanction-led. I suggest that that is not the case. I suggest that it is a misunderstanding of the nature of the scheme. It is not sanction-led. The important issue right at the start is the fact that it is entirely voluntary. I will go back to a number of other points.

**Mr A Maskey:** I thank the Minister for giving way. There are obviously a number of issues that he needs to address, but there is one issue that I would like to ask the Minister to confirm. We are asked to adopt a regulation that contains sanctions for a number of reasons. I accept the Minister's integrity, and I know that he said that, in actual fact, this will not in practice be enforced. However, we are being asked to enshrine in legislation something that is underpinned by sanctions that, the Minister says, will not happen in practice. I think that we are being asked to do something that goes against the idea of legislation.

I ask the Minister to reflect on one thing. A number of employers raced to the microphones as soon as there was a big public outcry on this. I dealt with the issue on a radio show one morning and remember explaining and defending the role of the Committee in all of this. The concept behind the project is that businesses were making a contribution, and they would bring young people in to give them relevant work experience. In the midst of all the furore around some examples that were trotted out publicly and showed some degree of exploitation or abuse of young people in the workplace by some small number of employers, I believe — I stand to be corrected — that, on one occasion in the middle of all that public outcry, Tesco made a public commitment that it was withdrawing from the scheme and, from here on in, would directly recruit people to those positions. At the time, I asked how on earth, if Tesco was in a position to say that it would directly recruit people to those posts, it was not displacing job vacancies or jobs that should have been recruited for. For me, that was a direct contradiction of what the scheme was supposed to be about and what the officials were giving us assurances on. In other words, no person was going to go in and ask to do a job that was displacing an actual vacancy.

**Mr McCausland:** One of the key points here is that there is a general acceptance that it is good for young people to have the opportunity of work experience. No one is arguing against that point. There are many young people who have had no experience of employment at all. They have not had that privilege, that advantage or that experience. They may well come from a background where they have not had the opportunity of engaging with others in the home who are in employment because the fact is that there may be intergenerational unemployment and they come from a home where there is no one in employment at the present time. For them, getting that initial experience of being in

employment, even if it is only for eight weeks, and the fact that they can experience that and demonstrate their capabilities and capacities is obviously a very good thing. The concept of work experience, I think, people buy into. If you buy into that concept, some scheme of this type is the only way in which it can be worked out. I cannot think of any other way in which you can actually deliver work experience to young people. People may have reservations about that, but, for a significant number of young people, getting the first taste of employment is a positive gain and advantage that should be highly valued. I certainly assure the Member that that will be very much at the heart of this. Furthermore, businesses will be monitored by DEL. I assure the Member that I will keep abreast of that to ensure that there is no abuse and no unfair or inappropriate treatment of young people. The scheme will be fully monitored.

I will pick up on a number of Members' points — quite a number were raised — and get back to others.

**Mr F McCann:** Will the Minister give way?

**Mr McCausland:** OK.

**Mr F McCann:** There are a number of points. The explanatory note seems to contradict itself. It states that sanctions will not be imposed, yet it then states that sanctions will not be imposed in the first week, leaving it open for sanctions to be imposed afterwards. One of arguments that we had was about the term "meaningful employment" and what the end benefit is for the young person. We are trying to bring high-quality, good jobs to people, and we are saying that people need to be trained for those jobs. However, some of the training that people will be asked to do will not train them for high-quality jobs; it will not even give them job experience. We also say that, in the past, there was gross abuse and young people who were given places got absolutely nothing out of them, not least no pay.

**Mr McCausland:** I accept the Member's points as legitimate concerns. However, as I indicated, the businesses that participate in the scheme will be monitored by DEL to ensure that there is no abuse. That is quite clear.

A point was made about whether people, after eight weeks of their first experience of the employment scene, will gain a vast amount of experience and training in that place and be eligible for some really high-value, highly skilled job. You will not gain that in eight weeks, but what you will gain is an experience of the demands, requirements and routine of the workplace. I talk to young people and training organisations in my constituency, and one of the points they make is that young people who come out of school with no experience of the regular routine of employment and so on face a challenge. They need to be given that initial taste. It is only a taster and an experience of what it is like to be in the workplace. The Member is right to say that we are trying to bring high-value, high-end and highly skilled jobs to people. That is absolutely true, but, for these young people, getting that first taste of the place of employment is what this is about. If they can get that, they will get immense benefit from it. I am sure that, if the Member reflects on that, he will welcome it.

I go back to the notes that I took down. Alex Maskey spoke about coercion. I can assure the Member that this is entirely voluntary. He also spoke of his concern about meaningful work. I can assure him that this is about work experience,



not about taking jobs. It is time-limited and a genuine opportunity. DEL officials, as well as my officials, will monitor that process and progress.

Paula Bradley commented that the regulations promoted an ethos of responsibility and discipline. That is really part of what this is about: people getting their first experience of the workplace, the discipline of being there regularly, the routine of employment and all the rest. That is critical for young people, as we move them to a place of greater employability.

Mark Durkan welcomed the fact that sanctions would not be applied unless the young person concerned was guilty of misconduct. I am intrigued by his concern that the very youngest jobseekers might benefit from a sanctions regime. Perhaps I took him up wrongly, but that is certainly the impression that he gave.

DEL has extensive processes in place to ensure that employers do not abuse the scheme or use it to fill real job vacancies. The scheme is totally voluntary, and, therefore, good cause is not a factor. If individuals do not wish to participate, that is entirely up to them.

Fra spoke about meaningful employment in today's economic climate, and it is, of course, open to debate, but I contend very strongly that any work experience at all is beneficial and a help for any individual. It enables that individual to get acclimatised to the workplace and demonstrate a willingness to actively seek work.

#### 6.00 pm

Let me pick up on some other points. Participation was mentioned. We were aware of the concerns of employers, and we were aware of the concerns of young people at an earlier stage. That is why all that concern was taken on board. We believe that altering the circumstances in which a sanction might be applied is appropriate and addresses genuine public concern. So, sanctions will be limited to reasons of gross misconduct. If a young person is sanctioned for gross misconduct, can they take it further? Yes; the normal decision-making process will apply and the young person can appeal to an appeals tribunal. I sincerely hope and expect that that would be exceptionally rare. We are talking about issues of dishonesty or sectarian or racial abuse. These are matters of gross misconduct. It is not about someone turning up late one morning, staying out too long at lunch break or not lifting as many boxes as he should have done or whatever the case might be. It is about gross misconduct.

The scheme is short term. It is only an eight-week taster session of employment. However, it can be extended, in certain circumstances, to 12 weeks, for example, where the young person has been offered an apprenticeship. To ensure that the young person is given the maximum support and fair treatment, decision-makers will be issued with new, detailed guidance relating to work experience and the sanction regime, and operational staff are also being issued with the relevant guidance. The decision to impose a sanction is made by a decision-maker in the Social Security Agency, not by an employer, because to put an employer in a position where he or she has to take a sanctioning decision would compromise that employer.

So, on the basis of covering all the qualifications that I have referred to, in particular in regard to the voluntary nature of the scheme, the protection —

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

**Mr McCausland:** Yes.

**Mr Weir:** Does the Minister agree that this can be a very valuable experience for young people? We have a situation in which people's work patterns are somewhat changed. When the older generation — people such as me — left university, they quite often walked straight into a job. Does the Minister agree that we are now facing a situation in which, even for graduates, levels of unemployment are quite high? Consequently, employers will often look for direct experience. They will look for a balanced CV.

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

I will use an example from my own constituency. It is a personal example that should stand as a challenge to all MLAs. We should look at ourselves to see where we, as MLAs, can provide some work experience. A number of months ago, I heard from a constituent who was, effectively, seeking an internship. This was someone who had a particular career path in mind but, because of the current financial situation, was not in a position to pursue that immediately. In my office, we looked at facilitating an internship. I appreciate that a lot of this will be for people who have had no direct experience of work at all and who may, effectively, be of the not in employment, education or training (NEET) generation. However, this was someone with a masters degree who was unable to get a foot on the rung of the employability ladder. As such, I was able to facilitate that person. The regulations are up for debate today, and I appreciate that very genuine concerns have been raised in connection with them. Under those circumstances, that young graduate was able to take advantage of one of the forerunners of this scheme; the equivalent of a six-month placement whereby jobseeker's allowance could be supplemented by way of additional income. Consequently, as part of that, that person has been able to gain direct experience in an office environment. From the point of view of their employability and future work, that person is in a position where they can gain from that. When it comes to the CV, depending on whether they go into the particular career path that they want, that person has at least something that they can fall back on and show as part of their background.

We need to look at the issue from the perspective of affording opportunities to young people. The Minister has said that there will be no coercion, and the scheme adds to a jobseeker's experience. All of us acknowledge that the situation is very desperate for many of our young people. It goes beyond the NEETs generation to those who invested heavily in their education, seen a particular career path but have not been able to pursue it. Placements of that nature and that level of work experience can be of direct benefit to young people, so we need to look at it from that perspective. Does the Minister agree that it is a positive way forward that we should develop?

**Mr McCausland:** I agree entirely with the Member, who has stated the entire purpose of the regulations clearly, elegantly and comprehensively. The scheme is about giving people



experience so that they can, as he rightly says, have that on their CV. Otherwise, their CV will be a blank sheet because they are not able to demonstrate basic experience of the workplace. It would enhance a young person's employability and future prospects.

I thank members of the Social Development Committee for their consideration of the regulations. I believe that they provide a young person who undertakes work experience with the ability to remain on jobseeker's allowance, and the sanction will be applied only in cases of gross misconduct. Through a very simple measure, we can open the door for many more young people to take that first important step into the workplace, allowing them their first opportunity to impress an employer and, in many cases, stay with that employer in the longer term. That is what the scheme is all about.

**Mr Weir:** I thank the Minister for giving way. I want to draw on an example from my personal experience. I am issuing a challenge about internships and asking a series of questions of various Departments about embracing the scheme and offering experience to young people at MLA level — there is a challenge to all 108 of us — and in Departments. The lack of response from Departments on internships was a bit disappointing. Quite often, young people at 15 and 16 years of age have tunnel vision and a narrow view of their career path.

**Mr Principal Deputy Speaker:** I remind Members that interventions should be short and to the point.

**Mr Weir:** A major advantage of the scheme is that it will lead some young people into situations and particular career paths. As the Minister said, it will give them a taster and bring them into different spheres of work that they had not previously considered. Indeed, they may end up pursuing a different career path than they had originally envisaged. Does the Minister agree with that?

**Mr McCausland:** I thank the Member for his positive and progressive approach, which I fully endorse and thoroughly welcome. So many folk seem bogged down in negativity today. *[Interruption.]*

It is always important to keep well in with the Chief Whip. The Member made the point that a young person has a CV showing what they have undertaken. He or she also has an opportunity to look at areas of possible employment that he or she might not otherwise have considered. Through that simple measure, we can open the door for many more young people to impress an employer and perhaps stay with that employer in the longer term. If so, that is what the scheme is all about.

I thank Members for their extensive interest in the regulations. I hope that they will back them and support the scheme.

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

**Mr McCausland:** The Minister is more than happy to give way.

**Mr Weir:** It is important to ensure that we have the best possible scheme. The scheme has been tried out in other jurisdictions. Has there been a pilot scheme? Will the Minister indicate the numbers that he expects to take up the offer, and whether he is considering rolling out the scheme further? Does he see any geographical specification within that initial number, and is he part of that?

Can the Minister indicate what level of monitoring will take place to ensure the scheme's effectiveness? It is obviously better that, through previous interventions, if we can —

**Mr Principal Deputy Speaker:** Order. I remind the Member that interventions are to be short. Most Members are coming into the Chamber now anyway, so I think that we can continue with the debate.

**Mr Weir:** I will try to bring my intervention to a close. It is important that we have monitoring arrangements to make sure that everything is got right. The preference is to try to provide, and ensure that we have, a scheme that works from day one. Will the Minister indicate what level of piloting or trialling has happened to ensure that thought has been given to the original regulations?

**Mr McCausland:** The Member makes a number of valid points, as always. The operation of the scheme is the Department for Learning and Employment's (DEL) responsibility, and some of his questioning may be better directed towards Dr Farry. My responsibility is for the jobseeker's allowance aspect of the scheme. The scheme will be fully monitored by DEL and the Department for Social Development. We want it to be as effective as possible, and if there are things that need to be done in due course to make it more effective, they will be considered.

This is a great opportunity. It would be a pity if we were to conclude the debate on the negative note that there has been. Some people have become fixated on certain elements here: they cannot see the wood for the trees. There is a really good opportunity for young people here, who are often among the most disadvantaged; who have never had the opportunity of employment; who have no experience of going out regularly morning after morning to the workplace; and who do not know what is expected of them from an employer in a workplace — the requirements, the obligations, the commitments, the dependability. If young people can go into a workplace for eight weeks and demonstrate to an employer that they have those skills and abilities and that they have that level of commitment, they can put that on their CV and be in a much better place to seek employment.

I thank Members for their interest in the regulations. I hope that the Assembly will back and support the scheme. It is part of a wider commitment to making sure that all, especially young people, are given the right support to make that transition into the workplace, no matter what path they choose to take to get there. This is the only way to help people work their way out of poverty and to generate the long-term jobs that we need to build a sustainable economy for our future and especially for our young people here in Northern Ireland.

*Question put.*

*The Assembly divided: Ayes 42; Noes 37.*

## AYES

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Cree, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen,*

Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend,  
Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann,  
Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Ms P Bradley and Ms Brown.

## NOES

Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady,  
Mr Byrne, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard,  
Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann,  
Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt,  
Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone,  
Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel  
McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey,  
Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey,  
Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Brady and Mr F McCann.

Question accordingly agreed to.

Resolved:

*That the Jobseeker's Allowance (Work Experience)  
(Amendment) Regulations (Northern Ireland) 2012 be  
approved.*

## Committee Business

### Archaeological Artefacts

**Mr Principal Deputy Speaker:** This is a joint motion from the Committee for Culture, Arts and Leisure and the Committee for the Environment. 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.

**Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure):** I beg to move

*That this Assembly notes that there are gaps in the policy frameworks and legislation relating to the excavation of archaeological artefacts from planning-led developments, particularly in relation to the long-term curation and storage of such items; and calls on the Minister of Culture, Arts and Leisure and the Minister of the Environment to address these issues, which straddle their Departments, and to gain a greater understanding of the material that has been excavated to date.*

I welcome the opportunity to debate the issues relating to planning-led archaeology. The Committee for Culture, Arts and Leisure and the Committee for the Environment agreed to table a joint motion today because of their joint concerns about the lack of statutory and planning policy provisions, which has led to issues around the ownership and long-term curation of archaeological artefacts and excavation records not being addressed. That is putting Northern Ireland's heritage at risk.

Indications are that approximately 1.47 million archaeological objects are being held by commercial companies outside the museum sector. That flies in the face of good practice guidelines laid down by the Institute for Archaeologists, which state that commercial companies are not suitable permanent repositories for artefacts. They are also inaccessible to the public and researchers and, therefore, are not to the public benefit.

Held in that way, artefacts are vulnerable to theft, decomposition or the disposal of assets should such companies enter into receivership. The threat of receivership is regarded as a serious issue, particularly in light of the renewed upsurge in licences. For example, if a company holding collections goes into liquidation, all of its stored collections and archives could be discarded by receivers without any notice to statutory authorities.

There is also an issue with archaeological companies that reside in other parts of the United Kingdom and the Irish Republic. They could be excavating in Northern Ireland and then moving material outside of Northern Ireland. Although in theory the movement of material to Irish Republic requires an export licence, in practice, it is likely that that is not happening. Furthermore, the indications are that there is no clear handle on the movement of material within the UK either.

### 6.30 pm

This is an issue that straddles both Departments. Although there is provision under PPS 6 that requires a developer to apply for an excavation licence and record the remains,

there is no policy relating to the deposition and curation of archaeological artefacts. PPS 6 makes no provision for the permanent storage and curation of archaeological archives that have resulted from developer-led excavation. Furthermore, landowners retain all rights of ownership to archaeological materials found on their land, with the exception of items that are classified as treasure.

The current legislation does not allow for the passing of archaeological archives produced through the planning process to local museums, except through a subsequent loan from the national museums. Although the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 and the Museums and Galleries (Northern Ireland) Order 1998 are designed to protect known archaeological sites, stakeholders have reported to the Committee that the majority of archaeological archives in Northern Ireland are produced as a result of the planning process through developer-funded excavation, which is governed by PPS 6.

Archaeological fieldwork must be carried out under a licence issued by the Northern Ireland Environment Agency. A transfer of title is then issued to seek transfer of the title of excavated material to the Department of the Environment. That is done on the understanding that it will be offered to the Ulster Museum. In practice, however, that does not appear to happen, and, even if it did, there is no statutory responsibility for the long-term storage of excavated material by DCAL.

As proof that the system is not working, both the Ulster Museum and the NIEA have confirmed that they have not taken into their care any archaeological objects produced through commercial archaeological work since the formulation of PPS 6 in 1999. It is clear that responsibility for these excavated artefacts, carried out through developer-led activity, falls between DOE, which licenses the excavations, and DCAL, because accredited museums fall under its responsibility. There would appear to be a big black hole somewhere in the middle where an unknown number of artefacts, potentially of interest and value to our heritage, slip through into an unknown abyss.

In truth, no one knows the real extent of the problem. Concerns have been expressed that excavated artefacts are potentially being stored in bin liners or wheelie bins or are perhaps no longer in Northern Ireland. Developers are potentially holding on to artefacts without them being recorded, dated or categorised and not knowing what to do with them. Eventually, someone may dump them, and something of great value could be lost to Northern Ireland. The members of both Committees agree that that is totally unacceptable.

The issue was first brought to the Committee for Culture, Arts and Leisure by the Northern Ireland Archaeology Forum (NIAF) last September. In its letter to the Committee, it stated:

*"Excavation archives represent an invaluable resource not just to archaeologists and historians, but also to local communities throughout Northern Ireland. At the moment, because of a lack of resources, most museums in Northern Ireland are unable to accept excavation archives into their collections. It is not an exaggeration to talk of an impending crisis over securing the long-term future of excavation archives. We will have failed future generations*

*if we do not find a means to secure this valuable aspect of our heritage."*

The Committee for Culture, Arts and Leisure has taken the issue very seriously. It commissioned research from the Assembly's Research and Information Service to determine the current state of legislation, policy and guidance governing archaeological archives in Northern Ireland and to look at other jurisdictions. One thing that I noted from the research is that the problem is not unique to Northern Ireland, particularly the problems deriving from the planning process. Unprecedented quantities of archaeological material and records have been created, partly because of a surge in developer activity over the past two decades. That has created challenges for traditional structures of legislation and museum provision across the UK and Ireland.

According to the Archaeological Archives Forum (AAF), long-term storage facilities are becoming increasingly scarce or pressurised. DCAL and the museum sector have warned that they do not have the capacity or resources to store artefacts in the long term. Despite those pressures, the research shows that protection is afforded to archaeological artefacts in other jurisdictions. In Scotland, for example, all archaeological artefacts may be claimed as the property of the Crown, and all such finds must be reported to the Scottish Archaeological Finds Allocation Panel (SAFAP). It, in turn, has responsibility for determining which archive repository will have responsibility for and assume ownership of the material archive. No such system exists in Northern Ireland. In the Irish Republic, the legal context is different: all archaeological objects are the property of the state. Guidelines on archaeological investigation were published by the Irish Government in 1999 and reiterate that any archaeological archives should be taken into state care.

The CAL Committee has been briefed by the Northern Ireland Archaeology Forum and the Northern Ireland Museums Council about their concerns relating to planning-led archaeology. The Committee also wrote to the Environment Committee, the Minister of Culture, Arts and Leisure and the Environment Minister expressing concern about the significant gaps in policy and legislation and the limitations of PPS 6. In order to move the matter forward, the CAL Committee facilitated a stakeholder discussion forum with key stakeholders in March. Members of the CAL Committee, the Environment Committee and representatives of DCAL, National Museums Northern Ireland, the Museums Council, the Northern Ireland Archaeology Forum, DOE planning policy division and the Northern Ireland Environment Agency took part in the discussion forum. During the discussions, it became clear that there was no overall responsibility for the archaeological excavation and storage process from the beginning to the end of the process. Although DOE is responsible at the beginning of the process, the lack of statutory provision for the long-term destination of artefacts has contributed to the current backlog and storage issues, making it difficult to transfer material easily to the museums, which is a matter for DCAL. It is fair to say that everyone knows that there is a problem. However, no one knows the true extent of the problem. Until that is known, it is difficult to assess the impact of resolving the issue in terms of the costs and available capacity.

In support of the motion, I emphasise the need for dialogue between the Minister of Culture, Arts and Leisure and the Minister of the Environment to address the gaps in policy

and legislation. If they are left unresolved, they will put our heritage at risk. I commend the motion to the House.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion regarding the excavation and storage of artefacts that are uncovered due to planning developments. The Assembly has a real chance this evening to lay down a marker for a change that is long overdue.

At present, the entire issue of our estate is disjointed. We do not have proper accountability. It was said to me that it is really a nod and a wink. For example, current Northern Ireland legislation states that any finds should be reported to the Ulster Museum, the Environment Agency or the officer in charge of a police station. The current legal programme does not allow for the passing of artefacts or archives produced through the planning process to local museums. The result is that the Ulster Museum and the Northern Ireland Environment Agency, as the Chair of the Committee rightly said, have not taken into their ownership or care any artefacts that have been discovered through licensed commercial work as part of the planning process since the creation of PPS 6 in 1999. That is an indictment of what is going on in the estate. We are losing, we do not even know what we are losing, and we do not even know the value of what we are losing.

In 2007, a survey of museum collections told us that approximately 1.8 million objects were held in 38 accredited museums here, with approximately 308,000 or 17% being classed as "archaeological". It is thought that there could be as many as five times the number of artefacts in accredited museums in the ownership of private commercial companies, and an unknown amount is most likely stored outside the jurisdiction. We trail far behind Scotland, England, Wales and the Republic of Ireland. In the Republic, the finder of an object has 96 hours to report the find to the National Museum of Ireland. The policy gives leeway to licence holders to examine their finds, but the 1994 Act states that any find belongs to the state and must be returned to the National Museum of Ireland for ownership.

We must look at the planning law and make it more robust, but we cannot say that it is just the Planning Service that is at fault. There has to be a joined-up approach, which is why we want the Department of the Environment and DCAL to look at this. I agree with most of what the Chair of the Committee for Culture, Arts and Leisure said, but I would go a stage further. I would like a working group to be set up and led by the Environment Minister. All the main players should sit on that working group and compile a report on the way forward for this estate. If we start a blame game about which Department is responsible for what, we will still be debating it this time next year.

While we debate it, the procedures out there continue. We are still losing our heritage and history. We do not even know what we are losing, how much we are losing and where we are losing it to. If we know that so much is held in private collections and that licence holders have all this stuff, it is time that we found out what they have. There is nothing to stop those people selling the artefacts on the open market. They can make a large amount of money from it, but we should hold the artefacts for our people.

The main barrier is Planning Policy Statement 6 or PPS 6, which came out in 1999. It contains 15 operational

policies dealing with protection and conservation. Within those policies are BH 1, 2, 3 and 4, which deal with the assessment and evaluation of the remains. PPS 6 makes provision in granting planning consent for a site known to contain remains. It requires developers to identify the impact of the development, which includes, where appropriate, the completion of a licensed excavation and recording of remains before development begins.

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

**Mr McMullan:** It does not include policy relating to the curation of artefacts. Any artefacts that are excavated normally remain legally the property of the landowner unless an alternative agreement is made between the landowner and the third party.

I support the motion but call on the Minister to contemplate setting up a working group of all the main players to look at the way forward.

**Mr Swann:** Minister, the gap in legislation, policy and guidance has led us to where we are today, with nearly 1.5 million artefacts stored we know not where or in what condition. We do not even know if they are still stored. There is no overall responsibility, which is another example of the dysfunctionality of the joined-up government that we often extol. That is demonstrated today by this topic having to be raised by two Committees and replied to by one Minister on behalf of both Departments. DOE has responsibility at the beginning of the process, but there is no statutory provision for the long-term destination of the artefacts or for them to remain in Northern Ireland, as the CAL Committee was informed.

We should look at the review to enhance the support that the Northern Ireland Museums Council can give. Local authorities have no statutory obligation to provide museums. We are missing out on their ability to not just care for but display the artefacts and make them accessible to the local community from which they originate. I support the Northern Ireland Museums Council in its ongoing discussions with DOE about the need for centralised storage. There could be a facility that matches collections in individuals' possession with the museums' collecting policy.

Has the Minister or his Department, in conjunction with the Minister of Culture, Arts and Leisure and the Minister of Finance and Personnel, looked to the effect that clause 49 of and schedule 14 to the Finance Bill, as introduced to the House of Commons on 10 May, which deals with gifts to the nation and which received legislative consent in the Northern Ireland Assembly after being put forward by the Minister of Culture, Arts and Leisure on 29 May, could have in supporting today's motion? I will refresh the Minister's memory in case he does not remember that legislation. Clause 49 of the Finance Bill states:

*"Schedule 14 contains provision for a person's tax liability to be reduced in return for giving pre-eminent property to the nation."*

Parts 2 and 3 set out an individual's liability for income tax and capital gains tax and a company's corporation tax respectively when making a gift to the nation. The basic rule is that, if an individual or company makes a qualifying gift, a proportion of their tax liability for that year will be treated as satisfied. What is being dealt with in the motion



on archaeological objects is similar to that. As opposed to being a gift to the nation, an artefact could be passed to a local museum. The Assembly needs to create the environment for that to happen, and that requires potential legislative change and a review of planning policy, amongst other things. Tax reductions of up to 30% of the value of the item can be claimed by individuals and up to 20% of the value of the item can be claimed by companies. We were talking about companies going into receivership. Being able to offset artefacts against tax could have a considerable outworking in the potential liability of that company and make it more sustainable by donating the artefacts to the regional Assembly.

Minister, plain and simple, we need to look at other legislation that is already out there, should it be the newer policy under PPS 6 or under the DCAL or DFP remit, and to look for finite and infinite legislation that can be brought together to make this a workable opportunity.

#### 6.45 pm

**Mrs D Kelly:** On behalf of the SDLP, I support the motion. I am a fan of Tony Robinson and 'Time Team' and, indeed, the more recent 'Horrible Histories'. A number of programmes give us that sense of identity and a rich cultural heritage. I am at a loss, however, to identify a programme or campaign to celebrate the archaeological artefacts on the island of Ireland, and, therefore, this debate is somewhat timely as an indicator. Minister Attwood will perhaps take that back to his counterparts, particularly the Culture Minister, and say that investment is required for some form of educational or entertainment programme to celebrate that wider heritage.

I will not labour the debate much further, except to ask this: are there any requirements for the curation and storage of the artefacts in the conditions in which they would be required to be retained if they were in a museum?

**Mr Irwin:** I welcome the opportunity to comment in this debate on an important issue for the ancient history of the land that we occupy. The main statistic that I want to focus on is the staggering fact that, since 1999, 1.47 million archaeological objects remain outside the museum system and instead are stored at a number of locations under the stewardship of commercial archaeological companies. It is not easy to ascertain the condition of the items and the type of storage being utilised given that items are not freely accessible, and it would be difficult and expensive for anyone to visit each and every facility where an item is stored.

The issue has come about as a result of Planning Policy Statement 6, which requires the sensitive treatment of sites by the developer or applicant and the removal of items of significance. However, the main bone of contention, if you will pardon the pun, is the fact that, in PPS 6, there is no requirement for the preservation of items discovered through digs at associated sites in the recognised museums system in Northern Ireland. The result of that anomaly is a backlog in the region of one and a half million items, a lot of which would have been discovered during the boom in construction here. Having an abundance of material not under the stewardship of any museum or government-related organisation effectively closes the door on an important window to the past. Through work undertaken by the Committee for Culture, Arts and Leisure, it is clear that key interest groups canvassed by the Committee are

keen to see some solution to the issue to ensure that such artefacts are preserved for the future.

Museums in Northern Ireland are operating at their capacity for display and storage, and that means that there is an immediate issue to resolve to provide the necessary storage. Such an expansive collection should come under the control of our Executive Departments. The main thrust of the motion is to call DCAL and DOE to the start line to officially begin to look at the issue and plan for the preservation of this rich and diverse collection of artefacts.

Holes in the legislation have led to the creation of the problem, and the Committee for Culture, Arts and Leisure has been thorough in its approach, listening to the various stakeholders, who are broadly agreed on the seriousness of the problem. I feel that there is certainly a will among stakeholders to take the issue on. With continued discussion, we can attempt to plug the legislative gaps and safeguard our archaeological heritage. My constituency, Newry and Armagh, is itself rich in archaeological heritage, as has recently been documented in Ken Neill's book, 'An Archaeological Survey of County Armagh'. That book is an interesting account of county sites, and it really shows the importance of retaining its history. I recommend that Members from County Armagh get a copy.

Given the material that has already been unearthed and documented, we can assume that much more lies beneath the surface. Time is short for us to ensure that future discoveries are treated suitably. I support the motion.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin inniu. I will speak in favour of the motion. By way of illustration, I will first relate a story.

On a fine spring morning in 1895, Tom Nicholl, a ploughman, was working in a field two miles west of Limavady in the townland of Broughter when he literally struck gold. The coulter of his plough dragged up what subsequently became known as the Broughter hoard, which consisted of a torc, bracelet, chain and the most delicate of gold boats. He subsequently sold it to a dealer from Cork, who sold it on to the British Museum for £600. However, in a 1903 court case, the Broughter hoard was reckoned to be a votive offering, meaning that it had religious or spiritual significance and was of such national importance that it was returned to the National Museum in Dublin. It has now become synonymous with the island of Ireland, and, indeed, it is the second most visited artefact after the Book of Kells. It has also appeared on British coinage and banknotes, and almost half a million people visit it each year. We have it in mind that we will have it returned to Limavady, to our new arts and cultural centre, on temporary loan some time. I have already been in discussion with our counterparts in the South to get it back, as has the Minister of Culture, Arts and Leisure. I tell this story because it shows how easy it is for artefacts to disappear, even those that are of such national significance as the Broughter torc.

The situation today, more than 100 years later, is much more grave. As others said, developer-led archaeology has released 1.47 million artefacts in recent years. Most of them sit in boxes or bags, but exactly where, we simply do not know. We do not know their importance or otherwise, their condition, their significance or their place in history.



We are told that some are soil samples, bone fragments, pottery shards, fabrics, metal workings or part of a whole range of archaeological artefacts. Some have gone abroad; some have been sold; some, we are told, have even been disposed of or dumped. Indeed, an archaeological company tells me that its stores are stuffed with such items. This is an intolerable situation. PPS 6 says clearly:

*"Archaeological remains are a limited, finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction. Appropriate management is therefore essential to ensure that they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly damaged or destroyed. They can contain irreplaceable information about our past and the potential for an increase in future knowledge, which, once destroyed, cannot be replaced. They are part of our sense of place and are valuable both for their own sake and for their role in education, leisure and tourism."*

With that in mind, I urge the Minister of the Environment to look at the issue.

I would like to see a complete audit of the artefacts, an examination by experts of their condition and value, immediate conservation work, if required, and, as my colleague Mr McMullan said, the establishment of a working group to oversee all that. It is a job of some great importance for all our history and heritage, and it has to be carried out by professionals in their field. I know that it may be a cross-departmental task, but the responsibility lies in the first instance with the Department of the Environment. I urge the Minister to take a close look at the issue.

**Mrs Hale:** I welcome the debate thus far and the opportunity to speak on the motion this evening. Like many in the House, I share the same concerns that numerous interesting and valuable artefacts found during archaeological excavations not only are inaccessible to researchers and the public but may be stored in poor conditions, damaged or even lost for ever. Indeed, it is important for the House to ensure that we improve the standards of archaeological collection care in Northern Ireland and establish clear priorities for the development and protection of the collections and the necessary legislation to support that.

It causes me great concern that, since the creation of PPS 6 in 1999, not a single archaeological artefact has been taken into the care of either the Ulster Museum or the Northern Ireland Environment Agency as a result of archaeological works. It causes me even greater concern that, as has been stated, out of an approximate 1.47 million artefacts being held by commercial companies throughout the UK, we have no record of those items, who has them or where they are stored.

Good guidance and practice in such matters has been published by the Institute for Archaeologists, which states:

*"contracting archaeological organisations are not recognised as suitable permanent repositories for archaeological project archives."*

The guidance goes further still, stating that such archives should be deposited in properly accredited institutions so that they are accessible and so help to enhance the public benefit from archaeological records. Outdated and weak legislation, blurred responsibility, lack of suitable accredited

storage space and poor informative records make it difficult to meet those good guidance principles.

It is not enough merely to acknowledge the problem; we must put in motion an action plan to solve it. First, I call on the Minister of Culture, Arts and Leisure and the Minister of the Environment to collaborate and instruct their Departments to work together and begin a process that identifies the gaps in policy frameworks and legislation, with an outcome that protects and ensures the correct storage of artefacts. Secondly, both Ministers should ensure that an audit takes place in the archaeological companies that currently hold objects from digs in Northern Ireland. An audit of that type may be lengthy and costly, as most of the archaeological material from Northern Ireland is held by companies throughout the United Kingdom. To ensure that it can be done in a timely and cost-effective manner, I argue that the Northern Ireland Environment Agency should work in partnership with our counterparts in that area and become part of the wider comprehensive overview that begins later this year in the United Kingdom. Thirdly, the gaps in PPS 6 and the ability to add specific guidance on long-term curation should be considered, even if no such reference is made in the parent legislation. Finally, additional resources should be secured to help local museums to develop their capacity and ability to store such material. It is notable that a specialised facility was developed to meet a similar need in the Republic of Ireland, addressing both capacity and long-term curation demands. That would create an opportunity to review the museums' policy on acquisition and disposal and would speed up the process of selecting items for long-term curation.

We should ensure that we not only protect our heritage that lies above the ground but endeavour to do more to protect our history below the ground. The current scenario is not acceptable. I am sure that all Members would agree that more can and should be done to protect and properly preserve our heritage. I support the motion.

**Mr Gardiner:** I welcome the motion and give it my full support, which comes from bitter experience. The village of Waringstown in my constituency of Upper Bann suffered at the hands of a development that led to the destruction of an important archaeological site in the heart of the village. I refer, of course, to the notorious case of the Grange in Waringstown, now labelled as one of the worst cases of historical and archaeological vandalism in recent history. A farmstead dating from the era of St Patrick was wantonly destroyed to make way for a development of modern houses. A barn was demolished and a date stone from the plantation marked 1698 was removed and has now mysteriously gone missing, along with departmental files on the case.

Such multiple missing evidence insults our intelligence. Members will be aware that I eventually extracted an apology from the then permanent secretary for his Department's wanton negligence. Mr Peover accepted that the range of errors found was unprecedented, highly regrettable and appropriate for action at a system level rather than disciplinary action at an individual level. I add that I do not think the system response in today's motion is enough. Until heads roll, the lesson will not be learned.

**7.00 pm**

Not far from the Grange site is another site, a crannog, or island, located in the middle of what is now a bog. Reputed locally to have buried treasures, it is an important site. I call today for a major archaeological survey to be carried out on the whole Waringstown area to determine what other potential sites exist and afford them maximum protection. I call for proper public investment in our local interpretative centre to present to the local public and tourists the importance of the area in archaeological and historical terms. I support the motion.

**Mrs McKeivitt:** I welcome the opportunity to speak on the motion. To realise the full benefit of planning-led archaeology in Northern Ireland, a review of the current statutory and planning policy provisions is needed. Although many may consider this a timely debate, with discussions around the planning reform Bill and a museums policy currently under way, I say that it is overdue. I was disappointed to discover that, since 1999, no planning-led archaeological objects have been taken into the care of the Ulster Museum or the NIEA. The current legislation states that any archaeological artefacts discovered at a site will belong to the property developer. There is no reference to the care, protection or preservation of the artefacts and no practised policy of passing the object into the care of a government body. The gaps in legislation have led to a situation where there is no overall responsibility for the archaeological excavation process from beginning to end.

The current legal framework is insufficient and does not allow for the passing of archaeological objects obtained through the planning process to museums. The number of objects obtained over the past 20 years that remain outside the museum system is thought to be vast. Although we do not know exactly how many artefacts are in the possession of archaeological groups and property developers, I have heard the figure of 1.47 million mentioned. That is of concern to me. Without accounting for those artefacts, we cannot monitor their movement or ensure that they are protected and cared for. By not taking ownership of what could be important artefacts, we risk losing what could be of great significance when looking at our shared past and heritage. By doing so, our history will remain buried.

Of course, the existence alone of archaeological artefacts is pointless if the public are not aware of them and are unable to access them. We need to request that a survey be undertaken so we can learn what artefacts are held by developers and archaeological groups. We then need to plan what to do about those artefacts. Should they be automatically brought into the care of the museums, or should we make a distinction for those that tell us the most about our heritage? That will involve assessing the volume of storage space currently at the disposal of Departments and looking at ways to gain further storage space. One idea is to develop a centralised storage unit. We then need to review legislation — PPS 6, as has previously been mentioned — and the licensing system to develop a practice of passing important archaeological artefacts obtained through development-led excavation into the care of our museums so that we can all learn more about our heritage and shared history. It is imperative that we address the gaps in policy and legislation to safeguard our archaeological heritage.

I welcome the fact that it is the Environment Minister who has stepped into the breach to reply to the motion. Clearly, he does not fear being bold, as he has been decisive on road traffic policy and law, the Marine Bill and climate change. Critically, it is the Minister who most asserts the scale and beauty of our natural, built and archaeological heritage, which is at the heart of the quality of our lives and which creates opportunities for jobs. He has also been saying that there is a need for a baseline shift in resources to recognise that and to better protect and develop what we have. That argument, his argument, clearly extends to the content of the motion. Again, I thank the Minister of the Environment for attending this evening.

**Mr G Robinson:** This debate is of significance, as the artefacts mentioned are part of the history of Northern Ireland and its people. Indeed, these artefacts are an integral part of all our people's history.

In 1896, Tom Nicholl, a farmer from Limavady, unearthed what has been described as the greatest gold hoard in Ireland, namely the Broughter hoard. He unearthed it close to Limavady. Sadly, those hugely important artefacts now rest in a foreign jurisdiction just across the border with Northern Ireland. Although it is welcomed that the Broughter hoard is preserved for posterity, there is no reason why this important find could not be in a protected environment in Northern Ireland, its ancestral home, and, preferably, in our new civic centre in Limavady. To ensure that such valuable pieces of our history are not lost in the future, it is important that the protection of such artefacts is enabled by the Culture and Environment Ministers. It is also essential that items can be placed in a historical position. That can be done only if such items are fully evaluated over time. Therefore, as the motion says, it is important to ensure:

*"the long-term curation and storage of such items".*

As Northern Ireland is so conscious of history, it is important that artefacts are treated as the precious and historical items that they are. I therefore ask the two Ministers to give urgent consideration to the motion and to ensure that there is a proactive response to the debate.

**Mr Attwood (The Minister of the Environment):** I thank you, Mr Principal Deputy Speaker, and everyone who contributed to the debate. I welcome the debate; it is very timely. I think it is very timely for the reasons touched upon by Mrs McKeivitt in her speech. I am currently writing a paper for the Executive, and that paper makes the core argument that there needs to be a strategic shift in resources, the scale of our policy, and the ambition of our law when it comes to our built, natural, archaeological and Christian heritage. Why do I say that? A few weeks ago, I was down in Armagh planetarium; in fact, one or two people here might have been present that day. Being from the democratic nationalist tradition, I do not know what the form is when it comes to introducing a member of the British royal family, but when I was introducing that member of the family, I concluded my remarks by saying —

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

**Mr Attwood:** Yes.

**Mr Swann:** Do you mean the Queen?

**Mr Attwood:** No, I mean her eldest son. As I was introducing Prince Charles, I concluded my remarks by saying that, in my view, the scale, wonder and beauty of our built, natural, archaeological and Christian heritage are unsurpassed in this part of this island or in any part of these islands. I turned to Prince Charles and asked him if he agreed, and I left the podium. He did not answer the question initially, but, to be fair to him, he came back to it in his concluding remarks, when he turned to me and said, "To answer the Minister's question, yes, I agree."

The point of that story, and the political point behind it, is that the scale, wonder and beauty of our built, natural, archaeological and Christian heritage are a big part of the quality and character of our lives and a huge part of economic opportunity going forward. Last week, the first baseline study of the economic value of our historical environment was published. In my view, the figures are outdated already, but the study revealed that there is a huge annual jobs boost and income stream coming from our built, natural, archaeological and historical environment. Our tourism policy hopes to grow the sector over the next number of years from an industry that is worth half a billion pounds a year now to one that is worth £1 billion a year. The built, natural and archaeological environment is at the heart of that. Six of the top 10 visitor attractions in the North are part of the built and natural heritage.

The point in all that is that, on the one hand, it represents the scale of what we have and of what is part of the quality of our lives, and it also represents the scale of what we can achieve through the protection of those assets. On the other hand, it represents positive development for economic benefit, especially at a time of recession when tourism will be at the heart of economic growth. If all that is the case, it leads to the conclusion that we need a strategic shift in government, where resources, the ambition of our law and the character of our policies are concerned. In my view, that is what the debate captures. Although I do not dispute any of the facts, figures or narrative that have been outlined this afternoon, the debate is saying that we need more so that we can protect and positively promote the archaeological heritage of this part of the world through the museums. The situation is similar for the natural, built and Christian heritage. Unless our Government recognise that that is the core argument, and unless they translate the argument into money, resources, law and policy, we will not live up to the purpose of the motion. That is why I am writing a paper to my Executive colleagues calling for a strategic shift. I mean a strategic shift, not a little bit of money being made available in monitoring rounds. That is important, especially as Derry/Londonderry did not get any money for the built heritage and built environment proposals that I put forward in the monitoring round. The strategic shift is more ambitious than that. After all the lost hopes and lost opportunities, never mind the lost lives of the past 40 or 50 years, the issue is about recognising that this is the moment in which we can recover a lot of that, albeit not the lost lives. We need a strategic shift to allow us to do that.

If the motion is to mean anything, the Committees that sponsored it and the Members who spoke to it should support that policy and approach when I bring it to the Executive table. Otherwise, these are more meaningless words, and we will fail to achieve what we need to when it comes to, on the one hand, protecting our heritage and, on the other, growing jobs. That means that some very

hard decisions will have to be made in difficult economic circumstances that will become more difficult when the London Government announce their next phase of baseline cuts to the Northern Ireland Budget and that of the other devolved regimes. If we do not support that policy and approach, Michelle McIlveen's words about the Northern Ireland heritage being at risk will continue to be true. In my view, that is the purpose of the motion, and its timeliness is demonstrated, because it gives expression to all that.

I am not one of those Ministers who says, "There will be free beer tomorrow" or "We can get this matter sorted in the future." I believe that we have a responsibility and obligation to try to get it sorted in the context of the current situation and with the funding that we have now. I intend to respond as best I can to the issues that were raised in the debate.

In my view, and as Mr McMullan suggested, it is not giving the complete picture to say that this matter falls to the Department of the Environment (DOE) in the first instance. According to the Business Office, the matter fell to the Minister of Culture, Arts and Leisure in the first instance. After she expressed some reticence about leading the response, I said that I would do it. In doing so, however, I will say that the Department for Regional Development (DRD) has a responsibility for the matter because it builds all the roads, and a lot of archaeological artefacts are discovered around those roads and then stored in whatever location. DOE gives licences for archaeological digs and gets reports back shortly thereafter saying that we have a responsibility to take these matters forward in the first instance. The Department for Social Development (DSD) has a responsibility, because it deals with newbuilds through the housing associations. A lot of the archaeological and heritage issues arise around those newbuilds. The matter is also the Department of Culture, Arts and Leisure's (DCAL) responsibility, because we need to have processes that deal with the storage, recording, presentation and protection of what we have excavated. So I do not agree with this notion that, in the first instance, it falls to DOE. In the first instance, it falls to all Departments, and I welcome the opportunity to respond on behalf of them. I will take forward what I think I can do within, or even by stretching, my competence.

#### 7.15 pm

**Mr McMullan:** I thank the Minister for giving way. Does he agree that what I was putting forward was that the onus is not on his Department solely? I made that very clear. I said that the way forward was to form a working group with all the main players and for you to possibly lead that. I agree with what you are saying.

**Mr Attwood:** I welcome that clarification. I will move on. What did the Historic Monuments Council recommend earlier this year? Really, these are minimum interventions; they do not capture the full scale of what we should be doing. It said that there should be a comprehensive inventory and a baseline survey. What is happening — not what might happen — is that DOE and NIEA are piggybacking on the English Heritage ongoing survey of what is being held by private archaeological companies after licences were given for development work. We have now joined that intervention to scope out what private archaeological companies might be holding. It will be a quantitative assessment only — how much do they have and where do they have it — as

opposed to a qualitative assessment, looking at the real heritage value of artefacts and whether they need to be retained, stored, presented and assessed. On the far side of that survey, which is basically asking how many square metres of stuff they have in some shed, building or other accommodation, we need to assess whether we should go further and do a qualitative assessment of what we have in the North.

Besides that, I will be calling in the archaeological companies, because they get money from developers to do archaeological work. It seems to me that some deploy better practice than others. I stand to be corrected on that after calling in all the archaeological companies. They get money to do a dig, and although some store materials in proper accommodation, others may not be living up to that standard. If companies are involved in this business on behalf of developers, they have to deploy best practice. As with other development issues, if they are not deploying best practice, spending their money properly, or archiving and storing the materials they dig up, they will have to answer questions from me. There are four main companies in the North. As other Members indicated, there are other companies in Britain and the Republic of Ireland. There are issues with moving across boundaries and all of that. When I call them in, I will say, "I give you the licence. This is how you are going to live up to it."

If the licence is not adequate for the purposes for which it is created in respect of what happens after a dig, I will look to guidance to beef up the licence. We have done that in other areas. Following the Public Accounts Committee hearing last October, I issued guidance to better protect life science developments from applications coming in, especially those from dirty business such as waste products. That is an example of how you can move to protect the economy, especially life sciences, which are a key element for the growth of our economy, from a plant that might compromise an industrial site. If needs be, I will issue further guidance.

The Historic Monuments Council's second recommendation was to implement the museums policy action plan 2011. I agree with that, but I think that the museums have to step up to the mark more fully. In her briefing to me for this debate, the Minister of Culture, Arts and Leisure stated:

*"I am content that the museums policy, which was launched last year, provides the necessary framework to support the museums sector in developing sustainable institutions. Museums safeguard and explain our culture and heritage while delivering community and educational resources, and visitor attractions. National museums are not, in my view, intended or resourced to be long-term repositories or archives of material mainly of academic interest."*

I note what she says, but I do not think we should be closing down opportunities. We should be looking to solve problems, and maybe there is a way for museums to become more fully involved in the long-term repository or archiving of material mainly of academic interest.

I will explore that with the Minister and with all the other Ministers, who I will convene, and I will ask what we can do to answer the third question raised by the Historic Monuments Council, namely, the need to clarify who does what in licensing, planning, storage, archiving and access. I agree with that. It will not be a working group. My preferred

model is not to convene in-house officials and Ministers to discuss the issue of the day. It is to convene summits; to bring into the room external best practice and challenging voices, including those from outside this jurisdiction. The point was rightly made that the Republic of Ireland has a model, whereby there is a state archive, which gathers together in one place the museums sector and the National Monuments Service when it comes to managing archaeological artefacts.

So, I will convene a summit that brings into the room the best practice from the Republic and elsewhere in Britain, and people outside the system of government who can challenge the system to make things better. There are issues around law that we will have to look at in the longer term. However, in the shorter term, we can toughen up licences while we deal with the issue of ownership and do something about the proper issue that was named, the gap around the obligation of receivers to notify government about their intentions in respect of artefacts. Those are some of the issues that have to be addressed.

I welcome the debate because, on the one hand, it puts a spotlight on an important issue, and, on the other, it highlights a deeper strategic political issue: are we for real when it comes to protecting our built natural archaeological Christian heritage? It gives a quality to our lives and a quality to our communities and citizens, and there are jobs and economic opportunities on the far side of that. If we face up to that issue, we will be facing up to the challenge of this debate.

**Ms Lo (The Chairperson of the Committee for the Environment):** It is clear from the debate this evening that this issue is of great interest. I thank all those who participated.

Just before I summarise the contributions that we have heard, I would like to add the concerns of the Environment Committee relating to the Department's responsibility for the protection of archaeological artefacts. The issue was first raised with the Environment Committee back in September 2011, when the Northern Ireland Archaeology Forum attended a stakeholder event run by the Committee. It told members that archaeological excavations tend to be seen by developers as a hindrance and that they can lead to areas of undeveloped wasteland where no development is permitted in the short term in order to accommodate excavation.

That is not a satisfactory outcome for anyone concerned, and the forum was keen to see incentives for developers to take archaeological finds more seriously and recognise their economic and social benefits. The Committee felt that incentives might be possible through an approach similar to that taken in draft PPS 23, 'Enabling Development', but it also recognised that PPS 6, 'Planning, Archaeology and the Built Heritage', needed to be reviewed and strengthened.

In response to that suggestion, the Department advised that it had no current plans to revise PPS 6. Instead, it said that the Minister of the Environment was looking to undertake a comprehensive and fundamental review of planning policy in order to produce a single, regional planning policy statement that would result in a more strategic, simpler and shorter statement of planning policy. That being the case, I urge the Minister of the Environment to ensure that, in doing it, he



take on board the issues that have been discussed and fill the gaps in the policy frameworks and legislation from the planning perspective that are contributing to some of our most valuable historic assets being lost or destroyed.

I will now refer to Members' contributions. In opening, Michelle McIlveen drew attention to the fact that both the Ulster Museum and the NIEA have confirmed that they have not taken into their care any archaeological objects produced through commercial work since the formulation of PPS 6 over 12 years ago. Oliver McMullan welcomed the motion and said that current legislation is disjointed, with no accountability. He would like to see a working group established to address the problem, with all the main players represented on it. Robin Swann said that DOE has responsibility at the start of the process but that there is no statutory obligation for the long-term storage requirements. He also reminded the Minister of the Finance Bill dealing with gifts to the nation and suggested that tax reductions can offset donations of artefacts.

Dolores Kelly claimed that she is a fan of Tony Robinson's TV programmes. She also, of course, supported the motion. She stated that there is a need to celebrate the rich heritage of the island but was unsure of the implications of long-term curation of artefacts. William Irwin supported the motion. He said that current arrangements are leading to the loss of many artefacts to future society. He said that there is a need to plan for the preservation of the rich heritage of artefacts.

Cathal Ó hOisín — did I say it right? I apologise for that. He said that it is very easy for artefacts to disappear; for example — sorry, I am not good at pronouncing this — the Brounther hoard. He would like to see a complete audit of artefacts and the establishment of a working group to oversee it. He said that the first responsibility lies with DOE. Brenda Hale stated that there is a need to ensure improved care for archaeological artefacts. She said that archives should be placed in proper institutions. She said that finds cannot just be acknowledged and then forgotten. The issue needs to be solved, and DOE and DCAL need to work together. NIEA should work with its counterparts to find solutions. An audit that links in with the rest of the UK is needed. DCAL should reveal museums' acquisition and disposal policy as is required.

Sam Gardiner welcomed and supported the motion. He called for a major archaeological survey of the Waringstown area. The Committee has heard about the issues over a number of weeks. Karen McKeivitt said that there are gaps in legislation that are leaving us at risk of losing our history. There is a need to request that a survey be undertaken, and a decision must then be made about what to do with all the artefacts, including finding and maybe centralising storage space for them. George Robinson supports the motion and asked the Minister to ensure that there is a proactive response to this debate.

### 7.30pm

The Minister said that there needs to be a strategic shift in law around built heritage. He talked about the huge economic potential of our natural and archaeological heritage, and he said that resources, policies and laws are needed to first protect and then promote. He is writing a paper to Executive colleagues and has asked for the

support of members of the Environment and Culture, Arts and Leisure Committees to get this strategic shift. He said that there is also a need to sort it out within the available resources and that there is a need to recognise responsibilities, as it is not just up to DOE; it is up to DCAL, the Department of Agriculture and Rural Development and DSD, too. It is not just up to DOE in the first instance, but the Minister said that he will take the issue forward with ministerial colleagues.

The Minister also said that there is a need for a more basic assessment of how many artefacts there are as well as where they are. There is a need for a qualitative assessment as well as a quantitative assessment. The Minister said he will be calling on those archaeological companies, as some may not be applying best practice, and that we should be trying to solve problems, not close down opportunities.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes that there are gaps in the policy frameworks and legislation relating to the excavation of archaeological artefacts from planning-led developments, particularly in relation to the long-term curation and storage of such items; and calls on the Minister of Culture, Arts and Leisure and the Minister of the Environment to address these issues, which straddle their Departments, and to gain a greater understanding of the material that has been excavated to date.*



## Private Members' Business

### **Civil Service (Special Advisers) Bill: First Stage**

**Mr Allister:** I beg to move the Civil Service (Special Advisers) Bill [12/11-15], which is a Bill to amend the law on special advisers in the Northern Ireland Civil Service.

*Bill passed First Stage and ordered to be printed.*

*Adjourned at 7.33 pm.*

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# Northern Ireland Assembly

Tuesday 3 July 2012

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

*Members observed two minutes' silence.*

## Assembly Business

### Committee Membership

**Mr Speaker:** As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That Mr Alex Maskey replace Mr Pat Doherty as a member of the Committee on Standards and Privileges.  
— [Ms Ruane.]*

## Ministerial Statements

### Executive: Legislative Programme 2012-13

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** As one of the junior Ministers in the Office of the First Minister and deputy First Minister (OFMDFM) responsible to the Executive for the oversight of their business in the Assembly, I advise the Assembly of the legislation that Ministers of the Northern Ireland Executive intend to introduce during the 2012-13 session.

Before I present the individual pieces of legislation, it might be useful to say something about the legislative process in general. I propose to do that for two reasons. First, legislation is the key collaborative activity between the Assembly and the Executive. The Executive propose the matters that they consider should be enshrined in legislation. The Assembly scrutinises them, consults, proposes amendments where it believes they are necessary and, ultimately, passes legislation that it considers relevant to our society's needs. It is important, therefore, that there is mutual appreciation of the respective roles and the factors and processes underpinning them.

Secondly, the subject of legislation has attracted considerable comment in this first full Assembly session, which is now drawing to a close. Some has come from Members and some from external commentators. Much of it has focused on the quantum of legislation that the Executive might have been expected to bring forward to the Assembly. The Executive are aware of the criticisms that have been made of their activity in this area, but I deliberately do not use the term "performance", as this is not, in the Executive's view, a performance issue.

In a recent Question Time, a Member suggested:

*"the Assembly's success is judged in very large part by the quality and quantity of legislation that should pass through it." — [Official Report, Bound Volume 75, p160, col 1].*

He went on to accuse the Executive of having what he termed an "abysmal" record. There is no issue with the first of these assertions: the quality of legislation and of the policies it reflects are essential to good government. Quantity is, however, too crude a measure on which to judge the success of either the Assembly or the Executive. Legislation should be proposed only when there is a need to legislate and only when the necessary preparation has been completed.

Members will know that a Bill is the culmination of a lengthy process of policy development, public consultation

and expert technical drafting. In so far as it places duties and obligations on government, specific bodies or private individuals, it must be both necessary and fit for purpose. I can confidently speak for the Executive when I say that they do not intend to promote large amounts of hasty and ill-thought-out legislation or to over-regulate society for the sake of generating activity. It is that which would be abysmal, not a failure to meet notional numerical targets. I also suggest that the by now customary extensions sought by Committees for their scrutiny of Bills indicate that they share the Executive's view that legislation is too important an issue to rush, other than in compelling circumstances.

None of this is in any way to deny the central role that legislation must play in what is, after all, a legislative Assembly. However, it is clear from the experience of the previous mandate and the start of this one that each mandate is likely to have its own legislative profile. In 2007, the Executive inherited a considerable number of legislative proposals capable of early introduction from the direct rule Administration. The Executive were, therefore, able to introduce 22 Bills up to the end of the first full session. Also, at the end of that mandate, the remarkable collaboration between the Assembly and the Executive in the three months up to the 2011 election, when 20 Bills passed Final Stage, left the incoming Executive with virtually a clean sheet as far as legislative proposals were concerned. Nevertheless, since May 2011, they have introduced 11 Bills, four of which are now law. In the remainder of this statement, I hope to demonstrate clearly the significant range of legislative activity that the Executive intend to initiate in the next session.

I make those comments neither to defend the Executive nor to discount in any way the legitimate interest of the Assembly in the work of the Executive. However, as I said, in the context of the many strands of engagement between the Executive and the Assembly, it is best if work is taken forward in a spirit of co-operation and mutual understanding of the processes and constraints that influence how and when the Executive legislate.

I will now set out the legislative intentions of each Minister in 2012-13. I will also provide a brief description of the purpose of each Bill which, after consultation with the relevant Committees and with the agreement of the Executive and the Speaker, they propose to introduce in the Assembly. Executive Ministers have identified 26 Bills for potential introduction in the 2012-13 Assembly session.

The Minister of Agriculture and Rural Development is considering responses to a consultation on a regulatory framework for the management and inspection of reservoirs that will require primary legislation. The purpose of a reservoirs Bill will be to minimise the risk of flooding after an uncontrolled release of water as a result of total dam failure, thereby protecting human life, the environment, cultural heritage and economic activity.

The Minister of Education intends to bring forward an education Bill to reform education administrative structures. He also proposes a General Teaching Council Bill to provide for the extension of the council's existing remit to cover further education lecturers, additional disciplinary functions and the establishment of the council as a body that is wholly independent of government. The Minister is also currently reviewing the special educational needs and inclusion policy

and the requirements for primary legislation to implement any changes.

The Minister of Enterprise, Trade and Investment wishes to introduce two Bills to reform energy distribution and tariffs. A gas (common arrangements) Bill will harmonise arrangements for gas North and South, as set in the context of the development of the EU internal market in gas. There will also be an energy Bill, which will provide for key energy initiatives, including powers for a feed-in tariff, offshore decommissioning of renewable energy installations and gas storage. The Bill will also amend the duties of the Department and regulator in relation to sustainability, meter certification and supplier obligation. The Minister also proposes bringing forward an insolvency Bill to enable insolvency practitioners to communicate information about cases by electronic means.

As you are aware, the Programme for Government includes a key commitment to establish an 11-council model for local government by 2015. The Minister of the Environment therefore intends to introduce a Local Government (Reorganisation) Bill, which will provide for new governance arrangements for councils, a new ethical standards regime, the introduction of community planning powers for local government and an updated service delivery and performance improvement regime.

Again in line with commitments in the Programme for Government, the Minister of the Environment has announced plans to introduce a levy on single-use carrier bags in April 2013. A carrier bag levy Bill will enable an extension of the levy to certain reusable bags in April 2014. The Minister also intends to introduce a road traffic amendment Bill, which will contain a package of measures to tackle drink-driving and reform the learner and restricted driver schemes. The Bill will also introduce graduated driver licensing.

The Minister intends to provide for the identification, designation and management of national parks through the introduction of a national parks Bill. Finally, he proposes to introduce a planning Bill to bring forward a number of the planning reforms contained in the Planning Act (Northern Ireland) 2011 and apply them to the Department of the Environment in advance of the transfer of powers to local councils.

In addition to the normal two Budget Bills that the Minister of Finance and Personnel introduces in each session, he will bring forward a financial provisions Bill to handle other routine financial matters. Members recently agreed in the House to the devolution of powers to adjust the rate of air passenger duty (APD), which, in turn, will allow for the elimination of APD on direct long-haul flights. That was also a commitment in the Programme for Government. Through a legal complaints and regulation Bill, the Finance Minister intends to provide powers for a legal services oversight commissioner to create new complaint-handling committees for barristers and solicitors.

#### 10.45 am

In keeping with a key commitment in the Programme for Government to reform and modernise the delivery of health and social care, the Minister of Health, Social Services and Public Safety will bring forward three Bills to reconfigure, reform and modernise health and social services. A health and personal social services Bill will introduce a

more flexible range of sanctions to support the move to a “fitness to practice” model for the management of conduct processes in the Northern Ireland Social Care Council (NISCC). The proposed health and social care reform Bill will ensure that the range of services that the Business Services Organisation (BSO) is charged with providing has a proper regulatory base, as well as allowing for some expansion of its client bodies. The proposed health (miscellaneous provisions) Bill will provide the Department with the necessary powers to create dental, ophthalmic and pharmaceutical performers’ lists. A tobacco retailer sanctions Bill will strengthen sanctions against retailers who regularly break the law on the underage sale of tobacco products. The Bill will contribute to our commitment to promoting the health and well-being of our young people.

The Programme for Government makes several commitments to making a number of legislative changes to provide a faster, fairer and more efficient justice system. The Minister of Justice intends to introduce a justice Bill that will provide for improved access to justice.

The Minister for Regional Development will implement the Executive’s commitment to households that they will ensure no additional water charges during this Programme for Government period by introducing a water and sewerage services Bill.

The Minister for Social Development will introduce a measure aimed at helping local businesses, benefiting their customers and attracting visitors and tourists. A licensing of pavement cafes Bill will help promote town and city centres by supporting the development of a cafe culture. The Minister will also introduce a welfare reform Bill.

Finally, the First Minister and the deputy First Minister will confirm their legislative intentions in respect of the dissolution of the Department for Employment and Learning. Other requirements for primary legislation may of course arise during the 2012-13 Assembly session, and they will be identified as part of a process of regular review.

The Bills that Ministers have identified to date make up a substantial programme, and it is important to comment on the impact that that may have on the resources available for drafting legislation. Although the Office of the Legislative Counsel (OLC) in OFMDFM has been able to meet Departments’ drafting requirements in the past and we have no reason to think that it will not do so in the future, its resources are not infinite. Should it prove necessary, the Executive may be required to take a view on the relative priority of the proposals, and that may have implications for the timetable for the introduction of individual Bills.

I hope that, at the conclusion of this first full session of the new mandate, my statement has provided the Assembly with a helpful overview of the Executive’s legislative intentions and that, looking forward, the 2012-13 session can commence in that spirit of co-operation and shared goals between the Executive and the Assembly that has delivered so much of benefit to the community that we collectively serve.

**Mr Speaker:** Before I call George Robinson, I assure Members that, although the nature of the statement may tempt them to go into a long preamble before they come to their question, that will not be allowed this morning. Let us come to the question.

**Mr G Robinson:** I thank junior Minister Bell for his statement. Does he agree that good legislation is essential if it is to be of practical use in the Assembly?

**Mr Bell:** I fully agree. Those of us who are in contact with our business communities will know that, if we look at the European models, we see that there is a policy in many areas of one in and one out when it comes to introducing new legislation. We want good legislation that delivers real benefits to our people on the ground; we do not want legislation for legislation’s sake. We certainly do not want legislation made in haste that people will repent at their leisure.

**Ms Fearon:** The Minister referred to the Education Minister bringing forward legislation. I welcome that. Will the junior Minister give a timeline for that?

**Mr Bell:** I welcome the new Member to the House. The Education Minister is finalising the details of the Bill to establish the Education and Skills Authority. Subject to Executive agreement, he hopes to introduce the Bill in the Assembly soon after the beginning of the new session in September.

**Mr Nesbitt:** I welcome the Minister’s assurance that legislation will be introduced only when it has purpose and relevance to the electorate. Given that there was no change in government after the previous election — the DUP and Sinn Féin went into the election at the heart of government and came out at the heart of government — and a year has passed with little or no legislation, what does he say to the electorate who are now beginning to think that the DUP’s plan was simply to get power for power’s sake?

**Mr Bell:** I understand the naivety of the Member as a new Member. I also understand that he first sought election as a Conservative to slash the Northern Ireland Budget, and he bears responsibility for that. I will be straight with the Member: the Bills on the Budget, the rates and the pensions have all received Royal Assent. In terms of marine, superannuation, historical institutional abuse, the Budget (No. 2) Bill, business improvement districts, criminal justice and charities, I do not know where the Member has been for the past year.

**Mrs D Kelly:** I welcome the statement, although it appears from the junior Minister’s words that OFMDFM is condemned. The statement referred to OFMDFM bringing forward legislative proposals around the dissolution of the Department for Employment and Learning (DEL). Does that mean that it will persist with the back-of-the-envelope approach to government restructuring for that one Department, or will DEL now be part of the broader discussions on the number of Departments and MLAs etc? Given that the Minister said that —

**Mr Speaker:** Order. I must insist that the Member now finishes.

**Mrs D Kelly:** It is just really —

**Mr Speaker:** Order. Quite a number of Members want to make a contribution this morning.

**Mrs D Kelly:** It is just really on the basis that a Bill is the culmination of a lengthy process of policy development, public consultation and expert technical drafting.

**Mr Bell:** I think that, somewhere along the line, there was a question about the dissolution of the Department

for Employment and Learning. The Executive continue to consider the responses to the consultation that we carried out on the redistribution of the functions of the Department for Employment and Learning. The report of the Committee for Employment and Learning and the subsequent Assembly debate have also proved invaluable in that respect. The Office of the First Minister and deputy First Minister will confirm its legislative intention in respect of the dissolution of the Department for Employment and Learning following the summer recess.

**Ms Lo (The Chairperson of the Committee for the Environment):**

I thank the Minister for his statement. I welcome the considerable number of legislative proposals from the Minister of the Environment. Will the junior Minister assure the House that the timetable for the planning Bill will not slip any further, so that it maximises the benefits to the Department before the transfer of power to local government?

**Mr Bell:** Obviously, this is a collaborative process. There will be no intention on our part, particularly regarding the important Bill that she mentioned, not to ensure that the introduction of the legislation is done speedily and efficiently and so that there is a good response. As I said, a number of Bills were passed during the previous mandate. They were properly scrutinised, but we relied on the Committees, which worked hard and effectively. I remember sitting on Committees that worked extra days. So, subject to the goodwill of the House, we can really deliver. I think that that is what everybody in the Executive and the Assembly wants. We can deliver good results and good legislation for the people whom we serve.

**Mr Buchanan:** I thank the junior Minister for the statement to the House this morning. I note that the First Minister and deputy First Minister are to confirm their legislative intentions in respect of the dissolution of the Department for Employment and Learning. However, will the Minister advise us whether a programme has been laid down for the dissolution of that Department?

**Mr Bell:** At this point, we are considering the responses to the consultation that we carried out. We are very clear that, when you issue a paper for consultation and people spend a considerable amount of time and effort responding to it, you must give due diligence to the responses. The report from the Committee for Employment and Learning and the subsequent Assembly debate have also had an input. They have actually been invaluable to our considerations. As you noted, we will confirm our legislative intention in respect of the dissolution of DEL following the summer recess.

**Ms Ruane:** Gabhaim buíochas leis an Aire as an tuairisc seo. I thank the junior Minister for the report. Some people would give a narrative that very little legislation is going through the Assembly, but this nails that. I welcome the substantial body of work and ask those who are critical of it to look at their own record when they were in that position. Will the junior Minister give me an assurance regarding other legislation that is not included currently but we may need? In the OFMDFM Committee, we are looking at the lack of race and disability legislation. Will he assure me that there is still space for us to include that?

**Mr Bell:** We will take a constructive look at that. The matters that Caitríona Ruane refers to are under active

consideration. Where it is possible to introduce legislation, we will look to do that. I appreciate the Member's constructive view. Some Members seem to have missed the fact that the Executive have so far introduced 11 Bills. We, in OFMDFM, are not focusing on artificial targets for the number of Bills that can be introduced. It is about quality not quantity. I say again that we will not introduce legislation for the sake of it. We acknowledge the central role of the House and the Assembly, and we are looking for good governance.

I also say again to the whole House that Members who argue for a strong record of legislative achievement for the Assembly should bear in mind that progressing legislation is a shared responsibility between the Executive, the Assembly and its Committees. We hope to introduce legislation and progress it to its Final Stage with all due diligence and urgency. During the last mandate, 65 Executive Bills were introduced. All but one or two of those were passed by the Assembly, which left little or no remaining legislation in a state of preparation and needing quick introduction. To those who argue for quick introduction, I argue that the people of Northern Ireland want to see their legislation got right, not rushed.

**Mr Campbell:** I, too, welcome the statement, particularly a sentence that is not in bold or large capital letters but is important:

*"Legislation should be proposed only when there is a need to legislate and only when the necessary preparation has been completed."*

Will the junior Minister give an assurance that that will continue to the case and that those who want to create jobs and business in Northern Ireland can do so unencumbered rather than facing more and more unnecessary legislation?

**Mr Bell:** The Member for East Londonderry makes his point very well. Speak to the people on the ground, particularly the business community, and you will find that we need to be very careful that we do not create additional red tape and bureaucracy, even though it might tick some box somewhere to show that we have introduced more Bills. We have already outperformed Scotland and Wales in the legislative process. I am happy to stand over that record.

The criticism of making legislation just for the sake of it or not producing enough legislation is far too narrowly drawn.

Ministers in the Executive continue to have a full and extensive range of engagement with other Ministers, officials, the Assembly and its Committees. As the Member said, policies need to be sound and workable before they are committed to legislation, and that legislation needs to be accurately drafted. The fact that Committees have invariably sought extensions for scrutiny stages seems to amply demonstrate that these are complex issues. Even the Committees acknowledge that and tell us that they cannot be rushed just for the sake of fulfilling a schedule.

**11.00 am**

For those who criticise for the sake of it, let me point out again that since this mandate began and up to the close of business yesterday, we have introduced 11 Bills, made 86 oral statements, responded to 17 Statutory Committee motions and over 90 private Member's motions, and held 34 Adjournment debates. We responded to questions



at 154 Question Time sessions to Executive Ministers.  
*[Interruption.]* We moved 10 legislative consent motions, and we responded to five questions for urgent oral answer. Where have you been?

**Mr Kinahan:** I thank the Minister for his statement. I will focus on the word “performance”, which he used. It is not only legislation by which we are judged but whether we have taken any actions. Will the Minister look at legislation that gets this body better at turning strategies into actions? That is what is missing, and, otherwise, we will just have another statement such as this, which shows you to be the waffle king.

**Mr Bell:** Well, let me engage, Mr Speaker, on that one. You will understand that I have been provoked. When we introduce legislation for the likes of small businesses and businesses that are struggling, you have to realise, Mr Kinahan, that those small businesses do not live in rich castles like you do. As I said before, there is a line from an old hymn:

*“The rich man in his castle, The poor man at his gate,”*

I did not believe that people lived in castles until Mr Kinahan came along with that status. You need to realise that when we pass Budgets and look at rates and pensions, we are trying to deliver a real and tangible effect for people on the ground. That is what makes a difference, not silly comments made from turrets on ivory towers.

**Mr Rogers:** Thank you, Minister, for your statement. Where are the legislative plans in anticipation of the long-awaited devolved powers for varying corporation tax? Is there no longer an expectation that this concession will be delivered during the lifetime of this Assembly?

**Mr Bell:** The work on corporation tax is, obviously, ongoing. We need to make a decision for all our people. It involves complex work and negotiations with the Treasury. You know that we adopt the position of supporting the devolution of those powers, but the package has to be right. It has to support the people of Northern Ireland in delivering a better quality of life. Negotiations on that package with the ministerial working group are ongoing. It is still a live issue, and the focus will be on ensuring that whatever deal can be arrived at will deliver something productive for the community and raise the standard and quality of life for our people. Those negotiations are ongoing, and it is vastly premature to draw any conclusions on them.

**Mr Lyttle:** A key priority for our society must be to improve our education system and to build a shared society. A single Education and Skills Authority (ESA) would go a long way towards a more integrated approach to the delivery of education and skills, and would deliver significant savings as a result. The original target for an ESA Bill was 2009, and, indeed, on Tuesday 26 June, the Education Minister said that it is the worst-kept secret in politics that the Education and Skills Authority is in trouble. Indeed, he brought an ESA Bill to the Executive on 7 March. He has said that it is up to the Executive to make up their mind on ESA, so what is the junior Minister's mind on ESA?

**Mr Bell:** I cannot speak for the Ministers of individual Departments. We hope that the Minister of Education will introduce it soon after the beginning of the new session in September. As you know, in our Programme for Government, which both Alliance Ministers supported, the commitment

was not for 2009; the commitment under our Programme for Government in this mandate was to have it operational by 2013. I understand that the Minister of Education is finalising the details of the Bill to establish the new Education and Skills Authority.

**Lord Morrow:** I thank the junior Minister for his very lengthy, informative, detailed and comprehensive speech this morning, in which he outlined, in considerable detail, all the achievements of the Assembly over the past 12 months and further. I know that one or two are sceptical about that, but I am not among them.

In relation to the Tobacco Retailer Sanctions Bill, the Minister said:

*“sanctions against retailers who regularly break the law on the underage sales of tobacco products which will contribute to our commitment to promoting the health and well being of our young people.”*

Does he accept that more than retailers break the law on the sale of tobacco? Will the Bill, in conjunction, perhaps, with another Department, tackle the awful problem of the importation of illegal tobacco substances?

**Mr Bell:** The Member raises an important point. I will ask the Minister responsible — Edwin Poots — to liaise with the Minister of Justice. There will also be a role for the Policing Board in all those matters. The aim of the Tobacco Retailer Sanctions Bill is to strengthen the sanctions against retailers who regularly break the law through underage sales of tobacco products. Retailers who wish to sell tobacco products will be required to register with the local district council. Persistent flouting of underage sales legislation will result in the withdrawal of a retailer's right to sell tobacco for up to one year. It is also proposed to use the Bill to introduce a fixed penalty notice scheme for retailers who are caught selling tobacco to underage children. We want to see the police enforce the legislation rigorously not only with regard to the official retailers, but the malign and dangerous influences who sell tobacco or any other substance. It is in all our interests, particularly our young people, to get the best health and life opportunities.

I welcome Lord Morrow's comments about the legislation in this and the previous mandate. I reiterate to Members that if we compare the 65 Bills that the Executive introduced in the previous mandate with the 45 Executive Bills introduced to the Scottish Parliament and the 17 Government-proposed measures for the National Assembly for Wales, we are significantly ahead in legislation. In the recent announcement of the UK Government's legislative programme, in addition to the normal financial measures, there are plans to introduce 15 new Bills in the new Westminster session. We already have a track record of being ahead of the game and of producing legislation where necessary. We have outperformed Scotland and Wales in the amount of legislation, and I have given the facts to confirm that. However, legislation should be introduced in the House only if it is proper, has been accurately drafted and has had the detailed scrutiny to produce the best legislation for the House. We should not introduce legislation that would hinder or hamper economic progress in raising the quality and the standard of the lives of the people we serve.

**Mr Beggs:** The junior Minister said that there should be a clear need before introducing legislation and that new

legislation should not be rushed. I have a question about missing legislation. Lead, copper and even manhole covers are being stolen from our churches, schools, homes and roadways. The Minister of the Environment has indicated that that is beyond his remit. Why has no legislation been proposed to improve the audit trail for those dealing in stolen metal?

**Mr Bell:** I will happily take those proposals directly to the Minister responsible. Churches that I am associated with have had copper stolen from their roof. My understanding is that theft is dealt with in criminal legislation. We want to see enforcement of the criminal law against those who would steal. You suggested an audit trail. I will bring that to the Minister of Justice for consideration.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the junior Minister for his extensive statement and his responses to questions so far. I see from the statement that the Minister of the Environment intends to bring forward quite a number of pieces of legislation. What is the junior Minister's assessment of the need for a climate change Bill, which many campaigners across Ireland have been calling for in recent times?

**Mr Bell:** That is not currently in the legislative programme. To go back to my old Christian background: it is my view that we should be good stewards of the earth. We will take a serious look at any proposed legislation. Our task as junior Ministers is to refer specific items of business to the Minister responsible. We do that across the House, where new information is brought to us. It is interesting legislation, but it is better addressed by the Minister of the Environment, who is responsible. You have raised the potential need for a climate change Bill. I will draw that to Minister Attwood's attention and ask him to consider replying directly to you on the matter.

**Mrs McKevitt:** I thank the junior Minister for his statement. Why is the entire Assembly term going to be a legislation-free zone for the Minister of Culture, Arts and Leisure? Where are the legislative proposals for minority languages?

**Mr Bell:** Again, as your question on minority languages legislation deals with specific legislation that is outside the programme, I will refer it to the Minister for a response.

**Mr Allister:** Fourteen months in office before they produce a tentative legislative programme. I begin to see now why this Executive will need every one of the 161 staff in their press offices to spin this as achievement. *[Laughter.]*

I want to comment on the total absence of any substantive measure to deal with the bloated nature and size of government. Is it the case that even the one step taken, around DEL, has now stalled? Just six weeks ago, in an answer to a question, the Minister's Department said that legislation would be introduced by July. Now, we do not even have a commitment to legislation; we have some form of words to say that Ministers will confirm their legislative intentions. Is there still an intention to abolish DEL, and, if so, when? Has that intention been to the Executive?

Finally, I reassure the Minister that his Department is in no danger of falling into rushed legislation. So far, it has been nil on quantity and nil on quality.

**Mr Bell:** I was always taught that a good forensic lawyer examined the detail, of which we had nil in that question. Let us look at the detail. The Member refers to Bills as "nil". The Budget (No. 2) Bill is not nil. It has received —

**Mr Allister:** Your Department, I said. Your Department.

**Mr Speaker:** Order.

**Mr Bell:** It has passed Royal Assent.

**Mr Allister:** Your Department.

**Mr Speaker:** Order.

**Mr Bell:** The Rates (Amendment) Bill was passed and got Royal Assent. That is not nil. There were Bills on pensions; the Budget; marine; superannuation —

**Mr Allister:** Your Department.

**Mr Speaker:** Order.

**Mr Bell:** — historical institutional abuse; business improvement districts; criminal justice; and charities. We also have an Executive that are outperforming Scotland and Wales. *[Interruption.]* Yet the honourable Member for North Antrim says, "nil".

Did he mishear what we said in response to the consultation we carried out on the redistribution of the functions of the Department for Employment and Learning? We will listen to, review and consider those consultations. The Member may listen to nobody else but himself, but I assure him that the Office of the First Minister and deputy First Minister will listen to the responses of teachers, lecturers and all the allied professions, because they have professional expertise and something to contribute. Therefore, we will consider the responses because they have been invaluable to what we are going to do. We have set down the legislative intention for the dissolution of the Department for Employment and Learning following the summer recess.

I think that the honourable Member could learn from the fact that the good Lord gave us two ears and only one mouth for a particular reason.

**11.15 am**

**Mr Copeland:** I fully appreciate that it is difficult for the Minister for Social Development, in the light of the four lines referring to him in the statement, to give an accurate reflection of his Department's proposals, legislative or otherwise. I was slightly scundered — if I can use that word — that there were 42 words on pavement cafes and eight on welfare reform. I understand that welfare reform is something over which we do not have a great deal of control, but, whether we like it or not, it will impact very seriously on people here. Can the junior Minister give us some indication as to whether any communications are taking place, particularly between the Department for Work and Pensions and the Executive, or the Minister for Social Development, regarding progress on the matter? How sure are we that we can reform welfare within a time frame that will avoid infraction or sanction charges, which are apparently somewhere between £30 million and £50 million a year, which is not inconsequential.

**Mr Bell:** The Member raises a very important point on welfare reform. I assure him categorically that it is the subject of complex, ongoing negotiations with DWP and Lord Freud, who has responsibility for the devolved regions. Subject to the goodwill of the House, we are confident that we can meet the commitments, but that is dependent on everybody in the Chamber. As I have said before, the principle of parity is clear. I personally think that it is important that the benefits that we get in Belfast are the same as those that people in Bristol get and that we have integrity in the administration of benefits.

The purpose of the Bill is to simplify the benefits system to improve work incentives and reform the welfare and benefits systems to provide support and incentive for people to move from benefit into work. The Minister, Nelson McCausland, has been working to develop those proposals, while recognising the commitment that I have outlined to have parity with the GB system, taking into account the particular needs that we have in Northern Ireland. Welfare reform is an important issue, and the proposals have been overseen by a dedicated Executive subcommittee. The proposals for the Bill are now under active and detailed consideration.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle, Gabhaim buíochas leis an Aire as a ráiteas ar maidin. I thank the Minister for his statement and for his answers to the questions to date. I seek clarification on the ESA Bill. Is it not the case that the Minister of Education has signed off on it, and he is now awaiting Executive approval to bring it before the Assembly?

**Mr Bell:** The information that I have received from the Minister of Education is that he is finalising the details of the Bill to establish the new Education and Skills Authority, and, subject to the Executive's agreement, he hopes to be able to introduce the Bill in the Assembly soon after the beginning of the new session in September. That meets our Programme for Government commitment, which we all agreed on, to have the legislation available by 2013.

**Mr Speaker:** That concludes questions to the junior Minister on his statement. I ask the House to take its ease as we move to the next business.

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

## Health: 'Transforming Your Care'

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a statement to the Assembly on progress on the implementation of 'Transforming Your Care' (TYC), the report of the review of health and social care (HSC) services in Northern Ireland. 'Transforming Your Care' was presented to the Assembly on 13 December 2011. It provides a compelling case for major and long overdue reform of our health and social care services to ensure that we have a system that is safe, resilient and sustainable into the future. In January, I initiated a take-note debate on the report in the Assembly. At that time, Members from across the Assembly broadly welcomed the report, and there was recognition of the need to reform our health and social care system.

It is crucial that we take steps now to build a health and social care system that is fit for the future, by improving the quality of care, ensuring better outcomes for patients and clients, and enhancing the experience of health and social care for all our service users. We need to improve services for our population and have an effective system for doing so, and we need to do that in a way that secures improved productivity and value for money. Those factors must drive all of us to create a better, person-centred health and social care system, built around the individual, not the institution.

We know that Northern Ireland has the fastest-growing population in the UK and that it is continuing to grow. The TYC report states that the number of people over 75 is expected to increase by 40% by 2020. The over-85 population is to increase by around 20% by 2014 and by 58% by 2020, compared with the figure for 2009.

The Institute of Public Health in Ireland published the report 'Making Chronic Conditions Count', which forecasts the population prevalence of a number of chronic conditions, namely hypertension, coronary heart disease, stroke and diabetes. Between 2007 and 2020, the prevalence of those long-term conditions amongst adults in Northern Ireland is expected to increase by 30%. Those are not new figures, but they are still startling. The increasing numbers of people with those conditions will undoubtedly put pressure on the health and social care system and have implications for the sustainability of services.

We need to recognise fully the demands and pressures that those demographic changes will bring now and into the future. 'Transforming Your Care' indicated that demand for services could grow by around 4% a year by 2015, noting that that would mean 23,000 extra hospital admissions; 48,000 extra outpatient appointments; 8,000 extra nursing home weeks; and 40,000 extra 999 ambulance responses. We need to plan strategically to meet patient and client needs in light of such projections.

In recognising those pressures and the need for change, 'Transforming Your Care' recommended a new model for the delivery of integrated health and social care services in Northern Ireland, containing 99 proposals covering 10 areas of care. It set out a strategic road map into the future and has the potential to make a huge difference to how we plan and deliver health and social care services in the medium and long term. It will bring care closer to people's

homes, improve patient outcomes, ensure better use of our resources, and ensure that we maximise the use of our skill bases, particularly in prevention and early intervention.

In making this statement today, I want to inform Members of the progress that has been made and outline the next steps. A key early objective in the delivery of the reform was the development of population plans for each of the five local commissioning groups (LCGs) and trust areas by the end of June. The local commissioning groups are committees of the Health and Social Care Board (HSCB), with statutory responsibilities for the planning and resourcing of health and social care services to meet the needs of their local populations. The population plans are to identify the strategic needs of the local population, based on demographics and population health trends and to identify how those needs should be met in future. They should provide the basis for making the significant changes required in our health and social care system, particularly in respect of shifting services from secondary care into primary and community care, where it is safe and appropriate to do so, and the reconfiguration of acute services.

The population planning process has been the focus of intensive work over the past few months. Local commissioning groups have worked closely with the trusts and other stakeholders to carry out a detailed assessment of the services required to meet the future needs of patients and clients in their respective areas in a safe, resilient and sustainable way over the next three years and beyond. A focus of the population plans has been to identify key initiatives that would support the delivery of 'Transforming Your Care' and the changes required to effect that.

In developing population plans, local commissioning groups and trusts have engaged actively with clinicians and health professionals, community and political representatives. The production deadline for the draft plans was challenging, but we need to ensure that there is a momentum to the work so that people using our health and social care services, as well as those who provide them, can see and feel improvements as quickly as possible.

I acknowledge and pay tribute to those involved in the efforts that have been made to produce the plans in this challenging timescale. We need to sustain that momentum. The development of the population plans has been an intensive exercise, but I believe that it is an example of how local commissioning groups and health and social care trusts can work collaboratively in a focused way towards a common goal of improving patient and client care.

The five population plans are complemented by an overarching strategic implementation plan produced by the Health and Social Care Board to draw together the key elements of the population plans including cross-cutting regional aspects. The strategic plan is intended to set out a coherent framework for the delivery, over the next three years, of the major changes that would drive transformation, supported by the details for local areas contained in the population plans.

The population plans include a number of recurring key themes that are drawn together in the overall strategic implementation plan. I want to outline some of them. A fundamental principle in 'Transforming Your Care' is the shift of service provision, moving treatment and care out

of the hospital sector and into the community, closer to people's homes. A key vehicle for facilitating that is the development of integrated care partnerships (ICPs), which bring together health and social care professionals to work together to deliver better services for local populations and enabling targeted care in the community and, if appropriate, in people's homes. ICPs will focus initially on delivering the transformation of care set out in TYC, in particular by supporting older people and people with long-term conditions to maintain their independence in their homes or in assisted housing through a stronger emphasis on primary and secondary disease prevention, reablement and focused programmes of therapeutic care and support interventions. The longer-term model for ICPs will need to be developed so that they become a core part of our system to deliver quality and sustainable health and social care.

The implementation of TYC would support older people and those with long-term conditions to maintain their independence. The strategic implementation plan envisages a range of changes and benefits over the next three years that include the provision of social inclusion programmes for older people; a reduction in hospital admissions resulting from falls; and a reduction in acute hospital bed days and emergency department attendances for older people. There should also be a reduction in unplanned admissions by implementing telehealth solutions and increasing the way in which services can be provided, particularly for people with long-term conditions, as well as the future development of reablement and intermediate care.

I want a reduction in the number of people in institutional care, and I want to see the development of self-directed support and individual budgets and the supported-living model for learning and physical disability services. There is a need to realign learning disability services to focus more on resettlement, with a commitment to the closure of long-stay institutions.

'Transforming Your Care' will also mean addressing how services are provided for people with physical disabilities, again with the emphasis on care closer to home. The strategic implementation plan includes, for example, a review of day-care provision and the further development of multiagency and multidisciplinary collaboration to increase choice and service provision.

The implementation of 'Transforming Your Care' will also address the need to bring the care of mental health service users back into the community when that is appropriate and support more people to remain in their homes where possible.

There will be a focus on resettling into the community those living in long-stay hospitals through working closely with the voluntary sector as appropriate. The dementia strategy will be implemented, with integrated care partnerships helping the proactive management of people with dementia in primary and community care settings.

#### 11.30 am

Population health and well-being are crucial elements of 'Transforming Your Care'. The implementation of the A Fitter Future for All framework to address obesity and the tobacco strategy are just two ways in which 'Transforming Your Care' will help people to improve their health and well-being with the support of health and social care.



On maternity and child health, I believe that keeping pregnancy and labour normal to reduce interventions and promote normalisation of birth, while increasing the percentage of women accessing antenatal care in the community, is essential. 'Transforming Your Care' will seek to support healthy pregnancies and promote good parent/child relationships in the crucial early years. It is also important that children be given the best possible start in life. 'Transforming Your Care' will support that through a focus on early intervention and a multi-agency approach to family care and childcare, preventing children from having to be separated from their family and enabling some children to remain safely with their family.

'Transforming Your Care' also seeks to ensure that people are afforded choice and high-quality care at the end of life, reducing the number of people admitted to hospital inappropriately during their end-of-life phase and ensuring that people are given the choice to die at home. There should be provision for specialist palliative and end-of-life support out of hours, as well as enhanced links between specialist and generalist services, with more staff competent in the core principles of palliative and end-of-life care.

Carers play a critical role in the overall care and well-being of the people whom they care for. I remain committed to improving the quality of life and support for carers. There will be new models of respite and short breaks, focused support for carers through assessment of needs and a range of community-based support, including working closely with voluntary organisations.

I am of course aware of the concerns that many have about the reconfiguration of hospital services. The HSC review team concluded that it is likely to be possible to sustain only five to seven major acute hospital networks. Creating hospital networks and reorganising acute services would mean hospitals not working in isolation but contributing to the provision of services to the population in the area and, where appropriate, in adjacent areas. The strategic implementation plan highlights the need to guarantee the sustainability of our hospitals by ensuring that all acute services adhere to best practice in quality outcomes, infrastructure and staffing. Fragility in hospital services needs to be addressed by ensuring that roles are sufficient to support best outcomes and staffing levels in line with best practice. The role of some hospitals would be expected to change as they became part of a network, working with partners to provide services to their local population.

Many 'Transforming Your Care' recommendations will be progressed through the population plans. Work is also being progressed on other recommendations from 'Transforming Your Care' to ensure a coherent approach to change. For example, 'Transforming Your Care' recommended the introduction of an electronic care record (ECR) in Northern Ireland. In May, I announced the signing of a £9 million contract for an ECR system that will transform how patients' records are managed throughout the HSC and directly benefit everyone who uses the health service in Northern Ireland, joining up records to give better, safer, faster care. The ECR system will improve the safety and quality of care by ensuring that the right information is available in the right place, thus reducing the need for people to repeat their details needlessly. In February, I announced a Northern Ireland physical and sensory disability strategy and action plan setting out the strategic direction for the further

development of services and support for disabled people over the next three years. The action plan contains the key actions and associated timescales for the delivery of those services and support.

To support the reform and modernisation of services for people with long-term conditions, I launched in April my Department's policy framework document, 'Living with Long Term Conditions'. It provides a framework within which commissioners and providers can improve services, share and extend good practice, and develop systems and practices that deliver best outcomes for patients, clients and carers.

Yesterday, I launched the new maternity strategy, which will provide a clear pathway for maternity care in Northern Ireland from pre-conceptual care through to postnatal care. What I hope those examples show is that we are taking steps to ensure that the vision of TYC is realised and that people will see a very positive change in how services are designed and delivered — changes that are focused on people.

I want to emphasise how crucial it is that we get the reforms right. I have only just received the draft strategic implementation plan and population plans, and I have not had an opportunity to consider the details. It is important that the documents are given careful consideration. They are important documents, and I wish to study them carefully. I encourage Members to do the same. Not to do so would be failing in our responsibilities. The summer period is not an ideal time for consultation, particularly on issues as important as this. I therefore intend that, before consultation on the plans is formally launched, there should be a period of further quality assurance work on the plans. That would also provide an opportunity for engagement with clinical leaders in advance of formal comprehensive consultation and stakeholder engagement being launched in September, once the draft plans have been agreed by me. In effect, that will mean that the draft plans may continue to be subject to refinement until the quality assurance and engagement processes have been completed. The plans would then be finalised after the autumn consultation exercise, and further public consultation would be undertaken on any significant service changes being proposed in light of conclusions on the implementation plan and population plans.

In the spirit of openness and transparency, I have asked that the draft population plans and the strategic implementation plan are made publicly available today and ahead of the formal consultation in the autumn. The plans will be available from today on my Department's website at [www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk). I ask Members, health and social care staff and the public to familiarise themselves with the documents. I stress again, though, that the consultation exercise will not be launched until September.

Since taking up office as Minister of Health, Social Services and Public Safety, my overriding aim has been to ensure that the safety of patients and clients is paramount and that the quality of care provided is improved. That is, I believe, an aim shared by people who deliver services daily throughout our health and social care system. It is vital that we continue to make the decisions and take the actions that are needed to improve our health and social care services. I am pleased that progress is being made across a number of areas of care in line with the timelines envisaged in the 'Transforming Your Care' report, and that today I can



announce that we have taken another step forward with the production of draft population plans and the strategic implementation plan. We have made a good start. We need to continue to build on that so that the public and the HSC workforce start to see and experience the transformation of services that they deserve. I commend the statement to the House.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the statement and the further update from the Minister on 'Transforming Your Care'. I also thank the Minister for briefing the Deputy Chair and me earlier on the contents of the statement.

Minister, the view in the community is that, although people hear about 'Transforming Your Care' regularly, not many people know the details. It is important that, at every opportunity, we give as much information as possible to the people who are going to be affected by the change in the way health and social care is delivered, including the workforce, which you rightly mentioned.

TYC is about taking people out of the acute sector and into the community. Community pharmacy needs to play an important role in that, and the uncertainty around community pharmacy is not helping. Will the Minister update us on what is happening with community pharmacy? In the June monitoring round, the Minister bid for £18 million to implement TYC, and the bid was not met. Is the lack of funding going to present the Minister with problems in moving forward with the implementation of TYC?

**Mr Poots:** There were a number of issues raised. First, I think it is critical that we establish the views of the public on these issues. Often, a report such as this will be produced and will almost pass the public by, but whenever you get to the raw implementation of it, when a residential home is being closed that is in your area or that serves a member of your family, it will stir the public up. 'Transforming Your Care' is about so much more than that. We need to engage with the public in a very meaningful way to ensure that they have a good understanding of where we intend to go and to hear what their views are. Do more people want to receive more care in their own home? I suspect that they do, but I want to know whether that is the case with the public. Do more people want to receive more care in the primary care settings as opposed to in hospitals? I suspect that they do, but we need to establish that. I accept that we need a robust system of engagement during the process of public consultation and that it needs to be meaningful.

I regret that there is uncertainty in pharmacies, but I accept that it exists within that sector. One course of work that is being done is the margin survey. It is critical that that is completed; that we have a good grip on the profitability of pharmacy; that we look at how we can include pharmacy in the stronger delivery of services to people on the ground in the future; and that we ensure pharmacists receive remuneration for the work that they do.

The final part of the question was on the bid for £18 million that was required to deliver this review. The Department of Finance and Personnel made it clear to us, and we accept, that we first need to identify all the potential savings within the Department that we can put towards this, and that is what we are doing. There is an invest-to-save budget of

around £30 million and we are entitled to bid for that where we cannot identify those savings. I hope that we would receive some of that funding, but it is our task and our duty to ensure that, where there are savings to be made within the Department, we continue to carry that out before we bid for further funding.

**Mr Wells:** The Minister has identified the fact that there has been remarkably little public engagement in this process up to now. I think that debate will only really start when names are attached to the reduction or increase of services. What is his view on the Patient and Client Council's suggestion that a leaflet be distributed to every household in Northern Ireland to explain why he felt that 'Transforming Your Care' was necessary and why we need to implement the policies that John Compton outlined in his report?

**Mr Poots:** I am happy to discuss any proposals around engagement with the public with the Patient and Client Council given its role, the work that it does and the expertise that it has developed. It is important that we seek to ascertain the views of the public for significant change in a very meaningful way, given that we have a budget that represents well over 40% of the public spend here in Northern Ireland, we have 725,000 going through our emergency departments each year and that everybody in Northern Ireland needs this service at some point in their life. I will be very happy to work with others, including the Patient and Client Council, which has a key role to play in this, to ensure that we get meaningful feedback from the public.

**Mr McCallister:** I welcome the Minister's statement. I think that the refusal of the £18 million funding in the June monitoring round is a setback to driving this agenda forward, and I hope that the Minister will make a commitment that, if he does have to make any further cuts to meet that demand, they will not be from front line services or a failure to fill staff vacancies.

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

**Mr McCallister:** The Minister talked at length about looking after people at home, particularly the elderly and people with learning disabilities or dementia. Will he give a commitment that he will also support the carers of those people with adequate respite services?

**11.45 am**

**Mr Poots:** I very much welcome the fact that a number of bids were met, including £10 million to deal with outstanding surgery and the backlog that has existed for a considerable period. I am delighted that we have made huge progress in the past year in some areas concerning outpatients, such as endoscopies, for example. We have made fantastic progress in reducing the backlogs that existed there, and we want to work very hard on doing likewise in surgery and in ensuring that people receive prompt responses to their care. I am very glad that that has happened.

I think that the Finance Department's case is reasonable. It has established £30 million funding for an invest-to-save initiative. We, along with other Departments, are entitled to bid for that, but we are entitled to do so only when we have ensured that we have made the savings that need to be made in our Department. That is a course of work that I will continue to engage in. It is not about cutting front line services. In fact, last year, we had more nurses employed

than we had in the previous year. So we have not been running about, cutting front line services. Let us dismiss that; let us deal with that myth. We have been working every hard on ensuring that waste that exists within the £4.5 billion budget is reduced, and I think it would be morally wrong for us in the Department of Health to continue to say that we want more money but not deal with the waste where it exists. Anybody who says that waste does not exist within a budget of £4.5 billion is living in a world of delusion. Waste is still taking place in the health service. We have not got to it all, and we need to continue to work on it. I look to Members to assist us in identifying that waste, and I will certainly respond to it where it is identified.

**Mr McDevitt:** One of the fears or, perhaps, unintended potential consequences, of the necessary reform of services away from centres and towards the community and the patients could be the accidental privatisation of many community services in the years ahead. In other jurisdictions, they have legislated around their reform programme in order to protect and defend against unintended privatisation. Will the Minister give a commitment that he will legislate here in Northern Ireland to do the same and ensure the NHS remains the people's property and not some private enterprise's property?

**Mr Poots:** Absolutely not; that would be providing legislation not to deliver value for money. In my role as Minister, I have a responsibility to deliver value for money. The concept of the NHS is to provide healthcare to all who need it, free at the point of need. That is the important concept of the health service. In respect of domiciliary care and residential care, Mr McDevitt perhaps wants to go back to the days of the long wards in the Royal where people were kept for many years in geriatrics. I much prefer the nursing home model. Although none of us would look forward to entering a nursing home, it is considerably better than the geriatric beds, for example.

Many people with a learning disability have been taken out of such places as Muckamore and Downshire and been rehabilitated in other much better facilities, which are run by the private sector. This nonsense that the private sector is bad and wrong and that those who are involved are only in it for money, and that we should take absolutely nothing to do with it, is exactly that — nonsense. I want to ensure that we provide the best quality of services at the best value for money, and I will ensure that that is the case, no matter who is providing it.

**Mr McCarthy:** I thank the Minister for his statement. Paragraph 5 acknowledges the increase in senior citizens that there will be in the years ahead. Can the Minister indicate how those population plans will improve the services for those senior citizens and carers and ensure sufficient respite facilities? There has been an increase in such chronic conditions as heart disease, strokes, diabetes, etc, and, already, concern has been expressed at the shortage or cutback in resources to tackle those conditions. Can the Minister assure the House that adequate funding will be provided for those chronic conditions?

**Mr Poots:** Well, in terms of chronic conditions, it is about adequate care as opposed to adequate funding. Of course you need the funding to support the care, but we need to use our funding more wisely. Our budget is set to rise to £4.65 billion by 2015, but were we not to change anything, the actual requirement would be £5.2 billion. So, really,

'Transforming Your Care' is an necessity. Imagine if I was to come to this Assembly and say, "I actually need £5.2 billion just to maintain what we have, given the rising needs, so I want other Departments to surrender £550 million to enable us just to keep the thing going". Yesterday, the Department for Regional Development was looking for more money for that Department; the Department for Employment and Learning wants more money to employ to help employ people; and so forth. I suspect that I would have great difficulties achieving £550 million over the next three years, so it is critical that we do things differently. That is why we have invested money in telemonitoring, for example. People say, "Why are you investing £18 million in something like that?" The difference that it will make is that it will keep people who have chronic obstructive pulmonary disease, diabetes, asthma or other chronic conditions out of hospital, which will reduce our costs. It will keep people out of your emergency departments, which will reduce our costs, and it will provide a better service and better care for those individuals, because if their condition can be managed and we can respond to them more quickly, before that condition deteriorates to the point where they need hospital care, that is a win-win both for the individual and for us financially.

The Member raised the issue of respite care, and I think someone else raised it. It is a very important issue. Respite care, in my view, is fundamental to how we do things. As individuals, carers do a course of work that we could never hope to pay for and that we could never hope to replicate within the system. So, if we do not support carers, including the provision of respite care so that carers themselves do not fall into ill health, that will be completely negative and completely backward and will have serious implications for the services that Health and Social Care delivers. I am committed to providing respite care for carers and for the people that they care for.

**Ms P Bradley:** I, too, thank the Minister for his update on 'Transforming Your Care'. Minister, in your statement you said that it was essential that children be given the best start in life. Can you possibly tell us what plans there are to enhance early years provision with a view to improving long-term outcomes?

**Mr Poots:** I thank the Member for the question. In terms of early years, I think that parenting is critical. We in Northern Ireland have a growing problem: a growing problem in our justice system, and a growing problem with young people starting families who are ill-prepared to start families and do not have the support to do it. Therefore, we require more intervention. Now, I come from a background of not believing in state intervention unless it is absolutely necessary. In this instance, it is. We have too many children who are brought up and not provided with the proper nurturing, the proper educational support, the proper nutrition or the correct boundaries within life. The parents who are bringing those children into the world need help and support, and we will roll out and extend services such as family nurse partnerships to assist, because the investment that is made in those early years will bring significant and tangible benefits in later years.

All the evidence indicates that investing in early years and early intervention will deliver far more. For example, a child who ends up in a care home costs us around £1,500 per week. We can avoid those situations. We can help parents. If we can actually ensure that children get a better start

in life, where they do not have those serious adverse incidents happening in their homes, we will avoid suicides and children ending up in the justice system, and we will reduce the vicious circle that is continuing to grow. That is something that we are committed to doing, and we believe that the family nurse partnerships are of significant benefit, and we intend to extend them further.

**Mr Molloy:** I thank the Minister for his statement. How will 'Transforming Your Care' impact on children with palliative care needs? What safeguards will be put in place to ensure that end-of-life decisions are taken in full consultation with families so that everyone understands the procedures?

**Mr Poots:** Palliative care is critical. The role that the families of children with palliative care needs play in decision-making is crucial. There is nothing worse than having a child who has a terminal illness. Therefore, it is wholly appropriate that the parents have every opportunity to understand all the issues, what is available to them, including the clinical procedures and the drugs that might be available, and the potential benefits and negatives. Negatives can often be associated with some of the treatments. Parents and the families of loved ones or, in the case of older people, those people themselves should be allowed to make the choices that are best for them.

It is important that we can offer more palliative care in the home and community setting, away from the hospital. It is important that when people reach the point at which they know that the end of their life is coming quite soon, they can make the appropriate choices and die with a degree of dignity.

I do not see any dignity when a person who is in his or her own home or a nursing home is taken into hospital, goes through the admissions process, goes into a hospital bed and dies within 48 hours. That is not a dignified way to die. There is no dignity in removing people from their own facility, moving them in an ambulance and putting them through all the processes, diagnostics and tests for them to die only a short time later. We have to look at these things again. There is an opportunity to do that, working closely with our GPs and the community to ensure that people have the most dignified death possible.

**Mr Dunne:** I thank the Minister for his statement and the work on 'Transforming Your Care' to date. Will the Minister advise on any plans to improve access to the most up-to-date treatments for heart attacks?

**Mr Poots:** We are delivering better results in respect of heart attacks, but we can do better again. The draft strategic implementation plan intended investment to ensure that everyone has 24-hour access to safe, sustainable cardiac catheterisation laboratory services. That includes the introduction of an emergency primary percutaneous coronary intervention (PCI) service, as required by the Programme for Government, with an associated investment of £8 million over the next three years.

With cardiac catheterisation, a very thin plastic catheter is passed into the heart chambers or coronary arteries. A coronary angiography is the most common test using a cardiac catheter. The procedure shows up the structure of the coronary arteries and detects any narrowing. The catheter can also be used to perform operations in the heart, including the insertion of balloons to widen narrowed coronary arteries, which is known as angioplasty. PCI, which

is often referred to as primary angioplasty, is a treatment for heart attack patients that unblocks an artery carrying blood to the heart. The real benefits of that, as opposed to just injecting people with thrombolysis drugs, is that it reduces the muscle damage to an individual. The evidence is that if you had to wait for six hours as opposed to having this treatment within the first hour, it would take six years off your life as opposed to one year. So, having 24/7 availability across Northern Ireland for the 1,000 people who require such a service will save lives and also extend considerably the lives of those who recover from a heart attack.

That we intend to make that investment and deliver on a 24/7 basis is a very positive story coming out of Transforming Your Care today. It is good news for people who may suffer a coronary incident.

## 12.00 noon

**Mr Gardiner:** I thank the Minister for his statement and welcome it. When does he intend to go public, so that the public can have a view and a voice on his statement that he could communicate back to the Department if necessary?

**Mr Poots:** Obviously, we will not go through the process in July and August, because we would be rightly criticised for engaging in a consultation process over that period. However, the documents will be made available at that point so that people can have their early considerations heard. We will quality-proof the documents before opening the public consultation in September.

As I indicated, it is critical that the consultation be meaningful and that we hear meaningful responses from the public. It would be unfortunate if we were to get caught up in discussion about this residential home or that one. Those are issues, and we certainly must listen to opinions, but there are far wider issues in the document that we need to listen to the public on, such as the creation of integrated care partnerships; the role of those integrated care partnerships; the role of GPs, in association with allied health professionals, in preventing people from moving into the secondary care sector; and the shift of budget from the hospital sector to the community and primary care sector. Those are all issues on which we need to hear from the public. Therefore, I want the process to be meaningful.

**Mrs D Kelly:** Minister, I join you in commending the staff and commissioners involved in meeting the tight deadlines for the population plans.

You referred to mental health services and population health and well-being, saying that they are crucial elements of 'Transforming Your Care'. In the past two weeks, there have been four deaths through suicide in my constituency. The youngest person to die was 14 years old. Will you expand on how suicide will be tackled under 'Transforming Your Care', recognising that a collaborative approach will be needed to support families bereaved through suicide?

**Mr Poots:** Suicide is one of the more significant causes of death in Northern Ireland. Sadly, almost 300 people took their own life last year. There was a reasonable reduction on the previous year's number. Nonetheless, far, far too many people still choose to take their own life, for whatever reasons. Around 75% of those who commit suicide are men, a lot of whom belong to the younger generations.

I referred to parenting. For example, where youngsters have three or four severe adverse incidents in the first few years of their life, they are 10 times more likely to self-harm or attempt suicide in their teenage years. Those are all things that we need to look at in the long term, but there are measures that we need to take in the short term to highlight the fact to people that there are better options. We are looking at creating places of safety. Those will not be in hospital emergency departments, because we do not think that emergency departments are the most appropriate places to treat people who have mental health issues and suicide ideation. We want to do a series of things. For example, we want to look at how we might use sportspeople to get messages across. Sportspeople are not immune to mental health issues. In fact, we saw that recently with the death of a young football manager in England. We need to use people who have a high profile and can reach out and speak to young people in particular about the other options.

I appreciate the support that I am getting from Ministers in other Departments. We met last week to discuss the issue. I have met all the Ministers on a one-to-one basis about the issue. This is certainly a course that we need to continue on. Minister McCausland, for example, is assisting us with the minimum pricing of alcohol. I heard what the 'Belfast Telegraph', for example, said about many people not agreeing with us on a minimum price for alcohol, but all the evidence from psychiatrists indicates that alcohol makes a major contribution to suicide. So, we need to listen to all the evidence that is available and to work very closely together in our efforts to reduce this awful thing called suicide, which has taken so many of our young people's lives

**Ms Brown:** Thank you, Mr Deputy Speaker. I also thank the Minister for his update on TYC. Obviously, changes will be required throughout the health service, and I assume that that would include the likes of the Ambulance Service. How are ambulance services anticipated to change in the years ahead?

**Mr Poots:** In the statement, I identified that there was the potential for, I think, 40,000 additional responses to 999 calls. That would put huge pressure on the Ambulance Service, which is delivering better in reaching its eight-minute response time and so on. The draft strategic implementation plan outlines proposals for the way in which our Ambulance Service would continue to develop new protocols that support the right care in the right place at the right time and with the right outcome. Our focus will be on ensuring that patients have access to services that meet their emergency and urgent care needs. All parts of our health and social care system, including the Ambulance Service, will have to work together to achieve that goal. Protocols need to be outcome-driven, reflect best practice and provide alternatives to hospital attendance that support and enable people to manage their health safely in their home when appropriate. They should also mean that, when necessary, patients can be taken without delay to the most clinically appropriate destination. So, very often, an ambulance will drive past one hospital to get to another that is the most appropriate for the delivery of that care. We just talked about PCI. Those interventions will not be available in every hospital, but it is critical that we get people to the right facility so that such a situation can be dealt with and the best outcomes delivered.

We need to work closely with the Ambulance Service on ambulance care and support and on matters such as people

waiting for handover times and so on. I do not think that it is a good use of the Ambulance Service for ambulances to wait for hours before an emergency department can take a person off their hands. We can do so much more and we can do so much better to ensure that the ambulance care that is provided is the most efficient possible.

**Mr Campbell:** I welcome the report. In the Minister's statement, he outlined the 23,000 extra hospital admissions, the 48,000 extra outpatient appointments and the 40,000 extra ambulance responses to 999 calls that there would be over the next two years. Does he accept and understand that his population plans indicate that, on the Causeway Coast, an additional pressure is created by the tens of thousands of visitors over the summer period? Will he take that into account and ensure that the Causeway Hospital has an improved service, rather than speculation that the service will be reduced?

**Mr Poots:** In spite of all the speculation, the report indicates that there is no intention of closing the facility at the Causeway Hospital. As far as the future configuration of services is concerned, there will be implications for individual hospitals, but our aim is to provide safe, resilient and sustainable services that can focus on an individual rather than on institutions. We have identified the need — the Northern Trust proposes this — for the trust to manage Antrim Area Hospital and the Causeway Hospital as one hospital on two sites, ensuring that there is 24/7 cover and that doctors are always available at both sites. So, given the speculation that arose some time ago, I think that that is positive.

I must make it very clear that it is critical and essential that the services that are provided at Antrim Area Hospital and the Causeway Hospital are safe, resilient and sustainable. That puts a huge onus on clinicians in those hospitals to ensure that that is always the case. I do not want the royal colleges deciding at some stage that they are not prepared to support that service. Those decisions should remain in the hands of the Northern Ireland public, through the Assembly, the Health Committee and this Minister or whoever holds this office. Therefore, it is incumbent on those who manage the system and the clinicians who provide that service to ensure that the system is always robust. Those who access services in the Northern Trust do not deserve anything less than a robust, safe, sustainable and resilient service. I will seek to ensure that that continues to be the case.

**Mr Rogers:** Thank you, Minister, for your statement. Places like Mourne Stimulus in Kilkeel do fantastic work on a shoestring for people with severe learning disabilities. Will the Minister reassure the House that adequate respite care will be provided locally for those people?

**Mr Poots:** I have had the privilege of visiting Mourne Stimulus. The Member is absolutely right: it is a fantastic service. Great work is done by the local community, and great fundraising work is done by the local community to further develop that service. We need to support those people. They raised the issue that many in the south Down area have to travel to Dungannon, for example, for respite care. That is an issue. We recognise the nature of the problem and need to look at how that can be addressed.

Given the location of Mourne Stimulus, the South Eastern Trust and the Southern Trust may need to work together



to address that issue, as Newcastle falls into the South Eastern Trust area. It may be appropriate for both trusts to work together to deliver a solution for people in the south Down area so that they do not have to travel such long distances for respite care. It is a particular problem if someone goes into respite care and something goes wrong. Someone may have just travelled an hour to Dungannon and an hour back, and a couple of hours later they get a phone call to say that something has happened and they need to go back and collect their family member. They then have to make that trip again. We recognise that that is a problem and need to continue to address it.

**Mr Allister:** I return the Minister to the subject of the Causeway Hospital. He just said that there was no threat to the facility, and I want to tease out what exactly he meant by that. Did he mean that there is no threat at all to the A&E acute facility at the Causeway Hospital, either in the hours that it is open or the range of facilities that it covers? Is that the assurance that he is giving? Is there no such threat to those services now or in the future?

**Mr Poots:** In a previous statement that I made in response to the Member for doom and gloom, I encouraged the people in the Causeway area to take some hope after Mr Allister had made particular predictions because he has a very strong track record of getting his predictions wrong.

**Mr Allister:** Just answer the question.

**Mr Poots:** The Member does not like the answer, and it is obvious why.

**Mr Allister:** You have not answered the question.

**Mr Deputy Speaker:** Order.

**Mr Poots:** He has also got this prediction wrong. The Causeway A&E is not closing. I have made that very clear, and it is in the report and the document around the population plans. It is very clear that that is not the case. What I have said is that, for the long-term future — this applies not just to the Causeway Hospital but to every facility in Northern Ireland — it has to be safe, sustainable, resilient and robust. It is for the clinicians in those areas to ensure that that is always the case. I can reflect and look back to when services were withdrawn, for example, in Dungannon: no Minister or public representative had any say in that whatsoever. It is incumbent on clinicians, wherever they are, to ensure that they identify the system that is right for that area and deals with the issues in that area.

## 12.15 pm

Mr Campbell, rightly, pointed out that there is a huge influx of people into the Causeway area right across the summer. On Friday, I travelled back home from the successful golf event in Portrush, and it took 45 minutes of driving at the speed limit — I was not driving, by the way — to get to Antrim hospital. I recognise that, in an ambulance that is maybe restricted to 50 miles per hour and contains someone who is quite ill or is bleeding profusely, such a journey can be very significant and last for over an hour. It is always important to get people to the right place, but there is also the issue of supporting quality services in an area where an already large population is enhanced during the summer. It is incumbent on the Northern Trust management, with local clinicians, to ensure that that service is sustained.

There is no political will or desire whatsoever to reduce that service; it is in the hands of the local people who manage and run the Causeway Hospital.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the statement, in which you said, Minister, that you:

*“remain committed to improving the quality of life and support for carers”.*

As you know, carers save the health service huge amounts of money every year. Have you had any engagement with fellow Ministers, particularly Minister McCausland, to ensure that carers get access to the meagre benefits to which they are entitled?

**Mr Poots:** Clearly, benefits are the responsibility of DSD. There are various measures out there to better inform the public of what benefits are available. I tend to agree that you will never be rich on the benefits that are around. Many people who provide care are scraping through and no more, so it is important for DSD in particular to ensure that people have all the relevant information. We in the Health Department are happy to distribute such information through GP surgeries and so forth and to have it readily available for carers, who often have enough stress without worrying about financial stresses at times.

**Mr Dallat:** I, too, thank the Minister for his statement. I am sure that he will not feel irritated if I momentarily go back to the Causeway Hospital issue. I am sure that the Minister will agree that someone such as him, in perfect health and travelling in a top of the range Superb car, will have no difficulty getting from Coleraine to Antrim. However, for somebody who has just suffered a stroke or a heart attack, any degree of consultation will not shorten the long and torturous journey between the furthest extremes of the Causeway area and Antrim hospital, which I understand to be the preferred choice of the health trust. Will the Minister please stop the speculation about which he complains by telling the people of that area that the 24-hour A&E department in the Causeway Hospital is safe and that we, as politicians, will have the say on behalf of the population of 150,000, rather than the bureaucrats or the clinicians making the decision?

**Mr Poots:** I assure the Member that I am neither grumpy nor irritable today, and I will not become so now. I am in fine fettle, in fact. It has been made very clear that there is no intention whatsoever of closing the emergency department at the Causeway Hospital. It has also been made clear that every hospital in Northern Ireland has to ensure that the services that it provides are safe, sustainable, resilient and robust. That is something that the royal colleges will expect; they will not put their staff into or allow their members to engage in a service that they do not believe meets those standards. It is incumbent on everyone to ensure that that is the case, but there is no political will to reduce services at the Causeway Hospital.

I should say that a person with a heart attack will, more than likely, not be going to the Causeway or to a series of other hospitals in Northern Ireland. That is because the PCCI services to which I referred will not be available in the Causeway Hospital. They will more than likely travel to Altnagelvin Hospital. As a consequence, they will have a better chance of having their life saved, and, if they get treatment, they have a better chance of having their



life extended because they are getting the appropriate treatment. I have often referred to the individual from Ardglass who was taken past the Downpatrick hospital and treated at the Ulster Hospital for a stroke. That person walked out of that hospital a week later, because they got the appropriate treatment in that facility. It was much better for that person to have travelled the extra 40 minutes to receive the appropriate treatment than to have come out of the Downe Hospital three months later having suffered the full impact of a stroke because the thrombolysis was not available. It will be the same with heart attacks. So, it is about having the appropriate services at the appropriate hospitals to meet the needs of the population of 1.8 million in Northern Ireland.

## Housing Executive: Contract Management

### Mr McCausland (The Minister for Social Development):

With your permission, Mr Deputy Speaker, I wish to make a statement on the Northern Ireland Housing Executive's management of response maintenance contracts. I am aware that the issue has recently attracted significant media attention, and it is right and proper that it is in the Assembly that I make my position on it clear.

There has been a long record of concerns about the Northern Ireland Housing Executive's contract management regime. Those concerns stretch back to the previous Administration, and, indeed, they culminated in my immediate predecessor, Alex Attwood, commissioning on 7 October 2010 a review of governance in the Housing Executive. That review followed a series of internal and external investigations into the Housing Executive that raised concerns that its governance systems were not sufficiently robust. On 25 January 2011, he informed the House of the many recommendations that were to be implemented following the governance audit and gateway review. He advised that:

*"a new discipline and rigour should be applied to contracts. That is necessary to protect tenants' needs, the Housing Executive's authority, the interests of the Department for Social Development (DSD), and government expenditure."*— [Official Report, Bound Volume 60, p187, col 2].

The then Minister also welcomed the endorsement of the reports by the chairperson and acting chief executive of the Housing Executive. He advised that the Housing Executive board:

*"must ensure that implementation occurs expeditiously and faithfully."* — [Official Report, Bound Volume 60, p189, col 1].

On taking up post, however, and on foot of a briefing on the governance review findings and implementation, as well as on the issues leading to the termination of the Red Sky contract in July 2011, I expressed my concerns about contract management. I wrote to the chairperson of the Housing Executive board at that time asking for assurance that robust and focused contract monitoring arrangements were in place for all response maintenance contracts. I was assured that the monitoring arrangements for response maintenance contracts were very thorough. However, in the light of my continuing concern that the issues that led to the termination of the Red Sky contract by the Housing Executive could be present in other contracts that had not been the subject of any full investigation, I asked for a forensic investigation of a sample of Housing Executive maintenance contracts to provide me with assurances about the other contracts, the quality of services to tenants and the proper use of public funds.

That work began in October 2011 and considered: the quality of the workmanship that was undertaken; whether the invoices that were submitted by the contractors and paid by the Housing Executive were appropriate in the context of the work that was requested and that that was actually carried out; whether the inspection regime in the Housing Executive operated as expected; and whether the key controls to manage contracts and ensure that the quality of works undertaken was monitored and that the price variations were identified, valued and approved,

were adequate and operated effectively. The work also considered a classification of any financial anomalies that were identified during round one and round two inspections, which related to the contractors that were assigned Red Sky contracts and to other contractors respectively; and an extrapolation of any findings from round one and round two to determine the possible level of any overcharging or errors.

The investigation was to be carried out in two phases, with phase 2 to be taken forward only if the phase 1 findings provided cause for concern. I was advised that that was the case, and phase 2 began on 13 March 2012.

I am also aware that, in the wake of significant concerns having been raised by whistle-blowers, MLAs and the media, the Northern Ireland Audit Office decided to examine the Housing Executive's management of response maintenance contracts in view of the seriousness of the problems identified in the management of specific contracts and the potential for important lessons to be learned across the public sector.

The Audit Office report, to be published in the autumn, will cover the management of response maintenance contracts and the termination of the Red Sky contracts; the inspection of repairs and maintenance work; the handling of complaints and whistle-blower allegations; and contract management and governance.

I am aware that the Comptroller and Auditor General has also raised concerns relating to the Housing Executive's management of contracts as part of his audit of the 2011-12 accounts. I understand that those concerns will be included in his report on the accounts when the accounts are laid in the Assembly later this week.

During this period, my permanent secretary, who had chaired the oversight group that was set up to ensure the effective implementation of the recommendations from the governance review, advised me that he had concerns about the effective implementation of the recommendations that were made in the 2010 governance review on the management of maintenance contracts. In particular, he was concerned that the Housing Executive was not making full use of its internal assurance regime to improve contract management.

In view of his concerns, he asked for copies of all outstanding reports from the Housing Executive's internal assurance team. Those indicated significant issues with contract management and considerable time delays in agreeing the reports with managers, which also meant delays in the timely implementation of the recommendations. For example, of 12 reports by the repairs inspection unit, two were finalised, and of the 10 inspections outstanding, two have been outstanding from November 2011, four from January 2012, and the remaining four were issued on 9 May 2012. In all, 11 of the 12 reports contained a negative rating and highlighted poor workmanship and inaccurate charging.

The permanent secretary then asked the Department's head of internal audit to undertake an independent review of the Housing Executive's actions to implement the recommendations in the 2010 governance review that related to the independent inspection of maintenance contracts, and specifically to determine the reasons for the delay in the agreement of reports from the repairs inspection unit.

Taking account of all the factors together, including my initial concerns, the findings from phase 1 of the forensic investigation and the fact that the Audit Office had sufficient concerns to investigate the Housing Executive's management of response maintenance contracts, that caused me sufficient disquiet that I brought my performance review meeting with the chair of the Housing Executive forward to discuss the issues fully and to gauge the will and determination of the board and the senior management team to effect the change that is required. I asked the board to consider a number of issues that I raised, and I received its response on 29 June 2012.

I wish to consider further the detail of the response. Although it states that significant progress has been achieved, it acknowledges that more needs to be done. On the basis of the evidence that I have received to date, however, I cannot be assured of the board's conclusion in the letter that there is a clear demonstration of the board's commitment to addressing the issues raised in an effective and timely manner.

### 12.30 pm

On 29 June 2012, I received the draft report on the forensic investigation that I commissioned. As it was received only in the past few days, my officials and I need time to consider it in detail. Nevertheless, I am very concerned that the findings and evidence clearly demonstrate that there are considerable issues in relation to the Housing Executive's management of response maintenance contracts. The key findings in the report cover the quality of workmanship; invoices submitted by contractors; completion of work on a timely basis; Northern Ireland Housing Executive inspections; the ability to recover overcharging; and duplicate schedule of rates codes.

What does that mean for tenants in their homes? Many poor workmanship issues were covered. For example, in one change of tenancy, a back door was so badly fitted that it had to be removed, planed and rehung. A new door to a bathroom failed to lock. A handle to a cistern came off. Redecoration was of a very basic standard. Two new doors that were fitted to a newly fitted kitchen were off within nine months of installation. A blocked gully to a rear yard was still partially blocked and backing up, and the gully cover was missing. A socket for a washing machine was faulty. Other examples include more doors being claimed for than existed in a house. A new fan was fitted in a kitchen, but the new fan and a non-existent bathroom fan were serviced. Fire doors were fitted to a kitchen and living room where they were not required. A door was fitted with an excessive gap. Extensive work was done to a front door, but screws were missing from the hinges. Floor tiles were poorly laid, and there were lifting tiles. A gutter and downpipes were provided to the wrong side of a party line and were considered unfit for purpose.

I should point out that the report consists of three large lever arch files. It runs to several thousand pages, and there is page after page after page of such examples. There are many more examples, but I do not need to go into them. They clearly indicate that tenants are not getting the services that are expected or being paid for by the taxpayer.

The findings in the draft forensic investigation report give me grave cause for concern in relation to the Housing Executive's management of response maintenance contracts

and its ability to respond to the issues, particularly as the Housing Executive disburses and is accountable for huge sums of public money: some £600 million a year, of which over £170 million is spent on maintenance. That reinforces the types of concerns that were noted in the Northern Ireland Audit Office's work, the Department's examination, and, most importantly, the findings of the Housing Executive's internal assurance teams. I will copy this draft report to the Housing Executive for comment, and I will ask it to consider the issues raised and respond to me by mid-August.

I have also received a report from the Department's head of internal audit, who completed the independent review of the actions undertaken by the Housing Executive to implement the recommendations of the 2010 governance review relating to the independent inspection of maintenance contracts and specifically to determine reasons for the delay in the agreement of reports from the repairs inspection unit. Once again, although officials will wish to consider the report in detail, its overall conclusion is that senior management in the Northern Ireland Housing Executive have not acted quickly enough to resolve the issue of the agreement of the draft reports from the repairs inspection unit. In expending so much effort in debating the methodology used in producing the reports, the Housing Executive has failed to focus on the reports' significant findings. Time that could have been better spent addressing the issues identified has instead been lost in protracted internal debate.

Taking all those factors together, I believe that the Northern Ireland Housing Executive, as an organisation, has, to date, failed to demonstrate the required response to known shortfalls in contract management in a manner that either recognises the importance and significance of the issues or demonstrates an unequivocal determination to address the matters with the necessary pace and urgency. I feel that tenants and the taxpayer are not getting the quality of service that they have the right to expect.

Let me also point out that this sequence of events relates only to the management of response maintenance contracts. I, therefore, have to assume that those types of problems may also be evident in the way in which the Housing Executive manages other contracts, such as planned maintenance contracts on which it spends £92.5 million a year.

The board has taken some actions very recently to start to deal with the issues, but I do not believe that they address the root cause of the matter. I continue to have major concerns about the culture in the organisation and the level of aspiration in the Housing Executive to deliver a quality service to tenants. I also need much more assurance that there is the necessary drive, determination and capability in the Housing Executive to effect the required change.

I must, therefore, take immediate action to ensure that the Housing Executive deals effectively with the issues and that the situation does not continue, particularly following the awarding of new contracts on 1 August 2012. I intend to introduce, with immediate effect, special accountability measures that must bring about improvements efficiently and effectively. The measures will significantly enhance the current oversight arrangements between my Department and the Housing Executive.

I will ask the Housing Executive to put a comprehensive work plan in place immediately. It will focus on the areas that I specify in which action must be taken to ensure the provision of quality services to tenants and the proper use of public funds. That will be informed by the findings from current reports and investigations. The work plan will be subject to my approval, and the Housing Executive will be required to provide me with fortnightly reports on the issues of concern.

In view of the fact that there have been significant delays in the implementation of the recommendations in internal audit and repairs inspection unit reports, particularly when those have been critical, I will also require that my Department has sight of all draft internal audit reports and repairs inspection unit reports as soon as they are produced, along with a timetable to ensure that the reports and recommendations are agreed and implemented immediately. Those reports are an important management tool. If many of the recommendations in the outstanding draft reports had been taken forward and implemented by management in a timely, effective manner, we would not be in the position that we are in today.

There will also be an increase in the number of accountability meetings between my Department and the Housing Executive. They are currently held quarterly but will now be monthly. The meetings will focus on the areas about which I have concerns. I will advise the board of the Housing Executive of the details of my special measures. I intend to keep all this under review over the coming weeks, and if I do not see improvements, I will consider whether any further action is needed.

Among the critical questions that I will be asking is this: how did these failings occur? What was the culture and practice in the Housing Executive that allowed this to happen and, indeed, to continue for so many years? I also undertake to report to the Assembly again in the autumn to provide an update.

I think that it is important that I comment on the resignation of the chairman of the Northern Ireland Housing Executive, which was tendered on 29 June. The chairman's decision to resign at this time was entirely a matter for him. My concerns have always been the management of contracts; ensuring value for money for the public purse; and, most importantly, ensuring quality service for tenants. It is a challenge to the board and the management team to show the required leadership, drive and determination to deal with the issues.

Finally, we need to look to the future. As you know, my predecessor commissioned a fundamental review of the Housing Executive. I have been considering this review and further analysis that I commissioned. I hope to make a statement when the Assembly returns that will set forward my vision for new housing structures in Northern Ireland that will improve delivery and services for tenants and the taxpayer. One thing is clear to me: it is time for change, urgent change.

**Mr A Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his comprehensive statement. I, Mickey Brady and the Committee Clerk met the Minister and his officials this morning to go through the report. Departmental officials will give a further briefing to the Committee for Social Development on Thursday morning.

Clearly, the report makes for gloomy reading, and I presume that it will have perhaps quite a negative impact on the overall workforce in the Housing Executive. That needs to be addressed urgently. I appreciate that the Housing Executive will have a number of weeks to respond to the report.

In the Minister's statement, he raised the question of how these failings occurred. I repeat what I said in our private meeting: we will await the full response from the Housing Executive on this and the further reports into this matter. We are concerned that we are dealing with the quality of workmanship carried out in people's homes and the expenditure of vast amounts of public money. All of that has to be protected, and the Minister will have our full support in the quest to ensure that that happens. There has been a culture in agencies and, perhaps, some Departments of the responsibility never seeming to lie anywhere. Can the Minister assure the House that when the reports are developed and worked through, we will get to the bottom of where the responsibility lies in the agency and, if need be, the Department, in respect of any culpability over not ensuring that public money was spent wisely? If the reports were commissioned but sat on someone's desk, where were the trigger mechanisms to ensure that they were dealt with as a matter of urgency?

**Mr McCausland:** I thank the Member for his question. I assure him that, as I said in the statement, we are getting to the point where we can see the overall picture. We need to know how that situation arose and how it prevailed in the Housing Executive over such a number of years. I will want to know how that happened. We need to get to the bottom of it and see where responsibility lies. I will pursue that to the very utmost of my ability.

**Mr Deputy Speaker:** I remind Members that the Chair of the Committee gets some latitude for his question. Quite a lot of Members have indicated that they wish to ask a question, and I ask them to be concise.

**Ms P Bradley:** I thank the Minister for his statement, and I welcome that accountability measures have been put in place to maximise the provision of quality services. Is he now satisfied that the adjacent contractors who took over the Red Sky contracts did not have the same issues as Red Sky?

**Mr McCausland:** I thank the Member for her question, which is an important one. When I came into the Department, one of the first matters that I had to deal with was the ongoing issue around the Red Sky contracts. At that time, the action of the Housing Executive was to take contracts away from Red Sky, where there clearly were issues and problems, and shift them to other contractors. At the time, I asked the Housing Executive whether it could assure me that we were not taking work away from a company with problems and giving it over to another company with the same problems. The evidence that I now have from the various reports that I have referred to, including the draft report from ASM, indicates that there are significant issues and that those issues have been identified across all the contractors examined and a wide range of Housing Executive offices. These issues relate to payments for substandard work, work not carried out and poor quality of workmanship. However, these are contractual issues and due process must be followed. The Housing Executive has to be allowed the opportunity to respond and, indeed, to take up any relevant matters with their contractors through the normal process.

I assure you that I will return to the Assembly when that process has been completed. My focus has been on tackling contract management failings wherever they lie. If you are looking at the broad scheme of things: yes, there were issues in Red Sky. However, there were also issues with the other contractors. If you are looking at the scale of the issues, there is not much difference.

**12.45 pm**

**Mr Copeland:** I, too, welcome the statement, which must have been difficult for the Minister to bring to us this morning. Many years ago, I served my time, not in the sense usually associated with this place, but as a maintenance joiner. It is a difficult job to quantify, and it was within my own family. Is the Minister content that the way in which the contracts were written in the first place priced the jobs properly so that they could be done or was there a suggestion that the companies had priced them so tightly that they basically could not make enough money and they went for the extras? Could I also —

**Mr Deputy Speaker:** I think that the Member has asked his question.

**Mr Copeland:** — ask whether he has any evidence of fraud on one side or the other?

**Mr McCausland:** With regard to the Member's first point about contracts, those start on 1 August. Those new contracts are different to the previous contracts. More work has to be done to look at how those previous contracts were originally written, managed and monitored.

With regard to the Member's second point, if somebody claims that they installed 12 doors in a place but installed only eight or, as in an earlier example, paved a garden that did not exist, something rather strange is going on to say the least. The Member, I think, is nodding and, in fact, using the word "fraud" himself.

**Mr Durkan:** I thank the Minister for his statement. It has to be noted that the Northern Ireland Housing Executive has transformed housing here in Northern Ireland for the better over 40 years. However, shoddy workmanship and poor performance is unacceptable to tenants and taxpayers. The examples given in the statement, to use the Minister's own words, are not much different in nature or scale to the failures of Red Sky. Given that, can the Minister explain why he attempted to derail the termination of Red Sky contracts this time last year?

**Mr McCausland:** I think, perhaps, Mr Durkan failed to understand what I said earlier. Would Mr Durkan advocate, or does he think that it is a good idea, to take work away from a contractor who is performing inappropriately and give it to another person who is doing virtually the same thing? That is the question that he needs to answer.

**Mr Easton:** I thank the Minister for his statement. Minister, were you surprised by the resignation of the former chairman of the Northern Ireland Housing Executive on the day that you received the ASM Howarth forensic audit report?

**Mr McCausland:** The resignation of the chair was entirely a matter for him to decide. However, I was somewhat surprised at the timing, as I met the chair and put forward my concerns to him last Tuesday, many of which he should



already have been aware. The issues that have given me cause for concern have been present in the organisation for quite a number of years. They have been systemic and endemic over the past eight years. Clearly, there are significant questions to be asked around the role of the board and the chair, who has led the board since 2004, in seeking a resolution to those ongoing and prevalent significant issues. In the near future, the further reports that I have referred to will raise even more questions, which must be answered.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Sometimes, Minister, the perception is that these problems occur in the large urban areas and in the larger Housing Executive offices. Do you consider that these problems are endemic throughout the Housing Executive, particularly in the smaller towns and rural areas that the Housing Executive deals with?

**Mr McCausland:** I have not had the opportunity to go through the several thousand pages, because we got the report only the other day. However, the information that I have been given from an initial study of the report is that it occurs across all the areas and all the contractors who were inspected so far.

**Ms Brown:** I thank the Minister for his statement. Given that you stated that you have been considering the review, and given everything that we have heard today, does that not place even more emphasis on implementing the long-awaited, fundamental review of the Housing Executive?

**Mr McCausland:** I thank the Member for her question. The review of the Housing Executive was initiated under my predecessor. The PricewaterhouseCoopers report was brought forward. We have looked at that and done some further work. I hope to bring forward recommendations as soon as possible. However, that does emphasise the importance of moving forward with the review of the Housing Executive.

**Mr Ross:** The Minister said that he will now be copying the draft report to the Housing Executive for comment and that it will be responding to him by mid-August. When does he anticipate that the full, finalised report will be published? Is he confident that the public will have confidence that there will be value for money in those sorts of contracts in the future?

**Mr McCausland:** I have only just received the report in the past few days. It is extremely detailed, and my officials and I will need some time to consider all its implications. There is an issue around aspects of the report that are classified as commercial in confidence. However, I am committed to releasing as much information as possible in due course within those confines. We need to have openness, honesty and transparency about all this. We are dealing with one of the largest public sector bodies in Northern Ireland. We are dealing with hundreds of millions of pounds a year. It is important that the general public and taxpayers — as well as tenants — have confidence that they are all getting value for money.

**Mr Campbell:** Towards the end of his statement, the Minister referred to the culture and practice in the Housing Executive that allowed these things to happen. There is an elephant in the room, Mr Deputy Speaker, and somebody needs to identify the elephant. The Minister has just got the document. If he cannot respond to my question today, I will

be content if he responds after the summer. What was the distinction between the Housing Executive's treatment of the Red Sky contract and the other contracts? What was the distinction? What was the underlying emphasis that made that distinction by the Housing Executive possible?

**Mr McCausland:** On the issues involved, there is very little difference between Red Sky and other contractors. The problems were across the board. Different areas, different contractors, but the same issues: overcharging and poor workmanship. At this point, I cannot answer the question as to why one particular contractor was selected for attention at that time and others were ignored, even though it was pretty obvious, from even the most cursory inspection, that this was a wider issue. I cannot answer that question at the moment. In due course, we need to get to the bottom of that sort of issue.

**Mr Givan:** I thank the Minister for his statement. In looking at the culture and practice in the Housing Executive, will the Minister, when he has read the document, be able to assure the House that there are no discriminatory practices in the Housing Executive, whose workforce is under-representative of the Protestant community? In my constituency, the Housing Executive built houses in Twinbrook and Poleglass, while the Protestant community was neglected. Minister, when you have had time to read the report in full, we will need an assurance that no discrimination is taking place in the Housing Executive now.

**Mr McCausland:** I certainly will want to ensure, as I think we all would, that there are no differences drawn and no discrimination, and that everything is done on a fair, honourable and equitable basis. I welcome the opportunity to put that on record. It is essential that we move forward in Northern Ireland, not just with this but with every issue, in a way that is fair and equitable. That should be the desire and commitment of everyone, and I am sure that any efforts that are undertaken to ensure that that happens will be welcome.

**Mr I McCrea:** I thank the Minister for his statement. Like others, I think that there are some shocking elements in it, and, no doubt, there will be more to come. Does the Minister feel that the Housing Executive is capable of managing the culture change in the organisation that he is referring to?

**Mr McCausland:** The whole issue of how we move forward is important. I believe that the organisation has failed to respond to known shortfalls in contract management either in a manner that recognises the importance and significance of these issues or in a manner that demonstrates an unequivocal determination to address these matters. The board has taken some actions to deal with the issues, but I do not believe that, to date, those address the root cause of the matter. I still have major concerns about the culture within the organisation and the level of aspiration in the Housing Executive to deliver and to provide me with an assurance that there is the drive, determination and capability within the organisation to effect the change that is required. I need answers to these issues, and that is what I will be focusing on.

As we move forward, that places tremendous responsibility on the board and on the senior management team. I met the former chairman earlier in the week, and I put forward my concerns to him. Many of those concerns should not have



been new to him or to the board members because they have been causing me concern for some time. As we move forward, there are significant questions to be asked about the role of the board — including the chair, who was, in fact, in post from 2004 — in seeking a resolution to these significant issues. As we move forward and other reports are produced, those are questions that are going to be asked over the next number of months. I am sure that the questions that I have raised today will be asked again by others, and they are questions that will have to be answered.

**Mr Allister:** I carry no torch for the Housing Executive. I have seen enough shoddy work and had other experiences to cause me to share the anxiety of many. However, I want to ask the Minister about the process that he has followed. He has arrived at the point of a pre-emptive strike, whereby he is introducing a form of direct rule of the Housing Executive by his Department on the basis of a draft report that he has just told us he has not fully read and that the Housing Executive has never seen, if I understand him correctly. Therefore, it has had no opportunity to comment on it or to correct, if that were appropriate. Does he think that that process is sufficiently natural justice compliant to arrive at the point that he has arrived at?

**Mr McCausland:** I am absolutely confident that the way in which we have handled the issue has been the right approach. It has been a measured response, and it has been the correct response. The issues that are identified in the ASM report are not new. They are issues that have already been identified in a forthcoming report from the Audit Office and in the Housing Executive's internal reviews. Its own inspection unit identified those issues, but, as I said earlier, the reports sat on desks, perhaps from November last year, for six or seven months. It is only now that questions are being asked that these things are being extracted. In fact, they were only extracted when one of our departmental officials was put in the Housing Executive to do some work. It was only then that these things emerged. Therefore, there is the evidence of the internal inspection unit in the Housing Executive, and there is also evidence from the work being undertaken by the Audit Office and from this work. There is a pattern here.

It is not a single, pre-emptive issue. A whole series of bodies of evidence have emerged. That is why it was important that I came to the House at the earliest opportunity, given the importance and scale of the issue and that, ultimately and as the Member stated, the Housing Executive is a matter of real concern for every Member. On that basis, it was essential that I came here. I will return to the matter at the earliest opportunity in the autumn. Indeed, as I said, others will also return to it.

**1.00 pm**

**Mr Lyttle:** It is, indeed, of great concern that we are failing to provide some of the most vulnerable people in our society with the fundamental right of good shelter. This is a concerning statement, and it will take the Assembly some time to digest the reports. Will the Minister publish all the reports in conjunction with the statement? Also, why was the work of Red Sky staff not part of the wider review of Housing Executive contracted maintenance work?

**Mr McCausland:** As I said, the report fills three large lever-arch files and has several thousands of pages. Some of the

material is in commercial confidence, but something can certainly be made available in due course. I want to be as open and transparent about this as possible. I think that that is crucial. So, we will look at that over the next while to see what can be done.

A year ago, the Housing Executive had a review of Red Sky. We then simply repeated that process with the other contractors. So, when you put all this together, you get the overall picture. I cannot answer your question about why the work did not initially cover the other contractors, in addition to Red Sky, particularly when contracts were taken from Red Sky and given to the others. That question needs to be put to others. When I came into the Department, I was determined to make sure at the earliest opportunity that the same questions were asked so that everybody and every contractor was treated fairly and equitably. I do not discriminate; I want this done fairly.

**Mr F McCann:** I thank the Minister for his statement. I am a bit concerned that, in the midst of dealing with what is obviously a very important matter, the whole issue has been sectarianised. I was one of the people who complained about Red Sky after I stood in homes that had been badly repaired. Many hundreds of other people in west Belfast did the same. Can the Minister guarantee us that there will be no political or sectarian approach to the outcome of this?

**Mr McCausland:** I thank the Member for his question. I welcome the opportunity to put this on the record. The same issues that apply in one area apply in another, and the same issues that arose with one contractor, which, in this case, is Red Sky, have arisen with others. That is my point. I am not making any distinctions or qualifications. We are being open and frank about this. It is a widespread problem that impacts on people, whether they live in a unionist or a nationalist area. No matter what their background is, they deserve a good-quality service. The report has uncovered that the quality of workmanship is unsatisfactory in many areas.

It is quite clear from the review that there were anomalies in about half the jobs. The word "anomalies" covers substandard work, overcharging and a range of other things. Many of the jobs were substandard, and that is just not good enough. I am sure that the Member agrees that that is simply unacceptable.

The scale of this issue is very large. The figures for response maintenance, planned maintenance and grounds maintenance are £50 million a year, £90 million a year and £20 million a year respectively, and £170 million is the round figure for the total contracts budget. I touched on the fact that we were looking here at response maintenance. There are now some suggestions of issues with planned maintenance as well, which costs an even larger amount of money. In fact, there is some evidence of that. The Housing Executive has a major role in the management of contracts. It is core to the business and must be done properly.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. I also deeply resent the air of sectarianism that was introduced, and Mr Givan has disappeared from the Chamber. Those houses at Twinbrook and Poleglass were built on the basis of need in the face of flagrant discrimination over years; that has to be placed on the record. Wherever houses are needed, be it Twinbrook and

Poleglass or north Belfast, that is where they should be built on the basis of need.

I return to the original point teased out by Mr Allister in regard to the report itself. It is established good practice that reports into important matters, such as this important and sensitive issue, are shared, for the purposes of factual accuracy, with those people or bodies into which the reports have been commissioned, especially if the performance of those people or bodies is being called into question. Will the Minister confirm that he shared the ASM Horwath report with the Housing Executive to ensure fair progress and natural justice and to check factual accuracy? If he did not do so, does he consider this to be a fair and proper way to progress?

**Mr McCausland:** The report arrived in its final form on my desk in the Department on Friday. The Housing Executive will be given a number of weeks — to mid-August — to respond to it. The contractors will also get an opportunity to raise issues. However, the scale of the anomalies is such that half the jobs were affected. You might be able to explain away one or two anomalies here and one or two there. You will not be able to explain away anomalies in half the jobs. We now have a pattern of internal inspections in the Housing Executive — I brought this to the attention of the House for the first time today — which were carried out by the Housing Executive's own people and which identified problems. However, those reports simply got buried and bogged down in the bureaucracy of the organisation and sat there. People argued about whether it was 29, 30 or 31 on a particular page, rather than saying, "There is a problem here; let us deal with it."

The internal reports, which should have been brought to the attention of the board at the earliest opportunity, are part of the emerging body of evidence. So we have the Audit Office report that will emerge in the autumn, we have the Housing Executive accounts that will come from the auditor later this week with comments on those matters, and we have this report. New contracts will be in place on 1 August, so it is important that we get the air cleared and that people are aware of the background to the issue. All this material needs to be out as soon as possible, and I would have been very much criticised by Members of the Assembly had I not brought forward a statement today to get the information out there as soon as possible. It is important that Members are given their proper recognition and place and kept fully informed.

**Mr Agnew:** I thank the Minister for bringing the matter to the House. He mentioned that claims were made for work done that was never carried out. What efforts have been made to identify the total number of such cases? Is there some sense of how much it has cost the public purse? What will be done to recover money from contractors who claimed for work that they did not do? Will compensating the Housing Executive for work not done be a condition for those contractors being able to apply for future work?

**Mr McCausland:** New contracts have already been awarded that will start at the beginning of August. With regard to overcharging and other anomalies, the ASM Horwath people have gone through sample contracts for each contractor, which can then be scaled up to get a fuller picture. Although they have been working intensively since the later part of last year, they have been unable to go through every single docket of every contractor for every job throughout Northern

Ireland over the past eight or nine years. It would not be possible to do that. What they have now is a sense of the scale of it. However, where it has been identified that claims were made that were fraudulent, unfounded, inappropriate and improper, yes: the Housing Executive should be chasing after people. We are talking about public money and people should not be getting away with wrongdoing.

## Local Government: Severance Arrangements for Councillors

**Mr Attwood (The Minister of the Environment):** I thank the Business Office for making time available for this statement. I am today confirming that I am bringing forward proposals and shall table regulations for a councillor severance scheme in the rundown to local government reorganisation. This statement recognises that the people we serve will, rightly, ask challenging questions about this proposal. However, it also recognises that there are people who served our citizens and communities greatly, who have earned our respect and whom we should support as they leave political life. There are long-established councillors with decades of service and constituency work who represented the essence of good politics of local service for local people on local issues of daily life and human experience. This statement is about them.

We live in a time of stability, devolution and a united stand against terror. Those achievements came at an enormous cost — lost hopes, lost opportunities and, most of all, lost lives. My view is that this new order of things came, first and foremost, from those who held the line against violence from all its sources. Others now tell us that acts of reconciliation were worked at for decades. The first and bravest people of peace were all those, in all walks, at all times who held to the values of democracy. Counted among them were elected representatives, councillors, who spoke up for people and causes, with little financial recognition and significant personal and family costs — people now in their tenth, ninth and eighth terms in councils, stretching back to the 1970s. We are here today because of their resilience then.

In making this statement on councillors' severance, I have, first, recognised and acted on some practices among elected representatives that cannot be defended and that a well-informed public do not wish to be defended. That is why, first, I proposed to Executive colleagues last November — and fellow Ministers agreed — that with local government reorganisation, there would be a ban on double-jobbing. Councillors will not also be MLAs.

Secondly, in recognition that that ban would need new law before entering into place — I may yet accelerate the commencement of that law with regard to its double-jobbing provisions once the Assembly has passed the legislation over the next year — I then also reduced the allowances paid to councillors who are also MLAs by two thirds as of April this year. As of this month, July 2012, the remaining one third allowance will be further reduced by half as a result of the independent review of MLAs' salaries.

It is also my view that there are enduring issues around the pay and conditions of public and other officials who are paid fully, substantially or in part through the public purse. As Department for Social Development (DSD) Minister, I pursued the issue of salaries of senior staff in housing associations. The fact that the vice chancellors of Queen's University and the University of Ulster earn extravagant salaries, with no government oversight, when government makes such a major contribution to university moneys, also needs to be rectified. I will also take forward in the coming months the issue of salary levels at senior levels of merged councils.

That is the broader context in which I am bringing forward a councillor severance scheme. First, addressing double-

jobbing, senior salaries and payments to MLAs who remain as councillors. Secondly, recognition of people who served Northern Ireland, Ireland and these islands with conviction in dark and turbulent days.

Since I went to the Environment Committee on 15 December 2011, which was a public session, and on a number of occasions since, I have asserted my view that a proper councillor severance scheme is appropriate. I repeated that view during the recent debate on the Local Government (Boundaries) Order. The Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 provides an enabling power for the introduction of severance arrangements for councillors. I now intend to rely on that provision.

### 1.15 pm

When the previous Executive considered the planned reduction in the number of councillors, they agreed to provide severance for outgoing councillors. However, some fundamental things have changed since that time, which affect the nature of any severance scheme. That is reflected in the proposals and principles that I am bringing forward today and over the next short while. First, it was originally envisaged that there would be a dramatic reduction in the number of councillors under the new review of public administration (RPA) arrangements, thus justifying in one way a broad severance provision. The Executive have now decided that the reduction in the number of councillors will be much more modest than originally envisaged. I therefore think that a more focused severance scheme is an appropriate response.

Secondly, all of that was prior to the economic downturn and the pressure on the public purse. The changed financial environment; the terrible pressures facing people, workless and working; the prospect of further London baseline budget cuts; and the scale of welfare change and cuts to family incomes have led me to the proper conclusion that a cap is necessary on severance schemes. That is one of a number of principles that will inform my proposals on the severance scheme, a draft of which shall be consulted upon over the summer. A cap means that councillors applying will not receive the severance payment that some might have previously suggested was proper. I believe that that is the right approach. People who served over a long time will receive recognition, but it will be more moderate than has previously been talked about.

There are a series of core principles that will inform the severance regulations. There will be a minimum eligibility period; namely, three terms of council service. It will not be a lesser period, although I am prepared to be convinced that it should be a four-term period — not a four-year term period. *[Interruption.]* That proves that I write my own statements. That is further recognition that longer terms of service and longer-serving councillors are at the heart of the scheme. In deciding on the three- or four-term rule as a condition of entitlement to the severance, I will do so mindful of the increasing councillor basic allowances payment since April 2001, which was £4000 at that time. Prior to that, from April 1998 it was £2500, and before that it was lower again. There are many councillors in the North who remember the days when it was much lower than even the £2,500 figure that was introduced at that time.

The severance amount payable will therefore not be on the basis of a fixed sum for each year of service. The original proposal was £1,000 a year for each year of service. Rather, the severance amount will be calibrated, with entitlement to lower sums per year for those with lesser years of service and with graduated payments per year for those with longer periods of service who worked for many years without anything like the remuneration available to councillors in more recent times. That calibration is to emphasise the principle that councillors with the longer periods of service are being treated in a fair and proportionate manner. Modelling has been, and is, taking place on how that will work in practice, and will form part of the consultation on the regulations. I am working through what the amount and the multiplier effect will be, but I can say to people that, for those who might be entitled to severance, in the early years of their entitlement, the multiplier per year will be a small amount, graduating to a higher amount for those who have served many long years of service.

As indicated above, there will be a cap on the total severance payment. As noted, modelling on severance options is ongoing. However, the consultation will be on the basis of a cap of no higher than £30,000. I may decide that it should be lower. The figures that were previously talked about were a cap of around £38,000 or £38,500. I do not think that is appropriate, sustainable or right and, consequently, I will consult on a figure of up to, and certainly no higher than, £30,000. As I said, that amount is proposed to assist the longest-serving councillors, some of whom have been serving as long as their council has been in existence, and the payment per year will be calibrated on that basis. I anticipate that it is only councillors whose service stretches back to the 1970s who will receive the higher severance amounts.

Clearly, only councillors in office at the time of the commencement of the scheme will be entitled to benefit under the scheme.

There is an ongoing debate about the funding of RPA. The Executive decided in November 2011 that there would be no central assistance with the upfront costs. In June 2012, a monitoring round bid from my Department to assist with costs was unsuccessful. I shall renew and expand that funding bid, because I believe that central government should contribute a percentage of the costs for a severance scheme.

Councillors who are also MPs, MLAs or MEPs will not be entitled to councillors' severance. A provision will exist to enable an applicant councillor to nominate a person or persons to receive the award in the event of the applicant councillor's death prior to the award being made. Councillor applicants who receive a payment will be disqualified from being nominated for a council election or by-election. That is consistent with section 4(1)(e) of the Local Government Act (Northern Ireland) 1972, as amended by the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010. Any year in which a councillor receives a salary from the public purse for an office as an MP, MLA or Member of the European Parliament would not be a contributing year for the purposes of the severance scheme.

The severance scheme will be available quickly after the regulations are confirmed. It is intended that the scheme will run once and for the cut-off date for applications to be a significant period in advance of shadow council elections

in 2014. I hope that it will run in September 2013 at the latest. The intention is that that date will be the maximum feasible one consistent with the timely and proper management of the severance scheme.

Introducing the severance scheme early and not waiting until later in 2015 will allow parties to manage vacancies through co-options and will give the new councillors the opportunity to gain experience of being a councillor before additional powers are transferred to the new councils. It will also ensure that councillors who are likely to be members of the new councils can lead the change and convergence to them. It will mean that any capacity-building for those new powers will be undertaken by the councillors who intend to seek election to the new councils.

Following the reform of local government, councillors will be taking on more work, as they will be serving larger councils and have an increased range of functions. Their remuneration should be reviewed to assess the proper level required and to recommend changes, if any. I believe that elected representatives, whether in councils, in the Assembly or at Westminster, should receive reasonable allowance for performing their duties. I appreciate that councillors perform an important civic role, and it is one that will, through the additional services that councils will be responsible for delivering from 2015, have a greater impact on the day-to-day lives of people.

I therefore intend to set up an independent panel to conduct a review of councillors' remuneration and to advise me on the system and level of allowances that would be appropriate for the new councils. The Local Government Finance Act 2011 provides an enabling power for the establishment of an independent panel. The regulations needed to allow the panel to be established have already been consulted on, and I propose to have the regulations made by the autumn to allow the panel to be set up as soon as possible. The panel will be appointed using the public appointments procedure. I also propose to seek the advice of the panel on the allowances that should be paid during the shadow period.

As Members know, I have reservations about the 11-council model. I believe that a 15-council model would better reflect local identity, reduce upfront costs and ease the complex management of reorganisation. This afternoon, I will meet Fermanagh business representatives anxious about debt burdens, rate differentials and the consequences of merger. There was a different way to do RPA. It has not prevailed.

Finally, I know there will be some criticism of anything that looks like payments for politicians. I prefer to regard it as I believe many will regard it: as recognition for unsung heroes. It is also an essential part of our reform programme. That having been said, radical reform should prevail on RPA, prisons, housing and across public policy sectors. That radical reform should also be the benchmark for local councils. As we move forward, it is important to respect those who have served for so long in harsh times, under threat and upholding democratic values, while giving body and soul to the introduction of a new order of things: our councillor colleagues.

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his statement. He mentioned the minimum eligibility period being three or four



terms. When and on what basis will he make a final decision on the number of terms, and will he consult on that?

**Mr Attwood:** I thank the Chair of the Committee for her question. I spoke to her prior to making the statement in order to indicate to her my thinking. As I said in my opening remarks, today I am outlining a proposal that, in order to qualify for severance, you will have had to serve at least three terms, but I am prepared to be convinced that it should be four terms. I am in that range because, if you examine the pattern of payments to councillors, you will see that, prior to 1998, they were paid less than £2,500 a year. That is what they were paid prior to 1998 for public service and the accompanying scale of responsibilities. From 1998 to, I think, 2003, it increased to £4,000. Since then, it has increased, and increased disproportionately, relative to the increases in the years prior to 2003. My judgement is that, in those periods, after 1998 or 2003, councillors were receiving better recognition for the services for which they were responsible. Therefore, in my view, given that shift in the pattern of allowances being paid, that is the time frame in which a councillor's severance scheme might kick in.

Yes, we are going to consult on the details of the regulations in order to drill down and find out what is the appropriate time frame in which severance should kick in and whether it should be three or four terms. Even when it kicks in, the payment calibration for those who serve three, four, five or six terms as a councillor will be at a much lower threshold than those who have served seven, eight, nine and 10 terms. There are people across parties who have served 10 terms in council life, going back to 1973. That is a lifetime ago. Many people in the North were not born when those people fulfilled their democratic service to the people of the North. They served in a year that was arguably the single worst year of terror and tragedy in the North of Ireland over the years of conflict, yet they stepped into the breach to uphold democratic values in moments of great turbulence, threat and difficulty. There are Members who know people who were threatened, and there are a few of us who know people who were murdered as a consequence of the conflict. This has been calibrated to, first and foremost, recognise those councillors who served the most over the longest period in the worst moments and to recognise, but recognise more moderately, those who entered political service later during those years, and to not recognise at all those councillors who have enjoyed somewhat better recognition as councillors in more recent times.

**Mr Hamilton:** I thank the Minister for an interesting statement. The second sentence of the statement accepts the prevailing public opinion that payments of any kind to politicians are not a popular thing at this moment in time. I am reminded of the advice of Sir Humphrey to Hacker when he said, "Very courageous, Minister".

The fifth core principle of the Minister's statement restates the Executive's current position that the centre should not be paying for the costs of the RPA. Given, therefore, that locally raised rates will pay for some of this, as the situation stands, what would the Minister say to those who would say that it would be better to spend that money on council services than on a severance scheme?

**Mr Attwood:** When I hear politicians saying that something is interesting, I do not know if that is support or lack of support. Perhaps some of your colleagues would like to

indicate later whether that is support. I remind people that it was the view of the Executive and the parties in the Executive previously that, in principle, a severance scheme was something that should be taken forward. Circumstances have changed; I recognise that.

This is a difficult call; there is no doubt about it. However, we are at the point of change in council life in the North of Ireland, and I think that there is an argument to be made and won that people who fulfilled their democratic responsibilities, stretching back to the 1970s and 1980s, need to be recognised when leaving the democratic council stage.

### 1.30 pm

I think that they are in a stand-alone category from many other categories of politicians. I would be dishonest to my own conscience, and I do not think I would be honest as a politician or a Minister if I did not say that I think those people deserved more recognition then, and deserve some recognition now. It may well be that that argument does not prevail in this Chamber in the different circumstances that we have now, but I think that that argument on behalf of those people that I am talking about is one that I have a responsibility to put forward, defend and, hopefully, convince people of. When comment is made on this, be it within or outside the Chamber, we need to put ourselves back in the position of those people in 1973 and subsequent years, and make an assessment about what is the proper and fair thing to do for them.

Yes, there are issues and choices to be made about how this gets funded and what the consequences might be for other services, but I have to say to the Member that the total cost of this scheme would be a fraction of the money that is in the current budget for the social investment fund. That is an £80 million budget line, and this scheme would cost a fraction of that. If the Member is saying to me that we have to make a choice in what we fund — I accept that we have to make a choice between what we fund centrally and what councils have to fund locally — then that principle should be escalated to assessments of other ongoing funding streams involving much more money within government as we speak: moneys that are not getting spent.

I have to say to the Member that although politicians may not be the most favoured species in many walks of life in the North, there is in local communities some greater appreciation of local councillors and the local service and duty that they have fulfilled over many years.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Seeing as I only got the statement 10 minutes before the Minister came in, I will neither welcome it nor thank him for it. I just want to ask him, in relation to his point about making a new bid for moneys, whether he can indicate what percentage he believes central government should pay for the severance. Failing obtaining any of the money from central government, how does he propose that this scheme will be taken forward?

**Mr Attwood:** You did receive the statement in advance of hearing it. I remember occasions, Mr Boylan, when Ministers not very far from your own party were making statements in the House and there was not even a statement for Members in the House, so maybe you want to reflect on that.

**Mr Boylan:** Maybe you will answer the question.



**Mr Attwood:** I will certainly answer any and all questions you want to ask me.

I regret very much that the Executive did not endorse a June monitoring bid for £2.3 million for two dedicated streams of work around council reorganisation, both to build local resource and change-management capacity and to build up capacity around community planning. I regret that, but when the Minister of Finance advised the Executive that that was his view, I said that I would very quickly come back to him with a further paper, which will escalate the bid and the approach that I am going to take in terms of funding local government reform, on two levels. First, there is probably a need for more money to go into councils in the short term, and, secondly, we need to guarantee funding over the lifetime of RPA change. My argument, which I will present to the Minister of Finance in a letter before the Twelfth holidays, will be that we now need to work out how we are going to provide assistance, not just out of monitoring rounds but on a rolling basis between now and the creation of the new councils in May or June 2015. It will be an argument that will be made in full recognition of the funding situation at Executive level.

Two weeks ago, the Cabinet Secretary in London said that there will be cuts for 10 years. That was not him thinking wistfully off the record; he was sent out to send a message to people and to the devolved Administrations that, in his view, 10 years of cuts are coming. He did not get much of a denial from the Chancellor, who, within hours, said that he could talk only about the lifetime of the present Government.

So, there is probably bad news to come. That is why, in every conversation that I have had with local councils, and there have been many such conversations over the past four or five months, I have told them that although I will make an argument for central funding to help with the cost of RPA, the funding for it will have to come from a family of sources. It will come from loans, reserves, the disposal of surplus assets and, possibly, from moneys from a mutual bank. Some chief executives go as far as saying that RPA funding can be a self-financing business case and that it can all be funded by local councils. I do not buy that argument, but a number of chief executives maintain that that is the case.

How do we fund RPA in the circumstances that we face and in the more difficult circumstances that we may be about to face? We negotiate, work it through and exhaust all possibilities. On the far side of that, I think that we will come to a settled place about where the funding will come from. However, whatever its scale, an element of it will have to come from central government.

**Mr Weir:** I declare an interest as a member of North Down Borough Council. However, judging by the Minister's statement, that is not a financial interest.

I thank the Minister for his statement. He rightly identified that councillors were very lowly paid, particularly in the 1970s and 1980s. On a point of accuracy, I should say that the references to the basic allowance in the late 1990s and early 2000s are slightly misleading because, during that period, councillors also received an attendance allowance. Indeed, when the switch was made to abolish the attendance allowance, the remuneration for councillors went down.

Will the Minister clarify whether, prior to making the proposals that are in the statement, he consulted with the

National Association of Councillors? If not, does he intend to do so before he brings forward more detailed proposals?

**Mr Attwood:** I acknowledge and accept the point about the basic allowance. It is a fair point, and I should have covered all sources of income to ordinary councillors. Peter Weir has clearly demonstrated that his motivation for his political responsibilities must not be financial, given that he continues to be a councillor.

I should point out that I eventually hope to have the Executive's support to commence the ban on double-jobbing earlier than 2015. If the Assembly passes the Local Government (Reorganisation) Bill during the next year, I would like the Chamber and my Executive colleagues to endorse the commencement of a double-jobbing ban that would be effective for the shadow elections of 2014. I would like it to happen then, rather than a year later, which is when the new councils will go live. I hope that people understand that I will seek that early commencement to ensure that, even in the twilight period between the shadow elections and the new councils going live, there will be no double-jobbing.

The Member asked whether I have discussed the statement with NAC and NILGA. It would be more accurate to say that they discussed it with me. Indeed, they have been urging me to move in that direction since last summer. I refused to do that, and they were not at all happy. However, they can speak about that for themselves. If we are to have a proper understanding of why this is a correct intervention at this time, and if we are to reflect the work of those way back in history who served political life in the North, my view was that some issues needed to be addressed so that a proper understanding of the proposal could be created. Those issues were double-jobbing, senior salaries and councillor allowances for those who choose to double-job. Given that two out of those three are being definitively addressed and, I hope, will become even more definitively addressed over the coming time, I think that that is the right context in which to build understanding and support for this intervention.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister have an idea about how many councillors will be affected, and will he expand on the projected costs involved?

**Mr Attwood:** I thank the Member for his question. In answer: how long is a piece of string? I do not know how many councillors will apply for severance payments. It is up to them to decide whether to apply. Councillors may decide not to go for severance but to stay on until 2015 and then retire; or they will not go for severance and will take their chances in the 2014 shadow elections. However, those who do not take up the option of severance while the application period is live will not have a second opportunity. It is a one-off offer that will be made in advance of the shadow elections. It will not arise after the shadow elections for councillors who have unsuccessfully continued to seek election. I cannot speculate on how many will or will not take up the opportunity. My assessment is that it may not be as many as people think. People will assess whether they would rather stay on and fulfil their democratic mandate until 2015 and receive the allowances over that period. Rather than take severance and go early, their sense of political duty or their own calculations may lead them to that conclusion.

There was talk — I will write to the Committee about this — that the previous £38,500 scheme, with a rate of £1,000 a year, would have cost a projected £4.5 million. I think that those figures are correct. I have a more moderate ambition than that for the scheme. I am reducing the cap, having graduation and far from £1,000 a year will be available to those who apply for severance and have not served for longer terms.

**Mr Allister:** I welcome the statement, and I join in the tributes paid to many councillors who have given several decades of service. Will the Minister clarify a couple of points? First, it is quite clearly the ambition on double-jobbing that, come 2015, it will not be possible to sit as a councillor and an MLA. That being so, what possible logic or sense could there be in such a double-jobber being able to stand in the 2014 shadow elections? Political expediency is the only answer: to try to get elected so that the electorate is not electing the person who will serve them but someone who will be substituted. Does the Minister agree that that would be wrong? Secondly, when he talked about three or four terms, did he factor in that, on at least one occasion that I can think of, the term was more than four years? Therefore, would he not be better to refer to 12 years or whatever?

**Mr Attwood:** As questions on my statement come to a conclusion, I welcome and share the sentiments of the Member's opening remarks. Many councillors paid a heavy price. A member of my party who was a Senator in this Building was murdered. Councillors and MPs were murdered, as were members of other political institutions. Last week, I was at Queen's University to speak to Indian academics about marine management, and I recalled the murder of Edgar Graham, a matter of yards from the administration building there. A close friend of mine who became known as "witness A" in the subsequent inquest witnessed that murder. So this debate arises from the horrible prices that were paid and the pain that was endured by the many families whose members are or were committed to politics and the political process. That is the true backdrop and true motivation behind this statement.

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

Mr Allister tempts me, and I wonder whether I should take up the temptation. There is something incongruous — let me put it that way — for any party to use the option of secondment into councils in 2015 as a political strategy. For a party to deploy the use of secondments to reshape the life of council groups for its own particular interest would be incongruous. That would be held up to public ridicule, and I hope that that would not arise. However, because of the risk that that situation might arise, because I have been corrected by a leader of a political party about when double-jobbing kicked in, and in order to live up to the spirit of the principle on double-jobbing, on the far side of the reorganisation Bill being presented to the Chamber, we will try to commence the double-jobbing ban requirement in advance of the 2014 shadow elections and the 2015 councils going live. Let us create certainty, and let us not have any political meddling on the principle of double-jobbing to sustain bad practice.

Mr Allister is right that there is an issue with not all council terms being four years. That will be conclusively addressed in the consultation and regulations.

## 1.45 pm

**Mr Kinahan:** I thank the Minister and welcome his recognition of the unsung heroes and his action on double-jobbing. If you take that matter further forward and look at the dysfunction and lack of joined-up government that we are often criticised for, what is the Minister planning to do to link councils to the Assembly so that there is a formal linkage between the two? Once you remove councillors from doing both jobs, you have taken away one of the formal links in making sure that we have better joined-up government between the Assembly and the councillors.

**Mr Attwood:** That is a very important question, because it conveys that we are going through a process of reform. As I see it, the more radical the reform, the better. On the far side of the reform, if the function of government centrally and locally has not been raised, what is the point of it? We would be letting down the citizens, communities and ratepayers. That is why the question is very valid. It probes the complexity of local government reorganisation and asks, "Are we going to get this right or get this wrong?"

Let me give you an example: on the far side of RPA, community planning will be a big function of local councils. As the planning powers get devolved, the concept of community planning will arise as a statutory function of local councils. If, on the far side of RPA, councils have a community planning function and there are no requirements for all the relevant agencies and Departments to sit in the room with local councils as they work through community plans with local communities, the whole thing will fall in on itself. Departments need to be less territorial, less defensive and more forthcoming in how they work together now and how they work together with councils on the far side of planning devolution.

I know that because I convened a meeting on planning issues in north Belfast a number of months ago, which fell in on itself. It fell in on itself because, even though a lot of Ministers were in the room, there was some territoriality going on. That is probably inevitable when it comes to north Belfast land issues. The consequence of that is that we have not got proper planning or joined-up thinking between Departments. The University of Ulster is moving to York Street, recognising the Carrick Hill residents, and sees the development of the lands behind the Belfast Telegraph in a proper manner rather than as a commercial grab for student accommodation by some big developers. If all that is not integrated into the Royal Exchange proposal, on which there will be an announcement in the very near future, the point will be that we have not joined up, things will not be much different to how they were, and we will have missed the opportunity. The point is valid, and it is something that we need to get right over the next two years.

**Mr Principal Deputy Speaker:** I remind Members that we are trying to finish questions on the statement before Question Time. There are still a couple of questions to go, and I do not want to have to interrupt the Minister of Justice.

**Mrs D Kelly:** I welcome the Minister's statement and his particular recognition of the bravery of many councillors over many years, when they were targeted by republican and loyalist terrorists. Indeed, when our party colleagues first stood up for the policing reforms, their meetings were interrupted and disrupted by Sinn Féin and other members of the Provisional republican movement.

Will the window of opportunity for councillors to take up the severance proposal be time-limited, and does the Minister have plans to introduce such a measure?

**Mr Attwood:** I concur with Mrs Kelly's comments. It is not just about the people who served in public life in the 1970s. Even when all parties had signed up to democratic elections, there were councillors who, for the reasons that Mrs Kelly gave, still lived in the shadow of the past.

The severance proposal will be a time-limited, one-off opportunity and will, for the reasons that I have outlined, be quite moderate. It may well be that some councillors in the North will feel that the scale of the proposal is disappointing, but my judgement is that the configuration is right and justified. Councillors will not have for ever and a day to make up their mind about taking up the severance option. They will have to do so in good time and in advance of the shadow elections. There will be no second chance and no severance scheme after the shadow elections.

**Mr Lyttle:** I put on record the Alliance Party's recognition of the decades of service of some of our councillors in the most difficult of circumstances, including the roll-out of the new policing arrangements. I had the pleasure of working with them on district policing partnerships (DPPs), taking policing arrangements into areas where that had not been possible before and under some extremely intimidating circumstances. It is important that we put that on record.

My party welcomes the Minister's plans for double-jobbing because we have taken proactive measures to rule it out. However, is he satisfied that he can justify severance payments on those scales?

**Mr Attwood:** I concur with Mr Lyttle's remarks and wish to broaden his theme. The policing change that was envisaged by Patten did not have anywhere to go until politicians and civilians joined the Policing Board and the DPPs. In a sense, the politicians knew what they were getting into because they had experienced difficulties in the past, but it was the community representatives who stepped into the breach and who were, in some places, demonised and attacked physically and with bombings during that period. They were not from a political background and did not have a political pedigree, yet they served equally on the Policing Board and on the DPPs with those from a political background. Their role was enormous, and the contribution that they made to serving the policing structures between 2002 and 2007 is something that we have only too quickly forgotten in the context of subsequent developments.

I welcome the Member's comments about double-jobbing. I will justify the scale of the severance proposal. Indeed, I would not have made the statement unless I thought that I could justify it. The proposal is not on the scale of a scheme that was proposed heretofore; it is more moderate. It is not a one-size-fits-all scheme as was proposed before. It is a model of a scheme that clearly favours those who have served the longest, in the worst times and with the least recognition during those times. Therefore, the ethics and principles around this are the right ones. There may be adverse political or other comment, but I have not been shy since December in saying that this, in all conscience, is the right thing to do in a moderate way to recognise people whose contribution was far from moderate.

**Mr Principal Deputy Speaker:** As Question Time is due at 2.00 pm, rather than interrupt the Minister of Justice in his opening address on the Second Stage of the Criminal Justice Bill, I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The sitting is, by leave, suspended.

*The sitting was suspended at 1.55 pm.*

On resuming —

2.00 pm

# Oral Answers to Questions

## Culture, Arts and Leisure

**Mr Principal Deputy Speaker:** Questions 2 and 6 have been withdrawn and require written answers.

### City of Culture 2013

1. **Mr Kinahan** asked the Minister of Culture, Arts and Leisure to outline how the £12.6 million funding will be utilised for the cultural programme for Derry/Londonderry UK City of Culture 2013. (AQO 2313/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** My Department has committed £12.6 million over the next two financial years to the City of Culture 2013 cultural programme. That £12.6 million includes £9 million for the cultural programme of events; £1.6 million for marketing; and a £2 million optimism bias to manage unforeseen costs.

The contribution of the Department of Culture, Arts and Leisure (DCAL) will be spread across an agreed list of events and activities in the run-up to and during 2013. It will contribute to costs such as events management, technical and production costs, artists' fees and venue hire. The funding has been allocated to achieve specific and measurable outcomes for the city and, indeed, the wider region in respect of the economy, health, education and social inclusion, with a lasting legacy for local people.

**Mr Kinahan:** I thank the Minister for her answer. Will she outline the benefits of the funding for not just Londonderry but the whole of the north-west?

**Ms Ní Chuilín:** I thank the Member for that question. It is accepted that the region has been underfunded over decades. This will help to generate the local economy, provide employment and develop skills that will hopefully make local people employable well beyond the year of the City of Culture. As well as that, you have hotel beds, restaurants and local companies involved in design and production. You have tourism and local transport. The All-Ireland Fleadh is also coming. It is estimated that well over €30 million has been spent. The GAA will hold its annual convention there as well, and that will bring in a substantial amount of money.

The social legacy is also very important. It will help to build and develop good relations among the people across the city and, indeed, the north-west. It will feed into the border counties and surrounding areas, which can only be good. The Executive's contribution to this is quite substantial.

**Miss M McIlveen:** I understand that the Culture Company still has to secure £7.75 million for marketing and programming and that it hopes to secure part of that through sponsorship. If it is not secured, does DCAL plan to make up the shortfall? If so, will the Minister give an assurance that any further funding required will not come

as a result of a further pillaging of the Ulster-Scots and museums budgets?

**Ms Ní Chuilín:** I will take the last point first. Those budgets were not pillaged. When people do not spend their money, it is brought back into a central fund. It is a disgrace that the Ulster Scots did not spend their money, because that community loses out. I am on the record as having said that before. If that continues to happen, I will look at the future arrangements. It just cannot continue to happen. Museums got a big uplift in their budget the last time. The money was used to pay for libraries, so it had nothing to do with the City of Culture.

The Culture Company and Derry City Council have told us that they are confident that they can get the remainder of the sponsorship. Indeed, there was an event in London organised by Hugo Swire to help to secure additional sponsorship. I am reluctant — I think that the Executive are reluctant — to go above and beyond what we have already paid for. That is only fair. Almost £20 million of Exchequer money is going into Derry City of Culture 2013. It is incumbent on Derry City Council and the Culture Company to secure the remainder of the sponsorship.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin agus as an mhéid airgid a gheobhaidh Doire ag an bhomaite. I thank the Minister for her answer. On behalf of the people of Derry, I also thank her for this well-needed boost to City of Culture funding. Does she agree with me that not only will this have a great impact on the city's employment and cultural product but it will have a longer-lasting cultural legacy?

**Ms Ní Chuilín:** I do, and I thank the Member for his question. The legacy is one of the important issues for the Executive. In response to the question asked by Danny Kinahan, the economic legacy will bring investment to a part of the North that has been deprived of investment for decades. It will also bring local employment and employability skills. Above and beyond that, it will help to promote a part of the North that has a brilliant cultural hub anyway and leave a richer and greater legacy. The Peace One Day concert was attended by between 8,000 and 10,000 people. All the people who attended spent money, but not all of them were from the city of Derry. It is important that people from Belfast, people like me, get on the bus to Derry, which leaves Belfast every half hour. Derry has a lot to offer.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her answers, and I thank her even more for her financial commitment to the City of Culture. I look forward to seeing her many times at events in the city over the next couple of years. What proportion, if any, of the £12.6 million will be utilised for the cultural programme, community engagement and cross-community development?

**Ms Ní Chuilín:** I thank the Member for his question and his comments. To be honest, if I spend any more time in Derry, I will have to look for lodgings.

**Mr P Ramsey:** You will get that too.

**Ms Ní Chuilín:** Yes, I will. I hear that you do competitive rates, Pat. The programmes and events bidding for the £9 million have to demonstrate not only that there is



community engagement around the City of Culture but that it will endure beyond the 2013 initiative. I do not have a percentage figure, but we are working on the basis that, in the granting of the £9 million, community engagement has to be demonstrated. It also has to be demonstrated that there is a wealth of diverse programmes that reflect the rich cultural nature and heritage of the city and, indeed, the north-west. If percentages are attached to that, I am not aware of them. Our Department is working with the Culture Company to ensure that that happens across our £9 million for the events and initiatives.

**Mr Principal Deputy Speaker:** Question 2 has been withdrawn.

## Fishing Rights

**3. Mr Hazzard** asked the Minister of Culture, Arts and Leisure to define the control of fishing rights in waters other than those controlled by her Department. (AQO 2315/11-15)

**Ms Ní Chuilín:** The owners of fishing rights may lease these to other parties, such as angling clubs, to manage the operation of the fishery. Constituted angling clubs and other interested bodies that manage fisheries may nominate members to be appointed private water bailiffs by the courts, for example. This empowers them to protect the fishery and ensure that any persons fishing on that water comply with all requirements. Access to private fishing waters is usually granted in the form of a permit or a day ticket upon production of an appropriate licence issued under the Fisheries Act and payment of the determined fee. In many cases, the owners of fishing rights are unknown, and, under the Fisheries Act, the Department has powers to allow persons or organisations as well as the Department to develop such derelict waters for angling. This not does entitle the developer to claim ownership of the fishing rights; rather these are held in trust should the rightful owner be identified and provide evidence of ownership.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her answer. What is the procedure that must be followed by an applicant who wants to develop derelict water?

**Ms Ní Chuilín:** The procedures that need to be followed regarding the development of derelict water are defined under sections 3 and 4 of the Fisheries Act (NI) 1966. One aspect is when a person who is entitled to fishing rights to those waters cannot be found, and the second is whether the Department is satisfied that the water should be developed for angling. The Department will publish a notification at least twice in one or more publications, including local gazettes, of the intention to develop waters under a derelict water application. The Department will also investigate any objections and claims of entitlement received in respect of an application. In all cases, if proof of title is provided, support from the Department regarding a derelict water application will be withdrawn and water will no longer be considered derelict.

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra go dtí seo. Tá ceist bheag agam di: an aontaíonn an tAire liom gur maith an rud é go mbeadh clár lárnach de chearta iascaireachta ann? I thank the Minister for her answer. Does she agree that a central register of fishing rights would be a useful addition?

**Ms Ní Chuilín:** Go raibh maith agat. Aontaím leat go hiomlán. I totally agree. A central register would be of benefit, particularly to angling clubs. The Member may be aware that, during the last Question Time or the one before that, I stated my intention, along with my colleagues in the Irish Government, to try to pursue centralisation of fishing and permits because it makes it a lot easier. With DCAL in the North, it is much more complicated and complex than it is elsewhere. It is our job, collectively, to make it easier for people who take part in a sport and get involved in inclusion programmes through angling and fishing clubs, instead of making it more difficult. It seems to be at a stage where it is more complex than straightforward. I want to make it straightforward.

**Lord Morrow:** I declare an interest as a member of an angling club. What assistance does the Department give to angling clubs that wish to engage bailiffs to police rivers?

**Ms Ní Chuilín:** That is a very good question. Along with members of my Department, I met some angling clubs and some bailiffs recently about how to have a better working relationship and a better partnership. The anglers are almost the natural guardians of the waters and rivers. In the past, I think my Department took them for granted and did not give them the value and the respect that they deserved and did not include them as much as it should have. I assumed that that was due to a lack of understanding of the role that angling clubs and bailiffs play in securing our waters. There will be a greater relationship where there is the demand for it. I look forward to meeting more angling clubs to talk about how those relationships can be further developed.

I think, if I take the Member up correctly, that he is saying that, when the relationship is good, it needs to be recognised, and, when the relationship is poor, there needs to be better communication. Everybody has the safety and sustainability of the rivers and waterways at heart.

**Mr Gardiner:** Does the Minister agree that clubs and individuals who hold fishing rights for Northern Ireland waters have made a significant contribution to maintaining the habitants of those waters?

**Ms Ní Chuilín:** I cannot give a yes or no answer, and I am not dodging it. As I said to Lord Morrow, I have met angling clubs. They fish all over, regardless of who owns the water. The feedback is that it is completely varied. Waters that do not belong to the public angling estate are a burden on the state one way or the other. The people who own waters need to take responsibility for those waters themselves. The Environment Agency and the Rivers Agency have been brought in and, at times, my Department has been brought in to give advice, and that will stand. However, there is a difference between giving advice and maintaining private waters. I am not in favour of maintaining private waters for landlords. I am in favour of maintaining private waters for citizens, who should have the right to fish and the right to enjoy the rivers.

## Community Festival Grants

**4. Mr A Maskey** asked the Minister of Culture, Arts and Leisure to outline the policy for the distribution of community festival grants by the Arts Council. (AQO 2316/11-15)



**Ms Ní Chuilín:** My Department has responsibility for the community festivals fund, which is delivered through district councils. A sum of £450,000 has been allocated each year since 2008-09 to the community festivals fund. Allocations to councils are calculated using population and deprivation measures for each council area. Councils are required to match fund the allocation from the Department. In addition, the Arts Council provides some funding for the arts element of community festivals under a number of its funding programmes, including the annual funding programme, the lottery project funding programme and the small grants programme. Applications to each programme are assessed under the criteria relevant to that particular programme.

## 2.15 pm

**Mr A Maskey:** Go raibh maith agat. I thank the Minister for that reply. Is she in a position to elaborate on the criteria that her Department uses for awarding such funds to councils?

**Ms Ní Chuilín:** The amount that is brought forward is based on population and deprivation measures. The criteria that have been forwarded to local councils are fairly clear, in that the funding has to be for community festivals. Therefore, population and deprivation measures are used for each of the areas, and councils are required to match that. It really has to be based on how councils interpret our policy that the fund is purely for festivals. Some have said that the council fund be used for commemorations and marking significant events. However, that is specifically from our Department to councils.

**Mrs Hale:** The Committee is aware that uptake of the community festival fund is better in some areas than in others. Although that may, in part, be due to the match funding required from the councils, will the Minister advise what her Department can do to better promote it and to encourage councils to avail themselves of the fund?

**Ms Ní Chuilín:** I am meeting council chief executives to talk about that and other issues. It is not fair for groups in a council area to lose out because some councils are reluctant to put up match funding to the Department's offer. There are many, many activities happening in small towns, villages and big cities that some councils feel that they are not in a position to match fund. I think that those groups are done a disservice. So, I am encouraging better uptake from local government. I hope that we can come back in October or November to monitor any progress. That will be with a view to trying to get better uptake and to make sure that match funding is awarded. Local people will lose out if that does not happen.

## DCAL Waters: Restocking

5. **Ms Maeve McLaughlin** asked the Minister of Culture, Arts and Leisure what is the annual cost and extent of the annual restocking of departmental waters. (AQO 2317/11-15)

**Ms Ní Chuilín:** The Department stocks farmed brown trout and rainbow trout into approximately 30 public angling estate waters throughout the North. They are produced at the Department's fish farm located at Movagh, near Kilrea. The waters are primarily reservoirs and lakes with minimal opportunity for fish to escape, which ensures that the farmed fish are isolated from wild fish stocks in feeder streams and rivers. From January to December 2011, over 91,000 brown trout and over 41,000 rainbow trout

were stocked in DCAL waters. The total cost of stocking departmental waters during that period was almost £133,000.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for that update. Will she outline the economic and social benefits of angling to the North?

**Ms Ní Chuilín:** I suppose that goes back to Dominic Bradley's question about making sure that the system for angling is much more straightforward and less complex. If that was done, there would be a better uptake than there is from people who are considered angling visitors. In a survey in 2005, it was established that over £3.5 million was put into the local economy from angling alone. The assumption is that the people who are involved will be looking for accommodation, transport and tourism. People spend money in our towns, villages and shops. We need to go back to the 2005 survey so that we can try to upgrade that. There are certainly economic benefits to making sure that we promote the best possible angling tourism and potential for the North.

**Mr Rogers:** Will the Minister detail the level of fishing stock that has been lost due to pollution in the past three years?

**Ms Ní Chuilín:** I do not have that information to hand, but I am happy to write to the Member. If there is anything specific that he wants to know, I can see him afterwards to give him that information.

## World Police and Fire Games

7. **Mrs Overend** asked the Minister of Culture, Arts and Leisure what actions she is taking to ensure that small and medium-sized enterprises are involved in the supply of goods and services for the World Police and Fire Games. (AQO 2319/11-15)

**Ms Ní Chuilín:** I am keen to ensure that local small and medium enterprises are involved in the supply of goods and services to the 2013 World Police and Fire Games and that the games target and deliver real and tangible benefits to people living in areas of greatest objective need. I have made that clear to the World Police and Fire Games company on several occasions. The company recently distributed an expression of interest across a range of suppliers and service opportunities and engaged directly with almost 90 potential suppliers who attended a related information session. The company should have a high-level procurement plan in place at the end of this month.

**Mrs Overend:** Does the Minister accept that the World Police and Fire Games can play an important role in boosting the economy? Does she agree that there are many small and medium-sized enterprises in Northern Ireland that can contribute to the overall success of the games?

**Ms Ní Chuilín:** Absolutely. That is why we have encouraged the World Police and Fire Games company, and, in fairness, it agrees with that, so it is not as if we are imposing something on it. The company also sees the potential and the benefits, particularly for small and medium enterprises across the North. To that end, it has been very proactive. As I said, almost 90 potential suppliers have been brought together in an information session to make people aware of potential opportunities that may arise as a result of the games.

**Mr Humphrey:** I thank the Minister for her answers so far. I declare an interest as a member of Belfast City Council.

Does the Minister agree that it is important that, when the World Police and Fire Games leave the city of Belfast after the competition is concluded, there must be a dividend? Does she agree that there should be interaction and outreach by the World Police and Fire Games organisation to communities across the city, particularly deprived, hard-pressed, working-class areas? Is she working with Belfast City Council to ensure that that happens?

**Ms Ní Chuilín:** Belfast City Council won the bid. It is hosting the games and is part of the World Police and Fire Games company. I agree with the Member that it is really important. I have already met some of the services, and they are saying that they are leaving things such as gym equipment to deprived areas. We are also hoping to attract children, young people and others from surrounding areas to become volunteers as part of the games, so that they build up relationships with each other and build up skills and, hopefully, get those skills and their volunteering accredited so that it helps towards their employability. With an opportunity such as this coming to Belfast, it is really important that the areas we represent are not on the outside looking in. That does nothing but cause resentment, but I am confident that it will not happen.

**Mr Sheehan:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers up to now. Will she elaborate on one of the earlier supplementary questions in respect of the economic benefits to the North from the World Police and Fire Games?

**Ms Ní Chuilín:** I love the way Members say “up to now” as if you are going to disappoint them.

It is estimated that the economic benefit to us is around £21.7 million. The first estimation was around £15 million, so it has increased already, and I hope that it will increase again. Some 15,000 athletes and 10,000 visitors will come to Belfast next year. That is quite substantial. Almost £1.5 million has already been secured through bookings and accommodation. We are assuming that people will stay in local hotels, eat out in local restaurants, go to local bars, hire cars and visit places not just in Belfast but elsewhere. Therefore, as far as the Executive are concerned, the games have the potential to further demonstrate our capacity for hosting and holding major events, which we hope will increase visitor numbers to our shores in the long term.

## Intercultural Arts Strategy

8. **Ms Lo** asked the Minister of Culture, Arts and Leisure for her assessment of the impact that the intercultural arts strategy may have on ethnic minorities. (AQO 2320/11-15)

**Ms Ní Chuilín:** The Arts Council launched its intercultural arts strategy in Parliament Buildings on 13 June. The strategy aims to meet the creative and social needs of ethnic communities through a set of strategic themes and objectives. Those themes include intercultural engagement; developing the minority ethnic arts infrastructure; using the arts to develop community cohesion; using the arts to increase awareness of diversity; and developing programmes that use the arts to develop good relations as a vehicle for tackling racism. The Arts Council plans to invest an initial £300,000 of lottery funding over the next three years to promote cultural diversity, using the arts

to help develop good relations, and, importantly, to help tackle racism and deliver a better future for everyone. I am confident that those measures will have a positive impact on the lives of ethnic communities living in the North.

**Ms Lo:** I thank the Minister for her response. I must say that I was absolutely delighted to see this long overdue strategy materialise, as well as the funding stream to go along with it. I know that the work of local arts organisations in partnership with ethnic minority arts groups is important and valuable, but does the Minister agree that, through the strategy, the focus and the priority needs to be capacity building for ethnic minority groups?

**Ms Ní Chuilín:** It is my understanding that this strategy is about just that. As well as supporting local artists, it is about supporting artists from minority ethnic communities, providing more long-term sustainability and creating new artists. That will ensure that there is a longer-lasting legacy for communities. We must make sure that we use the intercultural arts programme to enhance community relations, tackle racism and promote diversity. It is really important that it is used in a way that leaves a long-lasting legacy for communities.

**Mr Dallat:** Can the Minister tell us whether the strategy has been shared with the Department of Education's diversity service? Perhaps she could tell us something about how she intends to monitor and evaluate the delivery and outcomes of the intercultural arts strategy?

**Ms Ní Chuilín:** I cannot tell you that offhand, but I will get you the information. I know that there is a steering group under OFMDFM, and there is a consultation as well. I assume that the body that the Member referred to is on that steering group but, to be honest, I do not know. I will get him that information.

## 2012 Olympics: Torch Relay

9. **Mr I McCrea** asked the Minister of Culture, Arts and Leisure for her assessment of the benefits of bringing the Olympic torch to towns and villages across Northern Ireland. (AQO 2321/11-15)

**Ms Ní Chuilín:** Sorry. I have lost my answer, but in terms of the —

**Mr Hamilton:** Make it up.

**Ms Ní Chuilín:** No, it is OK. I will just take it from this, rather than being prompted by what is in my file. It will be more honest anyway, Ian; it will be more natural. Maybe other Ministers can watch and learn.

In relation to assessing the benefits of bringing the Olympic torch to towns and villages across the North, I have to say that this was one of the most enjoyable and worthwhile things that I have been involved in since becoming Minister. I think that the torch relay was a huge success for towns and villages and increased awareness of the games and of physical activity. It brought people from different parts of the city to different parts of the North. For example, a torch-bearer who lives in Belfast might have run through Cookstown. I know that that was the case on many occasions. We will hopefully garner the same support and participation when the Paralympic torch comes to our shores at the end of August.

**Mr I McCrea:** The Minister arrived in Ballyronan via boat with Lough Neagh Rescue. Obviously, that was an important event for the organisation. I believe that she then went to Magherafelt and saw the world record bid. Does the Minister accept that such events are important to people in Northern Ireland — for some, it was a once-in-a-lifetime opportunity — because they get to see the benefits of the Olympics and, indeed, take part in world record attempts.

**Ms Ní Chuilín:** I do not know whether you were in Ballyronan or whether it was you who said, “Look at her. She is like your woman out of ‘Titanic’ coming across in that boat”. *[Laughter.]* I was not in Magherafelt; I was trying to get to Ballyronan to get to the other side of the lough. Congratulations to the children and young people who broke the world record. It was really important for towns, villages and councils. Local councils did a really good job. It is not often that they get credit. I thought that they did brilliantly. Some did better than others because of their resources. They used the Olympic torch route as an opportunity to provide local festival-type activities and promote participation. I thought it was nothing but good.

Cookstown is certainly one of the councils, and Magherafelt in mid-Ulster is another, which will have a Paralympic torch and be involved in that relay. So, in mid-Ulster, you should really keep it lit.

2.30 pm

## Employment and Learning

**Mr Principal Deputy Speaker:** Questions 4 and 12 have been withdrawn and require written answers. Mr Kelly is not in his place.

### Engineering Skills Working Group

2. **Mr Boylan** asked the Minister for Employment and Learning for an update on the work of his Department's engineering skills working group. (AQO 2328/11-15)

**Dr Farry (The Minister for Employment and Learning):** I thank the Member for his question. Over the past few months, employers within this sector have raised concerns about a potential shortage of engineers. As a result, I asked my adviser on employment and skills, Bill McGinnis, to meet relevant employers to discuss their specific skill needs. His findings will form part of a wider study that will include a thorough analysis of the supply side, encompassing universities, colleges and apprenticeships. That report is being finalised.

On 25 June, I held an event in the Stormont Hotel to bring together employers, government officials and representatives of colleges and universities to discuss the skills issue in more detail. At that meeting, I established an advanced manufacturing and engineering services working group of all stakeholders. That group will develop an action plan to address the specific skill challenges faced by the sector. It follows a similar process used to develop the action plans for the information and communication technology (ICT) and food and drink industries. Both of those plans were launched last month and are available on my Department's website.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answer. Is he confident that this situation can be turned around and that a better match between young people's qualifications and related job opportunities in the engineering sector can be achieved in the short term?

**Dr Farry:** I thank the Member for that supplementary question. He is right to put his finger on the core challenge that we face, not just in engineering but in other sectors, of ensuring that we accurately match supply with demand and that we do not, as a consequence, miss out on opportunities. This is a very diverse sector with a range of different needs. I am very keen to tease out all the subtleties and particular issues that we need to address. I hope that the working group that has been established will be the forum in which that can be addressed and taken forward.

**Mr P Ramsey:** In respect of the engineering skills working group, what considerations and input did it have in the production of the NEET — not in education, employment or training — young people's strategy?

**Dr Farry:** I thank Mr Ramsey for the question. The two issues are separate but, obviously, there is an overlap in that we endeavour to get people who are unemployed or who fall into other categories of NEETs into employment. I have had discussions with employer representative bodies, including the Confederation of British Industry (CBI) and also some engineering representative bodies, all of which express very strong interest in the youth employment measures that we have been taking forward. A lot of the work in matching skills for the sector, but not exclusively so, will focus on the particular training and education of young people. In that sense, there is a very strong interface with this work.

**Mrs Cochrane:** The Minister mentioned the ICT working group. Will he outline what lessons he has learned from that group?

**Dr Farry:** I thank the Member for that supplementary question. We are now developing a tried and tested methodology for making interventions in key priority skill sectors of the economy. The ICT working group is the most recent example of that. The key lesson from that is that if we bring together the key partners, whether it be government — not just my Department but others — the universities, colleges and business representatives, we must have a very focused timescale in which to make our deliberations. We can then have a very hands-on approach to addressing the needs of the various industries. Under devolution, we have the opportunity to be very hands-on because we are much more directly in touch with the constituents whom we serve. I believe that the working groups that we have established will make a real difference, and I share those hopes for the engineering group that will commence shortly.

**Mr McCallister:** I welcome the Minister's replies so far, particularly the fact that he is determined to ensure that we can match the demands of industry over the next five years. Does he think that industry could do more to promote engineering as a valued career and entice more young people into the sector?

**Dr Farry:** I thank Mr McCallister for his supplementary. It is worth stressing that it is not just industry that brought those concerns to me and my officials but a number of elected representatives, and I thank them for that. Mr McCallister makes an important point. Government will do what we

can. I certainly give a commitment, and I know my Executive colleagues share this, that where we can and have a duty to intervene, we will. However, not all the answers will lie in the hands of government, and we cannot be in the situation of industry looking to government for all the answers. There will be times, particularly on a collaborative basis, when we can identify actions that industry itself can take forward and where self-help can be the means to address certain issues. That has been the case with other action plans and I expect that to be the case with the future engineering action plan.

### Tuition Fees: Scotland

**3. Mr Weir** asked the Minister for Employment and Learning for an update on discussions with the Scottish Executive in relation to university fees charged to Northern Ireland students. (AQO 2329/11-15)

**Dr Farry:** Under current student finance arrangements in Scotland, eligible Scottish-domiciled students studying full-time undergraduate courses in Scotland qualify for free tuition. In accordance with European Union law, eligible European Union nationals studying in Scotland must also receive free tuition.

Although I have had no direct discussions with the Scottish Executive, my Department was advised by colleagues in the Student Awards Agency for Scotland that Northern Ireland students who hold Irish passports may, but are not required to, apply to Scottish higher education institutions as European Union nationals. Applicants who choose to apply as European Union nationals can also apply to have their tuition fees paid, provided that they satisfy the eligibility requirements of the Student Awards Agency for Scotland.

I understand that some Northern Ireland-domiciled students are reapplying to Scottish universities as European Union nationals. Scottish Government colleagues have advised that it is too early in the application cycle to say whether there will be any issues with the availability of European Union places for such students. As this is a matter for the relevant Scottish authorities, Northern Ireland-domiciled students who also hold non-UK European Union nationality are still advised to contact the Scottish higher education institution where they intend to study and the Student Awards Agency for Scotland to clarify, respectively, their fee status and eligibility for tuition fee support.

**Mr Weir:** I thank the Minister for his answer and appreciate that, in many ways, those decisions are being taken by the Scottish Executive, but it does leave a lot of Northern Ireland-originating students in a degree of limbo through a lack of certainty. Have the Scottish Executive indicated a timescale within which they will be providing people with a definitive answer as to how their applications will be treated?

**Dr Farry:** This is an important issue and I want to give as much clarity as I possibly can from the Northern Ireland perspective. Ultimately, however, the best and only real advice that we can give students is that they, on an individual basis, need to talk to the Student Awards Agency for Scotland and the institution to which they are applying. There is a danger in anyone drawing any generalities from this or coming to any assumptions regarding their personal circumstances that may flow from what happened with somebody else.

Of course, this situation arose from the Scottish authorities taking their own decisions on free tuition for Scottish-based students. We did something similar in Northern Ireland with our freeze on tuition fees. This is what happens under devolution. Decisions that both took were done with the best of reasons but anomalies will arise from that and distortion to student flows, and we have to act to mitigate those.

I understand that the Scottish authorities are looking at ways to address the situation and there may well be discussions in the very near future between officials from the devolved regions and the Department for Business, Innovation and Skills in London.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra shuimiúil sin. Tá ceist agam air i dtaobh mic léinn ón Tuaisceart ar mhaith leo staidéar a dhéanamh in ollscoileanna sa Phoblacht. In light of changing funding models in the Republic for students from Northern Ireland, what modelling has the Minister's Department carried out?

**Dr Farry:** I thank Mr Bradley for his question. To some extent, it strays into a question tabled by Mr McElduff, which is question 15, although I am not sure that we will get to it on this occasion.

There are changes in the funding arrangements in the Republic of Ireland, where there has been an increase in the registration fee that has been put forward in recent years. It is still lower than the fees that are charged by our universities for local students in Northern Ireland. I have recently made a number of announcements about the fee support that we will give to Northern Ireland residents studying in the South of Ireland. Those have closely followed recommendations made to my Department by Joanne Stuart back in 2011 and recommendations in the Irish Business and Employers' Confederation (IBEC) and Confederation of British Industry (CBI) report on North/South student flows. We have significantly increased the scale of the maintenance support as well as the eligibility criteria for students wishing to study in the South of Ireland. We have also changed what was essentially a grant to pay the registration fee to a loan. We are ensuring that we have a consistent approach as far as possible right throughout these islands so that we have a level playing field for students from Northern Ireland. I believe that that is in the interests of fairness on a North/South basis and also right across the piece.

**Mr Principal Deputy Speaker:** I remind Members that if they want to be called, they must continue to rise in their place at the time.

**Mr Gardiner:** What impact does the Minister think that Queen's University's £200 million investment will have on students' choice of university?

**Dr Farry:** I welcome what Queen's University is doing. It is important that universities continue to make investments. They are, of course, autonomous bodies. They have autonomy from my Department, even though it significantly funds them. Of course, the University of Ulster is also making significant investments in an expanded campus in Belfast. It is not for me to recommend any particular choice of university to students, but I nevertheless welcome the fact that we are investing — whether it is my Department or



universities themselves — in the future of higher education in this region.

**Mr F McCann:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. First of all, I apologise for being late. I was dealing with a constituency query before I came down.

Does the Minister not accept that, in relation to the Scottish example, his Department has failed many students who carry Irish passports by not offering them prompt and accurate information and advice on this matter?

**Dr Farry:** I do not accept that at all. I think that I have been very clear on this. It is a matter for the Scottish authorities. Northern Ireland residents are entitled to apply to universities anywhere. My responsibility is in relation to local higher education provision. However, we are very clear in the advice that we are giving to students, which is that they have to take individual advice from the Scottish awards authority and the higher education institutions in Scotland. It is also important to recognise that people who hold Irish passports can continue to apply as a UK resident. They do not have to apply as a European Union national. They have that choice. There will be pros and cons no matter what option they choose. If you apply as a UK resident, you will obviously become eligible for the higher level of fees in Scotland, but you will not be counted as part of the overall control that many institutions will apply to the number of places. The danger is that if you apply as a European Union national, you will be entitled to the same free tuition to which Scottish residents are entitled, but the potential risk is the lack of a guarantee on the number of places. Students need to look at the issue on an individual basis and have those discussions with the Scottish awards authority and the relevant institution. As a Department, we cannot give general advice: we do not have the standing to do that, and it would be dangerous for us to give advice on a third-hand basis.

2.45 pm

**Mr Principal Deputy Speaker:** I remind Members that questions 4, 7 and 12 have been withdrawn.

### Disabled People: Vocational Training

5. **Mr G Robinson** asked the Minister for Employment and Learning what plans his Department has to maximise the number of individuals with a disability engaging in training or retraining in vocational subjects in the forthcoming academic year. (AQO 2331/11-15)

**Dr Farry:** I am fully committed to supporting individuals with a disability to engage in training or retraining in vocational subjects. My Department aims to ensure that the specific needs of people with disabilities are identified and addressed in an appropriate way to ensure that they can obtain maximum benefit from education or training. To that end, programmes and services either specifically target those with a disability or facilitate access to more mainstream services, including employment support, careers, training and further and higher education. Careers advisers attend transition planning meetings at year 10 for pupils with a statement of educational need and also subsequent annual review meetings. That continues until the young person leaves post-primary education to help them to make informed decisions about education and training.

The disability employment service delivers a range of pan-disability employment services and programmes that target and support people of all ages to progress towards, move into and sustain meaningful paid employment. Financial allowances are available to students, further education colleges and higher education institutions. The allowances can help to meet the cost of a non-medical helper, items of specialist equipment, travel and other course-related costs. The facility is also available to those on the Department's Training for Success programme, which is open to young people up to the age of 22 who have a disability. Specialist providers such as Disability Action, Sensory Learning Support and the Cedar Foundation work in conjunction with training providers to support young people on Training for Success.

**Mr G Robinson:** Does the Minister agree that ensuring that people with a disability maximise their talents would benefit Northern Ireland's economy in the medium to long term?

**Dr Farry:** I thank Mr Robinson for that supplementary question. He makes an important point. We are seeking to unlock everyone's potential, and I firmly believe that every citizen in this society and elsewhere has the potential to make a contribution to society and to the economy, and to have their personal life as well. However, people often need support and interventions to ensure that they are able to reach their maximum potential. We get some very positive feedback when we talk to employers and review our programmes that support people with disabilities about the contribution that those people make in the workplace. They prove to be dedicated and diligent workers who add to a business's bottom line.

**Mr Dallat:** I thank the Minister for his comprehensive answer, which appears to be in line with the principles of the Good Friday Agreement. Does he share my frustration that many people with disabilities, particularly those in the hard-to-reach category, have not found meaningful employment and gainful wages?

**Dr Farry:** I accept what Mr Dallat says. The programmes and policies are in place, but there is an ongoing challenge to engage with people and to maximise our activities to assist people into sustainable work. I draw particular attention to the recent NEETs strategy that the Executive agreed. We are seeking to maximise the number of young people who engage with opportunities for work, and we recognise the fact that people wish to work but are held back by various barriers and that, in some circumstances, those barriers can be disabilities.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What is the Minister's Department's assessment of the range and quality of courses provided at Parkanaur College, which members of the Employment and Learning Committee were happy to visit some time ago? Does the Department intend to increase funding for that college to meet the needs of an even greater number of students who have a disability?

**Dr Farry:** I thank Mr McElduff for his question. I am not sure whether he has been stalking me over the past week. I had the privilege of visiting Parkanaur last Friday for its annual graduation and prize-giving ceremony. The college is certainly very effective, and it is making a real difference to a number of young people's lives. The Department funds 15 residential places at Parkanaur. That covers a range



of areas, such as business, administration, horticulture, catering and upholstery. Some of the young people are very good at multitasking and are achieving qualifications in a range of subjects. Where appropriate, our careers advisers in the jobs and benefits offices will direct people to Parkanaur, if that type of situation is appropriate for them. The numbers that we are supporting in Parkanaur have increased over the past year.

## UCAS: Ireland

6. **Ms Ruane** asked the Minister for Employment and Learning what action his Department can take to encourage the UCAS system to provide fuller information about higher education provision throughout the island of Ireland. (AQO 2332/11-15)

**Dr Farry:** UCAS is an independent organisation that provides subscribing UK higher education institutions with a student application service. For those students wishing to study at institutions outside the UK, the UCAS website provides contact details and weblinks to a number of international admissions services, including the Central Applications Office (CAO) in the Republic of Ireland.

As it is the responsibility of individual higher education institutions to promote available courses, my Department has no remit to encourage UCAS to provide fuller information on higher education provision. However, my Department's Careers Service, in partnership with UCAS, organises an annual higher education convention in Belfast. This year, in addition to universities in England, Scotland and Wales, exhibitors included representatives from higher education providers throughout the island of Ireland. Those included the National University of Ireland in Galway and Maynooth, the Dundalk Institute of Technology, Dublin City University and Dublin Business School. Some 8,500 students from 98 schools in Northern Ireland attended.

**Ms Ruane:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. I thank the Minister for his answer. Does he agree that his careers advice needs to be updated and expanded? He mentioned Dundalk and some of the IT institutions, but my information is that there is not enough advice available on the full degree courses in Sligo, Dundalk and Letterkenny. Partnership is partnership. UCAS should be working with CAO because there is a lack of information from UCAS. Does the Minister agree that that could be an obstacle to mobility on this island?

**Dr Farry:** UCAS works with CAO at present, and, of course, the Member will be well aware that we have an IBEC/CBI joint report, which highlighted a full set of recommendations to be addressed, whether by Departments or by institutions in both parts of the island, to remove barriers to student flows.

If there is an issue with the accuracy of the information that the Careers Service has, I will ask it to look at it and update it. I am keen to ensure that the Careers Service is there to provide information and advice. It is not its responsibility to steer students in any particular direction or to push any particular institutions. I want to ensure that we have a level playing field and that the fullest information is available for young people to make the best choice for themselves and their future career.

**Mrs Overend:** Does the Minister accept that although attracting international students is advantageous for universities and the wider economy, visa restrictions mean that the numbers of such students is capped? What steps is he taking, in conjunction with Her Majesty's Government, to address current difficulties with student visas?

**Dr Farry:** I thank the Member for that question. It is worth stressing that our international student profile has been depressed over the past 30 years compared with that in a lot of other areas and higher education institutions. That means that we are playing catch-up on that. Of course, immigration rules and visas are not devolved to Northern Ireland, but it is nevertheless in our interests to maximise the number of people who can come to study in our local universities. I certainly have raised that with David Willetts, the Minister with responsibility for universities in the Department for Business, Innovation and Skills.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Just picking up on that point so that the Minister can develop it a wee bit further, what discussions has he actually had with his counterpart in Dublin about streamlining third-level education services?

**Dr Farry:** I would not necessarily say that we have had discussions about streamlining those services, but I had a meeting, most recently at the North/South Ministerial Council, with my counterpart, Ruairí Quinn, the Education Minister in the Republic of Ireland. He and our respective officials have studied the IBEC/CBI report and have looked at the recommendations. Where we can act, we are committed to addressing those. There is also spillover into the responsibilities of my colleague the Minister of Education, and some of the recommendations touch on areas that are his responsibility. I understand that he has also had similar bilateral discussions with the Minister of Education in the South.

**Mr Principal Deputy Speaker:** Question 7 has been withdrawn.

## Employment: Bureaucracy

8. **Mr Ross** asked the Minister for Employment and Learning what steps he has taken to reduce the bureaucratic burden on employers in relation to employing new members of staff. (AQO 2334/11-15)

**Dr Farry:** My Department gives very careful consideration to the needs of business in developing employment law, policy and legislation in line with the principles of better regulation. In the Executive's economic strategy, I have committed to a review of employment law that will seek to:

*"stimulate business confidence whilst maintaining the rights of individual employees."*

On 1 May 2012, I launched a discussion paper on the review of employment law. That paper seeks views on a range of issues, including early dispute resolution, tribunal reform and measures to reduce the regulatory burden of existing employment legislation. The discussion period ends on 20 July. I will then develop policy proposals with a view to consulting on them by the end of the year.

I will shortly announce a pilot review of employment regulations that will look for opportunities to reduce the regulatory burden on the business community. That pilot will examine three substantial sets of employment regulations

that relate to the working time directive, the conduct of employment agencies and the rules that govern the Industrial and Fair Employment Tribunals. The Department will liaise with the key employer and employee stakeholder bodies to ensure that the review is informed by what is happening in the workplace.

In reviewing those regulations, my Department will consider the necessity of the provision. For example, does it strike the right balance between employer and employee needs? Can the provisions be improved or simplified? Is there a non-regulatory way of achieving the same purpose through, for example, better guidance? The pilot exercise will be conducted in line with better regulation principles, and the outcomes will inform the full review of employment law regulations, which is to be completed by 2015.

**Mr Ross:** The announcement that FG Wilson made yesterday shows the uncertainty and, perhaps, lack of confidence in the business community. It highlights how important it is that government helps businesses and employers by making hiring staff easier. The Minister will be aware that the national Government have already brought in a number of employment changes. I acknowledge that his Department is looking at doing the same in Northern Ireland, but does he have any concerns that because we are now out of step with the rest of the United Kingdom, Northern Ireland is a less attractive place for inward investment and that it is going to be more difficult for us to attract employment opportunities for people here?

**Dr Farry:** I thank Mr Ross for that supplementary question. This is obviously a very large and, in some respects, potentially controversial area, and it has certainly generated a lot of debate in Great Britain so far. Those discussions are still under way, and I do not think that we are necessarily falling out of step with what is happening in Great Britain.

### 3.00 pm

Obviously, when you talk to business representatives, employment law and regulations are among the top concerns that they raise. Recently, I held a series of meetings with all the representative bodies, and they all raised that as an issue. We are exploring those issues in the discussion document, and I hope that we can reach interim policy conclusions on the way forward in the very near future. In doing so, it is important to recognise that, although decisions on investment and the growth of business may be informed by employment regulations, there are other factors. The Executive are also turning their attention to those.

## Northern Ireland Assembly Commission

### Assembly: Working Hours

1. **Mr Agnew** asked the Assembly Commission what consideration has been given to offering staff the option of a shorter working week in order to meet the Commission's efficiency review targets. (AQO 2342/11-15)

**Mr Weir:** I thank the Member for his question. Following the outcome of the Budget 2011-15 process, the Assembly Commission agreed, as part of its approach to the spending

review 2010, that a business efficiency programme should be established. The programme is intended to help the Assembly to seek to deliver effective services to Members while delivering the savings that are set out in the spending review.

To date, a number of reviews of individual business areas have been undertaken, including Security and Ushering, the Research and Information Service, and Clerking. All business areas across the Assembly secretariat will be reviewed. On the basis of the work that has been carried out to date by the business efficiency programme and the potential efficiencies that have been identified, it has not been necessary to consider a shorter working week at this time.

**Mr Agnew:** I am aware that there are targets in the business efficiency review for a reduction in staff. As the Commission seeks to save money from the public purse, I ask that it remembers that Assembly staff are, equally, our constituents, our workers, our parents, our families and people who require employment. I ask that we bear that in mind when making any decisions about a reduction in staff numbers.

**Mr Weir:** I am not quite sure what the question was. The Member seemed to make a statement. The position of Assembly staff is very much in our minds. Although the programme was designed to make the level of efficiency savings that were required, we felt that it was reasonable. The Commission does not see a need for any form of compulsory redundancies, and the reduction in staff numbers is, effectively, being managed by way of vacancy control and the rejigging of posts. A target was set to reduce staff numbers from 410 at the start of the process to 375. Without any redundancies whatsoever, we are ahead of target. The target for the end of this year was 390, and we are about nine months ahead of schedule with a staffing level of 391.

We envisage that we will be able to meet the requirements of the efficiencies and ensure that we have a smaller staff without the need to make any form of redundancies. Consequently, the need for other measures such as a shorter working week would not need to be considered, so long as we continue to meet the targets we have set. It looks clear that we will meet those targets.

**Mr Mitchel McLaughlin:** On the basis of a reference in that answer, the Commission does not appear to have ruled out compulsory redundancies as an option. Could I press you on that issue and ask you to give that assurance?

**Mr Weir:** There is no desire to have compulsory — there will be no compulsory redundancies. We do not envisage there being any compulsory or, indeed, voluntary redundancies. It is, essentially, a question of vacancy control, which has been very successful. As I indicated, we are ahead of our target in that area. I cannot say for certain what will happen in the future, but the Commission does not envisage any compulsory or voluntary redundancies.

**Mr Gardiner:** Has the Assembly Commission considered the security risks in reducing staff or staff hours as part of the business efficiency programme?

**Mr Weir:** As I said, we are not looking at a shorter working week for staff. In the efficiency reviews, security is uppermost in our minds, as is what is practical and workable. Consequently, we have gone through each review with a fine toothcomb and have, for example, sought the

advice of parties, staff and Commission members on what is practical and workable. There is no point in producing an efficiency saving that will create further problems for the Assembly. We have to balance that against the overall need to live within our budget, but not at the expense of risking security.

**Mr Lyttle:** How will the differing working hours for ushers and security staff be rationalised if their roles are amalgamated as part of the business efficiency review programme?

**Mr Weir:** The Commission has yet to finalise its position on the security aspects of the report. We will try to ensure that we achieve maximum efficiency while protecting security. To some extent, finalising such details is a work in progress. We may be in a better position to answer in the near future.

## Parliament Buildings: Roof

2. **Ms Lo** asked the Assembly Commission for an update on the roof project in Parliament Buildings. (AQO 2343/11-15)

**Mr P Ramsey:** I thank the Member for her question. The procurement exercise to appoint a design team for the roof project is under way, and the five teams shortlisted from the pre-qualification stage have now been invited to tender. It is anticipated that the successful design team will be appointed in August this year, when work will commence on developing an outline scheme proposal into an agreed design scheme.

**Ms Lo:** I thank the Member for his answer. Is the Commission considering how to increase the energy efficiency of the new structure?

**Mr P Ramsey:** Energy efficiency will be a key consideration. We will look at new technologies, including solar panels, but all that will depend on costing. Major investment on the roof is badly needed. In the past two years, we invested in the region of £90,000 in maintenance and repairs because of serious water penetration of the third and fourth floors, so it will certainly be a good investment.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What capital spending commitments have been identified by the Commission for the rest of this Assembly mandate?

**Mr P Ramsey:** I thank the Member for the question. Over the remainder of the mandate, the Commission has earmarked a total of £6.3 million for capital projects, including improving accessibility to Parliament Buildings. During the summer recess, one major capital investment that will go ahead to make the Building more disabled-friendly is the construction of two ramps at each side entrance, which will be hugely important for so many wheelchair users seeking access. People with muscular dystrophy are today attending an event in the Long Gallery, but we must continuously improve the Building. I am one member of the Commission who has championed the needs of disabled people, and we are constantly improving.

**Mr Copeland:** It goes almost without saying that leaks are common in all forms of government. Unfortunately, the leaks that we are discussing are in the roof, and I have seen buckets sitting on the floor upstairs. Are there any plans to take environmental advantage of work on the leaking roof — assuming that the leaks are fixed — by installing

solar panels, photovoltaics or any other available options to improve the Building's efficiency?

**Mr P Ramsey:** That is an important point. The Commission is always trying to improve environmentally the product that we provide. It is looking at installing solar panels on the roof. The design team will be required to investigate and specify appropriate environmental technologies that will improve the Building. However, the repairs are essential because, as I said, £90,000 has been spent on remedial work since 2009. That included work to the parapet walls and repairs that we have seen for ourselves, and I invite any Member to have a look at the roof in its proper context. We are talking about one of the most historic buildings in Northern Ireland. It is important that we maintain and retain it, so it is necessary to invest in it.

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

## Assembly: Trade Union Official

4. **Mr McCallister** asked the Assembly Commission how paying a full-time trade union official based in Parliament Buildings from public funds represents value for money. (AQO 2345/11-15)

**Mr Weir:** I thank the Member for his question. The Assembly Commission does not allocate direct funding to any trade union. However, the Assembly Commission recognises the Northern Ireland Public Service Alliance (NIPSA) for consultation and negotiation purposes, and reasonable provision is made for staff of the Commission to engage in trade union activities connected with consultation and negotiation on staffing matters.

Funding for a full-time union representative is in line with practice across the Northern Ireland public sector. The Commission is committed to the maintenance of the highest standards of industrial relations with our trade union partners, and the provision of funding for a full-time trade union representative assists in that process.

**Mr McCallister:** How many NIPSA or trade union representatives are permitted to undertake trade union activities during the normal working day? What is the approximate cost of that to the Assembly?

**Mr Weir:** The cost is spread among a number of people. The Assembly Commission meets the salary costs of one full-time equivalent member of staff who is seconded to NIPSA to assist with the development of effective industrial relations. The salary band for that staff grade is £29,543 to £33,446, and we pay associated employer costs, such as pension contributions and national insurance costs.

**Mr Agnew:** Does the Member agree that Assembly staff, like staff in all other sectors, are entitled to trade union representation, particularly at a time when the Commission's efficiency review is taking place, which will have an impact on staff?

**Mr Weir:** Yes, the Assembly Commission differs from no other body in the public sector in that regard. Consequently, the processes that we operate for trade union membership and representation tend to be the same. The idea of the business efficiency review is to move forward in a way that ensures that we have that efficiency but that is also industrially harmonious. The engagement that has taken

place between the Commission and NIPSA on that issue has meant that we have been able to achieve the required savings, particularly on staff costs, without the need for redundancies. That perhaps shows the value of a productive relationship on that front.

### Childcare Voucher Scheme

5. **Mr Beggs** asked the Assembly Commission for an update on the implementation of a revised payroll system so that Members' staff can benefit from the tax-efficient childcare voucher scheme. (AQO 2346/11-15)

**Mr Weir:** It seems to be my turn today. I thank the Member for his question. The payroll system in use to process salary payments for Members and their staff does not fully support the operation of an integrated childcare voucher scheme that would be recognised by Her Majesty's Revenue and Customs (HMRC). The exercise to procure and install a new payroll system, which will facilitate the administration of such a scheme, is at an advanced stage, and it is anticipated that the system will be fully tested and operational before the end of this financial year, ie, by 31 March 2013. The introduction of a new payroll system will not, in itself, remove the requirement on a Member to establish a HMRC-compliant childcare arrangement. That can only be done by a Member in consultation with HMRC.

**Mr Beggs:** I thank the Member for his answer. When I pressed the issue some 10 years ago, we were told we could not have the scheme because of the outdated Assembly payroll system. Why is it going to take a further nine months before a new system is introduced? The Civil Service has had such a system for a number of years.

**Mr Weir:** I suspect that people have not been just as visionary as you, Mr Beggs, in pressing for this change. All I can say is that none of us can deal with what has happened in the past. There is a process in place that will bring this about for the next financial year. Hopefully, that is something that will be fully operational. It may well be something that should have happened a long time ago, but I can only give the Member the assurance that it is happening now.

**Mrs McKevitt:** I thank the Member for his answers so far. Has a cost analysis been carried out on implementing a new payroll system to allow Members' staff to access the childcare voucher scheme?

**Mr Weir:** We are looking at the financial situation to make sure that everything is cost-efficient. I can get some more detail to the Member. There is still a requirement on Members to make sure that the scheme that they have in place for their staff is compliant with HMRC. At present, the childcare payment is subject to tax and national insurance and Members would be required to pay the employer's national insurance contribution, but we try to make sure that everything is as compatible as possible. We will provide the Member with a more detailed answer to her supplementary question.

3.15 pm

**Mr Lyttle:** Could the implementation of the childcare voucher scheme for MLAs and Assembly Secretariat staff save as much as £240,000 a year for the public purse, and will it be taken forward?

**Mr Weir:** I am not in a position to comment on the savings that could be realised. We will look to see what is the most efficient system. We also have to realise that we are dealing with public money. We must ensure that we get the best value for public money and that the system that we use is compliant.

### Assembly: Education Service

6. **Mr I McCrea** asked the Assembly Commission what plans are in place to encourage more schools to engage with the Education Service and visit Parliament Buildings. (AQO 2347/11-15)

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for Mid Ulster for his question. The Education Service designs resources on the work of the Assembly and, crucially, delivers education programmes in Parliament Buildings and in schools. From June 2011 to June 2012, 463 schools received education programmes in Parliament Buildings or in their individual settings. That benefited 14,548 young people.

The Education Service encourages schools to engage in a variety of other ways. Every September, schools are contacted directly via letter and e-mail about opportunities to book an inward or an outreach visit. Schools also received an e-newsletter in April and June 2012 and will again in September.

The Education Service website, which was launched in autumn 2011, was developed in partnership with the Council for the Curriculum, Examinations and Assessment (CCEA) and includes resources for pupils and teachers. Believe it or not, other resources include comics and a DVD on the work of the Assembly.

**Mr Weir:** You kept the comics to yourself. *[Laughter.]*

**Mr McElduff:** I allowed that momentary pause so that that could happen. *[Laughter.]* All resources are designed to meet the needs of the curriculum.

Of course, videoconferencing is another method of engagement. This is, perhaps, an area for expansion, because, so far, 10 videoconferences have been held involving 25 Members and 15 schools. We could probably envisage an increase in that, even with the sharing of this information today. Recently, a primary school art competition attracted 2,000 entries from across all the education and library boards.

**Mr Principal Deputy Speaker:** Time is up. You should not have paused. *[Laughter.]*

**Mr I McCrea:** The Member will be more than aware that my constituency, like his, is predominantly rural, and it is not always easy for schools in those areas to get access to this Building. Does he agree that the Education Service is an excellent way of allowing schools to see what we do up here and impresses on young people the importance of what goes on in the Assembly? Would the Commission consider liaising with the Department of Education to ensure that funding is made available to allow schools to get access to Stormont?

**Mr McElduff:** How long have I got? I thank the Member for his supplementary question. Sometimes, I think that Ian McCrea is even more parochial than I am, because he mentions Mid Ulster quite a bit around here.



There were 23 inward visits from your constituency in the past year, involving 711 participants, and two outreach visits, which involved 126 participants. Obviously, the Assembly benefits from the enthusiasm of the individual Members, such as Mr McCrea, who is enthusiastic about the Education Service.

No travel subsidy is available to visiting groups. There is in the Assembly Commission, as I am sure the Member will appreciate, an atmosphere of diminishing budgets. That said, I think that it is a good idea for us to contact and to be in dialogue with the Department of Education about ways and means of encouraging more schools to take up the invite.

I am reliably informed that 95% of the schools have taken up the Education Service either directly by coming here or by having its work delivered in their school. However, that leaves 5%. The Assembly Commission is looking at that, because records are maintained on a database, and we want to look specifically at how to engage those schools that have not done so.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Is the Education Service able to accommodate Irish-medium schools fully?

**Mr McElduff:** Ba mhaith liom mo bhuíochas a ghabháil le Pat as ucht na ceiste sin. I thank the Member for his question. The Education Service obviously has a duty to accommodate all schools from all sectors. It has had a number of visits from Irish-medium schools in the past. The service has not been as satisfactory as it should be, in the sense that, as I understand it, it is delivered fully through the English medium. I understand that one of the Education Service officers is undertaking a Gaeltacht immersion course to refresh language skills so that they are able to offer the type of visit trí mhéan na Gaeilge — through the medium of the Irish language — that those schools envisage. The service will want to specify in the letter of invite in September that that facility is available to visiting schools. It is all the better if MLAs also engage directly, particularly those who have a command of the language. The Building has to be open and has to accommodate a fáilte for all schools.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Caithfidh mé a rá go molaím go hard an tseirbhís oideachais atá a chur ar fáil do pháistí scoile ag an bhun-leibhéal agus ag an mheán-leibhéal sa Tionól. Ba mhaith liom a fhiafraí den bhall den Choimisiún, i gcomhthéacs an mhéid a dúirt sé faoi Ghaelscoileanna, cad é an dul chun cinn atá déanta ag an Choimisiún ó thaobh polasaí Gaeilge don Tionól a fhorbairt. I have a lot of experience of the Education Service, and I can only but praise it for the excellent work that it does. In the context of Mr McElduff's answer about the Irish-medium schools, what progress has the Commission made in establishing an Irish language policy for the Assembly?

**Mr McElduff:** Go raibh maith agat arís, a Phríomh-LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil le Dominic as an cheist sin. I thank the Member for Newry and Armagh for his question. Every party is represented on the Assembly Commission. It is looking in a meaningful way at the whole issue of equality and language policy. One of the officials in the Assembly Commission has asked for written submissions on the matter from each of the parties. It

was dealt with quite substantively a couple of Commission meetings ago. It is work in progress, and speaking personally, I can say that I would like to see significant and substantive progress in the time ahead.

### North/South Parliamentary Forum

7. **Ms Ruane** asked the Assembly Commission for an update on the Commission's efforts with the Oireachtas Commission to establish a forum for dialogue between MLAs, MPs, MEPs and TDs on a North/South basis. (AQO 2348/11-15)

**Mrs Cochrane:** I thank the Member for her question. In their role as members of the North/South parliamentary forum working group, the Commission members were tasked with exploring the options for a forum for dialogue between the Northern Ireland Assembly and the Houses of the Oireachtas. MPs and MEPs were not considered in the process. The House will be aware that the Assembly's North/South parliamentary working group and the Oireachtas working group have been working together to take forward the ideas and actions that were generated at the North/South parliamentary forum conference in the Slieve Donard Hotel in October 2010.

In addition to the working groups' meetings, we have consulted with parties on their views on the role and format of a North/South parliamentary forum. Following the receipt of final responses from parties, the Northern Ireland Assembly working group met on 19 June this year to discuss and agree the arrangements for the operation of such a forum. At that meeting, it was also agreed that a joint working group meeting would be held prior to summer recess to discuss and formally agree the future arrangements and a proposed outline for meetings of a North/South inter-parliamentary association. I can inform the House that that joint working group meeting, chaired by the Speaker and the Ceann Comhairle, will take place tomorrow.

**Ms Ruane:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. Will you outline the issues will be on the agenda?

**Mrs Cochrane:** The issue on the agenda tomorrow will be formally finalising the agreement and operation of the working group.

**Mr Allister:** Now that this further piece of the Belfast Agreement architecture is being put in place, courtesy of the DUP's rolling over on the matter after many years, can the Member tell us why it states in the agreed working group paper about the operation of the forum that its meetings are to be in secret and members of the public are to be excluded? What is there to hide? Why has the working group recommended that?

**Mrs Cochrane:** I thank the Member for his question. The Member will appreciate that, as I highlighted, the joint meeting of both working groups will take place tomorrow to formally agree the final arrangements for the forum. It would, therefore, be inappropriate for me to provide a detailed answer at this point. However, I am happy to write to the Member following the meeting, once we have clarified exactly how the meetings will take place.



## Parliament Buildings: Energy Efficiency

8. **Mr McClarty** asked the Assembly Commission what plans it has to make Parliament Buildings more energy efficient. (AQO 2349/11-15)

**Mr P Ramsey:** I thank the Member for the question. The Assembly Commission recognises the need to reduce the Assembly's impact on the environment and, as such, appointed an environmental services manager to the facilities directorate with specific responsibility for sustainability. Since the start of the current mandate, the Commission has sought to proactively reduce energy consumption and improve energy efficiency. For example, detailed energy surveys have been carried out throughout Parliament Buildings as part of the wider sustainable development strategy. The aim of the surveys was to identify a series of measures to reduce energy consumption and increase energy efficiency.

In addition, environmental awareness training has been provided to Assembly secretariat staff and party support staff to increase awareness of energy consumption and to suggest steps that they can take to improve energy efficiency. Plans to further improve energy efficiency include the installation of an effective monitoring and targeting system; the replacement of inefficient equipment; and the assessment of the feasibility of installing appropriate environmental technologies such as solar panels during the roof refurbishment.

**Mr McClarty:** I thank the Member for his answer. The Member will be aware of the antediluvian-type radiators that we have in this Building, which have a wide range of temperature outputs and are, therefore, very inefficient. Will those be replaced with much more modern and efficient radiators some time in the future?

**Mr P Ramsey:** No; I am not aware of any plan to modernise or refurbish the radiators. However, now that the Member has raised the matter, I will certainly bring it to the attention of the appropriate directorate.

**Mr Agnew:** It is often said that there is a lot of hot air in the Chamber. There is certainly a lot of wind outside and maybe even inside. Has any consideration been given to investing in a wind turbine for Parliament Buildings?

**Mr P Ramsey:** No; that has certainly not been on the agenda. However, I want to say to the Member that there are plans to install solar panels in Parliament Buildings as soon as the design team puts in place what we believe to be appropriate measures to improve the environmental product. We hope that solar panels will be the start of that.

## Parliament Buildings: Childcare Provision

9. **Mr Flanagan** asked the Assembly Commission to detail the childcare provisions that are in place for MLAs and all staff who use Parliament Buildings. (AQO 2350/11-15)

**Mr Weir:** Financial assistance in respect of childcare for Members is provided in the Assembly Members' salaries, allowances, expenses and pensions determination 2012 as issued by the independent financial review panel in March 2012. Childcare assistance for staff of the Assembly is contained in a scheme that has been agreed by the Commission. It is worth noting that, while the two arrangements share many common features, they are

different. A Member is free to set the terms and conditions of employment for his or her staff to include provision for childcare costs if the Member so desires.

As noted, the Members' scheme is enshrined in a determination of the panel, while the scheme for secretariat staff is a Commission-initiated initiative.

### 3.30 pm

At present, under both schemes, the entirety of the allowance is paid to the claimant and is subject to personal income tax and national insurance contributions. The Commission bears the cost of employers' national insurance contributions for both schemes. The childcare provider must be a person permitted by law to look after children; for example, a registered childminder, someone who runs a private nursery, a nanny in the home or a close relative other than a partner. The paid carer must be aged 16 or over. The rates of assistance are marginally different for the two schemes. For Members, the rates payable are £40 a week for a child under five or not at school and £20 a week for a child over five but under 14. For staff, the corresponding rates are £37.40 a week and £18.70 a week.

# Question for Urgent Oral Answer

## Ulster Bank

**Mr Principal Deputy Speaker:** Mr Phil Flanagan has given notice of a question for urgent oral answer to the Minister of Finance and Personnel.

**Mr Flanagan** asked the Minister of Finance and Personnel for an update on his discussions with senior management of the Ulster Bank about the ongoing crisis within that organisation.

**Mr Wilson (The Minister of Finance and Personnel):** Yesterday, I met Sir Philip Hampton, the chairman of the Royal Bank of Scotland (RBS) group, to discuss the ongoing situation in the Ulster Bank and to emphasise to him directly the untold problems that the current situation is causing individuals and businesses across Northern Ireland. Those problems have been identified through my constituency work, through Members of the Assembly and through direct contact with the Department by businesses. In particular, I relayed to him two things. First, the disappointment that, despite several public assurances about deadlines inside which the system would be fixed and normality restored, all the deadlines had been missed and no definite date had yet been fixed. Secondly, I relayed the disappointment about lack of response, at least initially, from the Ulster Bank to find ways of dealing with customers' requirements for cash.

Yesterday, I was assured by the response from the Ulster Bank that a further 10 branches would be open late in the evenings to facilitate people coming home from work to get into the bank for cash, as well as at weekends. It goes without saying that I will continue to monitor the situation closely. From the first week, I have been in touch with the Ulster Bank fairly regularly, and I have sought to ensure from it that everything was being done that could be done to bring the crisis to a quick conclusion.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for taking the time out of his busy schedule to come here to answer the question and to provide us with an update on this very important matter.

The level of discontent among wider society from all levels of the community about the ongoing crisis in the Ulster Bank is palpable. From listening to any media programme, you get the sense of anger and frustration that exists. Perhaps the Minister will be happy to hear that the Assembly's Statutory Committee for Enterprise, Trade and Investment is due to have representatives from the Ulster Bank appear before it on Thursday morning. We as a Committee will be able to keep up that level of engagement with the bank.

**Mr Principal Deputy Speaker:** Ask a question.

**Mr Flanagan:** As part of his discussions with the chairman of RBS, did the Minister receive any information on when the group expects this debacle to be resolved? Does he have any plans to keep up that level of engagement in the coming days and week?

**Mr Wilson:** I have plans to continue to engage with the Ulster Bank. Over the past two weeks, I have received

a number of assurances on when the situation will be resolved. The one point that I made to Sir Philip yesterday was that I believe that the bank has probably done itself some damage, as well as increasing problems for individuals through its drip-feed approach. The bank initially said that the problem would be fixed by Monday, then on Monday that it would be fixed by Friday, and on Friday that it would be fixed by next week. It might have been better for the bank to have been up front and say that the problem would take two or three weeks to sort out.

I have to say to the Member and to the Assembly that, even after the conversation with Sir Philip, I am still not clear as to when the problem will be sorted. It will certainly not be sorted this week; they have made that clear. They are talking about next week, although they would not say whether that was the beginning or the middle of the week, simply that they hoped — they hoped — to have it resolved by next week.

**Mr Principal Deputy Speaker:** As Mr Stewart Dickson tabled a similar question, I call him to ask a supplementary question. I will then move to the other names on the speaking list.

**Mr Dickson:** I thank the Minister for coming to the House and speaking to us today on the matter. Minister, you met Sir Philip Hampton yesterday, and he gave you information. What demands did you make of him to keep customers informed? I am a customer of the Ulster Bank, and I speak on behalf of hundreds of thousands across Northern Ireland and, indeed, in the Republic of Ireland. Exactly what demands did you make of him to resolve the debacle? Many people are highly distressed. Have you made arrangements to speak to the Chancellor of the Exchequer and the Minister of Finance in the Republic of Ireland to see what can be done about this disgraceful banking mess?

**Mr Wilson:** I want to inject one word of caution into the debate. This is a technical issue. I got into trouble on 'Talkback' today for calling those who have to fix this, "geeks". Of course, it is the computer buffs who have to get this sorted out. It was meant in the best possible way, and it was not a derogatory term. I have to make it clear that neither jumping up and down by the Finance Minister in the Assembly nor intervention by the Chancellor or the Finance Minister in the Republic will resolve what is, basically, a technical issue.

The Member wanted to know what I asked of Sir Philip. I asked Sir Philip three things. First, I asked him to at least be honest with people if it was going to take some time, and if it is going to take two or three weeks, or whatever it happens to be, let people know. In that way, they can make some preparation and will have some foresight as to what problems are likely to happen. For example, many people thought that it was going to be sorted out before the end of the month, so they were not too concerned about their pay being put into the bank. Of course, they found that that did not happen.

Secondly, I asked for the bank to do what it could to facilitate customers in the interim period. For example, if they had to manually withdraw cash, they could get into banks during non-working hours, etc. That is a big logistical problem, and it means big demands on the staff of the bank.

Thirdly, I asked him whether, if there was a failure in the system — I did not ask him to explain what the failure was

because I would probably not have understood the answer anyway — have they identified how that failure occurred and what investment will be required to make sure that it does not occur again? The one thing that customers of the bank will be concerned about is this: if it could happen once, could it happen again? From the point of view of customer confidence and for the long-term interest of the Ulster Bank, it needs to assure customers that it is prepared to invest money to address the problem that it has encountered.

One other question that I asked is this, and I am sure that Members have heard this from people who have been affected: what happens if payments have not been made and my credit ratings are affected? What does Ulster Bank intend to do to ensure that I am not disadvantaged when it comes to future loans because of the impact on my credit rating due to direct debits not being paid? I have been given the assurance that the Ulster Bank will make contact and will work with the credit agencies to ensure that it is made clear that any problems are the fault of the Ulster Bank and not the fault of the customer.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers so far. What further steps can he take to ensure that the local community here is given equal priority to other customers in the Ulster Bank, the Royal Bank of Scotland and Nat West? Customers here are not second class or third class, and they should never have been left at the back of the queue, as they have been in this case.

**Mr Wilson:** It was not just with Sir Philip that I raised this yesterday. In the very first conversation I had about this issue with Ian Jordan of the Ulster Bank, which was now nearly two weeks ago, I asked the very question that the Member has asked: are we being treated as second-class citizens? Is Ulster Bank simply regarded by RBS as an annex that will, therefore, be treated eventually? I have been assured that there are reasons for the sequence. I can only take the assurances that the Ulster Bank and RBS have given me. The reason for the sequencing is nothing to do with priorities as regards who its most important customers are or what its most important market is. The system failed in a certain way and in a certain sequence and had to be repaired in a certain sequence. Since Ulster Bank is at the end of that sequence, it will be the last to be dealt with, and because it is the last to be dealt with, a bigger backlog of transactions has built up in the Ulster Bank. As I understand it — this is how it was explained to me — at present, the design of the system finds it difficult to accept any transactions that are historic rather than current. Therefore, since those transactions will not be accepted automatically, they have to be fed in. The system has to be persuaded to take them. That is why it is a slow job. If you do it too fast, the system will break down again. It is a slow job. Of course, while historic transactions are slowly being put into the system, more transactions are building up because of direct debits, payments and demands for money coming in. That is why it has taken so much time. It is also one of the reasons why the Ulster Bank says it cannot give me a time for when the backlog of transactions will be put on the system so that it can start operating smoothly again.

**Mr Ross:** The Minister will be aware that there has been substantial speculation that one issue is that the RBS system was hacked into. Was the Minister able to raise

that with Sir Philip at the meeting yesterday? Given that the issues in RBS and NatWest have largely been resolved and we have been told that it could be several weeks before the Ulster Bank issues are resolved, is the Minister confident that they actually have found what the glitch in the computer system was and that that has now been resolved? Is he confident that the Ulster Bank is not trying to hide the fact that it still does not know what the issue is?

**Mr Wilson:** Again, I am no computer expert. I can only take the assurances that I have been given by RBS. Yesterday, we went through a range of scenarios as to what the possible causes could be. Of course there has been speculation as to where and how the problem originated. I have been assured by RBS that it knows what the problem is and knows that the system is going to have to be changed to fix the problem and ensure that it does not happen in the future. RBS said that that will cost a fairly hefty sum of money. It is prepared to put the investment into the system to ensure that, now that it has spotted the problem, it is fixed and there will not be a repeat. However, that will not be done immediately. Adjustments and technical specifications are required to change the system.

**Mr Cree:** I thank the Minister for coming to answer questions on a problem that is not of his making. The Minister referred to speculation. I wonder whether he has heard the speculation that the breakdown in software followed an outsourcing of the bank's IT function to India. Will he perhaps comment on that?

**Mr Wilson:** As I indicated in an earlier answer, we went through a number of scenarios. That was one of the scenarios. I have been assured that that is not the case. Speculation about anything to do with banking and a loss of confidence and trust are very, very damaging. I am not holding up a torch for any particular bank, but we have a fragile enough banking system in Northern Ireland without unfounded speculation making that worse and reducing confidence. We have discussed problems with the banking system in this Assembly time and time again. It is important to our economy, but it is not working properly at present. This is another blow to that, and I do not think that we should make it any worse by simply repeating or giving credence or currency to rumours, which can damage the system further.

**3.45 pm**

**Mr Agnew:** Obviously, the Assembly is not responsible for banking but we are responsible to individuals and businesses in Northern Ireland. In that regard, what discussions has the Minister had with the Chancellor to ensure that we have contingency measures so that we can act quickly in the future if there are further banking crises?

**Mr Wilson:** Over the past number of months in the Assembly, I have said that I have met Treasury Ministers and I have met the head of the Bank of England. I spoke to Hugo Swire today about the issue and I am meeting the Treasury Minister again tomorrow. There is continual engagement with government. My main concern in the long term is about how we get a banking structure in Northern Ireland that is competitive and gives people choice. If people do not get the service that they want from one bank, or they cannot get the money that they want from one bank, they have an option of alternative sources of finance. That is what we need to get our economy working properly again. There is no

easy answer to that. We have seen that even the Treasury in England does not have a great deal of control over banks that they have poured billions into, but it is something that, as a country, and not just as a region, we have to grapple with, because without a functioning banking system, we will not have a functioning economy.

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I welcome the fact that we have the opportunity to discuss this today. I put it down as a Matter of the Day on 25 June, but, apparently, it was not considered to be urgent then, so how times have changed. I would like to begin by condemning the armed robbery of the Ulster Bank in Castlewellan today and the trauma that the customers and staff had to endure and, no less than yourself, Mr Deputy Speaker, I condemn all bank robberies, whether it is the Northern Bank, the Ulster Bank or whatever.

Anyway, to get back to the point in question, I welcome the fact that SDLP MPs and DUP MPs are meeting the senior management of RBS tomorrow in London. Did the Minister raise the possibility of compensation for individuals and companies who have suffered a direct loss due to the crisis in the Ulster Bank?

**Mr Principal Deputy Speaker:** I think, Mr Bradley, we need to make sure that the Speaker's Office is not drawn into your political commentary. The commentary that you are just after making I do not understand, but I also want to make sure that you do not include me in that particular commentary.

**Mr Wilson:** Sorry, Mr Deputy Speaker, I thought that you wanted to get a response from the Member on that. The Member was obviously a prophet when he put down the discussion as a Matter of the Day, and it was not regarded as urgent at that stage. It has acquired an urgency, and he has been unusually far-seeing on this occasion. *[Laughter.]* On other occasions, I have accused him of not being in touch, but he has been in touch on this one.

I raised the issue of compensation at a very early stage because it was clear that costs were being incurred by people who found that they could not withdraw money, and businesses are being affected on a daily basis. I have been told that some businesses are hitting liquidity problems and because of that, they cannot get supplies, and because they cannot get supplies, it is affecting their business. I have to be honest with the Member: I do not have any clear indication from the Ulster Bank as to how it intends to deal with that.

The bank has done two things. It has said that it will reimburse individuals for direct costs. By that, I think that it means charges as a result of direct debits not being paid. Beyond that, what compensation will be made available in cases in which there has been what could be called a subjective assessment of the damage done to a business and, indeed, in cases in which third parties — I raised this — have been affected by the inability of others to make payments to them? The answer I have been given is that the bank will have to look at those issues, and criteria will have to be drawn up. However, that is not a priority for the bank at the moment. Its priority is to get the system up and running.

I have absolutely no doubt that, once this situation is sorted out, the next range of discussions and the next blow to hit the Ulster Bank will be when people start to come forward with stories of the damage done to them as a result of what is happening at present.

## Executive Committee Business

### Criminal Justice Bill: Second Stage

**Mr Ford (The Minister of Justice):** I beg to move

*That the Second Stage of the Criminal Justice Bill [NIA 10/11-15] be agreed.*

As Members will know, there are three discrete strands to the Bill. It will change the law on sex offender notification provisions; introduce new offences aimed at preventing and combating human trafficking and protecting its victims; and establish a new legislative framework for fingerprints and DNA samples and profiles.

The first four clauses deal with sex offenders and the law on sex offender notification, more commonly known as the sex offender register. The aim is not only to address a ruling of the Supreme Court on compatibility with the European Convention on Human Rights (ECHR) but to introduce measures to increase public protection and strengthen the notification regime. The provisions address a number of areas.

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

First, in response to a ruling of the Supreme Court in April 2010, the provisions introduce a review mechanism for periods of indefinite notification. Secondly, the law will be updated to remove notification from offences that have been abolished. Thirdly, the law will be strengthened by streamlining the procedure for notification of offenders who come to Northern Ireland with convictions from outside the UK. Lastly, the scope of sexual offences prevention orders will be widened.

Some Members will, I am sure, recall the background to the first of those provisions, the review process for indefinite notification. They were initially debated by the House during passage of the Justice Act last year but did not gain the support of the Assembly. I said at that juncture that I would consult on the policy and bring back what would have to be similar proposals in the new mandate. The Department duly issued a consultation document on a number of proposed changes to the law on sex offender notification, a number of which are in the Bill. The Bill also tidies up an outstanding issue where notification still attaches to individuals who were found guilty of offences that, since the introduction of the Sexual Offences (Northern Ireland) Order 2008, are no longer offences.

I want to turn now to the first provision, the review mechanism for indefinite periods of notification. The current law, set out in the Sexual Offences Act 2003, attaches notification requirements for an indefinite period to offenders who have been sentenced to 30 months or more for a sexual offence. The judgement of the Supreme Court found that that indefinite period of notification, without the prospect of any review, is incompatible with article 8 of the ECHR, the right to private and family life. A change to the law in all jurisdictions of the UK is, therefore, required to meet our convention obligations by allowing offenders to seek a review of their period of notification.

Scotland legislated for that by the process of an urgent remedial order in October 2010. I understand that legislation is now being updated at Westminster for England and Wales.



The provision will allow relevant offenders to apply to the police to discharge the notification requirements after a period of 15 years from the date of release from prison, or eight years if they were under 18 years of age at the time of conviction. Those are the same periods proposed across the UK. The police will not discharge the notification requirements if they are of the view that it is necessary, in the interests of public protection, that the notification requirements continue. If the police decide not to discharge the requirements, the offender has a right to apply to the Crown Court. In Scotland, the offender can appeal to the Sheriff's Court and in England and Wales they propose to have an appeal to the Magistrate's Court.

Members should be aware that public protection continues to be the driving force. No offender who continues to pose a risk that justifies notification will find that their application to discharge has been successful. At the same time, we have to be mindful of our obligations, and I am content that this legislative change fully meets the requirements of the Supreme Court judgement.

Other aspects of this part of the Bill seek to increase public protection through the effectiveness of the notification regime. A number of proposals were included in the consultation paper, and two of those have been further developed for inclusion in the Bill. The first relates to the way in which notification attaches to offenders who come to Northern Ireland with convictions from certain countries outside the UK. In such cases, the present law requires the police to apply to the court for a notification order. The provision in the Bill removes the need to apply to the court and makes the person statutorily obliged to notify, as is the case with a domestic offender. However, the provision as it stands has been limited to those with convictions from within other countries of the European Economic Area. That is as a result of concerns expressed to me by the Attorney General, who felt that a wider application would not be compatible with article 6 of the European Convention on Human Rights, on the basis that some persons may arrive in Northern Ireland with unsafe convictions from states with poor human rights records and suspect justice systems. However, the limited application of the provision did not find support from members of the Executive when I asked for approval to introduce the Bill. I have, therefore, given a commitment to work with the Attorney General and the Justice Committee during the passage of the Bill to bring forward an amendment to allow for a single, enhanced process for attaching notification.

The other strengthening measure in the Bill applies to sexual offences prevention orders. The current law allows the police to seek from the court an order to place prohibitions on a sex offender in the interest of protecting the public from serious sexual harm. I am proposing that those orders should also be extended to allow the court to place positive conditions on an offender in the interest of public protection. The other proposals recommended in the consultation paper will be processed in due course by way of secondary legislation, as allowed for in the Sexual Offences Act 2003. This part of the Bill will also amend schedule 4 to the Sexual Offences Act, which sets out the procedure for ending notification for abolished offences. That change is a consequential amendment, outstanding since the introduction of the Sexual Offences Order 2008. What we see in this package of measures on sex offender notification represents not just a necessary change to the law to

meet our ECHR obligations as determined by the Supreme Court, but a drive to increase public protection by making adjustments to the law, where possible, which will develop further the effectiveness of the notification regime.

The second strand of the Bill introduces new offences for Northern Ireland to comply with the EU directive on preventing and combating trafficking in human beings. My primary objectives are to support victims, bring the traffickers before the courts and raise awareness of the issue. It is shocking to realise that traffickers operate here because there is demand for the services that victims are forced to provide. There would be no sexual slavery if men were not prepared to pay for so-called services, and there would be no cases of domestic servitude or labour exploitation if men and women were not prepared to exploit and abuse other human beings, including children. I know that Members share my abhorrence at that situation and I welcome the cross-party support that has been evident recently.

Two offences respond to the international dimension of human trafficking and ensure that those operating across international borders are not immune from prosecution. The first of those creates an offence where a person is trafficked anywhere outside the United Kingdom for sexual exploitation by British citizens, habitual residents of Northern Ireland and bodies incorporated under the law of a part of the UK. The offence will deal with the abuse of trafficked victims at all stages of their journey or ongoing travel. The second creates a similar offence to allow for the prosecution of a person who has trafficked someone anywhere outside the UK for labour or other exploitation. In both cases, the maximum sentence for someone found guilty in the Crown Court is 14 years' imprisonment.

Under those two new offences, a UK national who has trafficked someone anywhere outside the United Kingdom — a UK national who has trafficked a person from Mexico to Brazil — is guilty of an offence. In addition, a further amendment provides that an offence is committed where a United Kingdom resident, who has not previously been trafficked into the UK, is trafficked for labour or other exploitation within the UK, for example, from London to Belfast. That is already an offence for sexual exploitation. The creation of those offences received overwhelming support in the consultation that my Department carried out on the EU directive, although I am aware that some Members consider that those amendments do not go far enough.

#### 4.00 pm

Suggestions for further legislative change were put forward by Lord Morrow and others who responded to the recent consultation on the EU directive. I will consider those in detail. My priority at this stage is to make provision for these amendments to the Sexual Offences Act 2003 and the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 to ensure that the law in Northern Ireland complies with the criminal aspects of the EU directive and that we meet the deadline for its implementation in April 2013.

The third strand of the Bill deals with DNA and fingerprints. Since 2001, the law has allowed the police to retain indefinitely the fingerprints and DNA sample and profile of anyone arrested for a recordable offence, whether later convicted or not. In 2008, however, the European Court of Human Rights found that the legislation breached article 8 of the European



convention — the right to privacy and family life. The court was specifically concerned with persons suspected but not convicted of an offence and concluded that the current regime failed to strike a fair balance between the competing public and private interests, constituted a disproportionate interference with the individual's right to respect for private life and could not be regarded as necessary in a democratic society. Those considerations of balance and proportionality have been key in formulating the new retention framework.

The court made specific and positive reference to the current law in Scotland, so we took that as our starting point, as did England and Wales. In the new framework, retention periods will depend on a number of factors. Its main features are as follows: the police will continue to be allowed to retain indefinitely biometric data from persons convicted of a recordable offence — essentially, one punishable by imprisonment. However, where the offender was under 18 years old and has not gone on to reoffend and the offence was relatively minor, data may be retained for between five and 10 years only, depending on the length of sentence. That should benefit around half of young offenders. If the offence is more serious or attracts a custodial sentence of five years or more or in the event of a second conviction, the material may be retained indefinitely. In all cases, data from any person arrested for a recordable offence will be subjected to a search against the relevant databases. That means that those who have committed crimes in the past and left their DNA or fingerprints at the scene will not escape justice.

The biggest change, of course, will be in respect of those not convicted. If an individual is charged with a serious offence but not subsequently convicted, fingerprint and DNA data may be retained for three years only, with the option of a single extension for two years, subject to judicial approval. The same is true of an individual arrested for but not charged with such an offence in certain limited prescribed circumstances. This is a departure from the Scottish model, but the police made the case for retention where the victim is a juvenile or a vulnerable adult or is associated with the suspected offender, perhaps a family member. These are circumstances in which the victim is more likely to be susceptible to pressure not to give evidence. Such retention will be subject to independent approval. Data will not be retained from persons arrested for but not charged with a serious offence unless these prescribed circumstances apply or from persons arrested for but not convicted of a minor offence. Those persons will have their fingerprints and DNA profile destroyed as soon as possible. In addition, I have asked that arrangements be put in place to completely decouple analytical records retained by Forensic Science Northern Ireland for accreditation purposes from the original sample, so that individuals who have had their material removed can be confident that no trace remains.

I believe that this framework provides a proportionate response to the wider needs of society while minimising unnecessary interference with the rights of individuals. It provides targeted retention based on risk, giving the police the tools they need to protect the public without keeping the DNA of a large number of innocent people on the database.

The Bill addresses three discrete areas of law where action is urgently required to address a ruling of the Supreme Court or a European directive. I am grateful for the support for the principles of the Bill that I have received from the

Justice Committee and the Executive. I commend the Criminal Justice Bill to the House.

**Mr Givan (The Chairperson of the Committee for Justice):**

As the Minister has just outlined, the Bill covers measures to provide for a review mechanism for periods of indefinite sex offender notification; replaces existing provisions that allow for the indefinite retention of fingerprints and DNA samples and profiles from anyone arrested for a recordable offence with a new legislative framework aimed at complying with article 8 rights to privacy; and introduces new offences in line with the EU directive on preventing and combating trafficking in human beings and protecting its victims. Although it is a reasonably succinct Bill, focusing on three distinct strands rather than having the usual mix-and-match of policy areas and tidying-up clauses that we see in other Justice Bills, I do not think that the Committee will find the scrutiny of its provisions any easier during Committee Stage, given that members have a range of issues with the proposals on each of the strands.

I will start with the clauses that relate to the EU directive on preventing and combating trafficking in human beings and protecting its victims. The Committee supports the creation of offences where a UK resident who has not previously been trafficked into the UK is trafficked within the UK and to allow for the prosecution of a UK national who has trafficked someone anywhere outside the UK. We were first briefed on the proposals earlier this year, prior to the Department undertaking a consultation exercise on them. The Committee indicated at that stage that it was content in principle for the provisions that would create those offences to be included in the Criminal Justice Bill. From briefings by the Organised Crime Task Force, the Committee is aware of the growing problem of human trafficking in Northern Ireland, particularly in relation to sexual exploitation, and it believes that all necessary steps that need to be taken should be taken. We had previously asked the Department whether further legislative changes were needed to tackle this growing problem.

The Committee recently received a written briefing paper from the Department outlining the responses to the consultation. The responses were supportive of the introduction of the legislative amendments. However, they raise questions about whether the Department of Justice has adopted a minimalist approach to implementing the EU directive and to stopping human trafficking. A number of organisations and individuals want to see more innovative and progressive legislation for Northern Ireland. The Committee will, no doubt, wish to explore that further during Committee Stage, and I am sure that all Members will want to ensure that the legislation addresses the problems that exist, rather than simply ensuring that Northern Ireland is technically compliant with the EU directive.

The Committee was briefed in November 2011 on the final policy proposals for the sex offender notification requirements, although there have been recent adjustments. The provisions that strengthen the law on notification to increase public safety are to be welcomed. However, the proposals for a review mechanism for periods of indefinite sex offender notification raised a number of questions when the Committee considered the policy, including whether they were achieving the right balance between public protection and complying with article 8 of the European Convention on Human Rights; how they compared with mechanisms

in other jurisdictions, particularly the English and Welsh model; and whether the proposed model complies with the Supreme Court ruling and the European Convention on Human Rights. Members will wish to give further consideration to those questions when scrutinising the clauses during Committee Stage.

I move on to the legislative proposals for the retention and destruction of DNA and fingerprints. The Committee was briefed in September 2011 on the final policy proposals for the introduction of a new framework designed to be compatible with article 8 requirements. Again, however, there have been recent modifications to the proposals. It is clear from the consideration of the policy proposals and the more recent briefing last week by departmental officials on the principles of the Bill that Members have differing views on the issue. Some view the proposals as perhaps not going far enough, and others prefer to make as little change as possible from the current position of retaining indefinitely fingerprints and DNA samples and profiles that have been taken from anyone who has been arrested for a recordable offence, regardless of whether they have been convicted.

When the final policy proposals were presented back in September 2011, Members took the opportunity to explore with officials the reasons why they differed in some areas from the retention framework in Scotland and that in England and Wales. Members also raised issues regarding the balance that is to be struck between public safety, the protection of wider society and the rights of the individual and asked whether the Department was adopting a proportionate response, a minimalist approach or a maximalist approach. No doubt we will return to those issues during Committee Stage. As I have outlined, there are clearly issues with the Bill that will need to be looked at in much greater detail, and we will require further discussion and consideration on them during Committee Stage.

Speaking just as an MLA, I want to comment on the human trafficking element of the Bill. I welcome the commitment and the work that is being brought forward to deal with the EU directive on the issue. Human trafficking is a scourge on this society. It is modern-day slavery, and much work needs to be done to eradicate it. The Minister and I attended an event at Stormont to mark human trafficking awareness week. We spoke at that event and commented on the issue. Many people in Northern Ireland are disturbed by human trafficking, both those of a religious faith and those of none, but those within the Christian community have become particularly active in this area, recognising that much work needs to be done to protect those who have been brought into this type of slavery through sexual servitude.

I want to be assured when we look at these legislative proposals that we are not just taking a minimalist approach and will do whatever we can in this place to ensure that the legislation that is brought into being will effectively deal with this problem. The police have indicated to the Committee that they believe that the legislation to give them the necessary powers exists, but we have heard from different organisations that that is not the case and these proposals do not go far enough. I know that the Minister will work with us on this, and my colleague Lord Morrow will have more to say on the issue. The Committee wants to focus on this particular area to ensure that we do everything we can to deal with this problem in our society.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an Bhille atá os ár gcomhair an tráthnóna seo. I thank the Minister for presenting the Bill to the Assembly. As the Chair outlined, the Committee was briefed on the principles of the Bill last week, and we look forward to Committee Stage. Previous experience, particularly with the Justice Bill in the previous mandate, has demonstrated how co-operation between the Committee and officials allowed the previous Bill to be shaped in a particular way. The Committee took a degree of satisfaction from that.

I will point out some of the issues that Sinn Féin will bring to the discussion at Committee Stage. Indeed, some issues that I will raise today are ones that the officials will already be familiar with from the Committee meeting last week. In particular, we have issues with DNA and fingerprint retention and with the disproportionate build-up of the database. The presumption of innocence is also, in our opinion, being undermined, and there is a divergence from the Convention on Human Rights. As I pointed out at the Committee last week, we are concerned that the database is constantly growing. It is growing because, in the past, it was nearly unchecked, and it was only this ruling that put some form of brake on it. When you consider that, pro rata, the database here is 10 times bigger than in the United States and five times bigger than the European average, you can see why people have concerns. It was noticeable that the court described a blanket approach to the taking and preserving of DNA. That is one of the issues that we will address.

In relation to the types of profiles that are retained — again, these are issues that I have no doubt officials will address and respond to at Committee Stage — it is estimated that perhaps one in five people whose profile is on the database are not convicted. In our opinion, that means that DNA profiles are being kept because, some time in the future, a person might commit an offence. In our opinion — I think the court has said this as well — it undermines the principle of the presumption of innocence. On top of that, many people who are still on the database left prison many years ago. Indeed, many people would be subject to spent convictions now, but under this legislation, their DNA profile can be retained.

**4.15 pm**

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

**Mr McCartney:** Yes.

**Mr Beggs:** Does the Member accept that in many instances, such as sex offender cases, many of those who have abused children would have been discovered much earlier if DNA had been retained?

**Mr McCartney:** It is difficult to speculate on what is merely a "What if?" proposition. So in this instance, I do not accept the Member's point. When you talk about principles, you should bear it in mind that it was your party colleague who, at a Committee meeting in September 2011, made the point that, if the courts rule that a person is innocent, the people who retain DNA profiles are saying that the opinion and the courts do not matter. It is in that sense that you take this forward. If there are instances in which that is the case, we need to hear about them, and they can inform opinion. It does not serve anybody well when you are taking this forward. There has been a live ruling. We are now trying to

create the circumstances in which any future decision taken by this legislature will not be subject to a court ruling after we have had the opportunity to correct what was deemed improper in the past.

I move now to the divergence from the convention. As the Minister said, the provision, as it was when it went before the court, was deemed by the court to be not necessary in a democratic society. It used the words “blanket” and “indiscriminate”. As a legislature, we should not allow that to remain. Whatever we do in the future, we have to address those issues. What is now in front of us raises some concerns for us. As we go through Committee Stage, officials will be set the task of addressing the issues that we raise.

A number of minor points need to be addressed at Committee Stage, one of which is the retention of photographs. It is accepted that some photographs are held. In fact, officials informed the Committee that it was a PSNI matter and that a legal challenge is awaited. Rather than create the circumstances in which there is legal challenge after legal challenge, we have, in the framing and passage of the Bill, the opportunity to ensure that we are not in front of the courts unnecessarily.

One proposal is the introduction of a biometric commissioner. In our opinion, the courts should be the arbiter of what should and should not be retained, not some third party. We will take the issue forward in that way.

The Minister and the Chair outlined the need to address human trafficking. Some people might describe it as a loophole, but the EU directive demands that the Minister address the matter. Issues have been raised by the Chair, by Members and in the consultation. There may be a feeling that there is an opportunity to strengthen and shape the legislation, when it goes through Committee, in a particular way and that we can become leaders rather than followers when we frame legislation on human trafficking.

The final aspect is sex offender notification. The Minister rightly pointed out that that was in the previous Justice Bill. We would have supported it. Again, a court ruling needed to be addressed. In our opinion, the Bill from the previous mandate went some way to addressing that. There were some improvements at Committee Stage, and some of the issues that the Minister outlined today will also help to improve the situation. We look forward, and we want the Second Stage agreed so that the Bill will come to Committee Stage.

**Mr Hussey:** I welcome the opportunity to speak on the Second Stage of the Criminal Justice Bill. Although I am not a member of the Justice Committee, I have an interest in many of the areas that the legislation deals with, not least through my work on the Policing Board. The vast majority of the Bill is enacting changes that are necessary due to events taking place in Europe, whether that is Council directives or cases going through the European courts. We need to take account of those changes, and I therefore commend the Minister for introducing the Bill before the summer recess.

First, I want to deal with the issue of human trafficking. Good work has been done in Northern Ireland. For example, the issue has been raised a number of times in the Assembly, first through a private Member's motion by the Ulster Unionist

Party in September 2010. There is already a focus in the Policing Board, especially on the human rights and professional standards committee. We also had Operation Pentameter 2, which was a UK-wide operation co-ordinated by the Home Office and the Association of Chief Police Officers. A Department of Justice paper on the closely associated subject of prostitution provided important Northern Ireland-specific research, and the successful Blue Blindfold campaign was effective in raising awareness. As recently as April, we saw the first conviction for human trafficking in Northern Ireland, but, given the scale of the problem, there is still much to do.

The Chair of the Committee referred to this crime. In many instances, it is an unseen crime. It is an appalling crime, whether you have a firm religious belief, whether you are an atheist or whether you are just someone who is living in Northern Ireland trying to live your life from day to day. It is an unseen crime. It is something that we are really not aware of. Being a member of the Policing Board and having been to some of the events in the House, I believe that I have had my eyes opened to what is actually happening.

The provisions in the Bill stem from the UK's decision to sign the Council of Europe Convention on Action against Trafficking in Human Beings. As a result, this aspect of the legislation is necessary to create an offence where a UK resident is trafficked within the UK, as well as an offence to allow for the prosecution of a UK national who has trafficked someone outside the UK. It is certainly the hope that the new provisions will result in further convictions for this type of organised crime.

Secondly, I want to refer to the retention of DNA and fingerprints. The legislative framework is contained in the Police and Criminal Evidence (Northern Ireland) Order 1989, as amended by the Police (Amendment) (Northern Ireland) Order 1995, the Criminal Justice and Police Act 2001 and, subsequently, the Criminal Justice Act 2003. This has resulted in the current situation, where DNA and fingerprints can be held indefinitely from unconvicted individuals. The judge in the case of *S and Marper v United Kingdom* in 2008 ruled that the blanket and indiscriminate retention of DNA was contrary to article 8 of the European Convention on Human Rights. Therefore, it is clear that some change is needed in order to comply with the European decision. This is why the Minister has brought forward clause 7 of and schedules 2 and 3 to this Bill.

The basic rule that is being brought forward by the Justice Minister is that all fingerprints, DNA and samples must be destroyed, provided they do not fall within the circumstances outlined in new articles 63C to 63J. That is the simple underlying principle that is set out in the Bill. However, the Ulster Unionist Party strongly believes that the police must have the ability to use all means that are necessary and appropriate in order to tackle crime. Therefore, it is important that the retention of material relating to the eight areas outlined is subject to differing standards. It is vital that adequate consideration is given to the eight areas to ensure that they adequately cover all eventualities, which should be subject to differing standards rather than a basic rule. Whilst the Minister has consulted on the retention of the materials, I ask what specific consultation there has been with the PSNI, which is the key stakeholder in this exercise.

I also ask the Minister to explain the rationale behind the appointment of a commissioner to be known as the Northern Ireland Commissioner for the Retention of Biometric Material, who will be paid as the Department determines. In the current economic climate, the Minister will understand the concerns around the creation of titles of this nature without any details of the remuneration to be offered. This is no doubt an area of the Bill that the Ulster Unionist Party will express some concern about. While I understand that not every grievance around the retention of material of this nature should be subject to protracted and potentially costly court proceedings, further details of what the Minister has planned for this commissioner would be welcome.

Last is the somewhat sensitive issue of notification arrangements for sexual offenders. The police have certain powers in relation to sex offenders, including the ability to hold information about their whereabouts. That is done through the signing of the sex offender register, or what is officially known as notification requirements for sex offenders. There are two main concerns that the Minister should address at Second Stage. First, although indefinite notification requirements have been deemed unlawful, why has he chosen to apply the eight-year level to under-18s and the 15-year level to all other sexual offenders? It is important that the Justice Minister explain his reasoning, given that the European judgement does not specify a time before a review should take place. Potential concerns centre around the fact that the Justice Minister should not be unduly lenient to sex offenders. Secondly, the arrangements set out in the Bill will undoubtedly place an extra burden on the Chief Constable. In paragraphs 2(7) and 2(8) of new schedule 3A, it is evident that the onus is on the Chief Constable, when in receipt of an application, to make a determination. As well as that, in paragraph 3(2) it is clear that he must take a host of issues into account. Has the Minister any indication of the time and cost implications of those reviews for the PSNI? If there are to be additional costs, have they been factored into budgetary requirements? That is important, given the efficiencies that the PSNI is already expected to deliver.

In conclusion, I welcome the Second Stage of the Bill and look forward to the debate as the Bill passes through the legislative process.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. From the SDLP's point of view, the Criminal Justice Bill is largely concerned with updating legislation to ensure that it meets current standards on human rights, as set out in rulings by the UK Supreme Court, the European Court of Human Rights and the Council of Europe Convention on Action Against the Trafficking in Human Beings. These are challenging issues, and, during the long gestation of the Bill, Members will, at times, have asked whether some of the measures being put in place are too lenient. However, it is important to remember that we are legislating to protect the rights of individuals. It is essential that, if we are to err on one side or the other, we should err in favour of the individual over and above the state. For the most part, the Bill appears to do that.

I want to deal with a number of issues, particularly human trafficking, which has already been mentioned. Many of us will have received briefing documents that broadly reflect feelings about the Bill. One of the main themes that run through those documents is that, although, on one level,

the proposals seek to copy England and Wales in the substance of the change, the arrangements are much more complicated here in the North. There appears to be a minimalist approach in the Bill to tackling human trafficking, which I feel is a missed opportunity. We should be a pathway and a leader on these issues, which are increasingly becoming a feature of our modern world. There are also missed opportunities to comply with aspects of all parts of the directive. We will go into those in more detail in Committee, but they include areas such as penalties, investigations, prosecutions, assistance and support for victims and, particularly, provisions for child victims — the most vulnerable in society who have been subject to human trafficking, particularly its more abusive aspects.

Similarly, the measures on sex offender notification, such as the right to a review in the case of offenders subject to notification for an indefinite period, follow a UK Supreme Court ruling on compliance with European Court of Human Rights obligations. Some of us may aspire to a situation in which the particular Supreme Court's ruling did not apply, but we are where we are. In any event, the human rights obligations would probably still exist.

DNA retention is a very pertinent issue that came up in Committee when we were initially discussing these matters. The measures in the Bill that relate to the retention of fingerprints and DNA profiles result from a 2008 European Court of Human Rights ruling that the blanket and indiscriminate nature of the power of retention in England, Wales and the North was in breach of article 8 of the European Convention on Human Rights, which is the right to privacy and family life.

Those regions of the UK and the North were found to be the only ones in the Council of Europe to permit the systematic and indefinite retention of DNA profiles and samples of persons who had been acquitted or against whom criminal proceedings were not enacted.

#### 4.30 pm

The new measures in the Bill seek to specify in what circumstances and for how long biometric material, fingerprints etc can be retained. However, I remain unconvinced that it is appropriate to allow the retention of the fingerprints and DNA profile of someone who, although arrested, has not been charged with a serious offence or, if charged with a serious offence, has been found not guilty by the courts. We could have the ridiculous situation where, in these pressing and trying financial times, someone winds up in jail through defaulting on their bill payments or whatever and their DNA and fingerprints could be retained for three years, as set out by the Bill, with an extension of two years available on application to the courts.

Even the fact that the qualifying offences for the retention of biometric material are deemed serious — they broadly cover serious violent, sexual or terrorist offences — is not particularly relevant. If someone has been found not guilty by the courts, they should have the right to be treated by the state as innocent of that crime. If, at the conclusion of the police investigation, no charges are brought against an individual, that individual should also have the right to be treated by the state as innocent. The Bill does not do that.

During the Committee Stage, Department of Justice officials defended this retention, because there would have been, at some point prior to acquittal for example, "sufficient



suspicion of an individual". I find that argument, too, unconvincing. It is doubly worrying that there is no possible appeal against retention in such cases. I have no problem in accepting the need to take into account the protection of the public, but if we compromise the rights of the individual to do so it must be based on more than simply a "suspicion". That is particularly the case when that suspicion has been tested in the courts and found to be a suspicion that is without foundation. I am not concerned about a mere matching of legislation in other jurisdictions. When it comes to human rights, we should be setting our own standards and they should be the highest possible.

Subordinate legislation is expected to be introduced in the Assembly to prescribe the charges covered by this measure, and we expect additional debate on that. At this point, from my party and me, Mr Deputy Speaker, go raibh míle maith agat.

**Mr Dickson:** I support the Criminal Justice Bill at its Second Stage. I appreciate that we, in the Committee, have been kept well informed as the Bill has been formulated. There has been a great deal of consultation and discussion around the issues addressed and the specific measures detailed in the Bill.

The central contention of my remarks is that we should all be able to agree on the principles of the Bill at this stage. We should all agree that the proposed changes to sex offender notification are either necessary due to EU requirements or desirable due to weaknesses identified in our system. Indeed, the Supreme Court ruling renders our current legislation incompatible with our human rights obligations. Therefore, it is imperative that any proposals must protect the public while ensuring that we satisfy those obligations, and the Bill does that.

The Bill allows offenders only to make an application for a review of their notification requirements. There is no ability, under these terms, to have one's requirements automatically removed. They can be removed only by the police and courts after careful and comprehensive assessment of any risk posed.

Some concerns were raised in Committee about the status of the police as the first level decision-makers, and the question of whether all cases should be dealt with by the courts was asked. However, I am confident that, taking account of any multi-agency risk assessment, the police are best placed to decide on the risk necessary for them to retain information on an offender. Moreover, having a court process in all cases would undermine our Minister's efforts to speed up our justice system. Mandatory processes are unnecessary and would be time-consuming, costly and out of line with other UK jurisdictions.

In keeping with the theme of reducing delay, I also welcome the changes to the notification procedures in respect of offenders coming to Northern Ireland from another European country with a conviction for a relevant offence. That will save our police officers time, as they will not have to make applications to the courts for notification orders, and will provide the public with greater protection. The Minister has committed to doing further work on that aspect of the Bill as we proceed.

The changes to prevention orders are also to be welcomed. Strengthening orders to contain positive conditions as well as prohibitions is not just a minor consequential change. It is important that it is not just seen as a footnote but as a

measure that will make a positive difference in communities by enabling greater flexibility in how the risk of serious sexual harm is managed and dealt with.

In Committee, we considered this legislation and the legislation in other jurisdictions, and I am satisfied that the proposals being brought forward are strong.

On the subject of human trafficking, again, I welcome the measures detailed in the Bill. Human trafficking is the third most profitable illegal organised trade in the world. It is a form of modern-day slavery, as others have said, that profits from human suffering, and it abuses in the most despicable of ways. It denies the fundamental human right of freedom. Human trafficking is one of the great evils faced by our society, and victims can be male or female and can be children.

Various reports and campaigns have raised awareness of the fact that the practice is a problem in Northern Ireland, which is a country of both transit and, sadly, destination. Many victims are subject to sexual and labour exploitation and are left traumatised for the rest of their lives by those experiences. It is clear, therefore, that the legislative changes are desirable as well as necessary under our European obligations. The message is unambiguous: if you traffic someone within the UK or anywhere internationally, Northern Ireland will not be a safe haven for you.

I welcome the launch of the all-party group on this issue earlier this year and the huge support it has received from all political parties in this Assembly. With this legislation, we take another step forward in our fight against trafficking and continue to progress our status as an Assembly that is leading on the issue.

On DNA and fingerprint retention, it was clear when the Committee discussed the issue that, although some members find the changes undesirable, others have concerns that they do not go far enough. Again, we should be able to agree at this stage on the principles behind the proposals. We obviously have European obligations that need to be adhered to, but we also have a responsibility, as legislators, to come up with a position that strikes an appropriate balance between protecting individual liberty and individual rights and providing the public with the appropriate and necessary protection. Those principles underpin the proposals brought before the Assembly. Each individual wants assurance that they will be treated properly, while the public as a whole want to be sure that the correct mechanisms and protections are in place to protect our society.

Accordingly, on conviction, we will have the same robust policy that is in place in England, Scotland and Wales, with indefinite retention. For those charged with but not convicted of a serious offence, there will be retention for three years, with the possibility of a single extension of two years. It should be noted that, although that is more liberal than the Scottish model with its rolling two-year extensions, we were advised in Committee that no extensions have been applied for since they were introduced in 2007. From that, some may wish to argue that it is not necessary to make any provision for an extension. However, again, the proposals achieve a balance between concerns on both sides.

For those arrested but not charged with qualifying offences, there will be a possibility, in prescribed circumstances, that the same time frame will apply. I also welcome the measures detailed for dealing with the DNA and fingerprinting



of minors. It is important that under-18s who are first-time minor offenders are not indefinitely branded with retention. However, the legislation quite rightly makes provision for indefinite retention following conviction for a serious offence or any second conviction. Again, it is about striking that important balance. That is why I encourage Members to support the Bill at its Second Stage. I understand that some Members may have differing views about the proposals relating to notification requirements on DNA. However, as I have argued throughout my remarks, we should at this stage be able to agree the principles behind the Bill.

The measures are necessary, of course, to meet our European requirements. However, I would argue that whether they are about protecting the most vulnerable people being trafficked within and across borders or about seeking to find a balance between the rights and liberties of individuals and the protection of society, the measures are also desirable. I look forward to further discussion of the Bill at Committee Stage.

**Lord Morrow:** I welcome the opportunity to speak in this debate. I am very glad to see that offences related to human trafficking feature in the Bill, but I have major concerns about their limited scope, as I hope to explain.

The Bill's explanatory notes say that the provisions:

*"are required in order to comply with the EU Directive on trafficking in Human Beings".*

It is encouraging to see that Northern Ireland is making progress towards implementing the obligations of the European directive against human trafficking, through clauses 5 and 6, but I would not wish Members to think that these clauses alone meet our obligations under the European Convention on Human Rights, because they do not do such thing. The Bill falls far short of full implementation of the varied requirements of both international instruments.

I hope that, by the end of my speech, Members will agree that we have, so far, missed an opportunity to lead the way in the United Kingdom in how we can prevent and prosecute human trafficking crimes, and protect victims. Furthermore, we have fallen behind England and Wales, where new provisions on legal aid for trafficking victims have recently been introduced. I know of no plans to introduce similar provisions in Northern Ireland. I think that Members will come to agree that we should have a specific human trafficking Bill, the purpose of which would be to make Northern Ireland fully compliant with our international obligations.

Members will be aware that, on 6 April, the Department of Justice launched a consultation, the stated aim of which was to:

*"comply with EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims."*

The consultation was rather short, and ended on 31 May. It was disappointing not to see the exact legislative proposals in that consultation, as it would have been helpful to have some dialogue around the approach that the Department has decided to adopt and on whether other options might have been available. It is also very disappointing that the Minister rushed ahead and published the Bill without publishing the Department's analysis of the consultation

responses. That necessarily impoverishes this debate and does not seem to be particularly good practice.

Members who have read the helpful Assembly research paper 'Human Trafficking in Northern Ireland', which was published on 12 June, will know that, in Westminster, the same extraterritorial powers requirements have been met through legislation that was introduced via the Protection of Freedoms Act 2012.

Under those proposals, there will be one new trafficking offence in England and Wales for sexual exploitation, and one new trafficking offence for labour and other exploitation, replacing the previous multiple offences. The approach for Northern Ireland that is proposed in the Criminal Justice Bill is to create additional offences, specifically on trafficking for exploitation committed by UK citizens or habitual residents of Northern Ireland while they are abroad.

Let me make this clear to Members: in England and Wales, there will be one offence under section 59 of the Sexual Offences Act 2003 for trafficking for sexual exploitation. In Northern Ireland, there will be four offences, under sections 57, 58, 58A and 59 of the 2003 Act, covering trafficking in the UK, within the UK, outside the UK, and out of the UK respectively. I would be grateful if the Minister could set out the rationale for his approach and say whether he considered making trafficking for sexual exploitation a new offence in the Sexual Offences (Northern Ireland) Order 2008. I know that, when jurisdiction for many of the sexual offences moved to Northern Ireland legislation, it was considered difficult to envisage making fundamental change to offences that have a UK-wide context. However, if we now choose an approach on trafficking for sexual exploitation that is different to that in England and Wales, what are the merits of the legislation staying in the Sexual Offences Act 2003? Could we not take the trafficking provisions into Northern Ireland legislation, just as Scotland has done?

#### 4.45 pm

Similarly, with the asylum legislation, which covers the whole of the United Kingdom, Northern Ireland will have four offences, like Scotland, whereas England and Wales will have one. Did the Minister consider the same approach that was adopted in the Protection of Freedoms Act 2012? If so, why does he feel that the approach in the Criminal Justice Bill will better suit the needs of this jurisdiction? Furthermore, does the Minister foresee any of those changes impacting the prosecution of trafficking offences in the Province?

On 8 June, the Public Prosecution Service (PPS) launched a consultation document, 'Policy for Prosecuting Cases of Human Trafficking'. Will there be any impact through that policy on prosecution for those offences? How will it be decided where a UK citizen who has committed a trafficking offence abroad will be tried? Will he be prosecuted in the UK, since there are different offences in different UK jurisdictions? In particular, what factors will make it more likely that an offence is prosecuted in Northern Ireland? How will prosecutions occur in Northern Ireland for offences that are committed overseas? More generally, will we see a much-needed increase in prosecutions as a result of that change and of the PPS consultation?

I am sure that Members will be pleased that, following our debate on combating human trafficking in February,

the Government are taking measures to improve our legislation. However, all that has been proposed is that we follow England and Wales in their extraordinarily minimalist attempt as of January this year to become compliant with the directive. Since then, they have enhanced their efforts to become compliant through provisions in their Act on legal aid. As far as I am aware, we do not propose to do that. Rather than do the bare minimum, which is what the Bill that is before us requires, we should build on our proud tradition of standing against slavery and seize the opportunity to lead the way in the UK. If the Bill is our attempt to become compliant with the EU directive, which is what the consultation and, indeed, the explanatory notes rather suggest, it is a big missed opportunity for the people of Northern Ireland.

I will highlight a number of aspects of our non-compliance with the directive. I wonder whether the Minister has considered taking the opportunity to extend the asylum Act further and ensure that forced begging and the exploitation of criminal activities are included in the section 4 definitions of “exploitation” to bring us into line with the European directive definition of “exploitation” in articles 2 and 3. Will he consider setting out the aggravating factors that are listed in article 4 of the directive and article 24 of the convention and that should be taken into account in sentencing for human trafficking offences so that we can ensure that they are part of the sentencing guidelines for our judiciary? The consultation document on prosecution policy refers to giving support to victims who give evidence in court. It states that:

*“Public Prosecutors will make applications for special measures in all appropriate cases.”*

Surely we should have legislation that automatically ensures that trafficking victims will have special measures applied to them. Victims of trafficking for sexual exploitation are victims of sexual offences for the purposes of receiving special measures under the Criminal Evidence (Northern Ireland) Order 1999, but there appears to be no similar legal provision for victims of labour or other exploitation. This Bill is an opportunity to put that right and meet all our obligations under articles 12 and 15.

Fourthly, I am pleased that the PPS is suggesting that it will take into account the fact that a person has been trafficked if that person commits a crime as a result of being exploited. However, that is only a policy statement of good intent. We should consider looking at it further so that we can remove any doubt from a victim’s mind in these cases. I refer Members to article 8 of the directive, which is non-prosecution or non-application of penalties to the victim, and article 26 of the European convention, which is non-punishment provision. Both of those were fully supported in a recent document by the United Nations on the EU directive.

Fifthly, will the Minister consider legislating to ensure that prosecution of a human trafficking offence is not dependent on reporting or accusation by a victim, and allowing criminal proceedings to continue even if the victim has withdrawn his or her statement, thus meeting our obligation under article 9(1) of the directive?

Sixthly, article 18 of the directive and article 5 of the convention require action against the demand for trafficking. I would like to ask the Minister how he intends to meet that

requirement. Has he considered introducing measures that go beyond the provisions introduced by the Policing and Crime Act 2009 and an offence beyond the current offence of paying for the sexual service of a prostitute subject to force? Should we not consider introducing a new offence of paying for sex regardless of whether the individual has been subjected to force?

Since the Swedish Government introduced a zero tolerance approach in 1999, the police have intercepted phone conversations between traffickers who said, “Do not bother sending women to Sweden; it is not worth it.” Moreover, the new offence has resulted in the number of men in Sweden paying for sex falling from 13.8% in 1996 to approximately 8% today. At this point, I should add, in parenthesis, that the Dáil is considering introducing such an offence in the Irish Republic. If it does and we do not, our laws will be softer. We could expect an increase in people coming to Northern Ireland to buy sex because of our softer laws.

I hope that Members will agree from the list of initiatives that I have suggested that we need to do more than introduce these two clauses to ensure that Northern Ireland is fully compliant with the EU directive and the European convention. In preparation for the report on the UK’s compliance, the monitoring unit for the European convention known as GRETA, the group of experts on action against trafficking in human beings, recently visited Northern Ireland and met various officials. GRETA will publish its report this autumn. I hope that the Minister will be able to assure Members that its recommendations will be taken to heart, as policies and practices cannot continue to be developed.

When the extraterritorial provisions were debated in the House of Lords in January, the Minister committed to writing to Peers with an outline of how other measures would be introduced to ensure compliance with the directive. A letter setting out the other things that would be done in England and Wales to achieve compliance through secondary legislation was placed in the House of Lords library. I have a copy of that letter with me today. Does the Minister have plans for secondary legislative changes to achieve compliance in Northern Ireland? I would also like the Minister to inform Members how he plans to monitor ongoing compliance. Will he set up the equivalent of a national rapporteur for Northern Ireland?

Even if Members were willing to bring some of the measures that I have suggested into the Bill as it goes through its different stages, there should be no room for complacency. It appears from PSNI and Department of Justice figures that the number of people identified as trafficked is increasing. Those individuals — men, women and children — need support and care. We should be at the forefront of providing a victim-centred approach in the UK. As I said, England and Wales have recently stolen a march on us by defining legal aid services for trafficking victims in the Legal Aid, Sentencing and Punishment of Offenders Act 2012, but I hope and think that we can catch up. I look forward to introducing a private Member’s Bill on human trafficking to fill in the gaps that are left in this Bill.

I have another engagement, and, due to the slippage in the indicative timings, it may not be possible for me to remain to hear what the Minister has to say. I make it clear that that is not in any way a slight. I am very interested to hear what

other Members and the Minister have to say, but it may not be possible. I look forward to reading that in Hansard.

**Mr A Maginness:** In general terms, I welcome the Bill. It is a necessary piece of legislation that will strengthen safeguards for citizens in this jurisdiction. It is interesting to note that at least two thirds of the legislation arises out of judicial decisions, both here and in the European Court of Human Rights. It is a good example of how judges can assist us, as legislators, to provide safeguards for our citizens and strengthen the law. We should welcome the judicial intervention that, at least in part, has brought about this legislation. Further to that, the influence of the European Union on another part of the legislation is to be welcomed. With that intervention by the European Union through directives, we are in a happier position to assist, in particular, the victims of trafficking. That is an important observation to make because it shows the value of European institutions, including institutions under the European Union and the European Court of Human Rights, which, of course, is not a European Union institution but one that stems from the European Convention on Human Rights. I wanted to make those general points at the beginning, and I reiterate that there is a value in judicial scrutiny of what, in effect, is public policy.

Most of us will consider the issue of retention of fingerprints, DNA samples, and so on, in a rather detached and academic way, and feel that we should not get too exercised about it. In my experience, when people have encountered the situation of their DNA samples or fingerprints being kept indefinitely, they feel that their rights as citizens have been violated. Therefore, it is not surprising that the European Court of Human Rights has intervened in this matter in the case of *S and Marper v the United Kingdom* in 2008. In that case, the European Court of Human Rights ruled that the provisions in the Police and Criminal Evidence Act 1984 for England Wales permitting the indefinite retention of DNA and fingerprints of unconvicted individuals violated article 8, the right to privacy, of the European Convention on Human Rights. That has a knock-on effect in Northern Ireland.

It is timely for us to look at that. In its description of the power, the court described it as “blanket and indiscriminate” to retain material irrespective of the nature or the gravity of the offence with which the individual was originally suspected or the age of the suspected offender. What is happening here is a restriction, but it is a proper restriction on the retention of such material. We should look at that very carefully. I am not going to go into the details of the thing. That remains to be done at a further stage in the proceedings of the House.

#### 5.00 pm

The court pointed to the current retention policy in Scotland as a model. I think that we should look at that very carefully, and I know that the Minister and his officials have looked at it. I think that what is proposed for Northern Ireland is removed from that model in its detail. Certain aspects are not on par with the Scottish system, but I think that the Scottish system should be followed, perhaps in greater detail.

To go back to a point that I made earlier, it is only when it happens to you or one of your constituents, where the citizen is, rightly, outraged by indefinite retention, that you really understand that this is an issue of some importance.

Of course, you have to balance that against protecting society from those who could reoffend or who have offended. In those circumstances, it is right and proper that retention for a period is made. I have no argument with that, but the important aspect is getting the balance right.

I move on to trafficking. It is important that we give protection to those who have been victims of trafficking. The fact is that we now have to comply with the European directive. We need to create an offence where a UK resident is trafficked within the UK and in this jurisdiction. The Bill also creates an offence that allows for the prosecution of a UK national who has trafficked someone anywhere outside the UK, and it is right and proper that people should be brought to book for that evil exploitation of others. I welcome that. Any strengthening of the law in that respect is important.

The last area relates to the notification requirements for sex offenders. It is important, in light of the Supreme Court decision in the UK, that we look at this and that we change the law as it stands. Again, it has to be proportionate. We have to protect the public, but, at the same time, there are rights involved, and it is proper that the highest judicial authority in the UK has brought this to our attention as legislators. The Minister is on the right lines with this. I am not going to go into the details. We have had quite extensive discussions in the Chamber on this previously. I have made my view and that of the SDLP known during those discussions, and we will return to that at a later stage. I welcome the Minister's initiative, even though it may be repackaged from a previous occasion. I am sure that we can arrive at a system that not only protects the rights of those involved but protects our society from those who seek to reoffend. That is the proper way to proceed. I welcome the Bill in general terms. We will return to the details at a later stage, but it is a good step forward.

**Mr Wells:** At any given time, there are between 170 and 180 victims of sex trafficking in Northern Ireland. I congratulate those who were responsible for the campaign No More Traffik on Our Streets. I attended an event in the Long Gallery about three weeks ago. Sometimes, such events pass over your head, but at other times, what you hear hits you between the eyes and you never forget it. Those of us who sat through that lengthy meeting will never forget what we heard about the victims of trafficking in Northern Ireland.

Beneath the quiet exterior of parts of Belfast, Newry and Londonderry, young women are being locked in rooms, some of them not even knowing what country they are in. Those women are forced to have sex with 20, 30 or 40 men a day. A representative of the Police Service of Northern Ireland showed a graphic picture of a disgusting, filthy room, which was almost a cell. On the wall were the marks left by a young woman who had frantically tried to scratch her way out of the living hell that she was in. The police took DNA samples from those scratch marks and were able to identify the woman. They know that she was trafficked into Northern Ireland and that she was removed very quickly from that room, but they have no idea whether she is alive or dead.

This nasty, evil practice is going on on our doorsteps. Unfortunately, the vast majority of the clients of those sex slaves are men. If those men knew what they were paying for and supporting, they would be ashamed for the rest of their lives. If there was no demand for those services, there would be no sex trafficking in Northern Ireland. What

Lord Morrow said is absolutely right. We should extend the law to make it an offence to pay for sex in Northern Ireland because it is leading to the misery that is being imposed on many defenceless women from the Far East, eastern Europe and Africa.

I know that the Minister is listening, and I say to him that he will never be criticised in the Chamber for being too draconian in any laws that he brings in to stop sex trafficking or any form of human trafficking in Northern Ireland. Perhaps he will go down in history as the person who introduced legislation that made Northern Ireland the most difficult place in the United Kingdom or Europe for trafficking. We have to take this opportunity. Therefore, it is disappointing that the legislation that is being introduced seems to take a minimalist approach. It seems that officials have looked at article 10 of the relevant European directive and adopted the absolute minimum legislation to bring us into line with that. They do not seem to have seen the benefits of the legislation in England and Wales, in which multiple offences have been replaced by a single offence for trafficking leading to sexual exploitation and a single new offence of labour exploitation. It seems that the Northern Ireland approach is simply to add offences to the Sexual Offences Act 2003 and the Asylum and Immigration Act 2004. Minister, that is not good enough. Perhaps it is fortunate that we have had this very successful campaign in Northern Ireland over the past few weeks. Like many other MLAs, I have signed up to that campaign.

Our country has a Christian ethos and a proud tradition of opposing slavery, which it did in the 19th century when it was part of Britain and Ireland. We must carry on that tradition now by introducing legislation to stop this evil practice. In the 19th century under Wilberforce, slaves were traded for the equivalent of \$40,000 each. Today, there is reliable evidence to indicate that people are being trafficked into Northern Ireland for sexual slavery for less than \$100 an individual. That is how cheap human life has become in this society.

I know that the Committee is exercised about this, and we heard some of its members' views. I am on the Committee for my sins, so I will be sitting through debates on the legislation. All I want to say in what could be a very lengthy debate today is that I am determined, as I am sure other Committee members are, to table amendments that deal with this terribly serious issue. It would be far better if the Department would, in fact, bring forward its own changes or agree to changes in advance. I do not believe that the Committee should divide on the issue. I think that we are absolutely unified in saying that this is an evil activity that must be stopped and made incredibly difficult.

The Swedish example is a clear indication that action can be taken to cut out demand and make it difficult for those who supply that demand. I call on the Minister to go back to basics on the issue and come up with something that makes it much more difficult for evil individuals to traffic people for sex and labour — we have to remember that as well — and to bring people into Northern Ireland for that wicked trade.

**Mr Anderson:** I will speak on the Second Stage of the Criminal Justice Bill as a member of the Justice Committee. First, I thank the officials who briefed the Committee on the Bill last Thursday. I am mindful that we are limited

today to remarking on the broad principles of the Bill as it is presently drafted and presented to the House. The Bill deals with three separate and distinct issues: sex offender notification; human trafficking; and the retention of DNA and fingerprints.

We are told that the Bill is necessary because we are out of step with certain convention rights that the European Court of Human Rights and the Supreme Court have identified. I fully appreciate that we operate under European constraints. Although some of what is proposed will help to tighten the law, we must take the opportunity through the Bill to protect the innocent and to make life more difficult for sex offenders, human traffickers and all criminals. We must also make sure that we do not go any further than we have to in implementing those EU requirements, which might weaken our legislative base in our efforts to tackle crime robustly.

The UK has a track record of gold-plating EU directives and rulings. So, let us go no further than we absolutely have to unless, by doing so, we will help to protect our society further. If something helps to protect society further, I am all in favour of going that extra mile. As we get into further scrutiny of what is proposed in the Bill, we will look at all the issues in much greater detail at Committee Stage and in the House.

I now want to make a few comments on the three policy objectives that are in the Bill. Where sex offenders are concerned, the Supreme Court has ruled that if there are no review mechanisms for those on licence, indefinite notifications are a breach of article 8 of the ECHR, which concerns the right to family and private life. That said, the proposals in the Bill for a review mechanism raise a number of concerns in my mind and will, no doubt, be the cause of much debate in future Committee meetings. On the other hand, I welcome the proposals to tighten up on notification where a person offends outside the UK and then arrives in Northern Ireland.

Human trafficking is a major concern, and it is an issue on which I chose to make my maiden speech in the Chamber when I came to the Assembly in 2010. I welcome any effort to robustly tackle this disgusting business. The Bill must ensure that those who promote trafficking face the full rigours of the law. Although the proposals will help to further combat the trade of human trafficking and offer better protection to the victims of that appalling form of modern-day slavery, do they go far enough? I am not so sure that they do, and that is something that we will probe in much greater depth at Committee Stage. The concerns and issues raised by my colleague Lord Morrow before he left the Chamber will give cause for much debate at Committee Stage and during future stages of the Bill. My colleague Jim Wells has put forward a great case for the Minister and the Department to look further at this disgusting trade that is going on within our land and make every effort to ensure that whatever is included in the Bill measures up to what is required. The message from my party is to strengthen the measures to do whatever is needed and to seek agreement across the Committee and the Assembly for that.

#### 5.15 pm

On the retention of DNA and fingerprints, I welcome the fact that there is an intention to retain samples if there is any chance that they might be of use in the future investigation of crime. That is absolutely vital, not only in the interests



of justice, but for the protection of victims. We must tread very carefully to ensure that the judicial process is not compromised in any way. I share police concerns about the raising of the threshold from arrest to charge for retention of DNA and fingerprints. It is important that the police should be able to retain samples for as long as is necessary to ensure that criminals are brought to book.

The Bill as drafted leaves many issues for debate but it will deliver for law-abiding members of society only if victims, not perpetrators, are placed at the forefront of our minds. One thing is beyond doubt: the Bill will ensure that the Committee will not be idle over the next session of the Assembly. Thank you.

**Mr D McIlveen:** I will keep my comments brief as I am conscious that the indicative timings have slipped somewhat today.

I speak as the vice-chair of the all-party group on human trafficking. It is fair to say that a disproportionate amount of time in the debate has been given to that subject, but I make no apology for that. I believe that human trafficking is one of the greatest human rights challenges of our time and, therefore, we should put a huge focus on it and try to do whatever we can to ensure that it is dealt with, clamped down on and, if possible, completely eliminated from our society, because it is a scourge and a blight on the very society that we live in.

The Bill broadly succeeds in complying with the European convention against human trafficking. It complies with what it was asked to comply with. However, like my colleague Lord Morrow and others, I have to say that we have perhaps missed an opportunity. We could have taken it a step further. Not to disappoint my colleague Mr Maginness, but I assure him that the view of Members on these Benches on the interfering and meddling of European judges in UK law has not changed one iota and is not likely to in the future. However, in this particular instance, we feel that the legislation could have gone a little further. I would like to give a couple of indications as to what I would have liked to have seen in the Bill.

I had the fortune to meet Eva Biaudet a couple of weeks ago in Helsinki. She is the Finnish rapporteur on the trafficking of human beings. Eva has done some fantastic work on the scale of human trafficking in Finland. Northern Ireland could have used legislation such as has been used in Finland in order to improve its current position within the UK. I have here a thick booklet of nearly 200 pages that has been produced by the rapporteur in Finland. In her introductory remarks, she says that the rapporteur strives to bridge the gap between the authorities and the non-governmental organisations. That is one of the greatest challenges that has faced those involved in the fight against human trafficking: the issue of co-ordination. How do we bring all the interest groups together to ensure that we are all moving forward in one direction? As the Bill stands, we will follow the UK position, which fulfils the UK obligation under the convention. However, the current reporting mechanism is not independent of government and the ministerial group that reports back does not produce public reports. A completely independent national rapporteur, with a clearly defined and powerful role and who can report back to the public at large, would surely create a much more realistic view of the scale and extent of human trafficking in this country. I would like to have seen that in the Bill.

One country apart from Finland that has followed that approach is Holland. It is widely believed that the quality of information available to government is vastly improved and the profile of trafficking and traffickers in their parliaments has been raised considerably as a result. One thing that has shocked me as I have spoken to other parliamentarians about the issue of human trafficking, particularly throughout Europe, is that, in many instances, there is almost a denial that this issue even exists.

We have to accept and be honest in this Chamber that the issue of human trafficking, broadly speaking, will not win us any votes. There are very real issues on the ground around housing, education and health — the list goes on — that we know we have to represent our constituents on. However, sometimes, and this is one instance, we have to put votes to the side and come back to doing the right thing. This is purely an issue of doing the right thing where people are coming into this country — as my colleague Mr Wells said, sometimes they do not even know the country they are in — and are being forced into the most terrible conditions that any of us could imagine. As human beings, we have to take a stand and say that that is happening, it is wrong and it has to be dealt with as effectively as possible.

I was relieved to hear a number of my colleagues mention the issue of legislation around people who pay for sex. That is an elephant in the room and something we really have to get our heads around to ensure that every deterrent is put in place when it comes to the trafficking of victims. We have to wake up to the fact that unless we start targeting the users of that so-called service with the most robust legislation possible, it will be very difficult to clamp down on the demand or create a deterrent for the majority of men who are using those services.

Those are just a few thoughts. I will happily pass my personal copy of the rapporteur's document to the Minister if he wishes to see it as long as he gives it back because it is the only copy I have. I would gladly do that, and I hope that maybe these comments will be taken on board.

**Mr Weir:** Unfortunately, I did not have the opportunity to hear a lot of the debate as it clashed with the Assembly Commission meeting, but as a member of the Justice Committee, I felt that it was important to say just a few words about the Bill.

As indicated, I think, by some of the Members who spoke — at least from what I heard — a sort of cocktail of measures are dealt with in the Bill. Obviously, it falls into the three particular areas. It has also been indicated that we look at those with varying levels of enthusiasm. Clearly, some of the Bill is in response to court rulings on the retention of records from the point of view of the fingerprint and DNA side of it and also from the point of view of the issue of the sex offenders register. It is important, in progressing the Bill, that we get the detail correct. There can be good legislation here. Despite the fact that the Bill is not the lengthiest of Bills, it touches on important subjects. As such, the Committee Stage will be particularly important.

There may well be aspects of the court rulings that, as individual Members, we do not particularly like. Some of us may have a particular view on one side of the argument or the other. It is important, though, to recognise that, while ensuring that we get the detail correct, as a Committee and



an Assembly, we have to be responsible in responding to those court rulings. Indeed, where there have been court rulings, it is important that we as an Assembly live up to those and abide by them. It is important that there is detail in the regulations about the limited circumstances in which records can be expunged so that barriers are not created to arresting criminals at a later stage. It is important to get that right.

A lot of good police work has been done on the sharing of information. It would be worthwhile to make advances on the notification of sex offenders to ensure that records are moved between jurisdictions so that we offer the maximum level of protection to children and vulnerable adults in particular. A few years ago, I dealt with a constituent whose brother was an abuser who moved between jurisdictions. He had committed offences in Northern Ireland, was convicted of offences in the Republic of Ireland, and when he was released, he moved to Liverpool. The case was reasonably profiled at the time. It is important to pool and share information to ensure the proper monitoring of offenders. Some of the provisions for the sharing of information are useful.

The Member who spoke previously, and other Members, raised the issue of human trafficking. We are all united on this issue, and the House speaks with one voice. We must have stringent regulations. I commend the work of the all-party group on human trafficking in highlighting the issue. Too many people in Northern Ireland believe that human trafficking simply happens in another part of the world. Those people certainly do not believe that it happens in their constituency. Unfortunately, human trafficking is on our own doorstep, so it is worthwhile bringing our legislation into line with that in other parts of Europe and the rest of the UK.

I commend the work of David McIlveen and Lord Morrow. Lord Morrow did a considerable amount of work prior to the Bill being introduced. He was considering a private Member's Bill, but that has been overtaken by events.

As we scrutinise the Bill at Committee Stage, we must ensure that we raise the gold standard for Northern Ireland on the issue of human trafficking. It is not simply a question of us following parity with other regions. We must have the most stringent of standards. It is an important step in combating human trafficking, and improving the law on that is very welcome. I am sure that the Minister will have our full support. However, as mentioned by the Member who spoke previously, it may not be the whole solution. Although those who are directly involved in trafficking need to be targeted — they will be via the legislation — I share that Member's view that, given that much human trafficking in Northern Ireland involves the sex industry, we should target those who use the sex industry, particularly the men, and make them more culpable.

When we think about prostitution, we tend to think of brothels and prostitutes rather than users. Users must be targeted, and the issues need to be seriously considered with some gravitas. There is no instant solution, but we need to give strong consideration to the better targeting of those who use sex workers. We must clamp down because it is one of the great scourges of humanity. Human trafficking is an evil that has existed in various forms since time began. We look to ancient times and see forms of slavery that are human trafficking by another name. It is important to have a united voice in the Assembly against

such evil action, and we can add substance to that through legislation. The Committee will have a crucial job going through those aspects of the Bill. We will scrutinise in detail to get these important issues right. I welcome that work because I believe that the legislation is important for Northern Ireland.

**Mr Ford:** I am grateful to the Members who attended this afternoon, given that it is now evening rather than afternoon and well into the final day of this session before recess.

On the basis of what has been said, I certainly think that we can all look forward to some fairly lively discussions in Committee and, no doubt, when the Bill comes back to the House, assuming that it passes Second Stage today. I will attempt to respond to the variety of comments made, although I wish Sydney Anderson had pointed out before Lord Morrow spoke that we were supposed to be discussing the broad principles of the Bill rather than the fine details of what was not in the Bill.

### 5.30 pm

I genuinely acknowledge the positive relationships between the Committee and my officials as the work has been advanced on the policy matters that have led to this Bill. That is the form of words that people are sometimes inclined to use, but, as far as I am concerned, it is not a form of words. The issues that the Justice Committee has to deal with are frequently complex and often divisive as we look at the history of this region. The fact that we have such positive engagement between the Committee and the Department is a very positive statement on the way we are moving forward, although, as Peter Weir has just emphasised, these issues are likely to create difficulties for us as we examine them in detail.

I suppose I should start off by pointing out that it is perhaps inevitable that much of the comment dwelt on human trafficking issues rather than the two issues that have been around for longer, but I will deal with the issues in the order in which they appear in the Bill.

The primary concern around sex offender notification has to be to ensure the continued protection of the public from any risk posed by sex offenders in the community alongside a considered response to the Supreme Court judgement. That also involves additional measures to make the notification process even more effective than it currently is. There seems to be some suggestion, although it was not particularly referred to in the House this afternoon, that the changes being proposed may mean that we are being soft on sex offenders. I believe that it is absolutely the opposite. We are seeking to provide a rigorous review process that ensures the continued protection of the public, and that is essential as we look at the guidance we have from the Supreme Court.

The simple position is that offenders who continue to pose a risk will not be discharged from the commitment to notify, and the other measures included in the Bill will ensure a more effective process. Offenders who come to Northern Ireland from EEA countries other than the UK will be treated as if they had been convicted here, and I am committed to seeking during the course of the Bill a single enhanced process for offenders coming from any state outside the UK. I believe that we will see better risk management achieved through widening the remit of sexual offence prevention orders.

The key element of this section of the Bill was illustrated by the Chair and the Deputy Chair in the two opening speeches. This issue is something of a balancing act to ensure that we balance the rights of individuals against protection of the public. It is not always going to be easy, but, as Stewart Dickson said, the changes are either necessary to comply with the Supreme Court ruling or desirable to strengthen the powers of public protection.

Ross Hussey asked specifically whether the police have been consulted. Funnily enough, yes, they have been. They are content that something that is likely to refer to potentially 20 cases a year is unlikely to make a significant demand on their resources. I believe that police officers are best placed to determine the risk that any individual offender poses. Mr Hussey also asked about the period of 15 years, or eight years if someone was under 18 at the time of the offence, that would have to pass before someone could seek removal from the register. The simple reason for that arrangement is that it is identical to what happens in Scotland, England and Wales. We have maintained unanimity across the UK in that respect. It also highlights the point that Peter Weir has just made about the dangers of individuals moving between the different jurisdictions and the need to ensure that we maintain sex offender notification in the tightest possible way. I believe that that part of the Bill represents a considered response to our obligations under human rights law while allowing for a more effective process of notification and risk management that ensures that public protection remains key.

If we were not already aware from the many discussions and debates that have happened in the Chamber of Members' concerns about the issue of human trafficking, they were highlighted yet again during the debate this afternoon. It is clear that, overwhelmingly, the House shares my revulsion at this crime. I am grateful for all the work that is being done on a cross-party basis in the Committee and in the all-party group on human trafficking, and those concerns have been expressed today. It is obvious that a number of Members believe that more should be done in the legislation.

Let me give a couple of examples as to why the Bill is as it is, while accepting that the Committee may well wish to put forward alternative proposals. As I said in my opening speech, suggestions have been made for further legislative change, but, at this stage, my priority is to ensure that we comply with the EU directive within the timescale of April next year.

I also intend to add trafficking for non-sexual purposes to the schedule of offences referable to the Court of Appeal on the basis of undue leniency, because trafficking for sexual exploitation is already covered. Members will know that provisions in respect of this Bill have to be within the scope of the Criminal Justice Bill, so the clauses in relation to human trafficking are required to ensure compliance with the EU directive and to be compatible with the principles of the Bill. I suspect that a number of the other suggestions that have been made this afternoon may well fall outside the scope of the Bill, although there is no doubt that a number of Members have put forward what they consider worthy suggestions.

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

**Mr Ford:** Certainly.

**Mr Wells:** I hear what the Member says, and I can understand the constraints he is under, but can he give the members of the Committee and, more generally, the Assembly, an indication of his stance on this issue: is he prepared to work with the Committee to produce stronger legislation on this evil practice, which remains within the terms of the Bill and article 10 of the relevant directive, or is he going to die in a ditch over the particular wording that he has put forward? In other words, is there a halfway house that would meet the concerns of many Members, particularly Lord Morrow, who made a very powerful speech on the issue, but which does not adopt the minimalist approach that many believe he has given us this afternoon?

**Mr Ford:** I fear that Jim Wells has anticipated about two pages of my speech, as he frequently does on these occasions. In answer to the simple question, I do not think I have ever stood here as Minister intending to die in a ditch over precise wording. If it is possible to find ways of strengthening the Bill, in line with remarks made this afternoon, but still be in compliance with the overall principles of the Bill as introduced, I will certainly be prepared to look at them.

I have no doubt that my officials will be as helpful and considerate to the Committee in its consideration as they generally are, because those issues have tended to be around wider areas. Lord Morrow has just been highlighted. He articulated most cogently some of those points. However, the point of the Bill, as it currently stands — and I say that, being cautious about it — is that it is designed to deal with the criminal law issues relating to human trafficking and the EU directive. There are a number of other issues that do not require primary legislation, some of which do not require any legislation around policy matters and others which may be dealt with by secondary legislation. I think the Committee will need to consider carefully the appropriate way in which some of those issues are addressed, and the Department will co-operate. However, I think that the wider suggestion that Lord Morrow made, which, effectively, amounted to criminalising prostitution, will almost certainly be outside the scope of the Bill as it stands.

A couple of other points that were made around that included Lord Morrow's suggestion that we should have something akin to the national rapporteur operating in Northern Ireland. I am aware of the concerns that people have that the current national rapporteur arrangements do not go as far as they could. I am a member of the inter-ministerial group that is led by the Home Office, and I argued for wider involvement of NGOs when I went to the sole meeting that I have been invited to so far. It is clear that, at present, Home Office Ministers have determined that the inter-ministerial group is appropriate to carry the national rapporteur mechanism.

Members may think that the Minister of Justice in Northern Ireland has a certain amount of power, but, in the context of the wider way in which policy is run within the UK, I believe it is difficult to argue, in the absence of any directive, that the inter-ministerial group is inadequate. It is difficult to argue beyond an attempt to persuade, which has so far not succeeded. Members will also be well aware that part of the consultation that we conducted recently involved the issue of the arrangements between the Department and relevant NGOs. I remain committed to working with our local NGOs.

I want to tweak what Jim Wells said, ever so slightly. He talked about the role of William Wilberforce in the abolition of slavery. Never mind the 19th century. Mr Wells should not forget that, in the 18th century, the citizens of this city ensured that Belfast did not become a slave port at the time when Liverpool and Bristol were taking the easy way out to earn utterly immoral earnings. We may not agree on what happened to the United Irishmen after that, but surely we can all rejoice on what was done prior to that. I will give way.

**Mr Wells:** That is a very useful point. Does the Minister accept that that is a very good reason why Northern Ireland should be the most difficult part of the United Kingdom in which to ply this evil trade? We should, for once, be showing an example to the rest of the nation, rather than lagging behind with a very minimalist approach.

**Mr Ford:** No, not for once but for twice, on the example I have just given. I hope it can be taken that I have said that the Department and I will work as best we can to strengthen this, whether through this Bill or through other actions or through other legislation. I know that Lord Morrow is hoping to introduce a private Member's Bill; I am certainly determined that we will be an exemplar of good practice in this.

I will certainly be taking David McIlveen up on the offer of the loan of his copy of the rapporteur's work. I suspect we may have a little bit of difficulty catching up with Finland and the Netherlands to be an exemplar of good practice in Europe, but we can at least hope to be an exemplar of good practice within these islands. As the Chair of the Justice Committee recorded, a few weeks ago he and I were here on a Saturday for an event which involved a number of ladies — including, I believe, his wife — driving tractors around the estate to highlight the issue of trafficking. That is one example of many events where I have been involved in work with different NGOs to highlight the issue of trafficking. Many of the events are run by churches and other faith groups. It is clear that there is a huge moral stance in this society against trafficking, and the Department will do what it can to assist.

I do not think that I need to list some of the things that we have been doing recently. They have been highlighted in so many other debates. I mean, Blue Blindfold has been mentioned; the "Visitor or Victim?" poster should have been mentioned; the work being done with Amnesty to develop information for victims — all of those, I believe, are examples which show the positive work that we are doing around the human trafficking issue, which goes way beyond the scope of this Bill. But we will look to see what is within the scope of this Bill, we will look to see what is needed in policy work and in secondary legislation, and if there are further proposals for primary legislation, then I am certainly open to consideration of them.

I turn finally to the third element of the Bill, the issue of DNA and fingerprint retention. The new framework responds directly to the judgement of the European Court in the Marper case and fulfils our obligations under the European Convention on Human Rights. It will see the deletion from the Northern Ireland DNA database of over 23,000 profiles from people who were not convicted. That is over 20% of the database. It will also see the removal from the database of juveniles convicted of a single minor offence whose retention period has lapsed, and it will provide mitigation in respect of such offenders in the future, recognising the need to treat convicted children and young people with

leniency to promote their development and integration into society. However, the police will be able to retain on the database approximately 84,500 DNA profiles from convicted individuals and may continue to add to it those convicted of a recordable offence in the future. They will be able to retain, for a limited period, material from individuals arrested for, but not convicted of, serious violent or sexual offences. Further, if the police believe that there are sufficient grounds to justify the retention of such material expressly for the protection of some of the most vulnerable, even in cases where it has not been possible to bring charges, they will be able to apply to retain it for a limited period, subject to independent approval.

Now, it is clear that there were concerns on the part of a couple of Members — Raymond McCartney and Patsy McGlone in particular — about the issue of the presumption of innocence, and those were balanced by Ross Hussey's comment that all means available should be used by the police in dealing with crime. Let me just quote a little bit from the research evidence, which shows that those arrested but not convicted have a significantly higher risk of being convicted of a future offence than otherwise similar individuals who have not previously been arrested. And that risk does not become the same as that of the general population until a period of three to four and three quarter years has elapsed. It is on that basis that we propose a retention period of three years, extendable to five on application to the courts, for individuals arrested for, but not convicted of, serious violent or sexual offences. I believe, Deputy Speaker, that that is an appropriate balance. It is clearly one of those issues where different Members of this House will take slightly different views, but I believe that three years extendable to five is an appropriate balance, which I trust will find support, but the Committee will have to go through the detail of that.

Those arrangements are in keeping with a recommendation of the Committee of Ministers at the Council of Europe, which emphasises the need to discriminate between different kinds of case, and for the application of strictly defined storage period for data, even in the more serious cases. They provide a targeted retention system, based on risk, and I believe that that will provide the police with the means to protect the public, without contravening the European convention.

#### 5.45 pm

In conclusion, it is clear that many issues will have to be teased out in Committee around all three strands in the Bill. I suspect that it is likely that the Committee will propose amendments to the Bill, which will be back in the House at Consideration Stage. To some extent, because of our past, the issues have highlighted serious differences between parties and individual MLAs, and elements, such as the issue of biometrics retention, go to the heart of divisions in this society. I welcome the constructive engagement that the Committee and other Members have had with my officials. I look forward to the Assembly passing the Bill at Second Stage and taking it forward in Committee.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Criminal Justice Bill [NIA 10/11-15] be agreed.*

(Mr Principal Deputy Speaker [Mr Molloy]  
in the Chair)

## Budget (No. 2) Bill: Final Stage

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That the Budget (No. 2) Bill [NIA 8/11-15] do now pass.*

The passing of the Final Stage of the Budget (No. 2) Bill by the House will enable Departments to continue to use resources and spend cash on public services for the remainder of this financial year. Of course, as I have said on many occasions, the Budget position is continually moving. Monitoring rounds, including the June monitoring round, the result of which I announced last week, will amend the opening position that is reflected in the Bill. I will bring a further Bill to the House in February to authorise the final position for 2012-13.

The public expenditure issues in the Bill and the interaction that I have had with the Committee have been debated fully over the past two weeks, and, as I am sure you will be pleased to hear, I do not propose to repeat anything my opening remarks. Suffice it to say that the Bill represents the second year of Budget 2011-15, which was agreed by the previous Assembly in March 2011. Members will be aware that there have been a number of changes to the position since then, and those have been agreed by the Executive and brought before the Finance and Personnel Committee for scrutiny in advance of this debate.

I want to take the opportunity to highlight briefly the review of the financial processes. It is an issue that relates to the expenditure plans that we are approving in the Bill, and one that I have brought to the attention of the House in previous debates. In my opinion, the review is an opportunity for the Assembly to reform the process, which has been much criticised by Members throughout the Chamber. I encourage all parties to bring forward that review expeditiously.

I want to turn my attention to the remainder of this financial year and the challenges that lie ahead. As the recent June monitoring round demonstrated, there is always a demand for additional resources, and those demands are wide-ranging and worthwhile in their own ways. The monitoring round simply highlights the need for each and every Minister and public body to manage prudently the resources available to them throughout the remainder of the year. As an Assembly, we must ensure that every penny that is spent on the provision of public services is spent wisely and on high-priority services. With that appeal, I bring my remarks to a close and ask Members to support the Bill.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his opening remarks.

During previous Assembly debates, my predecessor and the Deputy Chairperson of the Committee have voiced concern that Statutory Committees are not afforded sufficient opportunity to scrutinise the Estimates that relate to Budget Bills, as there is generally only one week between those complex documents being laid and the subsequent debate in the House. Departmental officials have advised that changes to the Budget 2011-15 positions are notified

through monitoring rounds and other statements to the Assembly. However, that does not give an overall picture of the cumulative effect that such changes might have.

The issues that Assembly Statutory Committees and Members face regarding financial scrutiny and the Budget process have been well rehearsed in Assembly debates and in reports by the Committee for Finance and Personnel. At its meeting tomorrow, the Committee will consider responses to its discussion paper, 'Maximising the Assembly's Contribution to the Budget Process'. I expect that that work, which is being taken forward in tandem with the Executive's review of the Budget process, will ultimately lead to a much-improved Budget process: one that is more transparent, provides greater accountability and meets the needs of the Assembly. In the meantime, I support the motion that the Budget (No. 2) Bill do now pass.

**Mr Hilditch:** I support granting the Bill its Final Stage. As in recent years, tough challenges are ahead in this, the second year of the budgetary period 2012-13. Members have engaged in and given their views on the process over the past few weeks at Committee level and on constituency issues. This year, like last year, much of the focus during the Bill's progression surrounded the need to review, update and modernise the financial and budgetary processes. I welcome that work, which began in the previous financial year, and the valued contributions of many key stakeholders. We look forward to its conclusion, hopefully within this mandate, and to putting a local governance footprint on a process that demands transparency, clarity and accountability.

This is the second year of a four-year Budget, and that, in itself, brings significant external economic and financial challenges in this period and beyond, which are added to by the crisis in the euro zone and the banking sector. Although most Departments appear to have performed decently, we do not deny the difficulties that they face in the year ahead. They seem to be focusing more on the core issues; for instance, average admin expenditure has fallen by 6% across Departments, despite no targets being set. Hopefully, that suggests that a determination exists to cut unnecessary bureaucracy and to encourage a culture of belt tightening.

I previously welcomed some outcomes of the Budget that directly affected my constituency, and I do not wish to cover that ground again. However, I welcome some of the departmental initiatives, such as small business rates relief, to help businesses during the current downturn. It appears that 8,200 businesses through all constituencies will benefit from this year's extension of the programme.

Will the Minister clarify the situation regarding the PSNI staff equal pay claim, an issue that is raised on an ongoing basis? Week to week, there again appears to be a lot of confusion, misunderstanding and, indeed, misinformation out there on the issue. Further to that, is there Budget cover for any potential settlement and who is responsible for dealing with this matter?

**Mr Cree:** It is good to see that we may be at the end of the road in this Budget negotiation. However, I first remind the Minister that the review of the financial process is a very important issue. In the Bill's Second Stage debate, the Minister confirmed what we all believe, which is that the whole purpose of the exercise is to make the process



transparent and easily understood. Indeed, in the Minister's own words:

*"it is designed to streamline the whole system of scrutinising the Budget."* — [Official Report, This Bound Volume, p57, col 2].

It is vitally important. The Minister stated that he was planning to meet the Education Minister to discuss this issue after our previous discussion on the Budget. Perhaps he will be in a position to update the House in a positive manner.

The next two years' Budgets will be particularly challenging. I treat them as individual Budgets, and I am right to do so as that was confirmed by legal opinion that we received on the issue. We should be able to put this year's Budget to bed without any more recrimination. However, several queries have not yet been addressed, and I ask the Minister to do so this evening. First, what is the situation in respect of the moneys that were expected to be raised from the Belfast Harbour Commissioners? Secondly, is it intended to include a figure in this year's Budget for the cost of the historical abuse inquiry? Thirdly, will the Minister confirm whether all the moneys held at the centre will be included in the credit balance that is brought forward?

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Tá an-áthas orm páirt a ghlacadh sa díospóireacht thábhachtach seo ar an chéim deiridh den dara Bille Buiséid. As the Member who has just spoken said, we have reached the Budget (No. 2) Bill's Final Stage. I suppose, if I listen carefully enough, I will be able to hear a collective sigh of relief from the tens of MLAs — well, the 13 — that are assembled here.

I was thinking back over the process to date. You will probably remember that we began two years ago with no Budget, due to a dispute over policing and justice powers. Then, we had a Budget, but we had no Programme for Government. We eventually got a Budget and a Programme for Government, which were not necessarily interconnected or related. The Minister then discovered that quite a number of Departments were underspending and initiated a review of departmental spending to try to align more closely the aims and objectives of the Programme for Government and the spend. That is to be welcomed. So, gradually, the Budget is being made to fit around the Programme for Government 2011-15, and I hope that strategic policy will increasingly drive financial allocation, and not the other way around.

I would like us to get to a situation where resources are set against the actions of the Programme for Government, so we can see what progress is being made and what success has been achieved by individual Departments in reaching the outcomes set by them and, in some cases, for them. The Department of Finance and Personnel (DFP) says that that is not possible, but surely measures that bring greater transparency and accountability to the financial process are not only desirable but necessary. The Minister has said that he is a champion of transparency and accountability, and he has the opportunity on this particular issue to prove that.

We had another crease in the process recently, when relationships between the Committee and the Minister were not what they should have been, due to some difficulties over papers arriving. At one stage, the gloves were taken off, and it looked like there was going to be open warfare. Thankfully, Mr McLaughlin played Cupid, and we all got

together again and kissed and made up, as Mr Allister so eloquently said. The Minister came to the Committee and explained the delay, which was something to do with the double bank holiday around the Jubilee celebrations. We do not want to pour any cold water on that particular occasion, given recent events. It would not be appropriate to reopen old wounds, but I am sure that we will all learn lessons from that episode.

The Minister has said on a number of occasions that the Budget is not set in stone. Indeed, corrective action has been taken when the need has arisen, not always through vision or insight but sometimes through force of circumstances. If the Budget is not set in stone, last week's events showed that it is not set in concrete either, looking at the flooding episodes in Belfast. Sometimes, Mother Nature can be a more eloquent speaker in this Chamber, and comment on spending priorities in an even more devastating manner than Mr Allister. We cannot ignore recurring problems such as flooding. It is not good enough to say that it is a freak occurrence that will not happen again when we have seen it happening over and over again in Belfast, Newry, Strabane, Beragh, Armagh, the glens and other locations. It is not good enough to say that we mopped up and compensated quickly. We must prioritise the issue and ensure that everything is done so that our people do not suffer the misery that they have in the past week. The Minister will undoubtedly ask, "Where is the money going to come from to do that?" However, we have been in other situations where we found the money, and on this occasion we must make every effort to ensure that there is a continual investment in infrastructure that avoids this sort of situation occurring again.

#### 6.00 pm

I was going to speak about the Ulster Bank situation, but we had the opportunity to air that issue this afternoon. Many questions are left unanswered, not least the question of compensation, which I mentioned earlier. That is something that the Ulster Bank needs to clarify. Government have a responsibility to weigh in on the side of citizens and to ensure that there is clarity around the situation.

I will return to budgetary issues. During the Bill's Second Stage, the Minister said that I was somewhat confused about the difference between capital receipts and asset sales. Indeed, he pointed out that the asset management unit's sales increased from £1.3 million back in February, I think, to the current figure of around £2.8 million. The other source of capital receipts is sales made by Departments. After the Minister's visit to the Committee, he very kindly sent me the breakdown of those figures. It is interesting to note that the capital receipts are made up of departmental surrenders, Housing Executive house sales, the usual business and some asset sales. So, they have increased. I think that the target was £142 million, and it has increased to £171 million. That is certainly beneficial.

Sometimes the impression is given that all that money is new money coming into the system, whereas, in fact, only a small amount of it is new money. A lot of it comes from normal business that would occur during the normal course of the financial year, with Departments making surrenders and agencies such as the Housing Executive selling off houses. It is important to make that distinction, as the Minister did the last time we talked about this. The Minister



has a somewhat baffled look on his face. Perhaps he will explain that to us in due course.

During the debate on the Supply resolution, I raised the issue of the £4 billion in capital that was promised to us by the previous Administration at Westminster. To date, we have not received that sum. The Minister informed me on that day that there were still disagreements about figures between the Executive and himself and the Treasury. Can the Minister give us an update on that issue, and can he tell us whether that resource will be available to us or whether it is, in fact, dead in the water?

I welcome the departmental spending review that the Minister has initiated. There was obviously an underbelly of spend that needed to be trimmed away. Perhaps there is more to come. No doubt the Minister will wield the knife there again in the future, if necessary. I will finish at that.

**Mr McNarry:** I do not wish to be misunderstood in saying that the Finance Minister has, in this mandate, been guilty of doing a good job. However, he has, and I think that that should be recognised, and this is the time to do so. I will also say, because I suspect that he knows, that the really tough times have yet to hit hard. No matter how competent the Minister proves to be, this Bill is not a panacea that can offer total recovery, albeit that its intention is to signal steadiness, pointing to growth and holding confidence. I think that that is reflected in the Bill.

Events beyond the Minister's control could conspire against the Budget. Even the past few days have shown how outside influences may alter the shape of the Budget in the months ahead. It does us well to remind ourselves of the type of Budget the House could have been receiving and passing had the Minister been free from the austerity actions taken in London and the causes for which we now find ourselves picking up the cost. We would also do well to remind ourselves that the public punishment of initiating the enabling criteria to save the nation had to be based, it would seem, on saving the banks first.

All in all, I cannot see a good reason why anyone would vote against the Final Stage of the Bill. However, the subject matter demands the raising of concerns. Parts of the Bill as projected will not be realisable in the short term. What we term pressures and inescapables may have to be reviewed and added to in light of decisions taken elsewhere. As the Minister takes us through this period of financial turmoil and combats public frustration, he will have to demonstrate leadership to bring about much-needed public understanding. I have to say that understanding is in short supply when it comes to receiving explanations, which, to begin with, sound at best like excuses that few except bankers believe. Ordinary people will look at the Bill and hope that we have got it right. Few will analyse it in the way in which it will be done here or drill down on the Bill's delivery. I suspect that they will not get overexcited or overawed, but, boy, if this gets worse, they will know whom to blame. People will blame this institution because the banks are seen as untouchable.

The Budget Bill carries forward the carrying of the can for the past flamboyancy of banks that played at the casino with our money. Then, taxpayers' money rescued them; it bailed them out. As the Budget shows, this is how the cost must be met. However, new revelations about goings-on with

the banks and another joyride by cavaliers are not factored into the Bill. How could they be? They happened only within the past number of days. The repercussions of what one newspaper headline called the:

*"Demand for inquiry into the City's 'corrupt elite'"*

lit another touchpaper as the record fine paid by Barclays for rigging — another word for cheating — a key interbank lending rate was further exposed. That has put RBS, Lloyds TSB and HSBC in the same dock.

No finance Bill or Budget can be made in a bubble, insulated from the harsh realities of the United Kingdom's overall economic situation. We cannot allow ourselves to forget that. It is repeated and repeated by the Chancellor of the Exchequer when he is trying to defend his policies and strategies. We cannot forget it here.

Today, we will pass the Bill, but surely we will be mindful of the fact that if Westminster stay true to form, they will tighten the screws on our block grant because they will not, and have no desire to, deal decisively with the bankers. The word in the City more than speculates that £50 billion is being sought by way of further reductions to find a way around new and growing pressures on the Treasury — additional pressures that are likely to be exerted on us for collection in the months ahead.

Invariably, dodgy dealings in the banks will level out to impact on Budgets such as that which we will pass today. That is why I do not need to tell the Minister that, on the basis of what we know and what we can predict, there are dangers in making assumptions. By that, I mean that there will be massive reliance on him to take us through very tough times.

Of course, when those times come, no Department can escape a reworking of its priorities, particularly the Department of Health, Social Services and Public Safety, the Department of Education and the Department for Regional Development. Alterations, further restrictions and impediments set by government all lie ahead. That potentially puts at great risk the priorities currently identified in those three Departments. We should be on amber alert in anticipation of extra pressures being brought to bear that affect this Budget. Therefore, I will use my favourite word, which the Minister also loves: contingency. I trust that under the Minister's persuasion, plans are under way to initiate flexibility into budgetary preparations to adjust the top-listed priorities of those three Departments as necessary, adaptations that will not escape either pain or anger in different dosages.

The Bill, allied and attached to how Departments are expected to perform, would in normal circumstances — indeed, in the circumstances that prevailed when it was put together — be sufficient to succeed, even allowing for normal minimum slippage on delivery. However, that is not the case. My point is that we may think that all that we can do is watch and follow the whiplash of events as they unfold and upset our plans, events caused by things happening elsewhere. To do so, however, will be met with public hostility. The public are fit to be tied over their own economics and their own budgets. It does not matter whether that is the home budget or the school budget. What matters are the things that affect them, and the public are

fit to be tied out of sheer and utter frustration. They will not tolerate much more of it, unless it can be explained.

Unless we are willing to operate priority flexibility and convincingly explain to the public why we are having to do so, and given that we are willing to do so — that is important — the exercise of passing the Bill will, in a relatively short time, bring us to a point at which public meets politician. It has not happened yet, but I predict that it is soon to happen. It is happening in our constituency offices and when we are out and about on business, but the worst is still to come. Unfortunately, this Budget is coping for what we thought was coming — what we see over the horizon. As I cautioned, please do not make assumptions.

On that basis, I commend the Bill, but I do so on the understanding that flexibility on priorities is open to action and that full and proper explanations, as appropriate, are given to the public. On that note, I wish the Minister well in the difficult times fast approaching him.

**Mr Dickson:** I apologise to the House, Mr Principal Deputy Speaker, for being absent when my name was called earlier. I welcome the opportunity to speak to the Final Stage of the Budget (No. 2) Bill. As has been well evidenced in the Chamber by my colleague Judith Cochrane, who is on other business, and others, Northern Ireland's budgetary position is ultimately bound by the Westminster purse strings. Although that does not always reflect the divergence in need associated with an economy in social recovery and shouldering the added cost of division, it is the hand that we have been dealt, and it is up to us to choose how to play it. If there is discontent and discord about cuts and reductions, it is our responsibility to seek to mitigate the impact of any perceived inequalities by pursuing new and innovative ways to promote internal revenue generation and encourage local enterprise and maximise efficiencies.

### 6.15 pm

Although the Bill requires our support today, owing to our responsibility to ensure funding arrangements for the next financial year, we must also ask searching questions about our public finances and priorities, and we must look at what we might need to change as we move forward. In particular, I have an interest as a member of the Committee for Regional Development, and given last week's floods, we must again address the issue of our water and sewerage infrastructure and how we can improve it, and then, in turn, how we pay for that investment.

At present, people are, naturally, angry with the authorities, and perhaps the last thing that some would wish is to contemplate paying more. Given the poor level of service, the priority at this time has to be to improve the information and crisis response in that service and others that were less effective last week. Nevertheless, we cannot simply talk about how we could better react to or contain disasters each time a crisis occurs. Whether it was the big freeze/thaw of December 2010 or the floods of June 2012, we have to act to reduce the risk of repetition. Many experts have pointed to the underinvestment in our water and sewerage infrastructure, which has been blamed on many years of direct rule, but 14 years after the Good Friday Agreement, surely we need to take this matter into our own hands.

So far, the Alliance Party is the only party that is prepared to be frank with the people of Northern Ireland about water

charges, which are in place in every other region of the United Kingdom. It is true that we already pay for some of the cost of water and sewage services as part of the regional rate — an estimated £160 per household — but alongside all other aspects of local expenditure, these contributions do not cover the full cost of running that service. The level of payment is considerably below that paid by others elsewhere in the United Kingdom and fails to cover the cost of service delivery, resulting in an annual cost of some £200 million. This deferral is not funded through the block grant, and, therefore, the subsidy for water results in money being directed from public services or investment in our infrastructure to cover it — money that could be spent on hospitals and schools. Experts have told us that the extra cost incurred under current Treasury rules, resulting from Northern Ireland Water's reliance on subsidy, could be costing each household £800 a year indirectly.

I appreciate that the Executive have ruled out water charges for the next Programme for Government. Nevertheless, we have to ask whether that decision needs to be revisited or, at least, whether water charges should be considered from 2015 onwards. If that is to be the case, the discussion on the way forward, on the financial arrangements and the governance model, needs to start now.

We know that £100 million a year after 2015 — the long-term investment level in the draft investment strategy — is lower than the level that the regulator suggests is needed for investment in water. Departmental officials have said that the current arrangements are not ideal for delivering efficient services in the long term. The company was established with the assumption of separate water charges, but, instead, it remains a company entirely funded by the state. We can either pay for it through diverting primary capital resources from elsewhere or by raising additional revenue.

The Alliance Party believes that the introduction of water charges is consistent with a progressive approach to revenue raising. However, we appreciate that families and households are under financial pressure, and, therefore, payment must be supported by an efficient and timely service. It must also be fair and linked to the ability to pay and relative usage.

In conclusion, although the Alliance Party lends its support to the Bill today, we must also consider the wider financial issues that face our society and how we might seek to tackle these as we move forward in a progressive way.

**Mr Wilson:** I will try to wind up as briefly as I can, because a lot of the points that have been raised were probably dealt with on other occasions in the debate.

I thank Members for the contributions that they have made. I look forward to working with the new Chairperson and the members of the Committee in the future. I am sure that we will have a very harmonious relationship, and if not, I am sure that Cupid can be called into action again, as Mr Bradley suggested, to heal any rifts that may occur advertently or inadvertently in the future. The Chairman raised the issue of transparency in the Estimates. I welcome the fact that the Committee is still focused on that. I have made the point time and again that I am keen to see greater transparency in the financial process. If we are to have a proper debate about these issues and if Committees are to scrutinise budgets properly, that should happen.

As I have made clear in the Assembly time and again, it is not my fault that this process has been held up. We produced papers and proposals. They have not yet been cleared. Perhaps the Member, as I implored the previous Chairman of the Committee to do, can prevail on his party colleagues to get this cleared. I suppose that that responds to Mr Cree's question about how much progress I made in the discussions with the Education Minister. The answer is not a lot, so we are not too much further forward on the issue.

Mr Hilditch raised the issue of PSNI equal pay. A number of other Members have raised that on other occasions. I want to make something clear. First, we fought to get money included in the police budget. There is £26 million for any equal pay claim that can be justified. Secondly, that was not spent, so we sought to persuade the Treasury to allow us to carry it over to this year. That was successful. Thirdly, when we talked about the equal pay claim and dealt with it in relation to the Civil Service, the trade unions accepted that it was not part of the Civil Service agreement and negotiations. That is why it was not included in the final settlement for the Civil Service when it was brought to the Assembly and paid out. It is for the police to determine whether there is a legitimate claim. The whole issue of whether the Civil Service decision applies to police staff or whether a separate and distinct claim needs to be made for the police will be determined in the courts. That has been held back; it will not be determined until September. That is where it rests at present. At the end of the day, it is a legal issue. We will not stand in the way of any legitimate claim. Indeed, we have ensured that the money is there if a claim can be proven.

Mr Cree raised a number of issues in his contribution — I have lost my notes. The first one was about the financial process, which I mentioned. He asked where we are with the Belfast Harbour Commissioners and the £20 million in each of the past two years that was to come from it. His Minister has to bring forward legislative proposals to enable us to get that money, or he has to negotiate with the Harbour Commissioners, who, of course, come under the Department for Regional Development. If he does not succeed in progressing that, it will create a pressure on the DRD budget. He is working on that at present. It is under constant review by the Budget review group, so it is not an issue that we have not dealt with.

Mr Cree also raised the issue of money held at the centre. Perhaps Members believe that there is some golden egg that I, as Finance Minister, hold on to, and, suddenly, when pressures arise, I simply produce it and say, "Hey presto; there's the answer to the problem." This is an accounting exercise that allows us to overcommit money. The Department had an overspend in this year of £30 million in its departmental expenditure limit and £30 million in capital spending. Those are minuses that have to be held somewhere. There are also Executive funds that are held at the centre. We do not have a hidden fund, if that is what the Member was suggesting.

Mr Cree did, however, raise a very important point about whether there is any provision in the Budget for the inquiry into historical institutional abuse. The answer is no. No business case has yet been made to the Department, so I really cannot comment on what funding will be made available for the inquiry. However, the Executive have made a commitment to have the inquiry. There will be cost

implications, but it is an unfunded cost at present. There are a number of other unfunded costs that will have to be dealt with. It is my responsibility as Finance Minister to draw those things to the Executive's attention continually. OFMDFM will eventually have to submit a business case for that inquiry. I suppose that it is difficult to submit a case at the minute because the costs are undetermined.

Mr Bradley and some other Members raised the issue of the Programme for Government in the Budget. Although we try to align the objectives that are set in the Programme for Government with the Budget, it is not always possible to do so. Some are high-level objectives, while some overlap, because that is the nature of the programme's work. Different parts of the Budget for a particular objective will be found in different Departments. However, in the interests of transparency, where it is possible to attach a Budget figure to a particular target, that should, of course, be done.

Mr Bradley also raised the issue of asset sales, which is one that he comes back to continually. He said that a lot of this is normal departmental business, and, as such, it is not new money. Of course it is. Let me take one of the issues that he mentioned; namely, Housing Executive sales. He is quite right that it is a normal part of the work of the Department for Social Development to sell public sector housing. In one way, it is a normal part of the way in which the Department raises money. However, it is new money nevertheless. When a house is sold, new money is available for us to spend on some other capital project. It is the same with other disposals of land assets. If we decide that we no longer have any use for a piece of land and it is worth money to somebody else, we will sell it. It is also a part of the normal business of Roads Service to sell off bits of land here and there. It does that every year, but it brings in money that we can then put into other capital projects, instead of having assets that are idle and not earning us anything just lying there.

**Mr D Bradley:** I accept, to some extent, what the Minister says about the Housing Executive's sale of assets. However, at the beginning of this budgetary process, the impression was given that an attempt would be made to identify assets over and above those that are part of the normal annual business and to bring in extra revenue in that way. My anxiety is that those targets are not being achieved.

**Mr Wilson:** The Member may be referring to some of the additional assets that the asset management unit was supposed to identify. It did identify assets. The target for this year was £2.5 million, and as the Member pointed out, the unit actually sold £2.8 million worth of assets. The target is £100 million over the lifetime of this Budget. The first year was probably used mostly to identify the assets, but we should now see sales picking up. I have to add that there is always the question of what is possible in the current market conditions. However, as we have shown, we will not baulk at selling assets that appear to be quite cheap if we believe that that is the best price that we will get for them and there is an opportunity to spend that money on something that is more of a priority, such as on flood prevention, which Mr Bradley and other Members mentioned.

I thank Mr McNarry. When he sat over here, he traded vitriol with me. I do not know whether moving along the Benches has moved him in his view of me as a Minister, but it was a welcome and refreshing start to his speech.

**6.30 pm**

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

**Mr Wilson:** I will give way. Maybe he wants to retract what he said. Maybe I should not give way.

**Mr McNarry:** I will put you at your ease. Over there, I had to do what I was told.

**Mr Wilson:** I am glad to hear that his past views of me were not his real views and were only his party's views. I thank him for his remarks. He raised a number of important issues, and he talked about the need for flexibility and whether there should be a contingency fund. We have had this debate many times. Having a contingency fund means that you tie money down. If an emergency arises, you have the money available. It is a question of how long you hold on to it, and do not forget that we have only limited ability to carry money over from year to the next. If you hold on to it for too long and cannot spend it, or if an emergency does not arise, the danger is that the money could be lost. However, we seek to keep flexibility in the Budget, and Ministers are now getting the message, perhaps more so than in the past, that, if they are not going to spend the money, they must declare it early so that it can be used for exactly the kind of purpose that the Member described. If a new development were to arise or there were a new twist in how the economy was going, the money would be available for that. I think that is the best way of doing it, but it requires Ministers to be co-operative and responsible in giving up money early and not leaving it to the last moment, as some of them tend to do. When that happens, I have to barge in here about the way in which they manage their budgets.

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** I will, yes.

**Mr D Bradley:** I hope that the Minister can put me out of my misery on the issue of asset sales, and so on. At the start of the process, there was quite a shock when we knew that there would be a £4 billion cut to the Budget here. I remember that Caitríona Ruane as Minister of Education said not to worry so much about that because £1.6 billion had been identified in possible assets that could be realised. The Minister of Finance and Personnel then told the House that Caitríona had not got that quite right. He said that there was only £842 million that could be realised and that that had been built into the Budget. Where is this coming from? When I look at the capital receipts, I see, for example, £6 million beside the Lisanelly site. Presumably, that is a surrender by the Department of Education. How did the Minister predict that he could achieve £842 million or thereabouts in assets realisation back then? In the present context, that does not seem to be the case.

**Mr Wilson:** First, I caution about any financial advice that was given by the former Minister of Education; I will not stand over any of that. Across the years, capital receipts for the assets management unit and other revenue streams include money from the Belfast Harbour Commissioners and from housing associations. That £800 million included a whole range of things, and we are realising some of them already. It includes the reduction in grants to housing associations and their leveraging more money in through borrowing, which does not score against our block grant. We are only one year into the Budget. The figure that he gave

of £800 million was the kind of picture that we had painted over four years, and, so far this year, we are on track to meet it. Of course, from one year to the next, things will vary. The state of the market will have an impact on all of that, but, at any early stage where there are warning signs, the one thing that the House knows is that I will not hide the facts from Members. They will be brought to them, and they will know if we are in those kinds of problems and how we will address them. It is one thing that we have got to be aware of, and we cannot bury our heads in the sand.

That brings me to another point about Mr McNarry. He has pointed out that economic times are changing and that shocks could come to the system that we cannot predict or know about. We have to factor in how we deal with those in the future. He is right, but all we can do is use the tool that has been handed to us, which is the Budget that we have, and try to make it as flexible as possible, whether that is through monitoring rounds or the budget review, where we look at the performance of Departments in the past year, the surrenders, the out-turn, whether the allocations have been made in the first place and whether they were appropriate allocations. Of course, I will bring a paper to the Executive and, eventually, to the Assembly on the outcome of the review and how it will affect individual Departments. That is the only way in which we can deal with the kind of issues that he has raised.

Mr Dickson raised the issue of flooding and the whole infrastructure. The Executive intend to look at that this week. To me, there are three issues. First, when there are difficulties, how do we ensure that people can make contact with the relevant Department? I have made it quite clear — I have always said this — that I will not pretend that something has worked well if it has not worked well, even if it is in my Department and it brings attention to the way in which we have handled things. The flood helpline did not work well. It was inundated with calls, and 75% of people could not get through. I have already spoken to my officials about how we address that, what we have to spend to address it and how we make the helpline work more efficiently.

Secondly, when a flooding incident occurs, how can we respond to it? A lot of work has to be done there. Despite all the resources that we have, it is my view that there are still Departments and sections of Departments that are defending their own ground, rather than saying that they have a resource that other people could use and which could be made available to other places. They could even be subservient to some other sector because it is better placed to deliver things on the ground. That is an issue that the Minister for Regional Development and the Minister of Agriculture and Rural Development, in particular, need to address. Also, there is the issue of how they work with the likes of Belfast City Council, which seems to have a better mechanism for dealing with such issues than even some of the Departments.

Lastly, of course, we cannot forever stick sticking plasters over places. We have identified some of the black spots where flooding occurs regularly, and we have to look at what capital investment we put in there. There is no instant remedy for that. Do not forget that some of those schemes take a long time to plan and get on the ground, etc. We have to get the capital for it. The Executive have taken a decision in this mandate not to go down the route of water charging. The Member has highlighted one of the difficulties: how



can you charge people for water when they feel that they are getting a second-rate service at present? Nevertheless, a choice has to be made: if we want to spend capital on one project, it cannot be spent on something else. That is a discussion that Executive Ministers will have to have on Thursday when they meet.

In conclusion, I thank Members for their interest in the Bill. I thank all those who, at various stages, have contributed to it, whether that was in Committee or during debates in the Assembly. I beg to move that the Bill be accepted. Support for the Bill will enable it to receive Royal Assent by 31 July, which will ensure that public services can continue uninterrupted during the remainder of the year, and that is something that Departments and the public will appreciate.

**Mr Principal Deputy Speaker:** Before we proceed to the Question, I remind Members that, as this is a Budget Bill, cross-community support is required.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Budget (No. 2) Bill [NIA 8/11-15] do now pass.*

## **Local Government Finance Bill: Legislative Consent Motion**

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That this Assembly agrees, in principle, that the UK Parliament should consider amendments to the Local Government Finance Bill, as introduced in the House of Lords on 22 May 2012, to make provisions for HM Revenue and Customs to supply information for purposes of rates in Northern Ireland.*

I see that there is vast interest in this issue at this stage of the evening. The motion seeks the agreement of the Assembly in principle to Westminster legislating for the supply of information from Her Majesty's Revenue and Customs (HMRC) for rates purposes. The Local Government Finance Bill was introduced in the House of Lords on 22 May. It deals mainly with a range of localisation measures for English local authorities on non-domestic rating, council tax in GB and grants. Although most of that is not relevant to this Assembly, the Bill contains data-sharing powers that are relevant locally.

From April 2013, the current system of supporting households with rate payments will be taken out of the social security system and will become a relief that is funded from the block grant. That change will apply equally to other devolved Administrations, local authorities and the localisation of council tax support schemes. The Westminster Bill contains powers that will allow GB local authorities to have direct and indirect access to information from HMRC for council tax purposes. The primary purpose for that will be for assessing the support levels under the new localised council tax support schemes. A similar provision is needed here in Northern Ireland to ensure that rate support for vulnerable households can be assessed.

I assure the Assembly that those powers are necessary to ensure that the rate rebate scheme and any long-term alternative can run smoothly following welfare reform. If the amendment to the Westminster Bill is approved, it will enable HMRC to provide information to my Department through, namely Land and Property Services, and to the Northern Ireland Housing Executive for rates purposes. It would align us with the equivalent provisions for the rest of the UK for council tax purposes.

The powers would also be similar to the information-sharing provisions in the Welfare Reform Act 2012 and the provisions that are to be brought forward through the Northern Ireland Welfare Reform Bill. The type of information that is likely to be provided would relate to a person's income, capital, savings and entitlement to tax credits, etc. Members will wish to note that, as I understand it, the Northern Ireland amendment relating to data sharing has been tabled today. The Northern Ireland clause is similar to the GB provisions, which have been tabled for council tax purposes.

Turning to the detail of the provisions, HMRC will be able to provide information for rates purposes. Those rates purposes will be prescribed in regulations by my Department. Those will focus on providing rates support and improving take-up of rate reliefs and allowances, and they will be subject to the Assembly's negative resolution procedure. Members will appreciate the sensitivities



surrounding the sharing of information, so provision will be made in the Westminster Bill to protect the data where information is supplied for rates purposes, and a person will be guilty of an offence where they unlawfully disclose information. The unlawful disclosure offences will be subject to a fine or imprisonment or both.

The Northern Ireland provisions, once approved, will come into force on Royal Assent of the Local Government Finance Bill. In asking the Assembly to agree to Northern Ireland being included in the scope of the Westminster Bill, I will emphasise that this is a routine matter. It is necessary to ensure that those applying for rates support do not have to provide information to government twice, because, from next year, rates support will no longer be a social security measure. The provisions will allow information that is already held by HMRC and that is used in determining the level of rates support to be supplied, so that stops any duplication.

Before summing up, I wish to briefly advise Members both on why Northern Ireland cannot legislate on this matter and on the timing issues that have been associated with bringing the changes forward. Some Members may question why the Assembly does not legislate for this matter itself.

However, UK legislation does not allow the Northern Ireland devolved Administration to do that. An Act of the Northern Ireland Assembly, or regulations under it, cannot provide a data-sharing gateway with HMRC. As a result, the legal gateway must be provided through the Westminster Act. Regulations making powers to prescribe rates purposes in Northern Ireland will subsequently be conferred on my Department. As I said, those regulations will be subject to negative resolution.

#### 6.45 pm

I now turn to the issue of timing. The development of the Northern Ireland provision has been a long, drawn-out process, involving officials and legislative counsels across the UK. The need for a data-sharing provision was first brought to my Department's attention prior to Easter. Previously, it had been considered that welfare reform legislation would be sufficient to allow data sharing, but that is not the case, and separate provision is, therefore, needed. However, sequencing of the Northern Ireland amendment at Westminster alongside the timing of the motion in the Assembly has not been an easy process.

Following finalisation of the Northern Ireland clause, an issue arose about extending the information-sharing powers for appeals purposes. My Department considers that that is a non-issue that can be covered by separate legislation outside the Westminster Bill. There was also the technical matter relating to the Northern Ireland clause and its alignment with the associated GB provision. All that toing and froing to finalise the exact wording of the clause with Westminster resulted in a delay in the Northern Ireland amendment being tabled. That was not of my Department's making. In reality, all of that meant that the normal process got a little out of sequence. As I already noted, the Northern Ireland amendment was, I understand, tabled in Westminster today.

In relation to timing, I would particularly like to thank the Finance Committee for the way in which it accommodated the consideration of this matter in advance of the Northern Ireland clause being finalised. I understand that the

Committee, the Department for Social Development and the Social Development Committee do not have issues with the legislative consent motion.

In conclusion, I assure Members that the motion provides for a technical change that is important in ensuring that we deliver rates rebates to people. It will also ensure that people do not have to supply information twice and that, if they perhaps fail to do so, they do not lose out on benefits they are entitled to. For those reasons, I ask Members to support the motion before the House.

**Mr D Bradley (The Deputy Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Éirím ar an ócáid seo leis an rún a mholadh ar son an Choiste Airgeadais agus Pearsanra. On behalf of the Finance and Personnel Committee, I support the motion. The Committee initially received correspondence from the Department of Finance and Personnel (DFP) on 11 May, advising that the rates element of housing benefit would be abolished with effect from 1 April 2013. In addition, it advised that related funding would be cut by 10% and would no longer be treated as annually managed expenditure but would instead be classified in the departmental expenditure limit. That mirrors changes to council tax benefit in GB. DFP also advised that localised schemes to provide council tax support would be provided by the other devolved Administrations and, indeed, English local authorities.

The Northern Ireland Executive agreed to continue with the current rates support system in the short term. To do that, however, it will be necessary for the Housing Executive and Land and Property Services to have access to relevant data information from HMRC. As the Assembly cannot pass legislation that affects HMRC, the Finance Minister wrote to the Committee on 17 May to advise that it was proposed that amendments to the Local Government Finance Bill, currently passing through Westminster, would make the necessary provisions in respect of access to HMRC data. That would require a legislative consent motion to be agreed by the Assembly in advance of the summer recess.

As the Minister said, the amendment to the Local Government Finance Bill has been tabled at Westminster today, and the Assembly is being asked to agree, in principle, that the provisions are made. The Committee seeks to facilitate the Minister in seeking the Assembly's consent within the short time available by undertaking its consideration of the this issue in advance of the memorandum being laid and referred to it under Standing Order 42A(6). Additionally, the Committee prepared a short, informal report, which was issued to all MLAs within just a few days of the memorandum being laid. That report set out the Committee's deliberations, and I shall summarise the key points now for Members and for the record.

In the light of the role of the Housing Executive in this matter, views on the proposed legislative consent motion were sought from the Committee for Social Development. That Committee subsequently confirmed that it was content with the provisions. The Finance and Personnel Committee first took evidence from DFP officials on 6 June, when the officials advised that the proposed changes are considered "non-controversial" and "benign" and that they were being sought to:

*“ensure the smooth running of a support scheme; to ensure that claimants are not required to fill in new forms; and to ensure that there is a free flow of information from HMRC.”*

Members heard that both the Housing Executive and Land and Property Services (LPS) currently have access to some forms of information. However, the welfare reform changes mean that those sources are not sufficient, and it will be necessary to source information directly from HMRC. The types of data required will include income, savings and information such as entitlement to tax credits. Assurances were given that appropriate protocols would be put in place to protect that sensitive customer information.

Following that briefing, DFP subsequently notified the Committee on 19 June that HMRC and the Westminster parliamentary counsel considered that the amendments to the Local Government Finance Bill should provide for the sharing of information for appeal purposes. As a consequence, the draft amendment that had been shared with the Committee would have to be reconsidered. In oral evidence the following day, DFP officials advised that it was not expected that the clause would be materially changed, apart from the inclusion of the appeals issue where necessary.

It is not normal procedure for the Assembly to debate a legislative consent motion in advance of the amendment to the relevant Westminster legislation being tabled, but we have learned that, in fact, it has been tabled today. However, to ensure that the necessary Assembly consent is received in advance of the summer recess, on behalf of the Committee, I commend the motion to the House.

**Mr Hilditch:** I, too, support the motion. As a member of the Finance and Personnel Committee, I confirm that we received the briefing as outlined by the Deputy Chair, and I understand that the consent motion will allow for Westminster to legislate for the supply of information from HMRC for rating purposes. There is a consequence relating to welfare reform and the removal from the social security system of the means of supporting households with rates payments. Whatever one thinks of welfare reform, this is a necessary change. The provisions intend to ensure that the relevant information on income, savings, entitlements, etc, can pass from HMRC to the LPS and the Northern Ireland Housing Executive for rating purposes. Failure to do that would complicate issues in Northern Ireland and could result in low income families having to provide evidence to obtain rates support, perhaps resulting in delays in the most vulnerable getting rates assistance. The provision will not disadvantage anyone and the rest of the issues have been well covered by the Minister and the Deputy Chair of the Committee. I support the motion.

**Mr Cree:** I support the motion on behalf of the Ulster Unionist Party. We have been kept well advised. In fact, I have in my hand the communication from the Minister's Department. It is dated 3 July, which makes it right up to date and explains the necessity for the change. I was intrigued to find out that we may need enabling legislation because part of the original plan was that this was outwith our authority but could be done at Westminster, and that was the end of the story. However, I understand that that may be just a technicality. So, I have no difficulty in supporting the motion.

**Mr Beggs:** Thank you for calling me, Mr Principal Deputy Speaker. I had not realised that I was on the list, but I, too, wish to indicate my support for the motion. It makes sense that the Assembly approves the motion so that we can assist those who may need the appeal mechanism in the future. Therefore, I am happy to support the motion.

**Mr Wilson:** I think Mr Beggs felt a bit like the amendment as well. He did not know it was going to get called at this particular time.

I thank Members for their contributions to this short debate. It is a technical issue, as I indicated. It is unfortunate that, because of toing and froing, we are debating it after the amendment was tabled at Westminster today. However, the Deputy Chairman of the Committee summed it up when he said it was technical and non-controversial, and I thank the Committee for rushing through the report on it so that we could get to this stage. I do not want to prolong the proceedings. I just want to thank Members for their support, and I now invite them to give the motion their support in their vote in this Assembly.

*Question put and agreed to.*

*Resolved:*

*That this Assembly agrees, in principle, that the UK Parliament should consider amendments to the Local Government Finance Bill, as introduced in the House of Lords on 22 May 2012, to make provisions for HM Revenue and Customs to supply information for purposes of rates in Northern Ireland.*

## Labour Relations Agency Arbitration Scheme (Jurisdiction) Order (Northern Ireland) 2012

**Mr Principal Deputy Speaker:** I call the Minister of Employment and Personnel — or Learning.

**Dr Farry (The Minister for Employment and Learning):** I beg to move

*That the draft Labour Relations Agency Arbitration Scheme (Jurisdiction) Order (Northern Ireland) 2012 be approved.*

Thank you very much, Mr Principal Deputy Speaker. That is a very pleasant merging of myself and my colleague, the Minister of Finance and Personnel.

It may be helpful if I outline very briefly for Members the background and context of the Order. During 2009-10, my Department carried out a comprehensive review of the systems for resolving workplace disputes. The review involved an extensive public consultation that was taken forward by a consultation steering group that included representatives of the Confederation of British Industry (CBI), the Federation of Small Businesses, the Northern Ireland Committee of the Irish Congress of Trade Unions, the Labour Relations Agency and the Equality Commission. I want to put on record my appreciation of the work of that steering group, which ensured that the public consultation was informed by the experiences of all parties involved in the field of employment relations.

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

At an early stage, the consultation steering group established a set of core principles, which continue to inform my Department's work in relation to all aspects of employment law. Those principles included the promotion of good employment relations; the provision of strong employment rights; effective mechanisms to prevent and resolve disputes; statutory bodies that provide effective prevention and disputes resolution services to all those involved in workplace disputes; and access to non-adversarial alternatives to the tribunal system. The final point about providing access to non-adversarial alternatives to the tribunal system is the reason we are having this debate.

A consistent message from the public consultation process was the need to provide a viable alternative to formal litigation through employment tribunals. That is not a criticism of the tribunal system, which will continue to play a vital role in Northern Ireland's employment relations system, but a recognition that not all disputes require or are suited to a formal legal determination. I was struck by the feedback from the independent advice sector that many employees are unwilling to go through the stress of a formal legal process because of its adversarial nature. However, many of those same employees do not trust their employers' internal appeal processes. They are simply looking for an independent person to consider and make a decision on the merits of their grievance, and that is what arbitration is designed to achieve.

Employers, particularly small and medium-sized enterprises (SMEs), are similarly challenged by formal litigation in terms of the time away from their core business and the cost of legal representation.

Arbitration offers a non-adversarial alternative to an employment tribunal. Parties to a dispute agree that an independent arbiter reviews evidence provided by both sides and reaches a legally binding and enforceable decision. Arbitration is an entirely voluntary process. However, when both parties agree to go to arbitration, they waive their rights to have the case subsequently reconsidered by an employment tribunal.

### 7.00 pm

Where the parties agree to enter into arbitration, the Labour Relations Agency will appoint an arbiter to hear the case. That arbiter will be from a panel of arbiters who are appointed by the LRA but are independent of it and are acknowledged experts in employment relations issues. The benefits of arbitration are numerous. It is quick. A hearing will typically take place within two months and normally last for less than a day, with a decision being issued within a further two weeks. It is less legalistic and more informal, aspects that will appeal to vulnerable persons and microemployers who have had little experience of the tribunal system. It is not adversarial, which is particularly helpful where there is expected to be a continued working relationship between the parties after the process ends. The speed and informality of the arbitration process is likely to prove considerably cheaper for both parties, which is of particular importance given the prevailing economic climate. It is less stressful than the tribunal process. It is confidential, with hearings held in private and no publication of outcomes. It is also flexible. If an opportunity arises for a conciliated settlement, if both parties agree, proceedings can be suspended at any time to facilitate it.

The Labour Relations Agency currently administers two statutory arbitration schemes covering unfair dismissal and flexible working. Uptake of the schemes has been limited. In reality, most disputes are multijurisdictional, and hence it is unsurprising that parties are unwilling to seek redress of one aspect of their grievance — for example, unfair dismissal — via arbitration and then have to pursue the remaining elements — for example, allegations of unlawful discrimination — through a tribunal. That situation has proven to be a significant obstacle to the delivery of arbitration as an effective alternative to tribunals. Indeed, the great majority of arbitrations conducted under the auspices of the LRA have been concluded outside the narrow statutory framework by agreement between the parties. Arbitration has, therefore, been a process at the margins of Northern Ireland's dispute resolution system.

The new statutory arbitration scheme that is before the House today seeks to address that by expanding the range of employment rights jurisdictions to which the statutory arbitration may apply. In that context, I today seek the Assembly's approval for the draft jurisdiction order, which lists the employment rights jurisdictions to be covered by the new arrangements. That will ensure that the new scheme is able to deal with the full range of employment rights disputes that can currently be taken into an employment tribunal. Arbitration, therefore, would present a real alternative to formal litigation.

Finally, I turn to the matter of appeals, which has been the subject of significant debate. A number of stakeholders have argued for a wider appeal mechanism to be included in the proposed arbitration scheme, the rationale being

that the current appeal mechanism will be a deterrent to uptake of the scheme. The Committee for Employment and Learning also raised the issue during its consideration of the new arbitration scheme. It is important to remember that arbitration is intended to provide a relatively quick and informal consideration of a dispute. The founding principles of arbitration are that it offers a final and binding determination and the parties agree to waive their rights to formal litigation. The informality and speed of the process is intended to be one of its attractions, which may be eroded if it is viewed simply as a staging post to a further judicial process. The proposed scheme as currently constituted includes safeguards against any impropriety on the part of an arbiter. In addition, appeal rights are provided on the grounds of serious irregularity as well as on points of human rights and European Union legislation.

Having made those points, I am conscious of the need to ensure that arbitration does not provide a viable alternative to a tribunal process. Consequently, I am happy to reaffirm today the commitment that I have already given to the Employment and Learning Committee that the scheme will be monitored during its first 18 months of operation with a view to determining its effectiveness.

The new LRA arbitration scheme will be established through the making of two statutory rules. One of them, which is to define and govern how the scheme is to operate, is subject to the negative resolution procedure. However, since it establishes requirements for the arbitration process, I covered some of its key features in my opening remarks. The second statutory rule, which is subject to the draft affirmative resolution procedure, stipulates the employment rights jurisdictions to which the new scheme will apply.

I am grateful to the Committee for Employment and Learning and the Examiner of Statutory Rules for their scrutiny of this rule. I hope that I have provided the House with sufficient explanation of the purpose of the draft order and of the arbitration scheme more generally, and I will of course respond in my closing remarks to any points that Members make.

**Mr Buchanan (The Deputy Chairperson of the Committee for Employment and Learning):** I will speak briefly on the motion this evening. On 16 May, the Committee was briefed by departmental officials on proposals for an affirmative resolution statutory rule to establish a single and substantially expandable Labour Relations Agency scheme to provide a voluntary alternative to the employment tribunal process. The Committee generally welcomed the introduction of the order, which will define and govern the working arrangements of the new scheme, while revoking the existing, narrower arbitration arrangements for unfair dismissal and flexible working.

Although it welcomed arbitration as an alternative to the employment tribunal process, the Committee raised concerns that the absence of a facility to appeal a determination of an arbitrator at an employment tribunal could reduce the uptake of the new service. The Committee therefore sought assurances from the Department that the scheme will be reviewed after a period to ensure that its uptake is at an appropriate level, and it has been advised by the Department that the scheme will be monitored during its first 18 months of operation with a view to determining its effectiveness. If it is determined that the arbitration process

is not providing a viable alternative to employment tribunals, the Department will consider alternatives.

The Department has now laid the statutory rule and, having noted that there have been no changes to the policy content since the proposals were submitted to the Committee and that the Assembly's Examiner of Statutory Rules has no issues to raise on the technical aspects of the rule, the Justice Committee agreed at its meeting on 13 June 2012 that it was content with the rule. I therefore support the motion on behalf of the Committee for Employment and Learning.

**Mr F McCann:** I support the motion, which is about setting up a single, expanded Labour Relations Agency arbitration scheme to provide a voluntary alternative to legal proceedings before an industrial or fair employment tribunal. This statutory rule stipulates the broad employment rights areas to which the new arbitration scheme may apply. In that sense, I believe it to be straightforward, as those areas are the same as the jurisdictions that can currently be dealt with by such tribunals.

Reading the explanatory notes forwarded to the Employment and Learning Committee by the Department, I noticed that the proposed statutory rule has not been subject to a full equality assessment. There may be valid reasons for that, but , I would like the Minister, in his closing remarks, to explain why it has not been subject to a full equality impact assessment.

It appears to me that single parents whose time and resources might be limited by family commitments may see the development as a welcome alternative to a tribunal. Others not wanting or able to cope with confrontational legal proceedings will also see arbitration as a better way and a less stressful option.

**Dr Farry:** I thank both Members who contributed to the debate. First, I want to correct something on the record, as I may have introduced a rogue "not". I want to clarify that arbitration is there to provide a viable alternative to the tribunal process. That was very much reflected in the comments made by both Members who spoke.

I turn first to the comments of the Deputy Chairperson of the Committee. I place on record my thanks to the Committee for its consideration of the process. It is fair to say that we share a desire to see a process that is effective for employers and employees in Northern Ireland and delivers effective results that are viewed as fair outcomes. I am happy to provide a reassurance to the Committee on the review after 18 months. That was a specific request that the Committee made, and it reflects other comments that were made by stakeholders. I am happy to put formally on record, once again, the commitment that a review will take place.

I also thank Fra McCann for his comments and his support for the statutory rule this evening. Again, that reflects the consensus that this is the way forward in achieving an alternative means of resolving disputes. He asked about the equality impact assessment, and I will clarify that for the record. The proposed statutory rules have not been subject to a separate equality impact assessment, as they serve to fulfil objectives that already have been subject to a full assessment as part of the Department's review of workplace dispute resolution systems. That assessment identified modest benefits to those who did not have the time, resources or willingness to enter into a full legal



process. Therefore single parents — predominantly women — whose time and/or resources are limited by family commitments may see alternative dispute resolution as a welcome alternative to a tribunal. The same is likely to be true of those suffering from a psychological disability or other health conditions, such as a stress-related illness or depression, who find it more difficult to cope with a confrontational legal process. Furthermore, arbitration is a cheaper and less stressful option for those who wish to avail themselves of it. Hopefully, that addresses the concerns that were expressed by Mr McCann and the sections of society that he mentioned. We have assessed that the scheme will be more beneficial to their viewpoints.

On the basis of those comments, I ask the House to support the statutory rule, and, once again, I reiterate the commitment to review this. If the evidence proves that we need to make further amendments or adjustments, I certainly give a commitment to come back and do those.

*Question put and agreed to.*

*Resolved:*

*That the draft Labour Relations Agency Arbitration Scheme (Jurisdiction) Order (Northern Ireland) 2012 be approved.*

## **Local Government Best Value (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2012**

**Mr Attwood:** I beg to move

*That the draft Local Government Best Value (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2012 be approved.*

The order is being made under section 2(1) and 2(2) of the Local Government (Best Value) Act (Northern Ireland) 2002. Section 2(4) of that Act provides that a draft of the order must be laid before and approved by a resolution of the Assembly.

The purpose of the draft order is to remove certain restrictions imposed on councils in relation to their public supply or works contracts under article 19(1) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992. The order will permit councils to consider, among other things, the inclusion of social clauses in their contracts. The Department consulted on the draft order and proposed guidance in September/October 2011. The Department received 11 responses, none of which opposed the proposals. The legislation has been brought forward at the request of councils, which advise that they want to be able to consider using social clauses in their contracts. The order will remove restrictions that have already been removed in Scotland, England and Wales by similar legislation.

### **7.15 pm**

At the risk of annoying Lord Morrow in his absence, I intend to move off-script and just to scope out the importance of social clauses in terms of procurement, both at central and local government level. This order will enable councils to go into places where they have not been able to heretofore in terms of social clauses, but this should become mainstreamed into the procurement life of central and local government. Last year, when I was Social Development Minister, I changed the social clause threshold when it came to housing contracts and urban regeneration contracts, reducing the threshold to £500,000 of labour value in an effort to build social contracts into the spend of DSD. We need to explore in government how we build social clauses more into the life of procurement centrally, including extending opportunities under EU sustainability principles to build that into procurement. The EU understanding of the sustainability principle is to favour small and medium-sized enterprises. I have instructed my officials, through the move towards RPA, to look at green procurement as a model going forward. That model has been recently adopted in the South through a report issued by their Office of Public Works. We need to look at opportunities for all-Ireland procurement in order to secure best value going forward.

In my Department, I believe, more can be done, which, I think, can be modelled in other Departments by providing opportunities to employ the long-term unemployed, offer placements to graduate trainees and create Steps to Work training opportunities. My Department has made available 180 Steps to Work placements, 51 of which have been filled already or are due to commence in the coming weeks. Work is ongoing with lead contractors to fill the remaining placement opportunities on an ongoing basis. The Department is also considering how a number of those Steps to Work placements could be aimed at young people

who are not in education, employment or training, working with the Gerry Rogan Initiative Trust (GRIT) in association with Opportunity Youth, the main delivery agent for the GRIT programme. My Department has also made available 10 programme-led apprenticeship (PLA) placements and facilitated three special skills bursary apprenticeships. In addition, my Department has made available 14 placements through the graduate acceleration programme, five of which have already been filled, and has facilitated six undergraduate placements. In this way, you can build into the architecture of Departments training opportunities at Steps to Work, graduate and undergraduate level — in my Department, scaling that up to up to 200 a year. If that was replicated across Departments, we would see throughout government up to 1,800 or 2,000 placements every year — government using its own resources to provide training and work opportunities in times of economic need.

*(Mr Speaker in the Chair)*

As I mentioned, this legislation is a forward step, allowing councils to consider using social clauses in their contracts. I hope that councils will follow the example of government by building into their architecture Steps to Work, graduate and undergraduate training opportunities above and beyond social clauses.

**Mr I McCrea:** Will the Minister give way?

**Mr Attwood:** I will.

**Mr I McCrea:** This is an important issue, and it is something that councils should do. The Minister did not say, if I picked him up right, that councils “should”; it was that they “should be able to”. I hope that it is more the case that councils should introduce social clauses. Maybe he can clarify that point.

**Mr Attwood:** Well, my powers are limited. I do not have the power of instruction, much though I would like it, over councils, including one or two councillors. I will not name them on the Floor of the Chamber tonight; that is for another day quite soon, I can assure you. The point is a valid one. Councils should embed social clauses as part and parcel of their contracts and should do so at a threshold that results not in a very small number but in a larger number of work opportunities being provided. That is what I tried to do in DSD last year, and I would like to think that other Departments would follow in the wake of what DSD now does with the provision of social clauses in contracts.

In my view, social clauses should not be restricted to building and regeneration contracts; they should be part and parcel of contracts for supplies, services and consultancy. That is a matter that DFP has to take forward; I do not have competence for that either. We would build social clauses into all public spend, across all Departments and in all aspects of government spend. That is the responsibility that I think we should have. I have said that to the Minister of Finance and Personnel, and I have raised it at Budget subgroup meetings. That is where we need to go, as we remodel procurement in the interest of social clauses, social enterprise and social opportunities generally. Councils should be no different. In addition to social clauses and to that model, government, government agencies and councils should embed in their architecture the training opportunities that I outlined — Steps to Work, the graduate acceleration programme and undergraduate placements. That is an example of government using its spend to assist social

enterprise and social opportunities for those who are out of work at a time when so many are workless. I ask the Assembly to approve the draft order.

**Ms Lo (The Chairperson of the Committee for the Environment):** It is my pleasure to speak on behalf of the Committee for the Environment on the Local Government Best Value (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2012.

During its scrutiny of the Local Government Finance Bill in November 2010, the previous Environment Committee was keen to see the introduction of social clauses in the contracts that local government awards. The economic downturn had started to bite, and the Committee was keen for councils to be able to consider certain workforce measures when entering into public supply or works contracts. During those discussions, the Department advised the Committee that current regulations prevented the inclusion of such clauses but that it intended to lift the restrictions through the Local Government (Best Value) Act (Northern Ireland) 2002. The Committee welcomed that course of action and urged the Department to bring forward the necessary changes as soon as possible.

The Department drafted the relevant legislation and associated guidance and consulted all interested parties, including the Committee, in October 2011. The Committee received a synopsis of responses to that consultation at its meeting of 16 February 2012. The majority of the 11 respondents welcomed the proposed order and guidance, and the Department agreed to take on board suggestions that the Equality Commission put forward for improving the guidance. The Committee welcomed that, and it urged the Department to progress the necessary legislation as quickly as possible.

The Department presented the draft order for consideration by the Committee at its meeting of 7 June 2012. The Committee was diligent in its scrutiny of the legislation. It noted that the nature of the draft order meant that certain restrictions on what councils might consider when awarding a contract could be lifted but it did not compel councils to include social clauses in their contracts. Consequently, the Committee felt that it needed further information from the Department on how it would ensure that not only could councils introduce social clauses should they want to but that they would actually be delivered. The Department acted swiftly in answering the Committee's queries and explained that, although under current law, it could not require councils to include social clauses in their contracts, it had brought forward the legislation at the request of councils, which had advised that they wanted to be able to use them. The Department also noted that the use of social clauses in contracts depends on the scale and nature of the contract and that councils themselves are best placed to decide how they should be applied. Councils will also be able to ensure that social clauses are fulfilled through contract monitoring arrangements that will be developed with contractors and agreed within the terms of the contract. The Committee was satisfied with this information and felt that the order would help to strengthen the procurement process as a whole, with the aim of improving economy, efficiency and effectiveness, thereby putting the interests of the public first. As a result, the Committee agreed to recommend that the draft order be approved by the Assembly.

Finally, the Committee welcomes the fact that the Department has drafted associated guidance on the proposals that will issue by way of a local government circular. It also welcomes the Minister's encouragement to councils to consider what further scope they have to offer work, trainee or placement opportunities in their entire spend, along with his commitment to identifying how social clauses and related initiatives might be developed by his whole Department. As Chairperson of the Committee for the Environment, I recommend that the Assembly approves the draft statutory rule.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom fáilte a chur roimh an ordú seo, agus ba mhaith liom cúpla focal a rá faoin mholadh. I welcome the draft rule and will say a few words about it. Before I do, I thank the Minister for bringing it forward. I particularly thank his officials because, over the past two years, I have tortured them about this matter. This is a welcome addition to local authority powers. I pay tribute to councillors. This is the second statement to the House today on local authorities, and, in my experience on councils, they have done a lot of good work in relation to contracts down through the years. However, this gives them an additional tool.

The Minister mentioned trainees and apprenticeships, and he expanded to refer to services, the long-term unemployed and consultancies. I agree that there is an opportunity, and I recognise that, in some councils, whether we can use this type of model depends on the scale of the contracts involved. However, I agree that it should be used across the board.

Although I support the rule, I have questions for the Minister. Is there an opportunity to or has he considered how he will monitor the process to ensure that it is used as much as possible? He indicated that he may not be able to do that, but has he given it any consideration? That would be welcome, and, if introduced properly, social clauses will benefit the ratepayers, the people, the long-term unemployed and apprentices. So, in supporting the rule, I would welcome the Minister's response to that.

**Mrs D Kelly:** I welcome the Minister's proposals and congratulate him on his proactive approach to the introduction of social clauses, the Steps to Work scheme and programme-led apprenticeships in his Department. I hope that local councils follow his leadership on these issues. If possible, will he indicate what places are available through other Departments? At this time of difficulty in finding work, particularly for young people and the long-term unemployed, it is critical that government provides opportunities where it can.

Is there any risk of the use of social clauses being seen as a cheap alternative to full-time employment? What measures does the Minister have or hope to have in place to ensure that that does not become the case? Many people are anxious about that. I also hope that the Minister will be able to give us further detail on the monitoring of social clauses and how they are used across local councils.

He referred to some of the legislation and the framework within which local councils should operate. Perhaps he could say a wee bit more on that.

### 7.30 pm

**Mr Attwood:** I thank all those who contributed. As Anna Lo indicated, the Committee was diligent in monitoring

and assessing these matters. That is the character of the Committee. I have said it before, and I will say it again: it is a very diligent Committee. It is a great Committee, it has a very good Chairperson and it fulfils its scrutiny role. Last Thursday, I was with the Committee for an hour or two. Unfortunately, Anna was not there that day because of the flooding in south Belfast. It is a very strong Committee that holds me to account, and the more the better. It sets good standards that other Committees might want to look at for best practice.

This is an important measure to enable councils to imbed social clauses in their contract awards. Given that there are 26 councils and given the various scales of business that they are involved in, it is best to leave it to them to work through how social clauses will be applied. However, as I indicated earlier, guidance will be issued. I will ensure that that guidance also recommends best practice so that this does not go back into a council vacuum and so that people are advised on what might be best practice when it comes to the operation of social clauses.

I will ask officials to conduct a workshop, probably at a meeting of procurement officers from councils. Council procurement officers, who take the lead in taking forward procurement practice in councils, meet regularly, not least to look at opportunities to roll out the ICE programme and for sharing and collaboration among councils in an effort to get best value and reduce costs. A workshop at a meeting of procurement officers would present a number of opportunities, not just to establish best practice when it comes to social clauses but to find out how to embed in the life of the council what I am trying to do in the life of the DOE, namely scale up Steps to Work opportunities and graduate and undergraduate opportunities. I ask officials to take that forward. In that way, Mr Boylan's point about assessing where social clauses and other opportunities might go in the life of councils might be taken forward. Further to that, if the procurement group conducts a workshop, working with DOE, I would ask the councils to report back to DOE through the procurement group on how the roll-out of social clauses is or is not being achieved. I do not want to create a new architecture. I would rather use the existing mechanisms to have some reporting back through the DOE on how all of this is working.

Going back to Mr Boylan's point, social clauses should be deployed across the life of government spend for IT, supplies, services and consultancy, as well as capital projects that involve newbuilds or urban regeneration. In that way, we use the money that we have, especially in times of austerity, to create opportunities for people through public expenditure.

Dolores Kelly asked what other Departments are doing. That is a question for other Departments, but it might be interesting to table an AQ before the summer recess to find out how other Departments are embedding the Steps to Work opportunities that exist. Fifty-one people have been identified. I am working with DEL on that, and I acknowledge its intervention. However, we are still 109 short — no, my sums are not right; it is 139 or 129 short — of the 180 target that we are aspiring to. I have a Steps to Work person in my private office. I think that Steps to Work persons should be working in all the private offices, because if I, as Minister of a small Department, can have 180 placements through Steps to Work, other bigger Departments will have a lot more opportunities than I have. In that way, we will use

the architecture of government to help people who are in need. The same goes for undergraduates and graduates.

I hope that I have dealt with some of the questions that have been raised. I commend the draft Order to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the draft Local Government Best Value (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2012 be approved.*

## Committee Business

### **Criminal Justice: Victims and Witnesses of Crime**

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 15 minutes to propose the motion and 15 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Givan (The Chairperson of the Committee for Justice):** I beg to move

*That this Assembly approves the report of the Committee for Justice on its inquiry into the criminal justice services available to victims and witnesses of crime; and calls on the Minister of Justice to implement the recommendations contained in the report as part of the new five-year strategy for victims and witnesses of crime.*

As Chairperson of the Committee for Justice, I am very pleased to present this report for the Assembly's endorsement. It represents a very important piece of work undertaken by the Committee and aims to reform the services provided to and the treatment of victims and witnesses of crime.

I want to thank the members of the Committee for the detailed work that they undertook in relation to this inquiry and their contributions to it. I also want to thank the Committee staff for the work that they did to produce the report. In particular, I want to mention the Committee Clerk, Christine Darrah, and the Assistant Committee Clerk, Roisin Donnelly, who have spent weeks working on the report. It is a tribute to the work that they have put in that we have been able, finally, having launched the inquiry at the start of this Assembly session, to bring it to a conclusion. Christine and Roisin can, rightly, be proud of the work that they have done.

The Committee recognises the crucial role that witnesses, many of whom are also victims of crime, play in the criminal justice system. Their willingness to give evidence is vital to achieving convictions and ensuring that justice is seen to be done. Although work has been taken forward in recent years aimed at improving the services to and the experience of victims and witnesses who encounter the criminal justice system, including the introduction of a code of practice for victims of crime, revised guidance on achieving best evidence in criminal proceedings and additional provisions for the use of special measures for vulnerable and intimidated witnesses in the Justice Act (Northern Ireland) 2011, it was clear to Committee members that fundamental issues and problems still existed.

The Committee, therefore, decided to conduct the inquiry that has resulted in the report before the Assembly today and in which the Committee makes 30 recommendations. The development of a new five-year strategy for victims and witnesses by the Department provides the opportunity to take forward the Committee's recommendations and make the substantive changes that are undoubtedly required in the criminal justice system.

During the inquiry, the Committee heard from and spoke to a wide range of advocacy and victims' representative groups and the main criminal justice organisations. We also spoke



directly to individuals and families who have had first-hand experience of the criminal justice system. In addition, to inform its deliberations, the Committee took account of existing relevant reports and research papers and commissioned research from the Assembly Research and Information Service on particular aspects of the services that are provided to victims and witnesses.

Committee members visited a number of courthouses across Northern Ireland to view the facilities that are available to victims and witnesses. We also visited the West Yorkshire witness care unit to see the services that such units provide in England and Wales.

I want to put on record the Committee's thanks to all those who participated in the inquiry through the provision of written and oral evidence and the hosting of visits. In particular, the Committee wishes to acknowledge the invaluable contribution that was made by individuals, including victims of crime, family members of victims of crime and bereaved families, who agreed to take part in the process. The evidence that we received brought home to us the extremely difficult experiences of those who, under very unfortunate and sad circumstances, found themselves gaining direct experience of the criminal justice system in Northern Ireland. Members very much appreciated the fact that individuals were willing to recount their experiences for the benefit of the inquiry, even though it was often distressing for them to do so. There is no doubt that hearing statements such as:

*"People are misinformed, ill-informed or not informed at all"*

and:

*"The trauma suffered by families can often be exacerbated by the criminal justice system"*

made the Committee determined to ensure that changes will take place.

The Committee recognises and values the crucial contribution that is made by Victim Support NI, the National Society for the Prevention of Cruelty to Children (NSPCC) young witness service and other voluntary sector organisations in steering victims and witnesses through the system and providing support and assistance when it is most needed. The collaborative approach that those organisations adopt with the statutory criminal justice agencies is excellent. The system would be a much colder place for victims and witnesses without them. However, despite assistance from voluntary organisations, victims and witnesses, particularly bereaved families, face significant difficulties with the criminal justice system and the criminal justice agencies, and, as is highlighted in the report, their experience of the process is often frustrating, demoralising and, on occasions, devastating.

The inquiry identified a number of key issues that clearly impact on victims and witnesses. They include the lack of status that victims and witnesses have in the criminal justice process, with little or no input or rights; the lack of dignity and respect that is shown to victims and witnesses during the process; difficulties for victims, witnesses and families in understanding the process; difficulties in obtaining information about their case; feeling unprepared for what lies ahead; the lack of support that is required to give evidence; the lack of emotional and psychological

support services and practical assistance; the lack of a joined-up approach among criminal justice agencies; the lack of continuity of service in criminal justice agencies; poor facilities in courthouses; and the length of time that cases take to reach a conclusion, during which victims and victims' families lives are put on hold.

The Committee agrees with the view that was expressed by one individual:

*"there is an imbalance of resources. The defendant has rights and that is how it should be. The defendant has a right to a fair trial and I am fully in favour of the rights of defendants but that should not entirely exclude some rights for victims and the families of victims. That is really important. It is not an either/or, it is a both."*

Much more needs to be done to redress the balance in the criminal justice system and to ensure that the services that are provided to victims and witnesses and their experience of the criminal justice system are improved.

As I said, the Committee has made 30 recommendations that are intended to deliver the radical changes that we think are necessary. In the time that remains, I want to highlight a number of key recommendations. Engaging with the criminal justice system as a victim or witness or as a bereaved family is a daunting experience. When appearing before the Committee, the criminal justice organisations stated the importance of victims and witnesses and outlined the information and services that are provided for them. However, the rhetoric clearly does not match the actual experience of many victims and witnesses, as is illustrated by the evidence that we received from the advocacy and victim support groups and individuals.

The Committee recognises the fact that victims and witnesses have individual needs and that some will require much more support and information than others. However, fundamentally, all victims and witnesses are entitled to be treated with dignity and respect and to be provided with the appropriate level of information in a timely manner. As the criminal justice agencies have been unable to achieve that to date, the Committee wants a victim and witness charter that provides statutory entitlements to information provision and treatment to be introduced in the next available justice Bill, and we have set out the minimum entitlements that it should cover. We also recommend that the same statutory entitlements be afforded to bereaved families. These recommendations should assist to redress the balance in the system and ensure that the criminal justice agencies place appropriate priority on providing the services that victims and witnesses require and should be entitled to receive.

#### 7.45 pm

There is also a need for all staff in each criminal justice organisation who interact with victims and witnesses to clearly understand the impact that crime and the criminal justice system can have on them and to develop the skills and abilities to deal with them in an appropriate manner. We have, therefore, recommended mandatory training in the care and treatment of victims and witnesses for such staff. This is particularly necessary in the Public Prosecution Service (PPS), which, based on the evidence presented to us, in our view, requires fundamental cultural reform.

I now move to witness care units. The Committee members who visited the West Yorkshire witness care unit were very impressed with the approach adopted by staff in that unit and the resultant improved experience of witnesses. The Committee fully supports the introduction of witness care units in Northern Ireland, viewing them as an opportunity to provide a single point of contact for victims and witnesses in relation to their case, including co-ordination of support and services and the provision of timely information, which should greatly improve their experience of the criminal justice system.

Although it welcomes the Minister's commitment to establishing these units in Northern Ireland, the Committee has concerns about the proposed timescale and believes that it should be reviewed. The Committee does not want to see any delay or inertia, particularly by the PPS, which has the lead in implementing the units. The Committee has, therefore, recommended that witness care units covering all the court regions should be established by December 2013. The Committee also believes that witness care units should provide the single point of contact for as much of the process as possible. Consideration needs to be given to how provision can be extended from before the point of a decision being taken to prosecute to beyond the conclusion of the court case to include appeal and post-conviction information and support.

One of the major concerns that recurred throughout the inquiry was about how the criminal justice organisations communicated with victims and witnesses and about the quality and timeliness of the information provided in individual cases. The Committee heard many examples of failure in communications, with victims and witnesses left feeling confused, frustrated and ill-informed or not informed at all about the process in general and their particular case. The manner of some of the written and verbal communication that did take place resulted in victims and witnesses feeling undervalued, sidelined and an inconvenience to the process. That is simply not good enough, and the Committee has, therefore, recommended the establishment of clearly defined communication procedures for each criminal justice organisation that set out the information that must be provided to victims and witnesses and the timescales for the provision of it. Key to this is the requirement for the organisations to adopt a proactive approach to the provision of the information; to tailor the information to meet the needs of individuals; and to provide opportunities for individuals to seek clarification and further information throughout the process.

The Committee is also determined that each criminal justice organisation accounts for the delivery of the services that they are required to provide, which is currently lacking. For this reason, the Committee has recommended that corporate and business plans should reflect the organisations' commitment to, and actions for, improving the services provided to victims and witnesses. Measurable standards and mechanisms to monitor and assess delivery and satisfaction levels on an annual basis need to be introduced.

I now turn to the facilities for victims and witnesses in court. It is clear from the evidence we received and our observations when we visited various courthouses that many of the court buildings are not conducive to the needs of victims and witnesses. Difficulties faced include lack of facilities; lack of privacy; proximity to the defendant and/

or their supporters; in some courts, overcrowding due to the volume of business being conducted; and the lack of a proper system for scheduling the timing of witness attendance.

Although we recognise that there is unlikely to be large amounts of capital funding available to deliver wholesale physical changes to courthouse layouts or to build brand new buildings, the Committee believes that improvements can be made to the facilities and rooms provided for victims and witnesses. Clearly, improvements can also be made to the scheduling of witness attendance. We have, therefore, recommended that an evaluation of the facilities provided for victims and witnesses in all courthouses is carried out as part of the review of the courts estate, which was recently commissioned by the Minister, with the aim of identifying specific improvements that can be made to provide comfortable and fit-for-purpose facilities.

We also want to see the introduction of a maximum waiting time for witnesses; the undertaking of an examination of the current management of the facilities; whether the dependence on volunteers is appropriate and properly funded; and how a collaborative approach with the witness care units can be developed.

The adverse impact that the length of time that it takes for cases to go through the criminal justice system has on victims, witnesses and bereaved families, many of whom are unable to move on while they wait for the criminal justice process to be completed, was an issue that was consistently highlighted. Although delay is a common complaint about the entire criminal justice system process, one of the key frustrations for victims and witnesses is the length of time that court cases take and the number of postponements or adjournments that frequently occur. The Committee shares that frustration and believes that the implementation of our recommendation that case management be placed on a statutory footing in the next available justice Bill will assist the judiciary in ensuring that cases are effectively progressed and will have a positive effect on addressing delay and, ultimately, on the experiences of victims and witnesses.

The Committee disagrees with the Department's approach of waiting to assess the impact of the Lord Chief Justice's practice direction for case management in the Crown Court before considering the option of legislating. Delay has been ongoing for much too long, and substantive action is required now. There is no excuse for the example that we heard from a bereaved family, where it took two years and 10 months for the verdict to be delivered in the case of the murder of their mother. On the same day in England, the verdict was given in a murder case that had occurred 10 months previously. I hope that the Minister will support that recommendation.

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

**Mr Givan:** Hopefully, I will get an intervention from someone, and I will be able to conclude. There are another couple of points that I had hoped to make. It was a nine-month report.

**Mr Ford (The Minister of Justice):** Will the Chair give way?

**Mr Givan:** I will give way if I am allowed.

**Mr Ford:** I am happy to give the Chair the assurance that he was seeking about looking at the principle, although he might be a little bit cautious about expecting too much detail.

**Mr Speaker:** I appreciate where the Member is coming from, but he does not have an extra minute. Hopefully, we can move on very quickly. I have some sympathy for the Member.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. If the Chair gives me his notes, I will use them.

As a member of the Committee, I support the report. I thank all those who participated, particularly the victims and the representatives of victims. For some of them, it was not easy to take part in the process, and I put on record my and my party's thanks for that. I also thank the other Committee members and the officials, who put together a fairly heavy programme of work, with events and meetings over a short period. I thank them for putting together a fairly comprehensive and well-done report. From a personal perspective, it was one of the best pieces of work that I have been involved in since coming to the Assembly 14 months ago. The inquiry was a real eye-opener, and it brought home to me the experiences of victims and witnesses of crime, and it showed the imbalance that there is between one side and those people who have been affected by crime.

One statement resonates with me, and it goes back to the first meeting that we had with a family whose mother was murdered slightly before Christmas. The family had been told that they had no role to play in the justice process. We could have written the complete report based on the two hours that we spent talking to that family. All that is wrong with the justice system for victims and witnesses of crime came out in that meeting. We heard that there was no communication, that a lack of dignity and respect was shown and that the different agencies had a silo mentality. We heard of badly laid out court buildings and of delays in the case. That family found out information only because they were persistent and would not say no. They got quite a bit of information because they built relationships with particular people, and some people in the justice system felt compelled to give them some information. Families and victims of crime should not have to do that. The system should support families. In many cases, their experiences and traumas were compounded by what happened when they were confronted with the justice system. It was very unfortunate that most of them found themselves in that position. Those were sad circumstances; it was only when the reality came that they realised the difficulties.

I support most of what the Chair has said about the report and its recommendations. I support the introduction of a charter for witnesses and victims, which needs to be given a statutory footing. I went over to Bradford with the Chair and other members to see the work of one of the witness care units. I came back with the view that it is essential that witness care units be established soon. I know that the Minister has given a commitment, but he needs to move immediately and implement those units. We visited Laganside Court, which is a new building, but it is badly laid out. We were not there when court proceedings were going on, but somebody said that it was like a cattle mart.

With regard to delays in the justice system, that particular family could not understand how, in the case of Joanna

Yeates in England, within 10 months of the crime happening, the person had been convicted and sentenced and the case was over. Over here, it took two and a half times that. One of the big difficulties that we find in the criminal justice system in the North of Ireland is delay. One reason for that delay is the silo thinking between the different agencies. I ask the Minister and his Department to take a hands-on approach and bring about —

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

**Mr Lynch:** — greater and proper joined-up thinking. I ask the Minister to implement all the recommendations.

**Mr Hussey:** I am pleased to speak on the last piece of business of the Assembly before the summer recess. My colleagues Basil McCrea and Tom Elliott have been involved in the progression of the Justice Committee's important inquiry into criminal justice services available to victims and witnesses of crime in Northern Ireland, and it is my intention to draw out some of the points highlighted in the report. Before doing so, I commend the Committee and the officials, as well as the numerous organisations and individuals who contributed to the production of such a detailed piece of work.

I firmly believe that our criminal justice system should adopt a victim-centred approach from the time a crime is reported, through the court process, and beyond. To that end, I am pleased to note that much work is being undertaken to ensure that victims and witnesses of crime are given sufficient help and support while they are involved with the criminal justice system.

The work of Victim Support Northern Ireland should be highlighted, given the high level of assistance that it provides to victims and witnesses. That charity offers a free, confidential and independent service to approximately 30,000 people affected by crime every year. The breadth of service offered by Victim Support Northern Ireland should not be underestimated, as it deals with victims by offering emotional support, information or practical help. It also helps victims who are going through the stressful experience of court.

A positive development is the code of practice for victims of crime, which was introduced in 2010 following a consultation by the Department of Justice. It is important that the various criminal justice agencies and organisations have minimum standards to comply with, which means that victims and witnesses can have reasonable and informed expectations of the criminal justice system.

Revised guidance has been issued on achieving best evidence in criminal proceedings. That ensures that, for example, police officers, social care workers, legal representatives and therapists have the appropriate support and comprehensive guidance so that they achieve best practice within the context of criminal proceedings.

The Justice Act, which was passed towards the end of the previous Assembly mandate, included a number of measures for victims and witnesses, such as the introduction of an offender levy to resource a victims' fund to be used exclusively for funding services for victims of crime, as well as extending a number of special measures for the giving of evidence by vulnerable and intimidated witnesses.

Despite some of the obvious good work that is being done, the report also highlights a number of areas where change is necessary. The main area that I want to comment on is the delay within the criminal justice system. The report clearly recognises the major impact that that has on victims and witnesses, and the Justice Committee is of the view that any avoidable delay between an incident occurring and the conclusion of a case must be tackled as a matter of urgency. A statutory case management scheme was mentioned in the report as a potential remedy to that problem. However, I note that the Committee expressed its disappointment in the report that the Department of Justice has declined to accept that. Perhaps the Minister will use the opportunity today to explain the rationale behind his decision.

### 8.00 pm

Provisions in the courtroom setting also play an important part in ensuring that victim and witness needs are met. One of the issues raised in the report was the fact that court buildings are not up to an adequate standard, and given the difficult economic climate, that is a challenging situation for the Minister to deal with. However, I ask him to outline what his plans are to address that lack of facilities.

In conclusion, it is difficult to set out all the issues contained in the report in such a limited time. However, again, I commend the Committee for its work.

**Mr A Maginness:** I commend the report to the House. I thank the Chairperson for his leadership in relation to this report. He gave a particular drive to the inquiry, and it is important to note that. I also thank the Committee staff, in particular, the Clerk, for her Trojan work in relation to the report. Besides this report, the Committee produced a mini report in relation to the Northern Ireland Judicial Appointments Commission and a formidable amount of work in ordinary session. Therefore, the Justice Committee did a tremendous amount of work. The Justice Committee is an outstanding Committee in this House, second only to the Enterprise, Trade and Investment Committee — *[Laughter.]* — which, as you know, Mr Speaker, is the best Committee in the House.

Much of the evidence gathered by the Committee was moving and, at times, heart-rending. It was reflective of the experience of victims of crime, who were bewildered by the system and were lost in the system, and if you read the report carefully, you can see that.

This is a very important report, and I say that as an ex-practitioner in the criminal courts. I think that the problem is — or was, because I think that the circumstances have changed now — that victims were not seen as central to court proceedings. They were seen as being “over there”. They were mentioned but there was no real focus on them. This very fine report puts a focus on the victim and witnesses, but, in particular, the victim. It is a very important report from that point of view. Many of the recommendations are common sense and are not particularly radical or novel, but the genius of the report is that all the information has been gathered together, the experiences of witnesses and victims have been collated into one document, and the recommendations have been consolidated so that we have a very clear narrative of what needs to be done to assist victims and witnesses in our court system.

Victims and witnesses will never be central to the administration of justice, because it is an adversarial system where you have the state, the prosecution and the defendant. Of course, the defendant’s rights must be protected, and the rights of society must be protected in respect of the prosecution, and so forth. However, victims have a very important role within that system.

What the report does is emphasise the importance of recognising victims in the system. It has to be said that the central proposition here is a statutory charter for victims. It is important that the various elements in the charter be recognised because they are very important. One is dignity, and another is receiving information. That is hardly earth-shattering, but people were not getting information. I think that things have changed, and the PPS and other agencies have recognised that in recent years. I do not think that it is just a rhetorical commitment to helping victims and witnesses. I think that they really intend to do that. The report very sensibly outlines the things that need to be provided, such as the single point of contact, which Mr Lynch referred to; timescales for information; special measures; flow charts; and facilities in courthouses. I have to say to the Minister in particular that I am unconvinced that we really have the capacity for all those things.

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

**Mr A Maginness:** I pointed that out to the Minister during the discussion about the extension of the County Court jurisdiction.

**Mr Speaker:** The Member’s time is gone.

**Mr A Maginness:** I commend the report to the House.

**Mr Dickson:** Like others, I begin by thanking the Committee Chair, the Deputy Chair, the Clerk, the staff and those in the Research and Information Service for the hard work that went into making the report possible. Without that support, it would not have happened, and we would not be here with the report tonight. We are also grateful to everyone who came and gave evidence, who wrote to us and who hosted our visits.

It is certainly clear from the various evidence sessions that there is a lot of good work and good practice by voluntary sector organisations such as Victim Support, by statutory agencies and by individuals in both those groups who often go above and beyond the call of duty. The progress of recent years was also apparent. This report in no way denies or denigrates the positive changes that have already taken place. However, what was clear is that our criminal justice system remains a very difficult place for victims and witnesses.

It was sad to hear, as is mentioned in the report, that the trauma of being in court for whatever reason is often exacerbated by the system. The system should be regarded as a place of refuge for victims of and/or witnesses to crime. It should be a place where they are shown dignity and respect, kept well-informed, given appropriate levels of support and, at all times, made to feel comfortable. There are obviously many points that I could touch on this evening, but as time is restricted, I will just mention a few.

I am delighted at the first recommendation to have a victim and witness charter with statutory elements that will provide certain rights and will, hopefully, improve experiences of the



system in the future. I have advocated a statutory charter. It is something that I have been working for and championing during my time on the Justice Committee. I look forward to seeing further progress on that recommendation.

Secondly, I want to welcome the recommendations with regard to delay in the criminal justice system. During the inquiry, it became apparent that there were many instances of avoidable delay that had a negative and devastating impact on victims and witnesses. I know that the Minister is keen to see that problem remedied as part of his wider objective of speeding up the justice system, in aid of which he has already taken a number of very positive steps.

I would like to make a final point about one of the recommendations in respect of the provision at courthouses. A few months ago, while accompanying a witness to court, I experienced at first hand some of the problems that exist in our newest courthouse at Laganside, where it was difficult to separate the witness from the accused. It was also virtually impossible to leave the court by a separate entrance. All that happened in a new building that was designed to be a modern courthouse in Northern Ireland. How much more difficult is it for victims and witnesses who attend some of our older courthouses?

I once again want to thank all those who were involved in putting this report together. It was a pleasure, and also a deeply moving experience, to meet many of them as they spoke to us and told us their stories. I was delighted to meet a number of them again this afternoon. It is now over to the Minister and the Department to take those recommendations forward. I look forward to what the Minister has to say to us.

**Mr Wells:** It always very useful to follow Mr Dickson because he has the ear of the Minister, and, therefore, you get a very clear indication of how the Minister is going to react because Mr Dickson tends to be the warm-up act. So, I suspect that the Minister will enthusiastically accept the report, and we have had an indication of what is coming.

The judicial system needs witnesses. Without them, it would collapse. There is very little prospect of prosecutions in many cases without witnesses being prepared to come forward and be helpful to the Police Service and the judiciary. Victims and witnesses must be treated with dignity and respect. I suppose that I have had the unique experience of being someone who has been prosecuted, prosecuted someone else, and also, on other occasions, been a witness. Therefore, I have had very direct involvement in the court process. I have to say that, even with my background, I found the whole process extremely intimidating. Now, if it is intimidating for me — and, I suppose, even my worst enemy would not call me a shrinking violet — what must it be like for a younger person or an elderly gent or lady who has been asked to give evidence in a court case? It must be absolutely terrifying, and, therefore, we must have a system that puts witnesses at their ease and encourages them to come forward, rather than the normal process whereby they have to be dragged, screaming and kicking, to the court case.

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

**Mr Wells:** Certainly.

**Mr Girvan:** I thank the Member for giving way. The area that he now speaks about concerns the final point that I wanted to raise. The Committee made six recommendations around that area, and I know that the Member is aware of that. They include the introduction of:

*“a comprehensive formal assessment process ... to identify the needs of individual victims and witnesses in relation to special measures and other support requirements at the earliest stage and the assessment revisited and revised as necessary as the case progresses.”*

Another recommendation was:

*“In relation to serious crimes resources should be provided for practical support services including trauma counselling. These should be available from the crime occurs, throughout the process and beyond if necessary.”*

The types of measures that we recommend will ensure that witnesses can give their best evidence and also that victims will get support throughout the process. So, those recommendations, in conjunction with all our other recommendations, will go a long way to ensuring that we have a new system that will support victims and witnesses.

I am grateful to the Member for giving way.

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

**Mr Wells:** Mr Speaker, there is nothing to beat a spontaneous interjection during my speech.

Witnesses and victims should clearly know what is happening. They cannot be left out on a limb or sidelined. Like other members of the Committee, I visited Bradford to see how the West Yorkshire Police dealt with that issue. I must say, we all came away extremely impressed with the witness care unit that we saw in action. We could see that they had taken things to a totally different level compared with this part of the United Kingdom. We could learn from that best practice. I would like the Minister to indicate that he is prepared to go down that line. In fact, I know that is coming because I have heard it from Mr Dickson already.

I also agree with Mr Dickson, on this occasion, about courthouse architecture. Most of our courts were built at a time when the needs of victims and witnesses were at the very bottom of the ladder. Some of the older buildings, like that at Downpatrick, simply do not lend themselves to good treatment of witnesses. It is regrettable, and I agree with Mr Dickson, that the state-of-the-art, multi-million pound facility in Chichester Street in Belfast seems to have been built, at vast expense, with absolutely no regard whatsoever for the needs of witnesses. I have been in that court on several occasions, and I must say that it is like a Turkish bazaar, with witnesses and those who are being prosecuted milling around. Of course, in that situation, there is often a large retinue of supporters of the criminal in court, and that can cause great problems for witnesses who feel desperately intimidated by what is happening.

## 8.15 pm

I support entirely the proposal for a statutory framework for case management and a charter for witnesses and victims. I would like to think that, by the time this process is finished, someone will feel that there is no impediment whatsoever to their coming forward and giving evidence and that they will

feel relaxed, informed and valued. The result of that will be that more criminals will be put behind bars, because people will feel free to come forward.

I have experience in my constituency of constantly trying to get people to come forward to give evidence. They have heard all the horror stories of people being confronted by witnesses from the other side and by supporters of the person who has been charged. We need to put that situation to rest. We need a modern system where people feel valued in the court system.

I am sure that the Minister will be impressed by the unanimity of the report. I should add that I am on the Committee, but you may notice that I am not listed in the report as being on it. That may suggest a prophesy that I am about to be removed from the Committee, but I assure the Minister that I am on it, and that, like every other member, I support the report.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. I was one of those members who, unfortunately, came to the Committee rather late. However, I have incorporated some of my thoughts into the observations that I will make today. Obviously, my colleague articulated his view of how well and thoroughly the Chairperson chaired the Committee, and I thank him for that.

The Justice Committee's report on the inquiry into the criminal justice services that are available to the victims and witnesses of crime in Northern Ireland may have just missed the opportunity that the most recent Justice Act has provided. The inquiry's first recommendation, which is for a victim and witness charter, should be progressed as soon as possible. The practical measures that the report recommends to ensure that that charter is followed are sensible and thorough. The aim of the Committee's inquiry was:

*"to identify the outcomes that the Department of Justice's proposed new strategy for victims and witnesses of crime should deliver and make recommendations on the priorities and actions that need to be included in the plan to achieve these."*

I believe that the Committee has been successful in that aim.

It should be noted that the Committee recognised the valuable work that has been done by Victim Support NI, the NSPCC young witness service, as well as other voluntary sector organisations, in steering victims and witnesses through the system. Despite those organisations' best efforts, the issues that the Committee identified on the status and treatment of victims and witnesses are, and remain, of serious concern.

That victims of crimes and their families felt like by-products of the system is a damning indictment of the criminal justice services. That is perhaps the core message of the report, and in reforming and modernising criminal justice services, we need to focus our attention on that area. One individual who is quoted in the Committee's report said:

*"The defendant has rights, and that is how it should be. The defendant has a right to a fair trial, and I am fully in favour of the rights of defendants, but that should not entirely exclude some rights for victims and the families of victims. That is really important. It is not an either/or, it is a both."*

As Victim Support NI told the Committee, the organisations that are involved need to demonstrate more emotional intelligence when dealing with victims and witnesses. That means treating victims and witnesses with dignity and respect, maintaining consistent levels of contact and communication and providing timely and appropriate information through the process of investigating and prosecuting a case. It also means identifying the needs of, and providing the appropriate support for, individual victims and witnesses of crimes. It seems clear from the Committee's work that a system has been allowed to develop in which the detail and quality of the information that is provided to victims and witnesses is inconsistent and ad hoc across the organisations that are involved. Indeed, I experienced that very recently through a constituent. There is also confusion over responsibility for communicating that information. As the report states:

*"it is apparent that there is no clear understanding of the level of service that victims and witnesses are entitled to and who has responsibility for delivery."*

That needs to change.

One worrying aspect of the criminal justice services that the inquiry uncovered concerned the provision of witness care units. It was generally acknowledged to the Committee that those one-stop shops will be key in managing the early identification of vulnerable and intimidated witnesses, securing appropriate support services and ensuring that information is communicated more effectively to victims and witnesses, thus improving the services that are provided. In fact, Criminal Justice Inspection recommended just such an initiative in its 2005 report 'Improving the Provision of Care for Victims and Witnesses within the Criminal Justice System'. As the Committee's report notes, it was to be:

*"a single point of contact to the criminal justice system to assist victims and witnesses with information on progress of cases and referrals to bodies for specialised support."*

By December 2011, despite the recommendations being accepted and included in strategic action plans, the initiative had still not been progressed.

The Minister of Justice has now committed to taking forward the work on establishing witness care units. That is to be welcomed. However, despite that commitment, a pilot scheme for a witness care unit to deal with Magistrates' Courts, youth courts and County Courts in the Belfast region will not be commenced until autumn this year. Rolling that scheme out for the Crown Court in the Belfast region will take until March 2013. Surely that timescale needs to be reviewed.

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

**Mr McGlone:** If the Assembly approves, let us ensure that we do not see similar delay in implementing the recommendations in the Committee's report.

**Mr Weir:** I join others in welcoming the report. First, I add my congratulations and thanks to both the Chair of the Committee and the Committee staff. Perhaps the only criticism I could make is that, as highlighted earlier, through some collective amnesia, the Committee seems to have omitted Jim Wells's name from the foreword to the report. I had a fear when that was pointed out that Jim had somehow

joined a witness protection programme, but, obviously, his presence today shows that it is a mere clerical error and that Jim is alive and well and with us in full body and spirit.

The report is very extensive. I urge Members not simply to read the report but to read the background evidence as well. It shows how far we have come within the justice system and a lot of the good work that is being done. It also highlights a range of areas in which there is further progress to be made. Above all, it highlights the advantage of having a Department of Justice in local hands, because the opportunity to have a debate like this, to have a Committee scrutinising this, and to have a Minister responding on it, and, indeed, to progress and implement many of the recommendations, simply would have been lacking a number of years ago, when, essentially, we would simply be a discordant voice crying towards a direct rule Minister. That highlights the significance of this.

I am the first to acknowledge that there has been a lot of progress in the right direction as regards changes. I take on board what Mr Maginness said earlier: that, given the nature of our adversarial situation — like Mr Maginness, I am also a former barrister — it is impossible in many ways to put the victim absolutely at the centre of the legal judicial system. The key message coming from the report is that we need to be much more sensitive to victims' needs.

As was stated earlier, I doubt whether anybody will find anything in the recommendations that is rocket science or anything that will startle people from outside. However, there is a large pool of common sense within the report. The one thing that cries out from it is that we are hearing the authentic voice of the experience of the victims. The Committee took a long period and many opportunities to hear directly from victims about their personal experience. In the many years that I have been involved with the Assembly, I cannot think of a report that so authentically reflects the voice of people at the front line, which is what this does.

Turning to a few of the recommendations and highlighting the needs of victims, placing a victims' charter on a statutory basis was welcomed across the Committee, and that can, hopefully, place the needs of victims at a higher level. Similarly, one of the first sessions that we had, which struck me, was on the issue of delay in the criminal justice system. We met relatives of a murder victim. It was a very telling statistic that their case had been brought to a conclusion on the same day as a high profile case in England. The difference was that the dates of the murders were exactly two years apart, with the case in Northern Ireland obviously taking a lot longer. I know that considerable work has been started by the Department of Justice to try to speed up the process.

I urge the Minister to look at the recommendation made by the Committee and the Criminal Justice Inspection (CJI) that, if we are going to consider statutory time limits, albeit with protections for the criminal justice system, a case management system should also be placed on a statutory footing because the two go hand in hand. It is important to provide justice in an appropriate timescale.

The Committee also felt that greater clarity and certainty is needed around participation, and the Department of Justice has embraced that. The victim impact statements and reports that have been developed in recent years have been quite useful. However, there is a feeling that they need to be

more clearly focused in the future. That is one example of an area in which there has been good progress, but further work remains to be done. Above all, we must ensure that there is a flow of information to victims. They must not be seen as secondary or superfluous to the overall system but kept well informed. That was a consistent criticism —

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

**Mr Weir:** There is plenty of meat in the report, and I urge Members, albeit at this late hour, to take it away, read it and ensure that we get full implementation. I commend the report to the House.

**Mr Speaker:** I call on the Minister to respond to the debate. Minister, you have 15 minutes.

**Mr Ford:** Thank you, Mr Speaker, although I suspect that at this late hour, it would be appreciated if I did not take the entire 15 minutes. I welcomed the decision by the Justice Committee to conduct the inquiry into the services for victims and witnesses of crime, and I was pleased to take receipt of the Committee's report on what is clearly an extremely important piece of work, as shown by the attendance in the Chamber even at this hour of our last sitting day. The issue resonates with all parts of our society. How we treat those who have been harmed by crime is the ultimate test of a criminal justice system, and I commend the Committee's thorough approach to its work.

The Committee consulted widely and looked carefully at all available evidence in developing its conclusions. Its work has been informed by the thematic inspections undertaken by the Criminal Justice Inspection while the inquiry was under way, as well as research that was originally commissioned by my Department. The report quite rightly acknowledges the invaluable contribution made by those individuals who talked about their personal experiences, some of whom, as we heard, endured absolutely traumatic and difficult circumstances. I also thank all those who gave evidence and told their stories to the Committee, because those personal testimonies will be vital as we look to improve the services available to all victims and witnesses.

Prior to the Committee's decision to undertake the inquiry, my Department had started work on a new strategy for victims and witnesses. I asked for that work to be put on hold while the Committee completed its inquiry, and I gave a commitment that the Committee would help to shape the new strategy for the Department. I am pleased to see that the main themes in the Committee's report are very close to the preliminary work that had been done in the Department. Of course, that should not come as any great surprise to us, since we have been drawing on the same evidence base and meeting the same stakeholders. I have also received many letters from victims of crime and have met some of them personally, but it is reassuring to know that the wider exercise carried out by the Committee has shown that the work done in the Department to date is focusing on the right issues for all of us.

The clear message from the report is that all victims of crime need to be treated with dignity and respect. I absolutely agree. That should be part of the normal business of all front line agencies; it should not be something that is merely tacked on to the existing job of another member of staff. Another strong theme was the need for better communication with victims and witnesses. Again, I entirely

agree. I want a seamless criminal justice system in which all victims and witnesses get the information that they need when they need it and in which they are able to participate as fully as possible in criminal proceedings. That must include, in particular, those who have been bereaved through crime. No one chooses to become a victim of crime. For many, the experience can be difficult; for some, it can be absolutely traumatic. Engaging with the criminal justice system should not add to their distress unnecessarily.

I welcome the fact that the report makes a number of recommendations on how those and other important issues should be addressed. In the time available since the report was passed to me, I have not been able to reach firm views on all its specifics. The Committee has packed a lot into the report's 54 pages, and I have not been near the CD yet to read the supplementary evidence and the 30 recommendations.

Many of the ideas put forward will need to be discussed with delivery partners in every part of the criminal justice sector, but I am certainly happy to give an undertaking of my support for the general thrust of the report.

### 8.30 pm

I am also happy to honour the commitment that I gave previously that the report will be used substantially to inform our new strategy for victims and witnesses of crime. Indeed, some of that work is already under way. Preliminary work on establishing witness care units, improving the use of victim impact statements and reports and enhancing the support available to vulnerable victims and witnesses, for instance, is under way. I believe that we have made a good start since devolution, but it is absolutely the case in this area that we can always do more.

I will turn briefly to some of the points that were made. You will be pleased to know that I will not go through all 30 recommendations. Recommendation 1 called for the establishment of a charter for victims and witnesses on a statutory basis. I can certainly accept that in principle because I think that that fundamentally underpins every other part of the report. However, with the forthcoming EU directive on the rights of victims, we will need to be careful that we ensure that we have something that carries through properly. In the context of being held to task by Stewart Dickson and Jim Wells, it is absolutely essential that I should give the commitment to recognise that.

I can sympathise with what was said by those who have experience of courts, from my professional background as a social worker and my experience of giving evidence as a witness. It can be extremely traumatic for anyone, even when you are simply involved in a civil case. We need to ensure that we provide the best possible experience. Remember the point that was made by Alban Maginness and echoed by others: in a criminal prosecution, the victim can never be entirely central to the process. However, we must ensure that the victim is as near to the centre as can possibly be arranged, and we must ensure that the victim is treated much better than has been the case so often in the past. That will involve such things as the single point of contact, which Seán Lynch mentioned, and the provision of witness care units to ensure that we maximise the value of what is being done there.

We also need to ensure that the needs of victims are taken into account in the points highlighted initially by the Chair, in particular, and then by other Members, around the court estate, the difficulties that we have there and the wider strategy that we are currently working on to develop the court estate. We also need to recognise that we are working at a time of extreme financial stringency and that we cannot wave a magic wand and provide all the facilities that we want in every courthouse in Northern Ireland. So, we will need to ensure that we do what we can do as fast as possible and as well as possible. I think that that is another example of where opportunities are arising.

Ross Hussey mentioned, and the Chair highlighted, statutory case management. I want to put on record that I have not rejected the concept of statutory case management. The reality is that that came up in a thematic report from CJINI in December of last year, just at the point when the Lord Chief Justice had announced his own initiative. At that stage, when we had no legislative vehicle to look to statutory case management in the immediate future and when there was an initiative under way involving the judiciary, it would have been rather dubious to suggest that we were embarking immediately down the statutory route. I have, however, continued to discuss the issue of statutory case management with the Lord Chief Justice, and I discussed it earlier today with the director of access to justice. We are looking at how that might work in conjunction with the work already being done by the Lord Chief Justice. It is, therefore, certainly not an issue that has gone away; it is certainly not an issue that I have rejected. I think that that is an example of the kind of partnership we need around these issues.

I believe that we have seen very significant progress over the past couple of years. There is clearly much more to be done on the sort of issues that people have highlighted about speeding up the justice system, which remains a problem, despite significant effort. I believe that the fact that we are now looking at statutory time limits for young people is an example of where progress is starting to be made. There will be initiatives announced around that, but it is an issue on which people will want to see greater progress. The concept that a case can take two years and 10 months to come to trial in Northern Ireland, when the equivalent case in England and Wales takes 10 months, as has been highlighted by a couple of Members, is something that we must all seek to avoid if we are to help reduce the trauma suffered by victims in those circumstances.

Today, around the Chamber, we have clearly heard the voice of the victim. In the Committee's report and, I hope, my response to it, our commitment to seeking to listen to that voice and to ensuring that we make progress in the experiences of victims and witnesses has been absolutely clear. I am fully committed to continuing to work collaboratively with all those who have a role to play in the Assembly; very specifically, the Committee; the various leaders across the justice sector, such as those who are now working as victims' champions across the agencies; and our partners in the voluntary sector, particularly in Victim Support and the NSPCC. I am committed to responding positively to that call from Members. The Department will continue to analyse the report over the summer, and we will draw on its findings to prepare the draft five-year strategy for victims and witnesses of crime. The report may not be unique in what it says, but it does very carefully draw together, in a short, coherent and cogent



document, the lessons that have been drawn by the Committee that will closely inform the work of the Department.

I plan to launch a consultation on the new strategy in the autumn, and I am happy that officials continue to engage at an early opportunity with the Committee as to how the detail of that work is being carried through, building on the work that the Committee has done in the report. I also add my thanks to the Committee, the Chair, the Deputy Chair and the other members, and in particular the staff, who on occasions like this have done all the work, as well as my staff — four of them sitting in the box at this time of night — to show that their work to improve the experiences of victims and witnesses is absolutely real. It is a commitment by the Assembly, the Committee and the Department. As Peter Weir said, we have an unprecedented opportunity to show that devolution is working for the people of Northern Ireland, and I am determined to build the partnership that makes that happen.

**Mr Speaker:** I call Raymond McCartney, Deputy Chair of the Justice Committee, to conclude the debate. The Member has 15 minutes.

**Mr McCartney (The Deputy Chairperson of the Committee for Justice):** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom fáilte a chur roimh an tuairisc seo. I commend the report to the Assembly.

Although this may be the last piece of work of this Assembly term, I have no doubt that it will inform not only the Justice Committee but, I am sure, the Department and indeed the Assembly and wider society as we take forward the need to address the issues in the report. As stated earlier by the Chairman, the report is the result of much detailed and painstaking work and, indeed, poignant testimony. I add my thanks, and indeed the Committee's thanks, to the Committee staff. The Chairman has already mentioned the good work of Christine Darrah and Roisin Donnelly, who sometimes are the hidden people when these reports hit the Floor of the Assembly.

Alban Maginness acknowledged the role of the Chairperson, Paul Givan, and I want to do so again, on behalf of the Committee, because he provided leadership and drive. The first draft terms of reference were set by the Committee on 29 September, so it was early in the new mandate. This is the type of work that will carry us forward.

As other Members acknowledged, it would be remiss of us not to acknowledge the valuable contributions of those who gave evidence to the Committee. In particular, the many agencies that we spoke to gave us their professional perspective, but all of us stand in awe of, in particular, those who were victims of crime — or who were bereaved and whose family members were actually victims of crime — because they described in very articulate terms the effect that their encounters with the justice system had had on them. Indeed, the report illustrates the nature of those encounters, which was all too often frustrating and demoralising.

I heard phrases being used here tonight to describe such testimony. It was simple things: they felt lost in the system, bewildered, left out and ill informed. Indeed, the demands that they were making and the demands that they felt — demand may be too strong a word — but the things that they felt should have happened that did not happen were

simple things also. They wanted to be informed; they wanted to feel part of the process. Many times they argued — that is why we were impacted and why it is one of our recommendations — that there should be a single point of contact.

Seán Lynch and Peter Weir made that point in their contributions. All of us came away from the first evidence session knowing that many of the issues raised by the witnesses at that first encounter could have set the parameters. Seán Lynch said that we could have nearly written the report after that first encounter. I think that that is a fair point, and it stands in good testimony to those who contributed to that first session and how they articulated their encounters and experience in a very modest yet very forthright and informing way.

The report makes a number of recommendations — I think there are 30 in all. However, for me, the first four recommendations encapsulate the main thrust of what we are trying to achieve. The case has been made very well in the report for the need for a victims' charter. It is compelling, and I welcome the fact that, in his contribution, the Minister accepted that in principle. On Thursday, the Committee will get an outline of the faster, fairer justice Bill, and I note that there is a recommendation from the Department for the code of practice — not a victims' charter — to be put on a statutory footing.

Earlier this afternoon, the Minister addressed some of the issues in the Criminal Justice Bill, and he made the point about the good relationship that exists between the Department, departmental officials and the Committee. That good relationship also existed between the Committee and those who contributed to the report. It is with, perhaps, that spirit in mind that the challenge for us in September and onwards will be to try to find an agreement in principle. The Committee's view is that there should be a victims' charter, and the Department wants to place the code of practice on a statutory footing. Perhaps we can come up with a way forward that will ensure that both of those things can be delivered. That is important.

I do not intend to itemise each and every thing that Members said during the debate. I want to thank all those Members who spoke tonight, and particularly Ross Hussey, who is not a member of the Committee. It was easy for all of us to pick out the individual items that had an impact on us. It was very noticeable that, if you were to marry all the speeches together, there were very obvious constant themes.

I want to thank the Minister for his constructive and supportive comments. That does for us and gives the Committee a sense of recognition. However, we also recognise that much more needs to be done, and many of the things that were outlined today will guide us in the future.

We have to ensure that victims and witnesses receive the support and services that they need and deserve, and we look forward to the Minister's detailed response — we heard some of that tonight, but the rest will come over the summer and into September. He outlined that the Department is working on one particular strategy, and we want to see how this report can be used.

In summing up, I, again, want to thank everyone who spoke in the debate tonight. I also want to offer thanks on behalf of the Committee to all those who contributed to the inquiry, particularly those who found themselves as witnesses

to the inquiry through circumstances over which they had no control and which, I am sure, they never thought they would be in. I know that some of the witnesses were in the Assembly today and that some are here tonight.

The Committee Chair and Alban Maginness referred to the report. I have been a member of the Justice Committee since it was formed, and I feel that it is one of the hard-working Committees. I do not say that as a form of self-praise, but it is certainly one of the Committees that does a lot of detailed work. I have absolutely no doubt that, in the time ahead, the report will be seen as one of the landmark reports that I and other members will regard as a piece of work that they will feel glad and privileged to have been part of.

On behalf of the Justice Committee, I commend the report to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly approves the report of the Committee for Justice on its inquiry into the criminal justice services available to victims and witnesses of crime; and calls on the Minister of Justice to implement the recommendations contained in the report as part of the new five-year strategy for victims and witnesses of crime.*

*Adjourned at 8.45 pm.*

# Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.





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# Written Ministerial Statements

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## Enterprise, Trade and Investment

### **Framework 7: EU Programme for Research and Innovation**

*Published at 2:00 pm  
on Monday 2 July, 2012*

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The recently published Northern Ireland Economic Strategy places Innovation, Research and Development as its top priority. Innovation is central to rebalancing Northern Ireland's economy into one which is export led and knowledge based.

Today I would like to bring to Members attention the forthcoming opportunities from the EU Seventh Framework Programme (FP7).

Increased engagement with Europe is central to Northern Ireland's economic growth. The European Commission is now placing a greater emphasis on the commercialisation of research, innovation activities and improving the competitiveness of Small and Medium Sized Enterprises (SME's). This fully aligns with the Executives economic priorities. Our Economic Strategy, in line with Europe's emphasis on Smart Specialisation, recognises the importance of targeting resources and research on key niche areas where we can compete on an EU and global level.

On the 7th June the European Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn accepted my invitation to visit Northern Ireland. On her visit she undertook a number of engagements. She was keynote speaker at a FP7 conference organised by Intertradelreland and the NI European Commission office entitled "Collaborate to Innovate" and she met with the Executive Sub-Committee on the Economy as well as the First and Deputy First Ministers. She continually stressed the importance of European competitive funding opportunities which exist for Research and Innovation under FP7. She made particular reference to the implications of the forthcoming July call which is the final and biggest call for Framework Programme Seven (FP7). Nearly €9 billion will be made available for research and innovation across Europe as an investment in competitiveness and Europe's prospects for growth and jobs.

I would like to outline to Members the relevance of the July funding call from FP7 and its importance for Northern Ireland's prospects for future growth and jobs.

Northern Ireland needs to target and prioritise research to focus on key markets which have the highest possible

long term economic and societal impact. FP7 provides an important opportunity to do this.

When it was launched, FP7 was the largest research funding programme in the world with a budget of over €50 billion for the term 2007-2013. It is important to note that it is a competitive programme with average success rates of 20%. Unlike structural funds, Member States are not allocated any specific budget. To secure funding, applicants must collaborate across member states, demonstrate excellence in their field as well as a commitment to Research, Development and Innovation.

Collaboration is vital to build international competitiveness and building a knowledge based economy. It makes sense for a small region such as Northern Ireland to share knowledge and expertise and that is why I am working closely with my Ministerial Colleagues to support business and academic research collaborations across regional and national boundaries.

With support from the Executive and our Northern Ireland businesses, academia and research organisations, recent data from the European Commission shows we will have secured over €43.8 million from FP7 by the end of February 2012. That is €43.8 million Euro of additional funding coming into Northern Ireland.

The July call for projects will cover a range of themes from Health to ICT to Energy to Transport and will have a total budget of nearly €9 billion. I have attached in Appendix A the anticipated breakdown of the key themes in the July call.

It is vitally important that we seize this opportunity to take advantage of our research excellence and continue to focus on this July call for FP7 funding.

To support applications for FP7 funding my Department has been working with other Departments and stakeholders to enhance the level of support that companies and research organisations can avail of in the forthcoming calls.

Indeed both I, Commissioner Geoghegan-Quinn and Lucinda Creighton, Minister of State for European Affairs in the Republic of Ireland spoke at the "Collaborate to Innovate" conference, the specific theme of which was the opportunities for SME's in the forthcoming July Call.

As part of this, Invest NI and Intertradelreland have been involved in a number of awareness raising events to alert organisations on the importance of these funding opportunities

Invest NI has actively supported the participation of researchers in Framework Programmes for a number of years through

its Collaborative R&D Support Service and the Enterprise Europe Network. An independent review of Scotland Europa European Union R&D Funding Service concluded that “In contrast to the situation in England where there is not a consistent provision of FP7 support at regional level; it was felt that Scotland Europa and its counterparts in Wales and Northern Ireland are effectively punching above their weight as a result of their dedicated service delivery”.

As well as providing, direct advice and guidance on the individual work programmes, of which there are many, and almost £110K of financial support for the preparation of applications, Invest NI's Collaborative R&D Support Service has developed a mutually beneficial relationship with theme-specific National Contact Points in both the United Kingdom and the Republic of Ireland. This has enabled the team to provide early intelligence on funding calls, host awareness raising events, provide assistance to find suitable partners and a review of project proposals before submission.

For example, based on an opportunity presented to QUB's ECIT by the Collaborative R&D Support Service, a team from the ECIT became the first research group from Northern Ireland to co-ordinate and win an FP7 security proposal. The addition of a local firm, Capna DSP in the consortium further highlights our strengths in Northern Ireland and indeed the ECIT Institute environment for international security research and development. Analysis indicates that Northern Ireland is estimated to have won 0.98pc or €2,240,367 of the European Commission's total security R&D expenditure. If Northern Ireland were a country then on a cash-per-capita basis it would be third among the EC-27, behind Luxembourg and Belgium.

We have also received more good news in that a Regions of Knowledge Digital Agenda project including Momentum, CSIT and Invest NI with partners in Republic of Ireland, France, Germany, Spain, Slovenia and Cyprus was ranked 10th out of 119 submissions – 4 times more submissions than in 2011.

Furthermore, the Invest INI Brussels Office has been active in representing the interests of NI at EU level providing Collaborative R&D support, a strategic link between Northern Ireland and European Union and Access to European Union institutions. This has resulted in key engagements with EU officials on Smart Specialisation and Northern Ireland recently submitting a proposal to become a reference site under the European Innovation Partnership, also known as EIP, in Active and Healthy Aging complementing the Connected Health and Prosperity Memorandum of Understanding Between The Department of Health, Social Services and Public Safety, and Invest Northern Ireland.

Intertradelreland is also active in encouraging participation in FP7 by initiatives such as focussed awareness raising events, provision of funding support for travel, assistance with the identification of partners, increased engagement with United Kingdom and Republic of Ireland National Contact Point representatives, promotion of North – South collaboration and Improving links with Higher and Further Education and SME's.

Research undertaken by Intertradelreland has concluded that FP7 applications from collaborations between Northern Ireland and Republic of Ireland have a greater success rate than those which collaborate elsewhere. There is significant potential for increased collaboration between

our businesses and research institutions and those in the Republic of Ireland.

InterTradelreland remain committed to developing the collaborations in order to maximise our chances of success.

In respect of the July calls I would encourage Members to alert companies in your constituencies who may be interested in the Framework funding to make contact with Invest NI R&D Collaborative Service Team. Details of which are attached in Appendix B.

The July calls are also important because they are expected to align closely with the new European funding programme for the period 2014-2020 entitled Horizon 2020.

Horizon 2020 will have an estimated budget of €80 billion for Collaboration, innovation and research. This €80 billion is evidence of the importance on Innovation and research in European Economy and effectively mirrors Northern Ireland's economic priorities.

On her visit, Commissioner Geoghegan-Quinn stressed the relevance of Horizon 2020 to Northern Ireland and highlighted the new opportunities available for SME's and research organisations.

Horizon 2020 is aiming for simplification, with a single set of rules, less paperwork and faster funding which is designed to enable greater participation with particular emphases on participation and support for SME's.

In January 2014 the Horizon 2020 funding programme will be launched and implemented through three priorities; Excellence in Science, Supporting business research and innovation (with a focus on SME's) and Tackling societal challenges.

The societal challenges priority will address issues on Health and well being, Agri-food, Sustainable transport, Climate change, Secure societies, Social innovation and creativity and Innovation in smart digital public services.

Horizon 2020 priorities will also focus on innovation-related activities, such as; Pilot programmes, public procurement, again with a focus to increase SME participation.

As a small region with an SME dominated economy, Northern Ireland is ideally positioned to avail of these Horizon 2020 opportunities.

To support companies and research institutions to avail of these opportunities my Department recently completed a review of existing supporting mechanisms. That review made 18 recommendations which are in the process of being implemented.

One of the recommendations is the appointment of “Thematic Leads”. The “Thematic Leads” focus on key research areas where Northern Ireland has greatest potential to secure additional EU funding and will work closely with Invest NI and Intertrade Ireland to ensure that there is more pro active support to ensure our local industry, particularly SMEs are able to engage in Horizon 2020. I hope to be in a position to make an announcement for the funding of “thematic leads” in the coming weeks.

In addition, my department will shortly be appointing a “Horizon 2020 manager” for Northern Ireland. This

appointment will ensure there is greater coordination across the public and private sector in relation to Horizon 2020.

To conclude, in Northern Ireland we need our researchers, in government, academia and companies of all sizes to make full use of opportunities that are available under FP7 and Horizon 2020. Increasing partnerships across Europe and further afield is vitally important, which is why the EU Framework Programme and its successor Horizon 2020, can play an important role in helping us grow our economy.

Our Economic Strategy recognises the importance of targeting resources and research on areas where we have the best opportunities to be leaders on the European or even world stage. Collaboration is vital if we are to strive towards international competitiveness and building knowledge based economy. It makes sense for such a small region as ours to share knowledge and expertise, which is why I am working closely with my Ministerial colleagues to support business and academic collaboration across regional and national boundaries and increased efforts in increasing the drawdown of FP7 and Horizon 2020 funding.

#### **APPENDIX A: BREAKDOWN OF FP7 DATA BY THEME – TOP 5 UNDERLINED AND IN BOLD**

| Source: EC, FP7 Project and Participants database, version 10.0, released 28 February 2012 | N. Ireland (UKN) |  |
|--|------------------|--|
|  | Participations   | EC requested financial contribution, € |
| SP1 - Cooperation  |                  |  |
| <b>1. Health</b>   | <b>18</b>        | <b>6,778,669</b>                       |
| <b>2. FAFB - Food, Agriculture and Fisheries, and Biotechnology</b>                        | <b>15</b>        | <b>4,275,676</b>                       |
| <b>3. ICT - Information &amp; Communication Technologies</b>                               | <b>25</b>        | <b>7,014,887</b>                       |
| <b>4. NMP - Nanosciences, Nanotechnologies, Materials and New Production Technologies</b>  | 7                | 1,741,153                              |
| 5. Energy  | 3                | 625,958                                |
| 6. Environment (including Climate Change)  | 5                | 781,387                                |
| 7. Transport (including Aeronautics)   | 10               | 3,304,599                              |
| 8. SSH - Socio-economic Sciences & Humanities  | 4                | 1,005,591                              |
| 9. Space   | 2                | 464,027                                |
| 10. Security   | 10               | 2,502,329                              |
| General Activities   |                  |  |
| SP2 - IDEAS  |                  |  |

| Source: EC, FP7 Project and Participants database, version 10.0, released 28 February 2012 | N. Ireland (UKN) |  |
|--|------------------|--|
|  | Participations   | EC requested financial contribution, € |
| <b>European Research Council</b>   | <b>3</b>         | <b>4,417,968</b>                       |
| SP3 - PEOPLE   |                  |  |
| <b>Marie-Curie Actions</b>   | <b>24</b>        | <b>7,262,955</b>                       |
| SP 4 - Capacities  |                  |  |
| Research infrastructures   | 8                | 1,633,043                              |
| Research for the benefit of SMEs   | 17               | 1,448,371                              |
| Regions of knowledge   |                  |  |
| Research potential   |                  |  |
| Science in society   | 1                | 89,736                                 |
| Coherent development of research policies  |                  |  |
| International Cooperation  |                  |  |
| Euratom  | 3                | 507,750                                |
| <b>Total</b>   | <b>155</b>       | <b>43,854,100</b>                      |

#### **Appendix B**

##### **Invest NI Collaborative R&D Support Service Collaboration Executives – Northern Ireland**

Dr Lisa O'Reilly  
Email: lisa.oreilly@investni.com  
Direct T: 028 9069 8594

Dr Robert Bunn  
Email: robert.bunn@investni.com  
Direct T: 028 9069 8602

##### **R&D Liaison Executive – Brussels**

Ms Farha Brahmi  
Email: farha.brahmi@investni.com  
Direct T: +32 (0)2 29 01 345

# Health, Social Services and Public Safety

## Abortion Statistics in Northern Ireland: Results of Audit on 2008/09, 2009/10 and 2010/11 Data

*Published on  
Wednesday 22 August 2012*

**Mr Poots (The Minister for Health, Social Services and Public Safety):** I wish to make a statement to the Assembly following receipt from the HSC Board of a report on the audit of abortion information collected by HSC Trusts.

Earlier this year I asked officials to develop options for introducing a new data collection and reporting system on termination of pregnancies. As a result of their investigations, concerns were raised around the reliability of previously published data on abortions in Northern Ireland.

On 24th May 2012 the Department instructed the HSC Board to undertake an audit of the clinical coding related to abortions in Northern Ireland to assess the accuracy of the data produced.

The audit has clarified the structure of the terminology within the UK National Clinical Coding Standards ICD-10 4th Edition Reference Book, in relation to coding practice for code '004 – medical abortion'. The structure of the terminology used within the UK National Clinical Coding Standards ICD-10 4th Edition Reference Book is as follows:

- **Abortion:** The term abortion means the expulsion or extraction of all (complete) or any part (incomplete) of the placenta or membranes (products of conception) without an identifiable foetus or without a liveborn infant, or stillborn, before the 24th completed week of gestation. This covers a range of codes within the ICD 10 structure and includes 'missed miscarriages'<sup>1</sup> (the retention of a dead foetus before 24 completed weeks of gestation, with no signs of abortion), spontaneous abortions (known miscarriages) and terminations of pregnancy.
- **Medical Abortion:** The term medical abortion within the confines of the use of the ICD-10 code '004 – Medical Abortion' equates to (i) the interruption of a live pregnancy for legally acceptable, medically approved conditions, (ii) re-admissions with retained products of conception following a previous termination of pregnancy, missed miscarriage or a spontaneous abortion that had been treated in the first admission with an evacuation of the products of conception and (iii) a patient who had a termination of pregnancy and had retained products of conception in the same episode that required surgical treatment.
- **Termination of Pregnancy:** For the purposes of the audit and any future issuing of statistical information, 'termination of pregnancy' will define any patient who has a live pregnancy terminated for Northern Ireland legally acceptable, medically approved conditions. This is a subset of the term 'medical abortion'.

In previously released responses to assembly questions on abortion statistics, the Department had used the code '004 – medical abortion' to produce the statistics required. However, given the clarification contained within the above definitions, and following careful discussion with medical colleagues, the Department has accepted that those people requesting statistical information on the number of abortions in Northern Ireland, should in future be provided with the subset of data for 'termination of pregnancy'.

As a result of this clarification, I am advised that it is more appropriate to provide statistics on 'termination of pregnancy' rather than previously published data on 'medical abortion'. As a result, the revised figures on termination of pregnancy in Northern Ireland are as follows;

|                                       | 2008/<br>09 | 2009/<br>10 | 2010/<br>11 |
|---------------------------------------|-------------|-------------|-------------|
| Pre Audit Medical Abortion            | 77          | 67          | 75          |
| Post Audit Medical Abortion           | 71          | 64          | 73          |
| of which:<br>Termination of Pregnancy | 44          | 36          | 43          |

The Department is, of course, content to provide figures on both 'medical abortion' and 'termination of pregnancy' in the future, in accordance with the definitions, as appropriate.

The HSC Board continues to audit 2006/07 and 2007/08 data and any amendments to previously published data will be published on the Department's website at:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/inpatients.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm)

1 CKS Clinical Knowledge Summaries [http://www.cks.nhs.uk/miscarriage/background\\_information/definition](http://www.cks.nhs.uk/miscarriage/background_information/definition)



## Paediatric Congenital Cardiac Services

*Published on  
Wednesday 1 August 2012*

**Mr Poots (The Minister for Health, Social Services and Public Safety):** I wish to make a statement to the Assembly following receipt from the HSCB of the report of the external review of paediatric congenital cardiac services (PCCS) in Northern Ireland.

I have received the report of the external review of paediatric congenital cardiac services in Belfast which was commissioned by the HSCB.

Paediatric Congenital Cardiac Surgery is a highly complex specialist service affecting a small number of children. In Northern Ireland, only around 90 paediatric cardiac surgical operations are undertaken each year, with a further 40 undertaken in England or Dublin.

In March this year, when I announced the review being undertaken for the HSCB, I advised members that such a highly complex specialist service is inherently vulnerable mainly because of the low activity levels. As a result there are significant challenges in attaining and sustaining quality against rising standards. Standards for this service are increasing across the UK with a move towards surgeons working in larger teams delivering higher volumes of activity, and ensuring a rota that can provide 24/7 surgical cover. Available evidence and professional consensus is that larger teams deliver better outcomes. In light of these increasing standards the HSCB commissioned an Expert Panel from the "Safe and Sustainable" Team in England to consider how we deliver the best service for children in Northern Ireland.

This report is timely, following the recent decision by the NHS in England into how it delivers congenital heart services to children in England, where some major centres will no longer have this specialist surgery on site (following previous decisions, it is already the case that Wales has no centre providing this service and patients from Wales access surgery at Bristol and Liverpool). The challenges we face are similar, that is to deliver services that are safe and sustainable and deliver the best outcomes for patients, and it has been known for many years that it would not be possible to maintain a free-standing service, with 24/7 surgical cover, in Belfast, and hence the work that has already been done to develop networking arrangements with Dublin.

The Report recognises that children in Northern Ireland with congenital heart disease are well served by a dedicated and experienced team of consultant paediatric cardiologists and nurses. The report highlights many excellent features in the current service that presents opportunities for the development of a future model for children's cardiology.

I wish to put on record my appreciation of the team delivering this service in Belfast. Their dedication and commitment has clearly been evident to the Review Team. I had the opportunity to meet with the paediatric cardiologists in Belfast Trust recently to hear at first hand their views on the options for the future provision of this service.

It is reassuring that the Report shows that the Review Team found no immediate safety concerns presented by current arrangements. That said, the Review Team has stated that the paediatric congenital cardiac surgical service is not

sustainable in Belfast and the Review Team's view is that it should cease.

Their view is that potential safety risks needs to be addressed within six months.

I have therefore asked the HSCB, working with the PHA, to develop proposed criteria to provide a clear objective basis for future decisions on this and related services, and to draw up a commissioning specification for the delivery of this service for Northern Ireland. In doing so, first and foremost I expect the HSCB to consider the safety and sustainability of the service in Belfast and the findings of the Report. In addition I want to ensure the HSCB robustly considers all options available including the potential for an all-island service and/or networking arrangements with other centres in the UK. It is also essential that the impact of any proposed service change on patients and their family is carefully considered. In that regard I expect the HSCB to give full consideration to accessibility of the service and the impact any proposed service change would have on other paediatric and cardiac services. In addition, I also want the HSCB to take forward work to ensure we have the most robust retrieval and transport services to ensure we have safe retrieval and transfer arrangements for sick children particularly in emergency situations.

Recognising that the Report suggests a period of six months for the sustainability issues to be addressed I expect the HSCB to establish with immediate effect, a working group to propose clear criteria for decision making, and develop a detailed service specification for the commissioning of paediatric congenital cardiac surgery and interventional cardiology against which the service must be delivered. I expect patient representatives, parents and clinicians to be part of that group. A full, open and transparent public consultation on the criteria, service specification and potential impact on service model(s) will be carried out. This will help inform the way forward to identify the preferred service model for children in Northern Ireland who need specialist cardiac care. I expect consultation to begin in September 2012.

I fully appreciate that parents and children living with congenital cardiac problems may be anxious about any changes and how these might impact on the care provided to them.

I want to reassure families that my aim is to ensure a safe, sustainable service into the future. I hope to be in a position to announce the model for Paediatric Congenital Cardiac Services for Northern Ireland in early 2013.

## **Removal of Individual from a Non-executive Director Post at the Health and Social Care Board and as Chair of the Northern Ireland Social Care Council**

*Published on Thursday 19 July, 2012*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a statement to the Assembly to advise of my intention to remove an individual who holds a post as a non executive director on the board of the Health and Social Care Board and the Chair of the Northern Ireland Social Care Council.

It has recently come to my attention that Mrs Lily Kerr emailed documents to third parties outside the HSC that were, at that time, for the sole consideration of the Health and Social Care Board. It was made clear that a number of these documents were being shared strictly in confidence and were not for wider circulation. This is a very serious matter, which undermines the public standing of the HSC Board and breeds suspicion and mistrust.

Public service values must be at the heart of Health and Social Care. Non executive members, whom I appoint to boards of HSC bodies, are in positions of responsibility, and as such must demonstrate the highest standards of corporate and personal conduct based on a recognition that patients and clients come first.

Three crucial public service values must underpin the work of the HSC, and I am quoting directly from the Code of Conduct which is issued to non-executives upon appointment:

Accountability – everything done by those who work in the HSC must be able to stand the test of Assembly scrutiny, public judgements on propriety and professional codes of conduct.

Probity – there should be an absolute standard of honesty in dealing with the assets of the HSC: integrity should be hallmark of all personal conduct in decisions affecting patients, staff and suppliers, and in the use of information acquired in the course of HPSS duties.

Openness – there should be sufficient transparency about HSC activities to promote confidence between the HPSS body and its staff, patients, clients and the public.

I regret that the actions of Mrs Kerr on this occasion, and for whatever reasons she had, fell short of the standards expected by those holding public office. I must acknowledge that Mrs Kerr has been both an effective board member and chair, but it is my responsibility to do my utmost to maintain the integrity of our public services and the confidence of this Assembly, patients, clients and the wider public. It is for that reason that I have decided that her appointment as non executive director of the Health and Social Care Board and Chair of the Northern Ireland Social Care Council will be terminated with immediate effect.

My Department will now move to fill the vacancies.

## **Justice**

### **Publication of Consultation Paper “Damages Act 1996: The Discount Rate, How should it be set?”**

*Published at 3.00pm on  
Wednesday 1 August 2012*

**Mr Ford (The Minister of Justice):** I am pleased to inform Assembly Members that the Department of Justice, the Ministry of Justice and the Scottish Government have today jointly published a consultation paper “Damages Act 1996: The Discount Rate How should it be set?”

The paper seeks views on how the Department of Justice in relation to Northern Ireland, the Lord Chancellor in relation to England and Wales and Scottish Ministers in relation to Scotland, should set the rate of return to be prescribed under section 1 of the Damages Act 1996.

The prescribed rate is taken into account by the court in determining the return to be expected from the investment of a sum awarded as damages for future pecuniary loss in actions for personal injury. This rate of return is referred to as ‘the discount rate’ and is currently 2.5%.

The consultation period will be 12 weeks from and including today and expire on 23 October 2012.

The consultation paper is available on the DOJ website [www.dojni.gov.uk](http://www.dojni.gov.uk) or from the Department’s Civil Justice Policy and Legislation Division.

# Regional Development

## **A5 Western Transport Corridor – Publication of Notice of Intention to Proceed and Making of Statutory Orders**

*Published on  
Tuesday 31 July 2012*

### **Mr Kennedy (The Minister for Regional Development):**

On 14 February 2012, I announced a programme of improvements to our strategic road network over the next four years. This programme included two sections of the A5 Western Transport Corridor project, subject to the outcome of public inquiries. Public Inquiries have been held and the Inspectors submitted their report to the Department on 24 February 2012.

The Inspectors recommended that the scheme should proceed as proposed by the Department, subject to a number of key recommendations, including the postponement of the Ballygawley to Aughnacloy section of the scheme and retaining the A4/A5 Tullyvar Road roundabout at Ballygawley.

Having discussed the Inspector's report with my Department's officials and having given the matter due consideration, I concur with the main recommendations made by the Inspectors.

I am satisfied that the proposed scheme will help to improve road safety and provide a more appropriate standard of road on this key strategic route. There are almost 1400 junctions and accesses onto the existing A5 which contribute to the potential for accidents along this route. The collision history is a factor which cannot be ignored and the A5 upgrade will help to reduce the number of collisions by providing improved cross sections, forward visibility and alignment as well as separating strategic and local traffic.

In making this decision I am also well aware of the strong local opposition to some elements of the scheme. I can assure Members that Roads Service will continue to have discussions with affected landowners with a view to resolve, where possible, any outstanding individual difficulties.

The strategic road network comprises the main arteries of the Northern Ireland economy, linking towns, cities, air and seaports to help boost industry and commerce as well as facilitating tourist travel. The A5 Western Transport Corridor is one of five key Transport Corridors in Northern Ireland and this upgrade will not only have positive economic and construction industry benefits but also help towards balancing regional infrastructure.

As well as providing much needed jobs within the construction sector, the scheme should also lead to an increase in demand for local suppliers of construction material as well as giving a significant boost to commercial trade in the surrounding area.

Funding in the current Budget Period is committed to constructing the 2 stretches of the scheme between New Buildings and north of Strabane, and from south of Omagh to Ballygawley. Timing of construction of the remainder of the scheme will be dependent on the availability of funding through the Investment Strategy for NI 2011-21, further contributions from the Irish Government and subsequent budget settlements beyond 2015.

I have therefore asked my Department to publish Notice of its intention to proceed with the scheme and to make the necessary statutory orders. The Vesting Order will cover the 2 stretches of the scheme the Department is progressing at this time. Also, in line with the Inspectors' recommendation to postpone the Ballygawley to Aughnacloy section of the scheme, I have decided that the Direction Order should only be made for that section of the scheme between New Buildings and Ballygawley.

The northern section of the scheme between New Buildings and Strabane will be constructed by the Balfour Beatty/BAM/FP Mc Cann Joint Venture and will provide 15 kilometres of new dual carriageway. Construction of the southern section between Omagh and Ballygawley will be carried out by the Graham/Farrans Joint Venture and will provide 23 kilometres of new dual carriageway. At the southern end it is also proposed to upgrade the link between the new road and Ballygawley Roundabout to dual carriageway status thus ensuring continuous dual carriageway/motorway entirely between Omagh and Belfast. Work on both stretches is expected to start in the autumn this year and will take around two and a half years to complete.

# Social Development

## **Concordat between the Voluntary and Community Sector and the Northern Ireland Government: Annual Report 2012**

*Published at 3.00 pm  
on Friday 29 June, 2012*

### **Mr McCausland (The Minister for Social Development):**

As you are aware, the Concordat between the Voluntary and Community Sector and the Northern Ireland Government included an undertaking to report annually to the Northern Ireland Executive and Assembly on issues impacting on the Sector. In accordance with the principles contained within the Concordat, I wish to present Assembly colleagues with the first report on the implementation of the Concordat. This report includes detail on issues impacting the Voluntary and Community Sector, the progress made against selected commitments contained within the Concordat and progress made against recommendations made by the Public Accounts Committee in their report 'Creating Effective Partnerships between Government and the Voluntary and Community Sector'.

The Concordat is the agreed structure of engagement between Government and the Voluntary and Community Sector. It sets out their shared vision and contains the agreed values and principles that underpin this partnership. The infrastructure established for managing this engagement, the Joint Government/Voluntary and Community Sector Forum (Joint Forum), is responsible for overseeing implementation of and reporting on progress on the list of commitments set out within the Concordat. I have received the first report, which I am now bringing to the attention of Executive and Assembly colleagues.

The report, which covers the first six months of operation of the Concordat, details the issues impacting upon the Voluntary and Community Sector, progress made against the first set of commitments selected for action, and progress on relevant recommendations from the Public Accounts Committee report of January 2012.

Progress over the last six months has been substantial and I have been impressed by the commitment of representatives from the Public Sector and from the Voluntary and Community Sector to collaborative and partnership working on issues that have not proven easy to resolve. A great deal of energy and thought has gone into the design of structures and arrangements for working together to provide the roadmap for future action and bring effective and efficient results in the coming years.

Complex issues, such as bureaucracy, cocktail funding, and the need for partnership input into policy-making and the necessity for an outcomes approach to funding are all being addressed by a number of separate Concordat Action Teams and I look forward to future reports on all of these important issues.

The attached report shows progress made towards addressing these issues in a manner which has been robust, accountable and transparent. Significant progress has already been made against a number of Concordat commitments and this will continue over the coming year. New and refreshed structures of engagement, together with commitment from the highest levels of the Public Sector and

the Voluntary and Community Sector, are helping to make a valuable contribution to people-centred public services and the development of a better civil society.

I am very pleased to commend this report to my Executive and Assembly colleagues and to endorse the progress made over the past six months. The implementation of the Concordat commitments and the identification and resolution of issues affecting the Voluntary and Community Sector can only assist Government and Voluntary and Community Sector partnership working, which aims to better serve the people of Northern Ireland.

A copy of the report has been published on the DSD website and can be accessed from [http://www.dsdni.gov.uk/index/voluntary\\_and\\_community/vc-publications.htm](http://www.dsdni.gov.uk/index/voluntary_and_community/vc-publications.htm)



# Committee Stages



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# Northern Ireland Assembly

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## Committee for the Environment

21 June 2012

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### Marine Bill [NIA 5/11-15]

**Members present for all or part of the proceedings:**

Ms Anna Lo (Chairperson)  
Mr Simon Hamilton (Deputy Chairperson)  
Mr Cathal Boylan  
Mr Gregory Campbell  
Mr Tom Elliott  
Mr Chris Hazzard  
Mrs Dolores Kelly  
Lord Morrow  
Mr Peter Weir

**Witnesses:**

|                     |                          |
|---------------------|--------------------------|
| Mr Ken Bradley      | <i>Department of the</i> |
| Ms Brenda Cuning    | <i>Environment</i>       |
| Mr Angus Kerr       |                          |
| Ms Gerardine McEvoy |                          |

**The Chairperson:** I welcome back the officials from the Department of the Environment (DOE). I welcome Angus Kerr, Brenda Cuning, Ken Bradley and Gerardine McEvoy. You are all very welcome.

I will go through each of the clauses and the schedules to seek the Committee's position on them. This is our last opportunity to discuss the Bill. Our decisions will be final, and the Committee Clerk will then produce a report. The officials are here to answer any questions that you might have.

**Clause 1 (The Northern Ireland inshore region)**

**The Chairperson:** The Committee was content with this clause, having received clarification on how the Bill would apply in Lough Foyle and Carlingford lough. Is the Committee content with clause 1?

**Mr Boylan:** I missed the original discussion of the first few clauses; unfortunately, I could not make it that day. I would like some clarification on sustainable development and climate change relate to clause 1.

**The Chairperson:** Cathal, we are going to come on to that next.

**Mr Boylan:** Sorry.

**The Chairperson:** I asked whether members are happy with clause 1.

A number of organisations suggested that the Bill should be extended to include an overarching aim or general duty

to take sustainable development and climate change into account when implementing the Act. The Department insisted that that was not necessary, as both those duties are required by existing legislation. The Committee requested more information on that from the Assembly's Research and Information Service. Members have been provided with a research paper that indicates that the Northern Ireland (Miscellaneous Provisions) Act 2006 places a sustainable development duty on all public authorities by requiring them to have regard to any strategy or guidance that is issued on the matter, including the sustainable development strategy. However, the paper notes that, although there are several binding provisions for sustainable development, there is no reference in the Bill to the Northern Ireland (Miscellaneous Provisions) Act 2006 to inform the reader of that duty. The paper also indicates that there is no direct duty in the Bill to deal with climate change and that any connection between the Bill and climate change will be dependent on the regard that is given to sustainable development. It is noted, however, that the sustainable development strategy makes a strong connection to the importance of adapting to and mitigating climate change, and the UK Climate Change Act 2008 places a duty on DOE to develop a programme for adaptation to climate change.

How would members like to proceed? The Bill Clerk is here, and we could ask her to comment on the approaches that we can take.

**Mr Boylan:** I thought that this was the formal clause-by-clause consideration, but I will stand corrected on that.

Are you saying that the gist of this issue is covered in other legislation?

**Ms Brenda Cuning (Department of the Environment):** Yes.

**Mr Boylan:** Obviously, there are some concerns that we are not dealing with those issues properly and that the legislation is not working properly, so there is an opportunity to introduce them in the Bill. Is it a major problem for us to introduce them in the Bill, and what will the consequences be if we do?

**Ms Cuning:** It would not be a major problem. The Office of the Legislative Counsel (OLC) has advised us that, in some ways, that would be unnecessary duplication, because we already have a sustainable development duty under the Miscellaneous Provisions Act. However, you can have replication in other legislation. OLC said that it could give rise to problems if the provision were phrased differently. For example, if you had two duties, how would they work together, even if there were a slight difference in the wording? You would have to be cautious if you were going to introduce any level of duplication, because you would be duplicating something that is already in existence.

OLC also said that, because there are some specific references in the Bill to sustainable development, you would need to be careful how a general duty might interact with those specific references.

I mentioned the marine policy statement (MPS). I do not know whether the Assembly researcher touched on that in the paper. Under the Marine and Coastal Access Act 2009, the marine policy statement is a statutory binding document, so it is a legal document. It was produced in 2011, and, right from the very first page, it emphasises sustainable

development and climate change. For example, it states that marine plans, which must be made in accordance with the marine policy statement, will ensure:

*“resources are used in a sustainable way in line with the high level marine objectives”*

that set out the whole range of sustainable development. It goes on to discuss how to:

*“mitigate the causes of climate change and ocean acidification and adapt to their effects”.*

That is on the first page of the marine policy statement, but there are references throughout it to sustainable development and climate change. So, the marine policy statement has legal effect on how we produce marine plans. That is why we think that it is not necessary to introduce that level of duplication into the Bill.

**Mr Boylan:** I am not in favour of duplication. Obviously, the key issue is the management of the process and how it is implemented.

Thank you, Chair. I just wanted clarification, because I missed the discussion of the first few clauses.

**The Chairperson:** There is clearly a general duty in the Marine (Scotland) Act 2010.

**Ms Cunning:** I am sorry, I am not aware whether Scotland has the same duty on other public authorities as we do. If you think of it, you will find that the Department already has a duty to carry out any function on sustainable development or to contribute to it. I am not sure what Scotland's position is on that, unfortunately.

**The Chairperson:** I was looking at the next item. At the end of the meeting, we will be looking at the Planning Bill, which has a clause on sustainable development. If we have the opportunity now to make this amendment to add to the Bill rather than having to add another amendment at some stage, similar to the situation with the Planning Act, I do not see why we cannot put that emphasis at the very beginning to make it much clearer that we want to see sustainable development and climate change. The mitigation of climate change has not been mentioned at all in the Marine Bill.

**Ms Cunning:** You are correct; the words “climate change” are not used. However, the issues that have to be kept under review include all the physical changes that happen to the marine environment in Northern Ireland, no matter what the cause. So, that means that it acts as a catch-all. The worry is that if we start introducing a specific reference to climate change, should we then introduce a reference to biodiversity, energy security and food security, which are the big issues that face the marine environment? That is why we thought that it was better not to have specific issues listed. If you do that, where do you stop? It is possible to introduce those amendments, but that is just not the Department's position at this time.

**Mr Weir:** Rather than something mentioned twice, it is always the preferred option to have a single unitary reference. If something is clearly covered, I would be wary of making a second reference to it; it is not good practice to have a second reference. Problems perhaps arise, through no intent, if subsequent or different pieces of legislation that are covered by the overreaching piece do not refer to

the matter. At a later stage, such as in a court challenge on a different piece of legislation, some inference could be drawn, because it is specifically referred to in one piece of legislation but not in the other, even though it is meant to cover both. From a legislative practice point of view, that is why they tend not to reiterate something if it is already covered by law. It could lead to unfortunate and unintended inferences that could have some implication if a court were trying to interpret something later.

**The Chairperson:** The research paper states that there is no mention of the Northern Ireland (Miscellaneous Provisions) Act 2006.

**Mr Angus Kerr (Department of the Environment):** It is not always practice to cross-reference legislation in other legislation. The assumption is that it is in place and that it applies.

**The Chairperson:** I am concerned that it is not clear enough that we are bringing in two very important issues that are going to face us in the next decades and that we are not setting that out clearly. That does not strengthen the legislation. We have the opportunity to add those issues now, and we must remember that a large number of responses asked for that. Are we going to ignore that?

**Mr Hamilton:** I do not support their inclusion, for different reasons. First, they are elsewhere already. Peter's point is entirely right. The only way to deal with this issue is to remove from legislation all other references and include in this Bill exactly the same references, word-for-word. Secondly, there is the added complication, which Brenda spelled out, that if you put those two particular duties into the Bill, you create a hierarchy in the Bill and you almost have a trump card for all the other interests. I do not mean outside interests; I mean public policy governmental interests in the marine, such as energy security and so on. I think that there is the potential to create an unnecessary tension in the Bill if you do not do it by removing the issue from everywhere else. If there is legislation or guidance elsewhere that covers this, that is fine, leave it, because it is too complicated to lift it from there and put it in here.

I do not want to take away from the importance of the issue or the value that those who have raised it have put on it, but I think that that is something that can come out in the debate. It could be put into our report, or you and others could raise it during Consideration Stage. I am sure that the Minister would respond appropriately to that. We may ignore it as an amendment, but we are not going to ignore the issue.

**The Chairperson:** A discussion in the House is not the same thing. We are discussing putting it into the legislation.

**Mr Hamilton:** I agree, but I do not see any practical way in which you could put it into the legislation without causing a different problem somewhere else. That is a personal view, which others share.

**The Chairperson:** What problems would it cause if we added that general duty?

**Ms Cunning:** It would raise the issue of duplication. As was mentioned, it could also be confusing. If one thing is specifically mentioned in this Bill but not in another, would that mean that the Bill would seem to be giving weight to one thing rather than all the issues that have to be



considered for marine legislation? Also, if the sustainable development duty were in the Marine Bill but not in, for example, the regulations for the water framework directive, would that mean that you would have less of a duty under the water framework directive? No, you would not. You would still have to carry out your functions to achieve the same development. That is the concern. It does not mean that we cannot do it, but it is not straightforward. We do not lift things from other pieces of legislation in case we give more weight to one thing over another.

The marine policy statement has lots of references to sustainable development. The high-level marine objectives on how to achieve sustainable development through a protected environment, economic development and sound science are all set out. Those are covered in the high-level marine objectives in the marine policy statement, which have legal effect in how we produce marine plans.

**Mr Boylan:** You should not have to reference one piece of legislation in another if other pieces deal with a particular issue. That is basically what you are saying. However, it could be argued that, if there is a feeling that the existing legislation is not being adhered to and implemented properly, in the absence of putting it in this Bill — I mentioned duplication — we should mention in the House that we should marry those pieces of legislation and work together to ensure there is an overall plan. I am not saying that this is the overarching policy, but that sort of message should be getting out, because the fear is that the legislation that is there is not being properly implemented. So, in the absence of not putting the matter in the Bill, I would certainly it to be referred to in the House. However, I know that you have some reservations about that.

**Mr Kerr:** If the concern is, as you rightly say, about implementation and the purpose of the Bill and what we are trying to achieve, in a sense, those are a separate issue from asking which legislation such a clause should go into and what its wording should be and so forth. That needs to be looked at as we go forward with the implementation of the Bill through the marine plan and the guidance and policies that will come forward. We need to try to get a commitment throughout government to make sure that the spirit of this legislation and the same level of duty are brought forward. I am not necessarily sure that that would be any closer if we introduced a separate sustainable development duty in the Bill. There are other challenges for government in trying to achieve that, which, as you say, could be highlighted and which would require work across a number of fronts.

**Mr Ken Bradley (Department of the Environment):** As well as the sustainable development duty, there is a sustainable development strategy and an implementation plan. Again, aspects of the Marine Bill, such as licensing and marine conservation, would sit in the implementation plan of the sustainable development strategy.

**The Chairperson:** There is no harm in reiterating and making it clear that all the policies and planning will have sustainable development and climate change mitigation at the forefront of their thinking.

**Mrs D Kelly:** What would be the point of a Marine Bill if it was not about sustainability?

**The Chairperson:** It is about sustainable development.

**Mr Campbell:** We have a straight choice to make. I suppose that we have three choices, but one would be ludicrous. If we were to start to list some issues only to be accused of not listing them all, we have a catch-all situation, which is the current position, or, as you suggested, Chair, we could make a specific reference to sustainable development and climate change, and then run the risk that certain groups and campaigners would ask why that and not something else was singled out. It seems to me that, however vague the catch-all phrase is, it at least leaves you less open to the accusation of some sort of partisanship.

**The Chairperson:** Members, I will ask the Clerk of Bills to outline the approaches that we can take.

**The Clerk of Bills:** Procedurally, it is clearly open to the Committee to recommend an amendment as it sees fit. However, I advise that the approach is quite different in legislative terms to that in policy terms. If you bring forward a policy document on the marine, you would expect it to refer to all the interrelated policies of the Department and the Executive.

In legislation, it is quite different. Typically, the procedural approach with legislation is that the other existing binding duties stand and you do not cross-reference. There are reasons why drafters avoid duplication or cross-referencing in the statute book, notably to prevent any kind of confusion in court, should an issue come to court. The court will want the clearest statement of the legislatively binding provisions. Where there are a number of different provisions that express the duty differently, that can make for confusion or a lack of clarity.

A pre-existing duty in the Northern Ireland (Miscellaneous Provisions) Act 2006 says:

*"A public authority must, in exercising its functions, act in the way it considers best calculated to contribute to the achievement of sustainable development in Northern Ireland".*

It continues in more detail, but the bottom line is that that provision covers all public authorities exercising all their functions.

You have the option to restate in each piece of legislation that comes before DOE that you are acting in conformity with that provision. However, there is a difficulty. What would happen if that changes and the provision is repealed and you have cross-referenced the Marine Bill to the 2006 Act? If that provision were repealed and, let us say, a sustainable development Act were brought forward, there would be a much greater task for the drafter. You would then have to go through the statute book to check all the cross-references that you made to the 2006 Act. So, it carries dangers.

I appreciate the point about policy and that you would like to see a complete statement of all the relevant material and the interrelationships. In policy terms, that makes sense. You might, therefore, expect to see this reference as part of the contextual background information in an explanatory and financial memorandum (EFM) or an explanatory note, but the situation is different where there is a clear, pre-existing statutory obligation on sustainable development.

The climate change provisions are relevant. Section 60 (1) of the Climate Change Act 2008, which discusses the

programme for adaptation to climate change in Northern Ireland, says:

*"It is the duty of the relevant Northern Ireland department to lay programmes before the Northern Ireland Assembly setting out—*

*(a) the objectives of the department in relation to adaptation to climate change,*

*(b) the department's proposals and policies for meeting those objectives, and*

*(c) the time-scales for introducing those proposals and policies,*

*addressing the risks identified in the most recent report under section 56."*

Again, those are further details. That is binding at all times and is unchanged by whether the issue is referred to in this Bill. I can certainly produce a draft amendment. The Chairperson referred to the Planning Act (Northern Ireland) 2011, in which, at the suggestion of the previous Committee, there was a duplicated reference to sustainable development. So, the Committee is at liberty to choose to do that again. I just wanted to bring that to your attention.

**The Chairperson:** It is up to members. I seem to be in the minority.

**Mr Hamilton:** For ease, may I propose that we support clause 1 as drafted and without amendments?

**Mr Boylan:** I just want to make a final point about the clause. If the reference was not written down or is not in the other legislation, we could certainly look at it, but the issue is about how we deal with it. We know what is there, and the Bill will start to highlight what we want to achieve. That is what we need to say in the Chamber. It might have been that it was not drafted anywhere else or that there was no legislation for it, but there clearly is.

The Bill Clerk made a valid point about the difficulty with cross-referencing another piece of legislation that is subsequently repealed. We understand where the issue arose, but the point is in how you implement and deal with the situation.

**The Chairperson:** Simon recommended that. The Committee could also recommend that, during the debate, the Minister should refer to that Act and remind everyone that it places a duty on all statutory bodies to have sustainable development and climate change adaptation in mind when making policies.

**Mr Elliott:** Chair, you could make that point. Indeed, any Member could.

**The Chairperson:** We can ask the Minister to make it.

**Mr Campbell:** I am sure that the Minister would be happy to comply.

**Lord Morrow:** At length, I suspect.

**The Chairperson:** I can reiterate that point in my speaking notes. I am concerned that a large number of organisations made that point. It was made strongly, particularly when we had the workshop with the voluntary sector.

**Mrs D Kelly:** Perhaps they should read the explanation that has been outlined in Committee. If they did, they would understand the thinking behind it.

**Mr Hamilton:** Amen to that.

**The Chairperson:** We will obviously put that in our report.

For clarification and for Hansard, I will put the Question again.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 1 agreed to.*

#### **Clause 2 (Marine plans for Northern Ireland inshore region)**

**The Chairperson:** We were content with the Department's explanations on vague or weak wording, the possibility of more than one plan and the time period allowed for comment after the launch of a plan. Do you have any questions?

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 2 agreed to.*

#### **Clause 3 (Amendment of marine plan)**

**The Chairperson:** There were no particular comments on clause 3.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 3 agreed to.*

#### **Clause 4 (Withdrawal of marine plan)**

**The Chairperson:** The Department agreed to consider an amendment to clause 4 that would require it to publish its intention to withdraw a marine plan on the DOE website and to consider rewording the clause so that a marine plan could not be withdrawn unless another plan had been produced or will be produced. The Department's response indicates that it will table an amendment that will require it to publish the withdrawal of a marine plan on its website. However, it does not intend to amend the clause to require it to withdraw a marine plan only when another plan has been produced, is pending or if there are extraordinary circumstances.

The Department also sent the Committee an e-mail, which states:

*"Clause 4 deals with the conditions which must be met for the withdrawal of a marine plan. Clause 2(2) requires that the Department must seek to ensure that every part of the Northern Ireland inshore region has a marine plan in effect. Therefore, if the Department withdrew a plan, a new plan would be required under clause 2(2). A marine plan would likely only be withdrawn for the purposes of replacing it. The Department is content that the provisions of clauses 2 and 4, when read together, deal with the issue of replacing a withdrawn plan."*

Are members content with the Department's response?

*Members indicated assent.*

**The Chairperson:** Is the Committee content with Clause 4, subject to a departmental amendment to publish its intention to withdraw a plan on its website?

*Question, That the Committee is content with the clause, subject to the Department's proposed amendment, put and agreed to.*

*Clause 4 agreed to.*

#### **Clause 5 (Duty to keep relevant matters under review)**

**The Chairperson:** Members were content with the Department's explanations of the inclusion of a set time period for review of the marine plan and the use of clearer terms.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 5 agreed to.*

#### **Clause 6 (Decisions affected by a marine plan)**

**The Chairperson:** We were content with the Department's explanations of the clarity of the terms used, the requirement for consultation with affected parties, the introduction of the principle of mitigation or compensation for negative impacts and the requirement for reasons to be stated for decisions taken by public authorities.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 6 agreed to.*

#### **Clause 7 (Monitoring of, and periodical reporting on, marine plans)**

**The Chairperson:** We were content with the Department's explanations about the independent reporting on the plan and the requirement for reporting ending in 2030.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 7 agreed to.*

#### **Clause 8 (Validity of marine plans)**

**The Chairperson:** The Department agreed to consider the time period and the grounds for judicial review. The Department's response indicates that it will amend the clause to allow legal challenge of the marine plan up to 12 weeks after its publication but that the grounds for a legal challenge should remain as drafted.

Are members content with the Department's response?

*Members indicated assent.*

**The Chairperson:** We agreed to consider recommending that the Minister stresses during Consideration Stage that there is a recognised process for engagement throughout the preparation of the marine plans and that the High Court option should not be considered an alternative.

**Mrs D Kelly:** I am sure that you will be at pains to point that out.

**Mr Hamilton:** Probably the only one.

**The Chairperson:** Is the Committee content with clause 8, subject to a departmental amendment to extend the period during which a legal challenge can be made to up to 12 weeks after the plan has been published? The Committee recommends that the Minister stresses during Consideration Stage of the Bill that there is a recognised process for engagement throughout the preparation of the marine plans and that the High Court option should not be considered an alternative.

**Mr Hamilton:** There is also the opportunity to change a marine plan through the Bill. So, if somebody does not like it, they can make the argument to change it.

*Question, That the Committee is content with the clause, subject to the Department's proposed amendment, put and agreed to.*

*Clause 8 agreed to.*

#### **Clause 9 (Powers of the High Court on an application under section 8)**

**The Chairperson:** No issues were raised about clause 9 that were not addressed under clause 8.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 9 agreed to.*

#### **Clause 10 (Interpretation of this Part)**

**The Chairperson:** We were content with the Department's explanation for not including a definition of "sustainable development" in this clause.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 10 agreed to.*

#### **Clause 11 (Designation of marine conservation zones)**

**The Chairperson:** The Department agreed to respond to the possibility of designating historic sites and submerged landscapes as marine conservation zones (MCZ). In its response, the Department stated that the overall protection regime currently operating in Northern Ireland is robust enough to protect Northern Ireland's marine assets. The Department also said that it will not be tabling an amendment to include the possibility of historic sites being designated as MCZs. Do members have any comments on that?

**Mr Hamilton:** The Department's argument is based entirely on the grounds that there is sufficient protection elsewhere. However, that protection is distinct from marine protection. Is that right? You are not protecting the marine under other provisions.

**Mr K Bradley:** That is to do with the protection of the artefacts, or whatever they may be, that are in the seabed

**Mr Hamilton:** It is because the Girona is on the seabed and because it has marine life around it.

**Mr K Bradley:** Under the Protection of Wrecks Act 1973, the Girona and all the things in it are protected. Anyone who wants to dive it can get a licence from the Department. The Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 allows the Department to schedule any other artefact in the same way as a monument on land can be scheduled. It could schedule a shipwreck or a piece of ship that is sitting on the seabed for the protection of what is in it. The Department has had that power since 1995, but it has never used it to schedule any seabed monument or object that is on the seabed. The Department does not feel that there is any point in adding another tier of legislation to allow it to protect something on the seabed because it has historic or archaeological importance. We feel that that power is there already and that the Department has the power to use it.

**Mr Hamilton:** I would like clarity on that. Does that mean that there is sufficient legislation to protect a ship of some renown or historic value? I will continue with the Girona as an example. Irrespective of what grows on it, can a ship of that stature be protected under existing legislation because it has such stature?

**Mr K Bradley:** That is correct.

**Mr Hamilton:** So, that is covered by existing legislation. If we accept that, the only other reason to make that provision in this Bill would be if there were a shipwreck of, maybe, a small boat that is not of historic significance but on which or in which something starts to live. Am I right in thinking that that ship can still be designated because it has some habitat around it and marine life living in it and not because it is an old boat that has sunk?

**Mr K Bradley:** It is basically habitat in its own right.

**Mr Hamilton:** Yes. So, it is immaterial whether it is a rock or a ship.

**The Chairperson:** The Bill Clerk has suggested that, if we wanted to make an amendment, it would be more appropriate to make it to clause 12.

**Mr Hamilton:** I was trying to steer away from that.

**The Chairperson:** We have been lobbied for an amendment on this matter by one of the NGOs. The Bill Clerk will give us a quick briefing on this.

The Bill Clerk: For the purposes of debate at least, if you want to amend, the better and more obvious place might be clause 12, where it gives the grounds for designation. Having said that, I advise members that the design of the Bill is very different from that of the Scottish model. The Marine (Scotland) Act 2010 is much bigger, and the model created under that Act is completely different. It provides for three types of marine protected area, one of which is a nature conservation model. There is a separate section dealing with historic areas and marine protected areas that are of an historic nature. To tack on an archaeological reference to that conservation model might be a little odd in the context of the flow and logic of the Bill. It would be sufficient for debate purposes, but, if the Committee wants to move towards a Scottish model, which represents a

much bigger piece of work, you would expect government to have to come back and do a bigger revamp of the related clauses. However, you could insert a reference to archaeological or historic features into clause 12 to make your point.

Another point to consider is the overlap with the other statutes. Article 4 of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 creates an offence where any actions result in the unauthorised:

*“demolition, destruction or disturbance of, or any damage to, a scheduled monument”.*

That can include any site comprising the remains of any vehicle, vessel, aircraft or other moveable structure. You will recall that the Department was advised that the Scottish Government do not have equivalent powers.

Under article 30 of the same order, intentional or reckless damage to historic monuments can carry a maximum prison sentence of up to two years. That is on the statute book already. I appreciate that submissions have said that there are potential failings with that, but I am not in a position to advise any further at this time.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 11 agreed to.*

#### **Clause 12 (Grounds for designation of MCZ)**

**The Chairperson:** The Department agreed to consider changing “may” to “shall” and to include the words “cultural consequences” in clause 12(7). The Department indicated that it is willing to amend the clause to make it a requirement to consider social and economic factors and to include reference to cultural considerations. We have been provided with a further written response from the Department that reiterates its proposed approach for scientifically justified conservation objectives to reflect the purpose of an MCZ and to determine the level of protection that is required for each site, thereby negating the need for highly protected MCZs.

Are members content with the Department’s response?

**Mr Boylan:** Most of the people who responded to the Bill thought that MCZs were a key issue. I am sure that there is legislation to protect the archaeological issues.

**Mr K Bradley:** The 1995 order.

**Mr Boylan:** To move on to what Simon said, which is a key element, evidence and research could show that a boat should become a habitat. That means that there could be many boats in that situation. Where that area’s designation is concerned, if I were in the fishing industry, I would be looking at a series of such boats so that they could be clearly identified. When we look at this clause, or at this part of the designation, are we saying that, if evidence is brought forward showing that a boat has sunk and become a natural habitat, it will be in statute right away? Are we clearly saying that, once it is identified, it will be designated for protection?

**Mr K Bradley:** We are looking at the marine conservation zones in the overall content of an ecologically coherent network in the UK. That network will comprise of representative

species, as well as rare and vulnerable species. In your example of where you came across a shipwreck that contained a habitat of that species, obviously we would consider that and look at its socio-economic and cultural aspects before designating it. So, just because the shipwreck contains a habitat, that does not mean that it will be designated as an MCZ.

**Mr Boylan:** That is what I am teasing out.

**Mr K Bradley:** There are numerous shipwrecks out there, so do you designate each one? There could be dozens or hundreds; we do not know.

**Mr Boylan:** Exactly. You could have 10 in a small area.

**Mr K Bradley:** It really depends on what they contain and how that fits in with the bigger picture.

**Mr Boylan:** That message needs to come out in the Chamber, and it needs to go out to the people who raised the issue.

**The Chairperson:** Where are you going to place the word “cultural”?

**Mr K Bradley:** It is going in at clause 12(7), and it will read “may have regard to economic, social or cultural consequences”.

**The Chairperson:** Is it going to be difficult to define “cultural” in law?

**Mr K Bradley:** No. We do not have to define it. We checked that with the OLC, and it said that it is not necessary to define it. We do not define “social” or “economic”, so we do not define “cultural”.

**Mr Hamilton:** Have you agreed to change “may” to “must” in that subsection?

**Mr K Bradley:** Correct.

**The Chairperson:** OK, so Simon has won another point.

**Mr Hamilton:** Yes; I am racking them up.

**The Chairperson:** Is the Committee content with clause 12, subject to a departmental amendment making it a requirement to consider social and economic factors and to include a reference to cultural factors?

*Question, That the Committee is content with the clause, subject to the Department’s proposed amendment, put and agreed to.*

*Clause 12 agreed to.*

#### **Clause 13 (Further provision as to orders designating MCZs)**

**The Chairperson:** Members were content with the Department’s explanation of the definition of “seashore” and taking account of coastal erosion. We also agreed to consider recommending that, during Consideration Stage of the Bill, the Minister stresses the importance of the MCZ designation process.

**Mr Elliott:** I still have concerns about clause 13(3)(a), which states:

*“the area of seashore adjoins the area of sea”.*

I know that there was a definitive explanation of that, but I still have concerns.

**The Chairperson:** You can say that at Consideration Stage. Is the Committee content with its recommendation that, during Consideration Stage, the Minister stresses the importance of the MCZ designation process?

*Members indicated assent.*

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 13 agreed to.*

#### **Clause 14 (Consultation before designation)**

**The Chairperson:** The Committee was content with the Department’s explanation of its duty to consult and the process that it will follow.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 14 agreed to.*

#### **Clause 15 (Publication of orders)**

**The Chairperson:** We were content with the Department’s explanation of how it will identify, inform and engage with stakeholders.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 15 agreed to.*

#### **Clause 16 (Hearings)**

**The Chairperson:** No issues were raised on this clause.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 16 agreed to.*

#### **Clause 17 (Review of orders)**

**The Chairperson:** The Department agreed to consider an amendment that would allow it to review, revoke or amend an MCZ order itself. The Department’s response indicates that the OLC advised it that the current wording is adequate to allow the Department to revoke or amend a designation order. Are members content with the Department’s response?

*Members indicated assent.*

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 17 agreed to.*

#### **Clause 18 (Creation of network of conservation sites)**

**The Chairperson:** Members were content with the Department’s explanation of the contribution of Northern Ireland’s MCZs to the UK MCZ network target. We were provided with a further written response from the



Department justifying its proposed approach to ensuring that the designation of MCZs enabled it to meet its obligations under the marine strategy framework directive (MSFD). However, I think that we raised previously the issue of the Northern Ireland region. We are happy to contribute to the UK MCZ network, but what about our own region? There are species and features here that may not be across the UK. Are we going to forget about the special features in the Northern Ireland region?

**Mr K Bradley:** No, we are not. Again, it comes back to balance. I will go back to Cathal's point: we are not going to designate every piece of sea. We will look at our overall requirement under the marine strategy framework directive to ensure good environmental status by 2020. That is where the ecologically coherent network comes in. That looks at UK waters and beyond, and we call that a biogeographical area. Northern Ireland cannot look at its own small piece of territorial waters in isolation; it must look at the whole pond, shall we say. After that, if there are unique features that are specific to Northern Ireland that do not exist anywhere else in the UK or further afield, we will look at designating those. Our first objective is to meet our European requirements under the marine strategy framework directive, but that gives us the flexibility to look at other elements. If, as you say, there are specific or unique features, we will look at those, but our first objective is our European commitment. Again, that shows the flexibility of the process. It is a compromise between economic, environmental and cultural aspects.

**The Chairperson:** Will we also look at our own special features and use those as a building block for the UK network?

**Mr K Bradley:** Yes, that is correct. In monitoring our European sites, we came across new species of sponges off Rathlin Island that were previously unknown. They could become part of an MCZ.

**The Chairperson:** There is a concern that there is a risk that our focus will not be on our own network and that we will think of all the UK waters rather than just Northern Ireland waters.

**Mr K Bradley:** No. We must also be mindful that an MCZ can be designated for a multitude of species. Species that lead to the UK commitment and those that are specific to Northern Ireland could be in the same zone. That is the flexibility of it all.

**The Chairperson:** Are members content with the Department's response?

**Mr Boylan:** It all needs to be evidence based. It is all right talking about MCZs and everything else, but the key element is the evidence base.

**Mr K Bradley:** That is correct.

**Mr Boylan:** It is grand saying that today as we are going through the Bill, but the main issues are where we are with it, how we will start the process and when we will start to implement it. That is the message that needs to be sent out.

**Mr K Bradley:** That is a very good and valid point, and, again, it bears out the Department's policy. Any MCZ will have to be based on good, sound, scientific evidence of what is out there. That will be the starting point.

**The Chairperson:** If the legislation suggests that our primary focus is contributing to the UK network, is there a potential

difficulty that we will focus only on that and that we will not think of our own special features?

**Mr K Bradley:** No, that is our top priority. The flexibility gives us the potential to take other factors and interests into account.

**The Chairperson:** I know that the NGOs are quite concerned about that point.

**Mr K Bradley:** We should bear in mind that marine conservation zones will take other factors, activities and responsibilities in the marine environment into account.

**The Chairperson:** Is there any way that we can assure the NGOs of what you are saying? Can we assure them that we will not just be thinking about contributing to the UK network?

**Mr Bradley:** At the end of the day, no one knows what the overall network will look like. No one knows what range of species there will be or which areas will be designated. At this stage, we cannot say whether it will be 2%, 10% of 50% of Northern Ireland waters, although it probably will not be 50%. We cannot give such an undertaking until we know exactly what is out there, which leads me back to Cathal's point. That will be our starting point. We have some evidence, but we do not have the full picture of what species or habitats are in Northern Ireland territorial waters.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 18 agreed to.*

#### **Clause 19 (Reports)**

**The Chairperson:** The Department agreed to consider replacing the word "restricted" with the term "affected" in clause 19(2)(c). However, the Department's response indicates that it believes that the term "affected" would be too broad and outside the policy remit of the clause. Therefore, the Department wants to retain the word "restricted".

Are members content with the Department's response?

**Mr Elliott:** I would like a further explanation of the Department's response. We are talking about a report, not more specific issues, so I cannot understand why it would be beyond the remit of the clause to include the term "affected" rather than "restricted". I could maybe understand it if it were more specific, but, since it is about a report that is coming to the Assembly, I cannot figure out why the term "restricted" should be used instead of "affected".

**Mr K Bradley:** The point of the report is to give the Assembly an update or briefing on the number and extent of each MCZ. In designating an MCZ, we also need to set out the levels of protection and how other activities are restricted. That is the point of the report. The Department will identify a site and agree the conservation objectives, which will determine the level of protection. It will also determine what activities can or cannot happen in that site. The term "restricted" is in the clause because, obviously, certain activities would need to be restricted to protect the feature. "Affected" is much wider, and that comes back to

climate change. Activities could be positively affected; we would not know how they are affected. So, this element is about what the Department has done in the designation process, what it has achieved, and what activities are restricted. Other Departments can then see what we are doing and why. "Affected" is a broad term, and the areas that it covers would be very difficult and time consuming to deal with. Another point is that the activity could be affected after we designate the MCZ.

**Ms Cuning:** Not only that, but we might not know whether it has been affected. A company that is considering laying cable, for example, might look at the map and see that there is an MCZ in a particular area and decide not to lay the cable there but somewhere else. That affects that company's decision-making process, but we would not know about that. We can just say that we have "restricted" cable laying in that MCZ. So, you can assume that it has had an effect, but we would not be able to report on the specific effects, because we would not know about them.

**Mr Elliott:** I do not think that you would be expected to report on anything that you did not know was affected. You could not do that anyway.

**Mr K Bradley:** That is the reason why we are not prepared to make a change; "affected" is such a wide term.

**Mr Elliott:** If you know that something is affected but not significantly restricted, you are not going to report it. In other words, the fishing industry, for example, could be affected in some way, but you are not going to report it because, in the Department's terminology and assessment, it is not "significantly restricted". Again, it will come back to subjective terminology and to what you determine as being "significantly restricted" or "affected". Although fishermen may say that they feel that something is "significantly" restricting them, you may believe that it is not, and, therefore, it will not go in the report. That is what concerns me.

**Mr K Bradley:** If a fishing activity were restricted, we would obviously have that in the report. The purpose of the report is to set out what activities can or cannot happen in an MCZ.

**Mr Elliott:** Ken, you are not getting me. That is your interpretation. Your interpretation might be that it is not significantly restricted but affected, so you will not report it.

**Mr K Bradley:** By "restricted" we mean the restrictions that will be put in place to protect the feature. In other words, we may give the latitude and longitude of the area where you may not bottom trawl. That is a physical restriction, and that is what the Department is reporting on.

**Mr Kerr:** There could always be a dispute about our interpretation of a word, irrespective of what word we were to use. If we were to change the term to "affected", you may think that something is affected, and we may not, or the fishing industry may think it is positively affected, negatively affected, or whatever. So, there is always going to be an issue about interpretation.

**Mr Elliott:** "Affected" will catch much more than "restricted".

**Mr K Bradley:** As Angus said, there could be a positive effect.

**Mr Elliott:** There could be.

**Ms Gerardine McEvoy (Department of the Environment):**

As Ken said, maybe "affected" will be taken up more at the designation stage. This is a report on the MCZs that are designated. Therefore, the designation order would have the restrictions and the conservation objectives in place, so anything that is affected would, hopefully, be teased out in the designation process. As you outlined, fishermen, or anyone else who would be affected, will, hopefully, have been taken through the consultation. This is more the final product.

**Mr K Bradley:** The finished article.

**Mr Elliott:** That is no reason for you not to report on the outcomes and on what is happening around it. Just because it is dealt with at the consultation stage, that is no reason for you not to report on it. I have to say that I do not buy that argument.

**The Chairperson:** I think that the point is that restrictions are so much easier to identify than elements that are affected positively or negatively.

**Mr Hamilton:** I tend to agree with Tom's argument. Although I understand the point about how much more difficult it may be to designate or conjure up what is "significantly affected" as opposed to "significantly restricted", I think that the language in the clause is unnecessarily negative. We all realise that some people will be "significantly restricted", but that is why it almost flashes in lights. That causes concern, worry and alerts danger and so forth. Tom, I do not think that anyone is arguing about the use of the word "significantly"; it is the terms "restricted" or "affected" that are the issue. "Significantly" means that there must be a high threshold.

**Mr K Bradley:** In legislative terms, "significantly" means anything that is more than trivial.

**Mr Hamilton:** There is a lot of trivia in this, but it is not necessarily useful for pub quizzes. I understand Tom's argument, and the term "affected" is more relevant than "restricted". However, I would be keen to hear what others think.

**Mr Campbell:** I do not have a strong opinion either way. It might help me to formulate an opinion if I could hear two or three examples of issues that would be subject to a report under the term "restricted" but would not under the term "affected" and vice versa. If I could hear some examples of the differentiation through the use of either word, it might allow me to formulate an opinion.

**Mr K Bradley:** The report will outline the Department's MCZ programme to the Assembly. It will identify where each MCZ is, where the boundaries are, their conservation objectives and what, in the Department's opinion, has to be restricted to protect that feature. That is why the term "restricted" is used. I take the point that it sounds negative, but that is what people will focus on and be interested in.

As Brenda said, we might not know whether an area has been affected. She gave a very good example, and I am trying to think of others. An MCZ may be designated and an order might be put in place, but something could arise later that could have an effect. We would be unaware of that as no one would have told us about it. However, if an area is an MCZ, people would steer clear of it as they would know that the activity would be detrimental. By default, the MCZ would be protected, but we may not know every eventuality.

To repeat, the purpose of the report is to let people know why the MCZ is there, why it is important and what activities have been physically restricted.

**Ms Cuning:** It will also allow people to respond. They can tell us that we have restricted certain activities and what the impact of that has been. It is almost a discussion. By placing the report before the Assembly, we will tell people what we have done, and they can then come forward and tell us that a factor we considered when we designated an MCZ has had x, y and z effect. It could have led to an increase in costs for a company, meant that it had to change its decisions or affected the fishing industry in a way that was unforeseen when the area was designated. It will enable that discussion.

**The Chairperson:** So, are you saying that, after the report is produced, people can tell you how the designation has affected certain industries or activities?

**Ms Cuning:** Yes.

**The Chairperson:** Tom, are you content with that?

**Mr Elliott:** Well —

**Mr Boylan:** Some of the members are restricted and some are affected, but I want to try and tease this out. *[Laughter.]*

**Mr Hamilton:** Some more significantly than others. *[Laughter.]*

**Mr Boylan:** We have bounced back and forward on this matter. Clearly, it was highlighted by the renewables sector. I am reading through the arguments, and, after hearing some of the explanations, I would not like to be part of that sector. Will you try to clarify exactly what its point is?

**Mr K Bradley:** That probably goes back to Brenda's point. Perhaps an MCZ has been designated, and someone may want to put a wind turbine in it later. They might decide to try to get a licence to put the wind turbine in that MCZ, but that would then be detrimental to the feature. So, they may move their plans away from that area. So, obviously, that would have an effect, but the Department would not know about it. The Department may not be able to adhere to that, because it may not have enough information. We could then be criticised for not including in the report an effect that we did not know about. That is where we are coming from. This is not meant to hoodwink anybody in any way. We want the report to basically state the outcome of the MCZ process, where the MCZ is, what its features are, why they are important and what activities we feel we need to restrict to ensure the safety of those features. Those are all within the Department's bailiwick, shall we say, and we can, hopefully, report on them. Something could happen that is outside our control that may affect the area, such as a storm, but we would not know about it.

**Mr Boylan:** I agree, and I understand that part of it. So many things could happen.

**Mr K Bradley:** That is right.

**Mr Boylan:** I agree, and this is wide-ranging. The issue for us is to bring in a piece of legislation that will give everybody an opportunity. Obviously, the renewables sector is one such group. Looking at it from that point of view brings us back to research, identification and everything else. We should also

be looking at the renewables sector and at how we consider the whole issue of where that energy can be generated.

**Mr K Bradley:** That is correct. The comment on that clause got slightly confused, because this is a report on the finished article, but maybe the respondents felt that it would apply during the designation process. I could be wrong, but I think that that is the case.

**Mr Boylan:** It would be reasonable to think that from that starting point. That is what we should be looking at.

**Mr K Bradley:** Account will obviously be taken, through the designation process, of the renewables industry and every other activity. So, I think that the issue was slightly confused.

**Mr Boylan:** Exactly.

**Ms McEvoy:** Of course, there may be no restrictions on any MCZ. There may even be two or three with no restrictions. At least the process is open and transparent enough for you to be able to say that, for socio-economic reasons, you may have to restrict x or y.

**The Chairperson:** Socio-economic and cultural issues.

**Mr Hamilton:** I just want to look at what will happen in practice and at why this is not acceptable to the Department. A report has to be produced that must contain information about what is "prohibited or significantly restricted". Clause 19(2)(c) refers to:

*"(i) any licensable marine activity;*

*(ii) fishing for or taking animals or plants from the sea;"*

So, we are talking fishing, renewables and maybe one or two other activities. It is not massive amounts of activities. The clause is not being specific about the report — I am sort of thinking aloud a bit — but refers to producing a report that contains that information. It does not say how that information has to be formatted in the report. You can take evidence from those sectors about their views and include in the report how they believe themselves to be affected, as well as restricted.

**Mr K Bradley:** That information would have been readily available during the designation process. We would have consulted widely.

**Mr Hamilton:** This is a report about the reality of the situation. Say Gregory is a renewables man who puts a lot of turbines off the north coast. He may have a view about the designation of an MCZ in that area, but it does not happen in practice or is worse in practice. The report allows for that situation to be picked up. So, this is about what actually happens, as opposed to Gregory's opinion beforehand.

I do not think that that is covered. You said that it may have been affected in one way or another during the process, but what actually happened? It is an opportunity to pick up all those things retrospectively. Maybe this is a case when the legislation is not necessarily the place to have the answer, but it may be something that comes out elsewhere —

**Mr K Bradley:** It might come out through the guidance.

**Mr Hamilton:** Yes; that might show what the report actually looks at. What does the report do? The fishing industry or

whoever may put out a whole lot of possible effects that they believe could happen. I am sure that it would be in their interest to put all those effects out before an MCZ were designated, particularly if they think that it is going to restrict their activity. However, what happens in reality?

So, that is how the term “affected” could be used. The clause could say “significantly restricted or affected”. If you changed the word to “affected”, would restricted be included?

**Mr K Bradley:** It probably would, yes. Again, this report on the finished article; it is on the MCZ when it has been designated and everything is in place and has been set out.

**Mr Hamilton:** I think that any report looking back at the relevant period should have a retrospective on what people thought was going to happen.

**Mr K Bradley:** That is fine, but we could come to the next report the following year, which could show that something that we were not aware of could have affected a site. Somebody might say that the Department designated that site a year or two ago and that a particular thing had since affected it but that we did not put it in the report.

**Mr Hamilton:** Regardless of whether it was restricted, part of me still thinks that we would want to know what affects the site, particularly if it was unforeseen. I would not be so worried about criticism that something had happened but it was not in a previous report, for instance.

**Mr Campbell:** Especially if it had been unforeseen.

**Mr Hamilton:** Yes. I think that we are being unduly sensitive to criticism.

**Mr Kerr:** The issue here is a concern that there are some benefits in broadening the definition, because you may be able to catch more issues. That can be set against our concern that, as a result of that extension, we may end up missing certain things and not being able to capture or, in fact, fulfil what the clause intends to achieve. I suppose the narrower approach that we had taken to begin with, and with which people are most concerned, related to where MCZs might restrict and have a negative effect. So, it is very important to capture that.

The debate here is about what would happen if we were to broaden that out. You might find out some other useful and interesting pieces of information, but we may not be able to meet our requirements, because we are not aware of all the potential impacts.

**Mr Hamilton:** If people are not aware of something, they cannot be criticised for not being aware of it. What do you do if those who are affected are not making you aware of it?

**Mr Kerr:** I only wish everyone were as reasonable. I know that we would be asked, “Why are you not aware of it? Why have you not spoken?” *[Laughter.]*

**The Chairperson:** I understand the difficulties. How do you measure it, because it is such a broad term?

**Mr K Bradley:** It would also require the Department to commit resources to carry out further work to find out whether a site is affected, and if it is, how significantly. For example, is it a beneficial or a negative effect?

**The Chairperson:** I am aware of the time, members. Is the Committee content with clause 19?

**Mr Hamilton:** Can we see the guidance and have some clarity from the Minister about that between now and Consideration Stage debate? We would also like the Minister to discuss during that debate any guidance on what will be included, how you would look at issues that were raised during the designation process and whether they were factors. We would like the guidance to state how the report would look, what it would look at and how the issues that were raised during the designation process would be covered in a written report, regardless of whether they were restricted.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 19 agreed to.*

#### **Clause 20 (General duties of public authorities in relation to MCZs)**

**The Chairperson:** We were content with the Department's explanation on how it will implement and oversee the general duty on public authorities. We got a letter about that from the Committee for Agriculture and Rural Development, which was concerned that the 28-day requirement for public authorities to wait before carrying out acts that may hinder achievement of the conservation objectives of an MCZ would disadvantage the Department of Agriculture and Rural Development (DARD). DARD's response indicates that it believes that that period is reasonable.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 20 agreed to.*

#### **Clause 21 (Duties of public authorities in relation to certain decisions)**

**The Chairperson:** Members were content with the Department's explanation of suggestions for compensatory measures.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 21 agreed to.*

#### **Clause 22 (Advice and guidance by the Department)**

**The Chairperson:** Members were content with the Department's explanation of the guidance that is to be issued.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 22 agreed to.*

#### **Clause 23 (Failure to comply with duties, etc.)**

**The Chairperson:** The Department agreed to consider amending the word “may” to “must”, which would make it a requirement for the Department to request an explanation from a public authority for its failure to comply with MCZ duties. The Department's response indicates that it is willing to table an amendment that makes it a requirement for a



public authority to provide a written explanation for its failure to comply with the duties required in an MCZ.

Are members content with the Department's response?

*Members indicated assent.*

*Question, That the Committee is content with the clause, subject to the Department's proposed amendment, put and agreed to.*

#### **Clause 24 (Byelaws for protection of MCZs)**

**The Chairperson:** The Department agreed to consider including an interpretation of the term:

*"any other part of Northern Ireland".*

The Department's response indicates that it does not believe that it needs to include an interpretation of that term, because the boundaries of the by-law will be confined to the limits of the MCZ, which will be defined in the designation order.

Are members content with the Department's response?

**Mr Elliott:** If an MCZ is to be confined to the marine environment, I have no idea why the Department put that term in the Bill. It is very confusing.

**The Chairperson:** It is a catch-all phrase.

**Mr K Bradley:** It is legislative speak.

**Mr Elliott:** I am really worried now. *[Laughter.]*

**Mr Boylan:** Is that a catch-all for the anglers?

**Mr Hamilton:** We got the explanation that it might include small islands and such things. If that were to be reiterated at Consideration Stage, it could take away any confusion.

**The Chairperson:** The Committee also agreed to consider recommending that, at Consideration Stage, the Minister stresses that the provisions of by-laws will be appropriate to meet the objectives of an MCZ, but will not exceed what is required.

*Question, That the Committee is content with the clause, subject to the Committee's proposed amendment, put and agreed to.*

*Clause 24 agreed to.*

**The Chairperson:** Is the Committee content to recommend that the Minister stresses at Consideration Stage that the provision of by-laws will be appropriate to meet the objectives of an MCZ but will not exceed what is required?

*Members indicated assent.*

**Mr Boylan:** I have no problem supporting the clause. However, after seeing some of the comments, I feel that it is important that we get the information and the guidance out to the people whom this will impact. Anglers and other groups are mentioned. I do not know whether the point about the by-laws should be highlighted in the Chamber. However, whatever the case may be, it is vital that those people realise exactly what the situation is.

**The Chairperson:** We can reiterate that during the Consideration Stage debate.

**Mr Elliott:** I still have concerns about clause 24(3)(e). I know that it was indicated at a previous meeting that that was lifted directly from the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. I just want to put that on record.

#### **Clause 25 (Byelaws: procedure)**

**The Chairperson:** Members were content with the Department's explanation on its proposed by-law procedures.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 25 agreed to.*

#### **Clause 26 (Emergency byelaws)**

**The Chairperson:** The Department agreed to provide information on what will constitute an emergency when introducing emergency by-laws for existing MCZs. The Department's response indicates that an emergency by-law will allow the Department to stop an unforeseen and potentially damaging activity, such as a one-off powerboat race close to a bird-nesting site or an organised spearfishing event on a protected reef. Are members content with the Department's response?

*Members indicated assent.*

**Mr Weir:** I am perfectly content. Is there much of a history of spearfishing?

**The Chairperson:** I would like to see it.

**Mr Weir:** I know that we get the odd invitation, but I do not know whether mine has gone astray.

**The Chairperson:** It is quite a skill.

**Mr Weir:** I do not doubt that. I may show a degree of prejudice, but I tend to associate it with a more tropical climate or Robinson Crusoe. I have not seen a great deal of it in my experience of the north Down coastline.

**Lord Morrow:** You are not there on the right day.

**Mr Boylan:** You could send Jim Shannon in; there would be no birds left.

**Mr Hamilton:** He would not use a spear.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 26 agreed to.*

#### **Clause 27 (Interim byelaws for MCZ)**

**The Chairperson:** We were content with the Department's explanation of by-laws to protect the MCZs that are under consideration.

*Question, That the Committee is content with the clause, put and agreed to.*



Clause 27 agreed to.

#### **Clause 28 (Byelaws: supplementary)**

**The Chairperson:** No issues were raised about clause 28.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 28 agreed to.

#### **Clause 29 (Hearings)**

**The Chairperson:** No issues were raised about clause 29.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 29 agreed to.

#### **Clause 30 (Offence of contravening byelaws)**

**The Chairperson:** We were content with the Department's explanation of proposed fine levels for the contravention of by-laws.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 30 agreed to.

#### **Clause 31 (Offence of damaging, etc. protected features of MCZ)**

**The Chairperson:** We were content with the Department's explanation of protection provided by this Bill compared with the Wildlife and Natural Environment Act (Northern Ireland) 2011.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 31 agreed to.

#### **Clause 32 (Exceptions)**

**The Chairperson:** Members were content with the Department's explanation of applying the sea-fishing defence to shallower waters. I think that there were issues about confining the limit to 0 to 6 nautical miles.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 32 agreed to.

#### **Clause 33 (Fixed monetary penalties)**

**The Chairperson:** Members were content with the Department's explanation of the level and implementation of fixed monetary penalties.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 33 agreed to.

#### **Clause 34 (Fixed monetary penalties: procedure)**

**The Chairperson:** We had no issues with clause 34.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 34 agreed to.

#### **Clause 35 (Fixed monetary penalties: further provision)**

**The Chairperson:** No issues were raised with clause 35.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 35 agreed to.

#### **Clause 36 (Enforcement officers)**

**The Chairperson:** The Department agreed to consider incorporating clarification of the meaning of "member state" as it relates to the Bill. The Department's response indicates that references to "member state" are references to membership of the EU and that it does not believe that a definition is required.

Are members content with the Department's response?

*Members indicated assent.*

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 36 agreed to.

#### **Clause 37 (The common enforcement powers)**

**The Chairperson:** No issues were raised about clause 37.

*Question, That the Committee is content with the clause, put and agreed to.*

Clause 37 agreed to.

#### **Clause 38 (Repeals and transitional provisions)**

**The Chairperson:** I know that Simon wants to make a point about clause 38.

**Mr Hamilton:** I cannot remember whether it was last week or when we last met to go through the Bill, but I raised an issue about why Strangford lough would become an MCZ. I teased out the point that there is still a process to go through. A letter that the Committee received from the Department stated:

*"Strangford Lough will become the first MCZ under the Marine Bill."*

Of course, we discussed that it will not become an MCZ. It is likely to become an MCZ, and I anticipate that it will. If Paddy Power were to give me odds on that I would take them, but I daresay that he has probably closed the book. I appreciate that it will become an MCZ, but we need to go through a process. However, that was not the point that I wanted to raise.

In clarifying that, I did not go into the substance of why we are getting rid of marine nature reserves. It is well known that Strangford lough is a marine nature reserve, and it strikes me that that is a good designation. If you were to ask people, they would understand what a nature reserve is; ergo, they would probably appreciate what a marine nature reserve is. It has a sort of a cache and a currency as an entity, so it is almost marketable as a brand for the area in question. With no disrespect to anyone, the term “marine conservation zone” does not really have that, so the use of that term seems to be a regressive step. I appreciate that it is more, if not as much, about the protection of the marine environment. That is a given. However, why are we getting rid of a designation that has some local, national and, perhaps, international, recognition or understanding and replacing it with something that does not? Over time, it may get that recognition, but the term “marine conservation zone” sounds very clinical, and I keep thinking of demilitarised zones. It sounds very industrial or clinical and is not in keeping with what it is there to do. People understand the term “nature reserve”.

**Mr K Bradley:** That is a valid point —

**Mr Hamilton:** I should declare an interest as a representative of the area, and another member here should as well.

**Mr K Bradley:** I take the point that the term “MCZ” is not as sexy as “marine nature reserve” (MNR). So, that is fair enough.

The legislation for marine nature reserves came in for Northern Ireland in 1985 and slightly before that in the rest of GB. Only three sites have been designated in the whole of the UK, and Scotland did not designate any. That was because it was felt that, although the areas that have been identified are quite special, through time, the term did not fit the bill. You alluded to the level of protection, and marine conservation zones will do a much better job of providing that protection. The MNR legislation allowed for only by-laws to deal with unregulated activity, and, with by-laws, you obviously have only very limited fines and other punishments.

You are right. The marine conservation zone legislation will overtake the MNR legislation, really because that is not seen as fit for purpose. It is not strong enough, and there is no point in having two different national designation processes for marine nature reserves and marine conservation zones. As we know, marine conservation zones will be about considering more than just the flora, fauna and special habitats; they will take in other things. Marine conservation zones have evolved from the 1985 legislation and our experience with marine special areas of conservation under the habitats directive. The designation process is set in stone, and the boundaries and the level of protection, etc do not change.

So, although the term “marine conservation zone” may not be as sexy as “marine nature reserve”, at the end of the day, it will be a much better product. That is where we are coming from.

**Mr Hamilton:** I accept that. That looks at the issue from a particular perspective, and I appreciate that. However, there are other perspectives, one of which is that the area has a branding. You said that it is one of three in the whole of the UK, so it has a status beyond the norm.

**Mr K Bradley:** It is now one of one, because the other two have been abolished.

**Mr Hamilton:** That is right.

You almost make the counterargument by saying that there will be more MCZs, so it almost dilutes its status as something above and beyond the norm. I am almost making an argument that there should just be something called a “marine nature reserve” and that it be nothing. However, I appreciate that there has to be something applied to it.

We are worried about raising it with the Minister. He might come back and say that he wants to make it a national park. *[Laughter.]* If it puts my property value back, I will have to think about that. However, I worry about raising the issue with the Minister too much.

**Lord Morrow:** That is in case you get a long reply.

**Mr Hamilton:** I represent the area, and those of us there understand that it has special status. We appreciate that it is likely to become an MCZ and that, with that, comes greater protection than is the case now. However, the term “marine conservation zone” does not just have that “you know what” or “je ne sais quoi” that says that it is special. It is going to be an MCZ along with I do not know how many other sites around the coastline that are not of the same significance.

**Ms McEvoy:** Each MCZ will be specific for its own designation. I appreciate what you say about Strangford lough being unique. However, those unique features will still be retained in the MCZ.

**Mr Hamilton:** It does not sell. It is all about —

**Ms McEvoy:** How would you cope, for example, with the stakeholder? If you keep it as a marine nature reserve, for example, with the enforcement powers of an MCZ, there could be some confusion should people not understand the by-laws, the offences and the new legislation.

**Mr K Bradley:** Strangford has a plethora of designations, as you know.

**Mr Hamilton:** It does. Why can it not have —

**Mr K Bradley:** One more?

**Mr Hamilton:** Another one, yes.

**Ms McEvoy:** That is because, in fairness, they are both for the same sort of provisions.

**Mr K Bradley:** It is duplication.

**Mr Hamilton:** I have heard the Minister talk very fondly of Strangford lough, and there is a piece of legislation before us that dilutes its status.

**The Chairperson:** The fact is —

**Mr Hamilton:** I am not stupid. I understand that it retains that status and protection. However, as something to market —

**Mr K Bradley:** I understand your argument, but it is based on something that is slightly different to the purpose of the Bill, which is the conservation of flora and fauna.

**Mr Hamilton:** Yes, exactly. OK. However, in passing this Bill, no one is offering me anything that retain that status for that area. You are retaining the environmental status of it. No doubt, the marine nature reserve status was not concocted for marketing or branding purposes either. It was made for environmental purposes, and it has proven to be somewhat deficient in that. The marine nature reserve status has, over time, developed a cache that was not the original intention. We are removing it and not replacing it with anything.

**Mr Kerr:** In a sense, is this not straying into the question of how you market or sell a particular area? Maybe this can be got round in the implementation of the MCZ, how it is launched, the publicity that surrounds it and through interaction with some of the other Departments in how they handle it. I am thinking of the Department of Enterprise, Trade and Industry (DETI) and the Tourist Board and how they try to get that message across.

**Mr Hamilton:** If we allow the clause to go through, which I suspect we will, —

**Lord Morrow:** I am not here. *[Laughter.]*

**Mr Hamilton:** If it were the Fermanagh lakelands — *[Laughter.]* I appreciate that there is a marketing issue. However, you can find speeches by the Minister, other representatives and others outside this place extolling the virtues of Strangford lough as a marine nature reserve, not because of the protections that it offers — far from it — but because it is called a “marine nature reserve”. Rightly or wrongly, what it actually is and how it is perceived are entirely different. We are losing that, and we need to be aware that we are losing it. I hope that, in time, the term “marine conservation zone” will be perceived as snappy, snazzy and sexy as “marine nature reserve”. However, I am not so sure that it will be, and I remain to be convinced that that will be the case. Other names were suggested for MCZs. The Scots went for “marine protected area” (MPA). However, that does not add to it either, because everybody else would still be a marine protected area.

**Mr K Bradley:** Do you not think “marine national park” sounds good? *[Laughter.]*

**Mr Hamilton:** *[Inaudible.] [Laughter.]* I just want to put it on record that someone is bound to say that we have lost something. I am saying that, and I want to recognise that that is happening. It is not what we originally intended from a marine nature reserve, but we are losing it nonetheless.

**Mr K Bradley:** I fully appreciate and respect your point, and I understand where you are coming from. However, as I said, that is slightly outside the remit of the Bill, which is about conservation.

**Mr Hamilton:** Angus is right. There is a role for some bodies, and I have pushed the Tourist Board and others on Strangford lough, as I did with Fermanagh, Lough Neagh and other places. In the past, we did not recognise them as a tourism product.

**The Chairperson:** Simon, I am conscious of the time.

**Mr Hamilton:** I know. Let me make a final point.

**The Chairperson:** Can you wrap it up quickly?

**Mr Hamilton:** None of those features will ever be able to be designated as marine nature reserves. They will be called something completely different that will not have the same international recognition. Thank you. I have made my point.

**Mr Boylan:** I support some of Simon’s comments; although, mind you, he made a good case for a marine national park. You could make a good case for Strangford lough to be conserved by Europe and so forth, because it is a unique case. The Marine Bill does not give it that status; rather, I think that it dilutes it. Not only should you have conservation and protection but you have the promotion and everything else that goes with it. I think that the Minister will need to highlight that. I think that Simon was correct, in that Strangford lough should not be tied in with the other MCZs or whatever other areas we will look at.

**Mr K Bradley:** I accept that Strangford lough is a slightly different case than all the rest of the marine protected areas. If you look at it, the UK-wide legislation was introduced in 1985, and only three sites were ever designated. That speaks for itself; it did not do what it said on the tin, nor did it offer the necessary protection. As you said, as a default, the term “marine nature reserve” was used as a marketing tool, and that is fine. However, the MNR legislation is not fit for purpose, and that is why we have proposed to repeal it on a UK-wide basis and replace it with something that gives more protection. In marketing terms, an MCZ does not carry the same weight, but the purpose of the Bill is to give protection

**Mr Boylan:** The issue was not that the legislation was not fit for purpose; unfortunately, there was neglect, and different things should have been looked at and implemented down through the years. The situation in Strangford lough went too far, and it should have been dealt with years ago. I hope that we will be proactive, rather than reactive, in bringing this forward.

**Mr Hamilton:** The point that I made was not about protection. I have confidence in the level of protection that will be offered by the new designations.

**The Chairperson:** Strangford lough will be the first MCZ to be designated, which will obviously give it special status. Perhaps that will give you some comfort, if not enough.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 38 agreed to.*

#### **Clause 39 (Interpretation of this Part)**

**The Chairperson:** Members were content with the Department’s explanation of the definition of seashore and of how the inclusion in an MCZ of land that is not covered intermittently by water might be interpreted.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 39 agreed to.*

#### **Clause 40 (Special procedure for applications relating to generating stations)**

**The Chairperson:** Members were content with the Department’s explanation of how the DOE and DETI will

work together and of what guidance will be produced for timelines.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 40 agreed to.*

*Clauses 41 to 44 agreed to.*

#### **Clause 45 (Crown application)**

**The Chairperson:** We were content with the Department's explanation about consultation with the Crown Estate.

**Mr Boylan:** Who was consulted with?

**Mr Weir:** Francie Molloy.

**Mr Boylan:** When we were in Scotland, there was talk of a coastal fund. I believe that there is a coastal fund here.

**Ms Cunning:** There is.

**Mr Boylan:** I agree with the whole idea of a coastal fund and with what Scotland is doing in the absence of looking at the issue of the Crown Estate. There is a coastal fund to support those areas, but, when we were in Scotland, we did not know that there was such a fund here.

**Ms Cunning:** There is. I think that it is for approximately £450,000, but do not quote me on that. The Crown Estate has put out calls for communities to receive money from it.

**The Chairperson:** If there are no other comments, I will put the question.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 45 agreed to.*

#### **Clause 46 (Interpretation)**

**The Chairperson:** No issues were raised about this clause. If there are no comments, I will put the question.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 46 agreed to.*

#### **Clause 47 (Commencement)**

**The Chairperson:** The Department indicated that it was proposing to introduce an amendment that would allow the whole Act to come into force on receipt of Royal Assent. Are members content with the Department's proposed amendment?

*Members indicated assent.*

**The Chairperson:** As there are no further comments, I will put the question.

*Question, That the Committee is content with the clause, subject to the Department's proposed amendment, put and agreed to.*

*Clause 47 agreed to.*

#### **Clause 48 (Short title)**

**The Chairperson:** No issues were raised about this clause. As there are no comments, I will put the Question.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 48 agreed to.*

#### **Schedule 1 (Marine Plans: Preparation and Adoption)**

**The Chairperson:** We were content with the Department's explanations of the issues that were raised about schedule 1. However, the Department indicated that it would propose an amendment to introduce a savings provision so that work that is done in preparation for the marine plan before the Bill comes into force will not be lost. The Committee sought information on what work had been done to date and what work was likely to be done before the Bill obtained Royal Assent.

We were also to consider recommending that the Minister commit to a time frame for the introduction of a plan during Consideration Stage. In its response, the Department provides its proposed amendment to introduce the savings provision. The amendment requires that any work that is done on the marine plan in advance of Royal Assent must be done in accordance with clauses 1 to 11. An update of work that has been done to date on the plan has also been provided, and the Department has provided, in confidence, a copy of the statement of public participation.

Are members content with the Department's response?

*Members indicated assent.*

**The Chairperson:** The Committee also agreed to consider recommending that, during Consideration Stage, the Minister commit to a time frame for the production of the marine plan. As there are no comments, I will put the Question.

*Question, That the Committee is content with the schedule, put and agreed to.*

*Schedule 1 agreed to.*

#### **Schedule 2 (Further provision about fixed monetary penalties under section 33)**

**The Chairperson:** We were content with the Department's explanation of subordinate legislation raising powers in the schedule and the Department's proposals for tribunal. Is the Committee content with schedule 2?

*Question, That the Committee is content with the schedule, put and agreed to.*

*Schedule 2 agreed to.*

**The Chairperson:** Other issues were raised about the integration and co-ordination of marine functions. Most other issues that stakeholders raised have been addressed to the Committee's satisfaction, including coastal access and appeals. However, last week the Committee asked the Department to provide more information on the work that it has done to date looking at the better co-ordination and integration of marine functions. The Department's response

indicates that it continues to chair the interdepartmental marine co-ordination group, which remains the principle forum for ensuring co-ordination between the Departments that have marine functions. A further response from the Department informed the Committee that the group has met six times in the past 18 months. In addition, the Department continues to progress the necessary work on developing a full business case to advance the Minister's view that the full benefits of the Marine Bill can be realised only if they are implemented in an integrated and independent way. The main options that the business case is considering the status quo, a marine directorate and a non-departmental public body (NDPB).

Members, how do you want to proceed with this matter? We could suggest introducing a new clause that would require the Department to review the implementation of the plan after five years to see whether we need to include different options on co-ordination.

**Mr Hamilton:** I am content with what has come back from the Department. Even though I disagree with the Minister's approach, it is appropriate. He is trying to make a case, and it is up to him to develop it and sell it to others. I am content to leave the schedule as it is and to not suggest an amendment.

**Mr Elliott:** Chair, will you explain a wee bit more your suggestion to have a review? I thought that legislation could be reviewed at any stage.

**The Chairperson:** That suggestion involves a review of the Bill that would create the opportunity to look at whether there is a need for different options. Maybe the Clerk of Bills can expand on that.

**The Clerk of Bills:** We could introduce a new clause that says something along the lines of, "The Department shall, within so many years of the date on which the Bill receives Royal Assent, lay a report before the Assembly on the operation of the Act." In addition, you could, if you wanted, refer to, "including a report on the effectiveness of measures to co-ordinate the exercise of functions." Such a new clause could perhaps say something like that.

**The Chairperson:** That would give us an opportunity to look at it in the primary legislation.

**Mr Hamilton:** The issue is not about the operation of the Act; it is about what can be agreed. You can review it in a week, a year, five years or whatever, and the issues will basically be the same. The issue is whether you can get agreement about a different way. The letter that came back from the Department spelled out that, basically, there are three options. First, there is the Minister's preferred option, which is to have an integrated and independent organisation, as he calls it. That is basically an MMO. The second option is to have a marine directorate, and the third is to do nothing. A fourth option, of course, is to have a departmental working group.

**Ms Cunning:** That is what we are doing now.

**Mr Hamilton:** It is not doing nothing.

**Ms Cunning:** It is doing nothing else.

**Mr Hamilton:** It is doing nothing different. The issue is about making it work. It is not about how it works in practice,

because some people, including the Minister, prefer other options. That position will not change in a week, a year or five years. It is fine to review how the marine plan works in practice, because that will be looked at fairly objectively without political issues being brought to the forefront. This is a political issue, not an environmental or operational one.

**The Chairperson:** The review could look at the operation of the Bill and at whether the interdepartmental group is going to be effective. Many members expressed concern and doubt about whether the interdepartmental group will have any teeth in implementing the legislation. Rather than being a body that will oversee the Bill's implementation, it is very much a voluntary, almost consultative, group. The Bill covers something like six Departments, so the question is about whether there is a need for a co-ordinating body that is strong enough to enforce the Bill and to make all the Departments do the work that the Bill wants them to. That review may give us the opportunity to say that we should look at it all again.

**Ms Cunning:** The Bill requires the marine plan to be reviewed and reported on every three years. So, if your marine plan was not working because you were not getting the necessary co-ordination or buy-in from other bodies, the report will emphasise that. We are talking about reviewing and reporting on the plan every three years, and, every six years, the whole marine planning process will be reviewed. That is a big part of the Bill. Obviously, our not having the right co-ordination and structures will be reflected in how the marine plan operates. So, I think that that may be captured in some part through the Bill as it stands.

**Mr Elliott:** I have always tried to find a practical way to do this. Based on what I heard from officials in the past couple of weeks, and this on the record, I do not think that how they are planning to do it will work. However, we have nothing else on the table. The Bill Clerk may be able to advise us on whether there is any mechanism to put in the Bill that a memorandum of understanding between Departments to achieve a better delivery mechanism must be brought to the Assembly. I do not hold out great hope for any review, because I just do not think that that is workable either. I just wonder whether there is any possibility of building in a memorandum of understanding that will come to the Committee, through the Departments, and then go to the Assembly. Is that possible, or is it beyond the Bill's scope?

**The Clerk of Bills:** I can certainly look at drafting something like that for the Committee to look at.

**Mrs D Kelly:** If I am reading my papers correctly, it looks as though the Marine (Scotland) Act 2010 consolidates the functions. I think that such a provision is needed. I mean no disrespect to the officials here, but I would not stake my life on there being collaboration across Departments every three years to review whether there has been significant progress. If you waited three years for a report that just tells us that Departments have not done what they said they would, you may be back to waiting another three years before there is any affirmative action.

**Mr Elliott:** Oh ye of little faith.

**Mrs D Kelly:** I know; I am a cynic of bitter experience.

**The Chairperson:** Yes, and Strangford lough is a good example of that.



**Mrs D Kelly:** So, if the Bill Clerk is going to look at that, we may want to make some comparisons with the Scottish example. There is a need to tie the process down a lot sooner and more firmly than it is now.

**The Chairperson:** Marine Scotland is like a Department on its own —

**Mrs D Kelly:** I understand.

**The Chairperson:** — that brings in lots of functions. Are members happy for the Bill Clerk to draft an amendment, and if so, in what form?

**Mr Hamilton:** I think that what Tom said was sensible in the context of where we are. He is asking how we can examine and strengthen what will be in place. The only thing that we are going to be able to legislate for and that is going to pass is what is currently available. How can we strengthen that? I think that that is what Tom was saying. If it is saying, and if the Committee agrees with it, I am happy with that.

**The Chairperson:** It is about trying to strengthen the interdepartmental group.

**Mr Hamilton:** Yes. If that is what we are talking about, that would be a positive way forward when this all comes into practice and when something comes back from the Department about what is going to happen and we are discussing with Departments x, y and z how we can better integrate and work together.

**The Chairperson:** Yes. Perhaps it will give a bit more status to the interdepartmental group.

**Mr Hamilton:** Yes, the point is to see how it can be worked on and strengthened.

**The Chairperson:** Members, we need to move on.

**Mr Boylan:** Excuse me, Chairperson.

**The Chairperson:** I am sorry, Cathal, I missed you out.

**Mr Boylan:** I was listening to what Dolores said. The officials could come back in five years, and, to be honest, there could still be no change. It is about implementation and how we go about that process.

I agree with looking at a memorandum of understanding, because there is some merit in that. However, any Committee can call officials up at any point. I would like to see the bones of how we are going to achieve it. It would be a big piece of work to set the targets on a red, amber and green (RAG) system. We need to include such a system. It is about how we test how things are working. All I am saying is that it could happen one, two, three, five or 10 years.

Are we doing this clause-by-clause consideration only for the Bill to sit on the shelf like the others? This Committee has had past experience with certain situations, particularly where the Department and a certain Bill are concerned. We need to find out how that happens. Although it is all right saying that we have set in stone a five-year review or something else, I want to see how it will be implemented. It is not about getting a report that says that things are going well but that we need to do things quicker.

The memorandum of understanding might be useful, because the responsibility lies across four Departments.

**Mr Hamilton:** Is there an issue there? We cannot legislate to enforce a memorandum of understanding on other Departments. You could suggest an amendment, but that will require Executive approval. That is the potential sticking point.

**The Clerk of Bills:** If that were a departmental amendment, the implications for other Departments would require it to go to the Executive, but a Committee amendment would require the support of the House. Effectively, however, the Executive would take a position on it.

**The Chairperson:** There is not going to be a departmental amendment, so it will have to come from the Committee.

Will we try that, and if any —

**Mr Hamilton:** Rather than just looking at a legislative solution, we should work with the Department to get something that does not necessarily require a legislative change that may not happen in reality. Rather than table an amendment, we should get some assurances about how we can review or enhance it.

**The Chairperson:** If we put it in the Bill, it will strengthen our hand in achieving that.

**Mr Hamilton:** It would, but I am just making the point. These things are based in the reality of what will or will not pass. It is not to say that I want to knock the point down, but you may put it as an amendment. You could suggest it to the Committee, but it may not get the Committee's support. If it does not get support here, it may not get broader support.

**The Chairperson:** We can try that.

**Mr Boylan:** I understand what you are saying. It is all right saying that DOE will come up for a review after five years, but all the other Departments have a responsibility to do their bit. Trying to get them all to work together to achieve this is the key. DOE can do its bit, but the other Departments need to do theirs. To be honest, that is the issue for us.

**Mrs D Kelly:** I think that Strangford lough is a case in point. It crosses a couple of departmental responsibilities, and look where we have got to with that.

**Lord Morrow:** It is a nightmare.

**The Chairperson:** Members, if you are happy, we will ask the Bill Clerk to draft a form of words that we can look at next week.

Another issue to consider is the common-law right of navigation and fishing. We have been provided with correspondence from the Northern Ireland Renewables Industry Group (NIRIG). In addition to information on the economic benefits of the renewables sector, NIRIG has suggested that clauses be added to the Bill to ensure that offshore renewable energy projects are protected from common-law rights during construction. It suggests that similar provision already exists in the energy legislation for England, Scotland and Wales but that the equivalent legislation for Northern Ireland is not sufficiently robust to override common-law rights.

A written departmental response to this issue is provided. Officials will supplement that orally if you want them to. The Department indicated in its response that this issue is the responsibility of DETI, which is taking action to address it.

Are there any questions on that?

**Mr Boylan:** I have one. It is all very well saying that this is for another Department, but we have an opportunity to address this issue, and I would like to see greater clarification and concrete proof that it will work. It is all right saying that the issue rests with DETI, but we have an opportunity to address it, as it is a genuine concern.

**Ms Cunning:** Absolutely. We are not saying that we will hand it over to DETI and that we will do nothing about it. DETI has been in discussions with us and with the marine licensing side of the Northern Ireland Environment Agency (NIEA) since February or March, and it has published details of that in the offshore renewable energy strategic action plan (ORESAP).

This is a recognised issue, and DETI is bringing work forward to deal with it. It is not just about public rights of access; it involves safety zones, decommissioning and a whole raft of things that are in GB legislation but not in Northern Ireland legislation. It is in the energy legislation, but not on the marine side.

I know that NIRIG mentioned sections 12 and 13 of the Marine Coastal Access Act 2009, but those are about transferring functions from energy legislation to the MMO. However, we do not have those functions or those parts in Northern Ireland legislation. DETI is working to bring that forward and is looking at the gaps that we have. We can probably start decommissioning under marine licensing, but we need to look at legislative options for safety zones and public rights of access. DETI is already working on that. So, that is not really something that we need to put in the Bill, because DETI is already working with us to put it into the energy legislation so that it will be equivalent to the GB legislation. It is not in the Marine Coastal Access Act 2009, so it will not be in the Marine Bill. Given that it is not mirrored there, it should go into the energy legislation, as is the case in the rest of the UK.

**The Chairperson:** So, it is covered.

**Ms Cunning:** It will be. DETI is actively working on it.

**Mr Boylan:** Can you put a date on the completion of that work?

**Ms Cunning:** I do not know. The ORESAP talked about the possible need to bring forward new primary legislation. Obviously, the energy sector will worry about that when it starts building turbines. However, that will not happen until 2015 or 2016 at the earliest, once it goes through the whole process. So, DETI is working to get the provision in place before then. It is on DETI's to-do list.

**The Chairperson:** Are members content with that?

*Members indicated assent.*

**Mr Boylan:** Obviously, we should write to DETI and let it know that we need to be kept informed on how that process progresses.

**The Chairperson:** During the briefing from the Belfast Harbour Commissioners and the British Ports Association, members asked that the Department provide an update on the maintenance dredging protocol. The Department has provided a response in which it indicates that the Department for Regional Development (DRD) is taking the matter forward. It points out that the protocol will set out the best practice for maintenance dredging activities by the commercial port authorities in assisting them to fulfil their statutory obligations and ensure compliance with the habitats, birds and water framework directives. The Department indicated that, before a licence is granted for disposal of dredged material, the applicant must demonstrate that sea disposal is the best practicable environmental option. The Department also indicated that it encourages applicants to consider a number of alternative options before considering disposal at sea. Members, are you content with the Department's response, or do you wish to consider an amendment to the Bill about dredging and disposal at sea?

**Mr Boylan:** I thought that this was a good enough suggestion. This is the issue of having to go seven miles out from Warrenpoint to dispose of dredged material. Other than putting something on the matter in the Bill, is there no way of looking at other legislation that could try to address that?

**Ms Cunning:** It is already addressed under marine licensing. Our colleagues in the marine licensing team have told us that disposal at sea is the last option. This was raised by the ports authorities, who said that disposing dredged material at sea cost them a lot of money, and they asked whether it could be recycled and reused. When they come to the marine licensing team for a licence for disposal, the team asks whether they have considered other options such as reusing and recycling. On occasions, other options such as beach nourishment have been worked out. So, it is already working. I do not know what else the ports authorities might want on that, because the marine licensing team already asks them to come back to it and tell it what their other options are and that sea disposal should really be the last option. It asks whether they can reuse the material somewhere else. As David Knott from the Belfast Harbour Commissioners pointed out, dredged material is sometimes not suitable for use. It is mucky material and has to be dumped at sea. If that is the case, that is what happens, but the licensing team encourages the port authorities to try other options. It is not a case of licensing forcing people to dispose at sea.

**Mr Boylan:** I accept that explanation, but, if that option exists and the port authorities understand that, why did they bring the issue before the Committee? Perhaps we can respond to them to find out. I thought that it was a reasonable suggestion.

**Ms Cunning:** Absolutely, and we are glad that they brought it to us.

*Long title agreed to.*

**The Chairperson:** Referring back to an earlier discussion, is it possible that the long title might be changed to include a reference to sustainable development?

**Ms Cunning:** No. We asked the OLC about that, because we thought that it was quite a good suggestion. The long title has to be very much to the point so that it shows the

Bill's provisions. It provides provisions on marine planning, conservation zones and streamlining of licensing. That is all that it can include. We thought that you could amend it.

**The Chairperson:** It was intended as a compromise.

**Mr K Bradley:** We tried that as well, but, unfortunately, we cannot do it.

**The Chairperson:** I wanted to satisfy myself about that.

That concludes formal clause-by-clause consideration of the Marine Bill. A Committee report will be brought back to the Committee next week. Thank you very much for staying with us throughout the process. Thank you for your expertise and for working with us.

# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.





# Northern Ireland Assembly

Friday 22 June 2012

## Written Answers to Questions

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

#### Diamond Jubilee

**Mr Allister** asked the First Minister and deputy First Minister what plans they have to mark Her Majesty's Diamond Jubilee by way of a gift on behalf of her subjects in this part of the UK.

**(AQW 6871/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** At its meeting on 31 May the Executive agreed to present a gift, at no cost to the public purse, to mark the Queen's Diamond Jubilee.

#### Procurement: Governance Review

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 10635/11-15, what role the Community Relations Council staff member, who declared a conflict of interest at tender evaluation stage, had in drawing up the tender documentation and setting the criteria; and whether she had access to such information.

**(AQW 12129/11-15)**

**Mr P Robinson and Mr M McGuinness:** Community Relations Council (CRC) was asked to take forward the governance review by OFMDFM. The member of staff from CRC, who subsequently declared a conflict of interest at tender evaluation stage, was a member of a panel responsible for drawing up the tender documentation and setting the criteria.

#### European Priorities 2012-13

**Mr Lyttle** asked the First Minister and deputy First Minister when they will publish an implementation plan for their 2012-13 European Priorities.

**(AQW 12346/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Barroso Task Force Working Group is developing an Implementation Plan for the Executive's 2012-13 European Priorities. We will take a decision on its publication once this work is complete.

#### Victims Campaigners: Petition

**Mr McDevitt** asked the First Minister and deputy First Minister what actions they intend to take following receipt of the petition from victims campaigners, subsequent to the research commissioned by the Wave Trauma Centre.

**(AQO 2103/11-15)**

**Mr P Robinson and Mr M McGuinness:** To ask the First Minister and deputy First Minister what actions they intend to take following receipt of the petition from victims campaigners, subsequent to the research commissioned by the Wave Trauma Centre.

#### Cohesion, Sharing and Integration

**Ms S Ramsey** asked the First Minister and deputy First Minister for their assessment of the current status of the Programme for Cohesion, Sharing and Integration.

**(AQO 2098/11-15)**

**Mr P Robinson and Mr M McGuinness:** We are committed to building a shared and united community and to continue to build on the progress that our society has made in improving community relations here.

The Programme for Government recently agreed by the Executive reaffirms this commitment and we recognise that the finalised good relations Strategy will be an important building block in achieving the change we all want to see.

The Cross-Party Working Group has been meeting since September 2011 with a view to agreeing a finalised strategy and high level action plan. We in the Office of the First Minister and deputy First Minister are eager to see the work of the group finalised

as soon as possible but we are also mindful of the need to ensure that the final strategy is one that carries as much consensus as possible.

The range of issues required to underpin the final strategy are wide-ranging and complex. Therefore we must balance the need to bring forward a strategy without undue delay with the importance of taking into account the wealth of views expressed throughout the public consultation.

We asked the Working Group to conclude its deliberations within the next few weeks and to provide a report to them for discussion at a meeting of party leaders. It is disappointing that the Alliance party has taken the decision to withdraw from the cross-party working group process as the intention of establishing the group was to give opportunity to all of the Executive parties to shape the final strategy. However, we remain committed to the process and to bringing forward, alongside the other 3 parties, a robust and effective community relations strategy and high level action plan.

## Social Investment Fund

**Mr Cree** asked the First Minister and deputy First Minister to outline the timescale for the delivery of the Social Investment Fund. (AQO 2102/11-15)

**Mr P Robinson and Mr M McGuinness:** The final proposals for the delivery of the Social Investment Fund received Executive approval on 17 May 2012. The £80 million fund which was established by the Executive seeks to address dereliction and deprivation throughout 9 social investment zones.

There will be 4 zones in Belfast (based on Assembly constituencies) 1 zone in Derry/Londonderry with 4 further zones based on Health Trust boundaries. Each zone will have a steering group which will be responsible for supporting the development of strategic area plans to facilitate the allocation of monies to those areas within zones that can clearly identify objective evidenced need.

We will shortly be putting together the steering groups with a view to spend being released from the Fund as soon as practicable.

## Equality Commission

**Mrs Hale** asked the First Minister and deputy First Minister for their assessment of the Equality Commission's compliance with equality legislation. (AQO 2105/11-15)

**Mr P Robinson and Mr M McGuinness:** Appointments to the Victims Forum

**Mr Allister** asked the First Minister and deputy First Minister to detail (i) the process and the criteria used by the Victims Commissioners in making appointments to the Victims Forum; (ii) the role of their Department in the appointment process; and (iii) what notice of an appointment is given to their Department. (AQW 12662/11-15)

**Mr P Robinson and Mr M McGuinness:** The Commission selected members of the Forum by direct appointment. Their aim was to appoint members who would be representative of the range of victims and survivors.

The establishment of the Forum is a statutory responsibility of the Commission for Victims and Survivors and as a result neither Ministers nor officials were involved in the selection process.

There was no notice of appointment given to the Department, nor is there a requirement to do so.

## Historical Institutional Abuse: Legislation

**Mr F McCann** asked the First Minister and deputy First Minister when they expect the Inquiry into Historical Institutional Abuse legislation to be brought into operation. (AQO 2167/11-15)

**Mr P Robinson and Mr M McGuinness:** Our aim is that the legislation will be operative by Christmas 2012.

We introduced our Bill to the Assembly on Tuesday 12 June.

Members will have an opportunity to debate the Bill on Monday 25 June, at its second reading. Committee stage will then start on 26 June and our officials are fully committed to assisting and supporting the OFMDFM Committee in its scrutiny of the Bill.

## Victims and Survivors Service

**Mr I McCre** asked the First Minister and deputy First Minister for an update on the Victims and Survivors Service since it became operational on 2 April 2012. (AQO 2172/11-15)

**Mr P Robinson and Mr M McGuinness:** The new Victims and Survivors Service will deliver funding through a new assessment and commission-based delivery model, bringing together some £11 million of funding into a single, unified service. The objective is to transform current services from being grants-led to needs-led.

In its first few weeks of operation, the Service had over 150 requests for information. To date, over 75 assessments have been carried out and a number are booked for the near future, with most people being seen within seven days. This is very encouraging news and is an early, but hopeful, sign that the Service is attracting those victims and survivors who, for whatever reason, may not have availed of victims services in the past.

An assessment model has been completed and staff from the Service have been meeting with various victims' groups and agencies to ensure the work they will carry out is what is needed.

Arrangements are almost complete for the staff of both the Community Relations Council and the Northern Ireland Memorial Fund to join the Service. Their expertise will be a valuable link and ensure there will be no gap in services to victims.

We, along with the Service, are committed to continuing to work hard to ensure that it provides the best service possible and that victims and survivors receive from it the support they expect and deserve.

## Children and Young People's Strategy

**Mr Storey** asked the First Minister and deputy First Minister for an update on the 10 year Strategy for Children and Young People. (AQO 2173/11-15)

**Mr P Robinson and Mr M McGuinness:** The 10 year Children and Young People's Strategy was published in June 2006 and focused on 6 high-level outcomes for children and young people. These are:

- healthy;
- enjoying, learning and achieving;
- living in safety and with stability;
- experiencing economic and environmental well-being;
- contributing positively to community and society; and
- living in a society which respects their rights.

It includes strategic indicators. Our March 2012 update on these indicators shows that for post primary pupils, there has been, for example:

- a significant increase in those taking part in sport or physical activity;
- a reduction in smoking and the use of illegal drugs;
- an increase in school leavers continuing on to Further and Higher Education; and
- an increase in those achieving 5 or more GCEs or equivalent at grades A\*–C.

The Executive remains committed to improving outcomes for our children and young people and implementation of the Strategy will now be taken forward through the Delivering Social Change Children and Young People Programme.

This Programme will comprise a small number of flagship projects, through which focused efforts across Departments will produce real dividends.

## Victims' Commissioner

**Mr Hilditch** asked the First Minister and deputy First Minister what progress has been made on the appointment of a Victims Commissioner. (AQO 2174/11-15)

**Mr P Robinson and Mr M McGuinness:** Interviews were held on 28 and 29 May 2012. The selection panel has recommended the successful candidates to us for consideration.

## Social Investment Fund

**Mr Hamilton** asked the First Minister and deputy First Minister for an update on the implementation of the Social Investment Fund. (AQO 2177/11-15)

**Mr P Robinson and Mr M McGuinness:** As you will be aware, the Executive agreed to the proposals for the final operation of the Social Investment Fund on 17 May.

We are keen to move quickly into the operational phase of the programme and our officials have already begun the process of establishing Steering Group membership. A series of public information events has been arranged throughout all 9 Social Investment zones, starting on Monday 11 June in Derry/Londonderry.

The purpose of these information events is to outline the nomination process. Applications will close on Friday 29 June 2012 to ensure the Steering Groups are established during the summer.

We are also working on the political and statutory membership of the Steering Groups and have carried out a detailed analysis of elected representation in each zone using the D'Hondt method. We would hope to have Party decisions on their nominations for the groups over the coming weeks. We will also be inviting the relevant statutory organisations to identify key representatives to be involved in the steering groups.

The Steering Groups will be brought together to discuss the framework for implementation of the Fund, key issues, collaborative working practices and the technical assistance process to engage with the wider community and develop the area plans.

More details on the composition of the steering groups and nomination process can be obtained on the NI Direct website at [www.nidirect.gov.uk/sif](http://www.nidirect.gov.uk/sif).

## Department of Agriculture and Rural Development

### Review of Public Administration

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development what powers or functions she plans to devolve to local councils under the Review of Public Administration; and whether this represents a change to her previous commitments.

**(AQW 11919/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** In the context of the EU Commission proposals on CAP Reform and the 2014-2020 round of Structural Funds, I will be considering the policy needs for the agricultural sector and wider rural community in the preparation and implementation of a future Rural Development Programme (RDP).

My Department will be working with local government and DFP officials over the coming months to consider possibilities for local government involvement in elements of a future RDP or other EU programmes.

This position is consistent with previous commitments under the Review of Public Administration which identified the EU Rural Development Programme as an area of work which could potentially transfer to local government.

### Forest Service: Scotland Visit

**Mr Flanagan** asked the Minister of Agriculture and Rural Development what lessons have been learned as a result of the recent visit to Scotland by senior Forest Service officials.

**(AQW 12448/11-15)**

**Mrs O'Neill:** Forestry Commission hosted a Health & Safety summit in Edinburgh on 5/6 March 2012. The Chief Executive and Director of Forestry represented Forest Service at the summit. The purpose was to bring together key industry representatives to appraise the Health & Safety performance of the forestry sector.

The main outcome from the summit was broad industry commitment to the establishment of a forest industry safety group to lead on matters of Health & Safety improvement. Further meetings are planned to refine the remit and constitution of the group.

There was no opportunity to discuss Commission experiences in wind farm development and community impacts in the margins of the summit.

Following the summit, the Chief Executive was briefed on the Commission's international work on forest policy and on opportunities for co-operation on forest research.

### Fishing: E-logbooks

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail (i) the number of applications, from boat owners for grant payments towards E-Logbooks, which have yet to be processed and awarded; and (ii) what plans he has to ensure the prompt payment of these grants to avoid any negative impact on the local fishing industry.

**(AQW 12479/11-15)**

**Mrs O'Neill:** My Department has received 112 applications and claims for grant payments towards E-Logbooks and 36 claims remain unpaid to date, either as a result of the late submission of claim form, incomplete supporting evidence of payment, or, vessel owners not having confirmed that the equipment has been installed and is ready for testing.

My officials will continue to work directly with applicants to ensure all claims are paid as soon as the full conditions of award have been satisfied.

### TB in Badgers

**Mr Agnew** asked the Minister of Agriculture and Rural Development to detail (i) why veterinary advice was not followed and a study of the prevalence and distribution of Tuberculosis (TB) in badgers and a badger-removal trial were not undertaken, despite the statement made by her predecessor to the Assembly in December 2008 which indicated that this was on the agenda (ii) how she plans to assess the cost of any future badger-intervention strategy and where any cull or other intervention would be most effective, given the lack of research carried out; and (iii) whether she has any plans to commission a study into the prevalence and distribution of TB in badgers, including details of when she expects this to take place.

**(AQW 12512/11-15)**

**Mrs O'Neill:**

- (i) It is not the case that veterinary advice was not followed. Additional funding of around £4 million has been allocated in my Department's budget to conduct TB and wildlife research and studies to provide the evidence base to guide our TB eradication strategy in the future. My Department has taken a comprehensive look at the evidence needs for TB and commissioned 5 Literature Reviews, which were completed in 2011/12 on TB tests in cattle, TB tests in badgers, cattle to cattle transmission, badger to cattle transmission and badger vaccination. We have discussed the evidence needs and priorities with industry and wider stakeholders and I am considering how best to use that funding.
- (ii) Considerable research has been carried out internationally into the causes of bovine TB, but there is still a lot of scientific uncertainty about how the disease is spread and what can be done to prevent its spread between cattle and between wildlife and cattle. It is important that we do not duplicate the expensive research work that is ongoing in other areas, but that we draw down lessons from that work and also collaborate where appropriate. My Department is closely tracking the work that is being conducted in Britain and the south of Ireland to develop an oral bait badger vaccine that could be delivered in a cost effective way. I am following how the Defra badger culling pilot proposals are implemented and if they successfully withstand legal challenge. I am also monitoring how the Welsh badger vaccination programme is implemented. As the badger is a protected species, any direct interventions in the badger population here will be subject to the agreement of the Environment Minister and to the issue of the necessary licences and also to the availability of the substantial funding required.
- (iii) A number of TB and wildlife studies have been commissioned here to help establish local evidence. The results of the TB Biosecurity Study, which was carried out in a TB high incidence area in Co Down, are expected later this year. An evaluation of the use we currently make in the TB programme of the gamma-interferon blood test is underway. A badger-cattle proximity study, which aims to assess the interactions between cattle and badgers both in farm buildings and at pasture in the north, has recently started in a TB high incidence area. Last month my Department hosted an International Vaccination Experts' Scientific Symposium in Belfast to consider all the relevant issues associated with vaccinating the badger to achieve a reduction in TB in cattle. I am currently considering how we best use the funding that is allocated in my Department's budget to conduct further TB and wildlife research and studies. Any wildlife interventions will incur substantial cost and must be fully justified in cost-benefit terms. With limited funding I want to ensure that we get maximum benefit from our research. While a Badger Prevalence Study is one possible option, it would be a very expensive exercise that would use up most of the allocated budget. I will take account of the views of industry and wider stakeholders along with all the other relevant factors in deciding what further TB and wildlife research and studies to commission.

**Internships**

**Mr Weir** asked the Minister of Agriculture and Rural Development how many internships her Department offers; and if it does not offer any, whether she has any plans to introduce an internship scheme.

**(AQW 12529/11-15)**

**Mrs O'Neill:** I am pleased to advise that my Department is currently in the process of offering one internship for the first semester of the 2012/13 academic year. This placement is being arranged under an NICS scheme run in conjunction with the School of Politics, International Studies and Philosophy at Queen's University, Belfast.

My Department has facilitated an internship under the same scheme during the academic year 2011/12.

**Wind Farm Developers**

**Mr Flanagan** asked the Minister of Agriculture and Rural Development to detail the occasions on which Forest Service officials have taken part in hospitality trips, engagements, dinners, meetings or events arranged by, or on behalf of, wind farm developers in the last four years, broken down by (i) location; (ii) attendees; (iii) the companies present or represented; (iv) the matters that were discussed; (v) who covered the cost of each event; and (vi) what was the purpose and outcome of each engagement.

**(AQW 12545/11-15)**

**Mrs O'Neill:** In the period 2008-2012 Forest Service officials have not taken part in any hospitality trips, engagements or dinners organised by, or on behalf of wind farm developers.

Two Forest Service officials attended two workshop events in the Hilton Hotel Belfast, one on 20 January 2011, another on 26 January 2012. Both events were held by the NI Renewable Industry Group (NIRIG). The 2011 event marked the formal launch of NIRIG which represents the Irish Wind Energy Association and Renewable Energy UK in the north of Ireland. The workshop focussed on actions considered necessary to deliver the Strategic Energy Framework (DETI 2010).

The 2012 NIRIG workshop event focussed on issues around renewable energy infrastructure and responsible environmental development.

My Department does not hold a list of those companies present or represented at the NIRIG events, however, the website [www.iwea.com](http://www.iwea.com) provides contact information for further details of the events. Fees for those FS officials who attended the events were paid by my Department and hospitality including tea, coffee and lunch was provided by the workshop organisers.

Forest Service officials have had meetings with a number of companies involved in wind farm development in the period specified. I have provided a list of these meetings detailing the companies, dates, venues and subject matter of these meetings overleaf. Light refreshments were provided by the respective parties organising the meeting venues.



## Countryside Management Scheme

**Mr Swann** asked the Minister of Agriculture and Rural Development when all payments due under the Countryside Management Scheme will be made.

**(AQW 12581/11-15)**

**Mrs O'Neill:** My Department makes Countryside Management Scheme (CMS) payments on an on-going basis. CMS is claimed throughout the year around the anniversary date of the agreement.

The new Countryside Management Scheme (NICMS) is claimed annually on the Single Application Form. With regard to the 913 claims made to NICMS in 2010, my Department has paid 861 (95%) of these. At 13 June 2012 there were 50 claims that had not yet been paid for a number of reasons including over-declarations, dual claims, probate or BACS (banking) problems.

With regard to 2011 NICMS claims, the timescale to complete all these payments will be determined by the findings of inspections which are currently being carried out. DARD aims to begin making payments in September 2012.

## Quangos

**Mr Gardiner** asked the Minister of Agriculture and Rural Development what plans she has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12601/11-15)**

**Mrs O'Neill:** DARD currently sponsors five Non- Departmental Public Bodies (NDPBs) – the Agri-Food Biosciences Institute (AFBI), the Agricultural Wages Board (AWB), the Drainage Council (DC), the Livestock and Meat Commission (LMC) and the NI Fishery Harbour Authority (NIFHA). Two other NDPBs, the Pig Production Development Committee (PPDC) and the Research and Education Advisory Panel (REAP), were dissolved in March 2008 and August 2010 respectively.

While I have no current plans to further reduce the number of NDPBs, the need for and status of each of the bodies is kept under regular review, for example a review of the Livestock and Meat Commission was completed in 2011 and the potential for the commercialisation of the body remains, though a number of outstanding issues would need to be addressed.

The Operational cost of each of these bodies is shown in the table below

| <b>DARD Sponsored Non- Departmental Public Bodies</b> | <b>Operational Costs for 2011/12 (unless otherwise stated)</b> |
|---|--|
| Agri -food and Biosciences Institute                  | £54.2 m  |
| Agricultural Wages Board                              | £17,000  |
| Drainage Council                                      | £4,700   |
| Livestock and Meat Commission                         | £1.7 m   |
| NI Fishery Harbour Authority                          | £862,000 (2010/11)   |

## Rural Broadband

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development for an update on the rural broadband initiative, including the timeframe for completion of the scheme; and for her assessment of the current level of broadband coverage in rural areas.

**(AQW 12624/11-15)**

**Mrs O'Neill:** The lead department in telecommunications is the Department of Enterprise Trade and Investment (DETI) and they have responsibility for access to and the upgrade of the broadband network in the north.

DETI has advised that it has delivered a number of initiatives in recent years that were either entirely or substantially aimed at providing high speed broadband access for business and residential consumers located in rural areas. Initiatives completed are:

- the £51m Next Generation Broadband Project, which included a £2.5 million investment from my Department specifically to improve access to broadband in rural areas. This project rolled out the highest level of fibre-to-the-cabinet technology across GB and the North;
- the £1.9m Northern Ireland Broadband Fund which has seen significant roll-out of fixed-wireless broadband services through providers such as North West Electronics and Net 1 Ltd; and
- the remote Broadband Services contracts, previously with Avanti Communications and now with Onwave Ltd, through which satellite broadband services have been made available region-wide.

These initiatives mean that those living, working or conducting business in rural areas have access to services, that can offer download speeds of at least 2Mbps and in some areas of rural NI 100Mbps usually from a number of providers.

As you know, I announced my Department's intention to invest a further £5 million in Broadband and my officials are working with DETI to ensure that these funds are specifically targeted at rural areas to eliminate "not spots" and improve line speeds.

## Forest Service and Forestry Commission, Scotland

**Mr Flanagan** asked the Minister of Agriculture and Rural Development to outline the strategic differences between the Forest Service and Forestry Commission, Scotland.

**(AQW 12631/11-15)**

**Mrs O'Neill:** The strategic differences are the governing arrangements and scale.

The Forestry Commission, Scotland (FCS) is responsible to Scottish Ministers for advising and implementing forest policy. The Forest Service (FS) has similar functions in the north of Ireland.

The legislative basis for forestry is different in each county. The Forest Commission is governed by a Board of Commissioners and in Scotland these functions are delegated to the National Committee for Scotland. In the north of Ireland the Forest Service is an Agency within the Department of Agriculture and Rural Development, and subject to the direction of the Minister.

Forestry Commission Scotland has responsibility for 1.4 million hectares, including 0.5 million hectares managed by its Agency, Forest Enterprise, and spends £110 million. Forest Service manages 0.06 million hectares and spends £11.5 million.

## Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail the current staff complement of the Central Investigation Service and how this compares with each of the last five years.

**(AQW 12663/11-15)**

**Mrs O'Neill:** There are currently 3.8 Full Time Equivalent (FTE) staff in post in DARD Central Investigation Service (CIS). This includes:

- 1.0 Deputy Principal (DP) Head of CIS
- 2.0 Staff Officer (SO) Investigators
- 0.8 Administrative Officer (AO)
- At 1 April 2011 there was 4.8 FTE staff in post. During 2011/12 this reduced by 1 SO Investigator to the 3.8 FTEs currently in post.
- At 1 April 2010 there was 6.8 FTE staff in post i.e. 1 DP, 5 SO Investigators and a 0.8 AO. During the 2010/11 year this reduced by 2 SO Investigators to 4.8 FTEs.
- At 1 April 2009 there was also 6.8 FTE staff in post.
- At 1 April 2008 there was 5 FTE staff in post i.e. 1 DP, 3 SO Investigators and 1 AO. During the 2008/09 year this increased by 2 SO Investigators to 6.8 FTEs (the AO moved to part time working).
- At 1 April 2007 there was 7 FTE staff in post i.e. 1 DP, 4 SO Investigators, 1 EO1 and 1 AO. During the 2007/08 year this reduced by 1 SO Investigator and 1 EO1 to 5 FTEs.

## Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail the number of cases (i) referred to; (ii) investigated by; and (iii) completed by the Central Investigation Service in each of the last five years.

**(AQW 12664/11-15)**

**Mrs O'Neill:** In the current financial year to date 72 cases have been referred to the Central Investigation Service (CIS). Following assessment, 30 of these cases did not proceed to investigation. The remaining 42 cases are currently under investigation.

During the previous 5 year period the following cases were referred by DARD Business areas and, through Service Level Agreement arrangements, by other Public Sector Organisations.

### 2007-2008

|                                   |                 | Investigated and Completed by CIS | Case Assessment not to proceed with an investigation | Referred to PSNI |
|-----------------------------------|-----------------|-----------------------------------|--|------------------|
| DARD Cases                        | 60              | 51                                | 8  | 1                |
| Other Government Department Cases | 3               | 2                                 | 1  | 0                |
|                                   | <b>Total 63</b> | <b>53</b>                         | <b>9</b>   | <b>1</b>         |

**2008-2009**

|                                   |                 | Investigated and Completed by CIS | Case Assessment not to proceed with an investigation | Referred to PSNI |
|-----------------------------------|-----------------|-----------------------------------|--|------------------|
| DARD Cases                        | 54              | 42                                | 11   | 1                |
| Other Government Department Cases | 7               | 4                                 | 3  | 0                |
|                                   | <b>Total 61</b> | <b>46</b>                         | <b>14</b>  | <b>1</b>         |

**2009-2010**

|                                   |                 | Investigated and Completed by CIS | Case Assessment not to proceed with an investigation | Referred to PSNI |
|-----------------------------------|-----------------|-----------------------------------|--|------------------|
| DARD Cases                        | 71              | 47                                | 24   | 0                |
| Other Government Department Cases | 11              | 6                                 | 5  | 0                |
|                                   | <b>Total 82</b> | <b>53</b>                         | <b>29</b>  | <b>0</b>         |

**2010-2011**

|                                   |                 | Investigated and Completed by CIS | Case Assessment not to proceed with an investigation | Referred to PSNI |
|-----------------------------------|-----------------|-----------------------------------|--|------------------|
| DARD Cases                        | 44              | 23                                | 21   | 0                |
| Other Government Department Cases | 15              | 9                                 | 3  | 3                |
|                                   | <b>Total 59</b> | <b>32</b>                         | <b>24</b>  | <b>3</b>         |

**2011-2012**

|                                   |                 | Investigated and Completed by CIS | Case Assessment not to proceed with an investigation | Referred to PSNI |
|-----------------------------------|-----------------|-----------------------------------|--|------------------|
| DARD Cases                        | 35              | 28                                | 7  | 0                |
| Other Government Department Cases | 12              | 8                                 | 3  | 1                |
|                                   | <b>Total 47</b> | <b>36</b>                         | <b>10</b>  | <b>1</b>         |

**Central Investigation Service**

**Mr Allister** asked the Minister of Agriculture and Rural Development how many Central Investigation Service investigations have resulted in prosecutions in each of the last five years.

**(AQW 12665/11-15)**

**Mrs O'Neill:** In the current financial year none of the Central Investigation Service investigations have resulted in prosecutions. However, one case is currently pending Public Prosecution Service direction and another will be forwarded to the Public Prosecution Service for a direction. Three cases are currently with the Police Service of NI for consideration.

During the previous 5 years the following number of cases has resulted in prosecutions.

| Year      | Number of Cases Prosecuted |
|-----------|----------------------------|
| 2007-2008 | 10                         |
| 2008-2009 | 4                          |
| 2009-2010 | 8                          |

| Year         | Number of Cases Prosecuted |
|--------------|----------------------------|
| 2010-2011    | 4                          |
| 2011-2012    | 3                          |
| <b>Total</b> | <b>29</b>                  |

### Quangos

**Mr Gardiner** asked the Minister of Agriculture and Rural Development how many QUANGOS, that are attached to her Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12691/11-15)**

**Mrs O'Neill:** There are no Non –Departmental Public Bodies sponsored by my Department that have been created as a result of legislation passed by the Assembly since 2007.

### Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail the (i) outcome; and (ii) financial value of the cases investigated by the Central Investigation Service, in each of the last five years.

**(AQW 12693/11-15)**

**Mrs O'Neill:** The Department publishes a Counter Fraud and Enforcement Activities Annual Report. The outcome of CIS investigations and their overall financial value are detailed in these Annual Reports. The Department has not yet published the 2011/2012 Counter Fraud Annual Report. However, the 2010/2011 report is available on the DARD website. [www.dardni.gov.uk](http://www.dardni.gov.uk) Previous Annual Reports are available on request.

In response to your question, I have provided, at Annex A, a summary of the outcomes of the cases referred to CIS over the last 5 full financial years. This includes the number of successful prosecutions, disciplinary proceedings and referral to the Police Service for further investigation.

In addition, individual Case Closure outcomes can include CIS recommendations to business areas in relation to highlighting areas of weakness in the operating systems to prevent future losses, imposing scheme penalties or initiating “Claw back” of EU funding.

### Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development (i) how many staff attached to Central Investigation Service have been suspended in each of the last five years; (ii) for what reasons were the suspensions imposed; and (iii) how many suspensions are extant.

**(AQW 12694/11-15)**

**Mrs O'Neill:** In 2011 one member of staff attached to Central Investigation Services was suspended while allegations of misconduct that may have had an adverse effect on the working of the Department were investigated. The suspension is not extant. There were no other suspensions in Central Investigation Services in the last five years.

### Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development whether the Central Investigation Service has ever been subjected to an independent review by an external party to establish if it is fit for purpose and aligned to good investigatory practice; and, if so, what was the outcome.

**(AQW 12696/11-15)**

**Mrs O'Neill:** In April 2010 the Department commissioned a review of CIS. The review resulted in a number of recommendations to improve processes, procedures and reporting of fraud cases. This was followed up by NIAO as part of the 2010-11 financial audit.

In addition, a current review of the Unit is being conducted by Internal Audit as part of the Department's annual audit programme.

I can confirm that all resulting recommendations were accepted and have now been implemented in full.

### DARD Headquarters

**Mr Buchanan** asked the Minister of Agriculture and Rural Development what consideration has been given to Omagh as a location for her new departmental headquarters.

**(AQW 12722/11-15)**

**Mrs O'Neill:** As you will be aware the advancement of the relocation of the Headquarters of the Department of Agriculture and Rural Development (DARD) is one of the commitments set out in the Executive's Programme for Government 2011-2015. Work on delivering this important commitment is progressing. I am currently considering potential locations and hope to reach a decision soon.

## Village Regeneration Schemes

**Mr Hamilton** asked the Minister of Agriculture and Rural Development, pursuant to AQW 11812/11-15, to list the nature, budget and location of the (i) 26 projects that have been completed; and (ii) the 52 projects that are currently under way.

**(AQW 12725/11-15)**

**Mrs O'Neill:** Pursuant to AQW 11812/11-15 I am providing further information on the projects supported under the Village Renewal and Development measure of Axis 3 of the Rural Development Programme. The detail is as recorded on the EU applications database.

### Measure 3.5, Village Renewal & Development - projects completed. Position at 17 May 2012

| Application Ref No | Org Name                                    | Project Title   | DA Short | Application Status | Grant Awarded |
|--------------------|---|---|----------|--------------------|---------------|
| 3308               | Antrim Borough Council                      | Crumlin Village Enhancement Initiative                  | GROW     | Completed          | 5,000.00      |
| 7272               | Carrickfergus Borough Council               | Toomebridge, Doagh and Whitehead Village Masterplans    | GROW     | Completed          | 33,750.00     |
| 8594               | Lisburn City Council                        | Lagan Rural Village Renewal Scheme                      | LRP      | Completed          | 33,018.75     |
| 8012               | NER   | Village Links   | NER      | Completed          | 5,000.00      |
| 28507              | Gleno Valley Community Association          | Gleno Valley Community Association Village Renewal Plan | NER      | Completed          | 4,875.00      |
| 28534              | Moyle District Council                      | Ballintoy Village Plan                                  | NER      | Completed          | 3,000.00      |
| 28537              | Carnlough Community Association             | Carnlough Village Action Plan                           | NER      | Completed          | 5,250.00      |
| 28541              | Moyle District Council                      | Cushendun Village Plan                                  | NER      | Completed          | 3,000.00      |
| 28544              | Moyle District Council                      | Mosside Village Plan                                    | NER      | Completed          | 3,000.00      |
| 28565              | Cullybackey Residents Association           | Cullybackey Village Action Plan                         | NER      | Completed          | 5,250.00      |
| 28566              | Stranocum & District Development Group      | Stranocum Village Action Plan                           | NER      | Completed          | 5,250.00      |
| 28575              | Dervock & District Community Association    | Dervock & District Village Action Plan                  | NER      | Completed          | 5,250.00      |
| 28577              | Ballybogey & District Community Association | Ballybogey Village Action Plan                          | NER      | Completed          | 5,250.00      |
| 28611              | Dunloy Development Partnership              | Dunloy Village Plan                                     | NER      | Completed          | 4,500.00      |
| 28894              | Moyle District Council                      | Hamill Terrace, Bushmills                               | NER      | Completed          | 48,585.00     |



| <b>Application Ref No</b> | <b>Org Name</b>  | <b>Project Title</b>                                   | <b>DA Short</b>         | <b>Application Status</b> | <b>Grant Awarded</b> |
|---------------------------|--|--|-------------------------|---------------------------|----------------------|
| 31692                     | RASHARKIN COMMUNITY ASSOCIATION  | VILLAGE PLAN FOR RASHARKIN                             | NER                     | Completed                 | 1,875.00             |
| 31759                     | BALLYCARRY COMMUNITY ASSOCIATION   | VILLAGE PLAN BALLYCARRY                                | NER                     | Completed                 | 5,250.00             |
| 31789                     | Cloughmills Community Action Team  | Cloughmills C.A.T. Village Renewal Phase I             | NER                     | Completed                 | 7,373.40             |
| 31869                     | Millbrook community development Association                                    | VILLAGE PLAN MILLBROOK                                 | NER                     | Completed                 | 5,250.00             |
| 31877                     | Coleraine Borough Council on behalf of Macosquin Village Community Association | Macosquin Village Plan                                 | NER                     | Completed                 | 5,250.00             |
| 31880                     | Portballintrae Residents Association   | Village Plan   | NER                     | Completed                 | 5,250.00             |
| 31900                     | Coleraine Borough Council on behalf of Articlave Community Development Group   | Articlave Village Plan                                 | NER                     | Completed                 | 5,250.00             |
| 31934                     | Glenravel & District Community & Residents Association                         | Improving Glenravel Amenities                          | NER                     | Completed                 | 9,000.00             |
| 22679                     | Cookstown District Council   | Integrated Action Plans for 6 Rural Settlements        | SWARD                   | Completed                 | 39,000.00            |
| 23115                     | The Rainey Centre Ltd  | Development Plans for Villages in Magherafelt District | SWARD                   | Completed                 | 39,831.31            |
| 23964                     | Fermanagh District Council   | Integrated action plans for 12 rural settlements       | SWARD                   | Completed                 | 72,999.00            |
|                           | <b>Number of Completed Projects</b>  | <b>26</b>  | <b>Total Grant Paid</b> |                           | <b>366,307.46</b>    |

**Measure 3.5, Village Renewal & Development - projects currently underway. Position at 17 May 2012**

| <b>Application Ref No</b> | <b>Org Name</b>        | <b>Project Title</b>   | <b>DA Short</b> | <b>Application Status</b> | <b>Grant Awarded</b> |
|---------------------------|------------------------|--|-----------------|---------------------------|----------------------|
| 32396                     | Omagh District Council | Scoping Study and Action Plans for Villages in ARC north west area | ARC NW          | LOOAccepted               | 44,860.31            |

| <b>Application Ref No</b> | <b>Org Name</b>                                     | <b>Project Title</b>   | <b>DA Short</b> | <b>Application Status</b> | <b>Grant Awarded</b> |
|---------------------------|---|--|-----------------|---------------------------|----------------------|
| 7092                      | Banbridge District Council                          | Rathfriland Environmental Improvement Scheme   | DRAP            | LOOAccepted               | 113,622.50           |
| 33272                     | Ards Borough Council                                | Village Renewal Support Officer for the Ards, Banbridge, Down and North Down cluster | DRAP            | LOOAccepted               | 76,197.44            |
| 35585                     | Down District Council                               | Ballyhornan Village Plan   | DRAP            | LOOAccepted               | 5,000.00             |
| 35597                     | Saintfield Town Regeneration Committee              | Saintfield Village Plan  | DRAP            | LOOAccepted               | 4,950.00             |
| 35604                     | Banbridge District Council                          | Creation of Village Plans for Banbridge District                                     | DRAP            | LOOAccepted               | 71,788.50            |
| 35716                     | Dundrum Village Association                         | Dundrum Village Plan   | DRAP            | LOOAccepted               | 5,000.00             |
| 35721                     | Kilcoo Community Association                        | Kilcoo Village Plan  | DRAP            | LOOAccepted               | 5,000.00             |
| 35751                     | Drummaroad & Clanvarghan Community Association DCCA | Clanvarghan Village Plan   | DRAP            | LOOAccepted               | 4,950.00             |
| 35757                     | Clough and District Community Association           | Clough Village plan  | DRAP            | LOOAccepted               | 5,000.00             |
| 7231                      | Antrim Borough Council                              | South Antrim Village Renewal Facilitator   | GROW            | LOOAccepted               | 106,914.00           |
| 7844                      | Antrim Borough Council                              | Crumlin Village Enhancement Scheme   | GROW            | LOOAccepted               | 230,000.00           |
| 33845                     | T.I.D.A.L Ltd                                       | Toome Village Improvement Project  | GROW            | LOOAccepted               | 55,162.50            |
| 35726                     | Newtownabbey Borough Council                        | Doagh Village Enhancement Scheme - Phase One   | GROW            | LOOAccepted               | 27,948.61            |
| 35734                     | Carrickfergus Borough Council                       | Whitehead Floral Scheme  | GROW            | LOOAccepted               | 9,641.17             |
| 35756                     | Antrim Borough Council                              | Crumlin Building Enhancement Scheme  | GROW            | LOOAccepted               | 15,000.00            |
| 34017                     | Lisburn City Council                                | Feasibility Study - Recreation Park - Maghaberry                                     | LRP             | LOOAccepted               | 5,000.00             |
| 34018                     | Lisburn City Council                                | Feasibility Study - Recreation Park, Milltown  | LRP             | LOOAccepted               | 5,000.00             |
| 34020                     | Lisburn City Council                                | Feasibility Study - Historic Interperation of Moira Demesne                          | LRP             | LOOAccepted               | 5,000.00             |
| 34022                     | Lisburn City Council                                | Feasibility Study - Sports & Recreation Hub, Glenavy                                 | LRP             | LOOAccepted               | 5,000.00             |

| <b>Application Ref No</b> | <b>Org Name</b>  | <b>Project Title</b>   | <b>DA Short</b> | <b>Application Status</b> | <b>Grant Awarded</b> |
|---------------------------|--|--|-----------------|---------------------------|----------------------|
| 34037                     | Castlereagh Borough Council                            | Mini Environmental Improvement Scheme for Moneyreagh                                     | LRP             | LOOAccepted               | 5,000.00             |
| 6151                      | moyle district council                                 | Facilitation of Village Renewal and Development in the North east Rural Development Area | NER             | LOOAccepted               | 113,099.00           |
| 29683                     | Portglenone Enterprise Group Property Limited (PEG)    | Portglenone Village Renewal  | NER             | LOOAccepted               | 47,328.75            |
| 30117                     | Moyle District Council                                 | Waterfoot Village Improvement Scheme   | NER             | LOOAccepted               | 62,055.75            |
| 31856                     | Castlerock Community Association                       | Village renewal - Castlerock   | NER             | LOOAccepted               | 35,482.50            |
| 33324                     | The Bushmills Trust                                    | Brighter Bushmills   | NER             | LOOAccepted               | 14,310.00            |
| 33360                     | Coleraine Borough Council                              | Orientation & Interpretative Project, Castlerock   | NER             | LOOAccepted               | 27,017.25            |
| 33444                     | Garvagh Development Trust (GDT)                        | Garvagh Village Renewal  | NER             | LOOAccepted               | 45,142.50            |
| 33456                     | Glenravel & District Community & Residents Association | Glenravel Village Renewal  | NER             | LOOAccepted               | 17,010.00            |
| 33462                     | Moyle District Council                                 | Cushendall Village Improvement Scheme  | NER             | LOOAccepted               | 51,720.00            |
| 33487                     | Ballymena Borough Council                              | Glenravel Village Renewal Part 2   | NER             | LOOAccepted               | 36,487.50            |
| 33492                     | Cushendall District Development Group Ltd              | Cushendall Development Group Application   | NER             | LOOAccepted               | 11,190.00            |
| 34437                     | Moyle District Council                                 | Hamill Terrace Public Art  | NER             | LOOAccepted               | 12,000.00            |
| 35612                     | Moyle District Council                                 | Village Renewal Facilitation/Animation in the NER Area                                   | NER             | LOOAccepted               | 88,443.50            |
| 36142                     | Dervock & District Community Association Limited       | K.K. McArthur Festival of Running  | NER             | LOOAccepted               | 14,325.00            |
| 6579                      | Armagh City and District Council                       | Re-Imaging Villages  | SOAR            | LOOAccepted               | 94,448.82            |
| 7099                      | Newry & Mourne DC                                      | Integrated Village Plans in Newry & Mourne   | SOAR            | LOOAccepted               | 187,490.00           |

| <b>Application Ref No</b> | <b>Org Name</b>                                | <b>Project Title</b>   | <b>DA Short</b>                | <b>Application Status</b> | <b>Grant Awarded</b> |
|---------------------------|--|--|--------------------------------|---------------------------|----------------------|
| 7101                      | Craigavon Borough Council                      | Comprehensive Strategic Plans for 8 Villages across Craigavon Borough Council        | SOAR                           | LOOAccepted               | 105,419.31           |
| 23218                     | Dungannon & South Tyrone Borough Council       | Integrated Action Plans for 7 Rural Settlements                                      | SWARD                          | LOOAccepted               | 43,500.00            |
| 35702                     | Annsborough Community Development Forum        | Annsborough village plan   | DRAP                           | LOOIssued                 | 5,000.00             |
| 35725                     | Killyleagh Development Association Limited     | Conversion of 9 Catherine Street, Killyleagh to Community Facilities                 | DRAP                           | LOOIssued                 | 107,915.00           |
| 35803                     | Castlewellan Regeneration Limited              | Castlewellan Integrated Plan   | DRAP                           | LOOIssued                 | 5,000.00             |
| 35809                     | Ballywalter Community Action Group             | Blooming Ballywalter   | DRAP                           | LOOIssued                 | 3,432.36             |
| 36172                     | Cookstown District Council                     | Village Renewal - Pomeroy  | SWARD                          | LOOIssued                 | 49,885.58            |
| 36173                     | Cookstown District Council                     | Village Renewal - Moneymore  | SWARD                          | LOOIssued                 | 50,000.00            |
| 36174                     | Cookstown District Council                     | Village Renewal - Stewartstown 1   | SWARD                          | LOOIssued                 | 24,371.00            |
| 36193                     | Cookstown District Council                     | Village Renewal - Loughshore 1 Ardboe  | SWARD                          | LOOIssued                 | 12,500.00            |
| 36202                     | Cookstown District Council                     | Village Renewal - Dunamore Ward (Dunamore, Broughderg, Gortacladdy and Kileenan)     | SWARD                          | LOOIssued                 | 49,050.00            |
| 36359                     | Cookstown District Council                     | Village Renewal - Loughshore 2   | SWARD                          | LOOIssued                 | 12,500.00            |
| 36373                     | Dungannon & South Tyrone Borough Council       | Integrated Village Renewal for priority rural settlements                            | SWARD                          | LOOIssued                 | 157,000.00           |
| 36374                     | Dungannon & South Tyrone Borough Council       | Village Regeneration through environmental development in priority rural settlements | SWARD                          | LOOIssued                 | 143,000.00           |
| 36392                     | Cookstown District Council                     | Village Renewal - Coagh  | SWARD                          | LOOIssued                 | 50,000.00            |
|                           | <b>Total number of LOOs currently underway</b> | <b>52</b>  | <b>Total LOO Grant Awarded</b> |                           | <b>2,482,158.85</b>  |

My Department does not hold further detail on the specifics of individual projects. Information on the full nature of each project may be obtained from the Joint Council Committees contracted by my Department to deliver the Axis 3 measures detailed overleaf.

**Contact Details for Axis 3 Joint Council Committees Admin Units**

|  |   |
|--|---|
| <b>GROW South Antrim</b>                                       |   |
| <b>Name</b>  | Emma Stubbs   |
| <b>Address</b>   | C/o Antrim Borough Council, Antrim Civic Centre, 50 Stiles Way, Antrim, BT41 2UB                    |
| <b>Tel</b>   | 028 94 481 311  |
| <b>Email</b>   | emma.stubbs@antrim.gov.uk   |
| <b>North East Region (NER)</b>                                 |   |
| <b>Name</b>  | Andrew McAlister  |
| <b>Address</b>   | Ecos Centre Millennium Environmental Centre, Kernohan's Lane, Broughshane Road, Ballymena, BT43 7QA |
| <b>Tel</b>   | 028 25 638 263  |
| <b>Email</b>   | Andrew.rdp@ballymena.gov.uk   |
| <b>Southern Organisation Area for Rural Development (SOAR)</b> |   |
| <b>Name</b>  | Elaine Cullen   |
| <b>Address</b>   | Craigavon Borough Council, Lakeview Road, Craigavon, BT64 1AL                                       |
| <b>Tel</b>   | 028 38 312 573  |
| <b>Email</b>   | elaine.cullen@craigavon.gov.uk  |
| <b>Assisting Rural Communities (ARC) North West</b>            |   |
| <b>Name</b>  | Claudine McGuigan   |
| <b>Address</b>   | Omagh District Council, The Grange, Mountjoy Road, Omagh, BT79 7BL                                  |
| <b>Tel</b>   | 028 82 245 321  |
| <b>Email</b>   | Claudine.mcguigan@omagh.gov.uk  |
| <b>Down Rural Area Partnership (DRAP)</b>                      |   |
| <b>Name</b>  | Marguerite Osborne  |
| <b>Address</b>   | Ards Business Centre, Sketrick House, Jubilee Road, Newtownards, BT23 4YH                           |
| <b>Tel</b>   | 028 91 820 748  |
| <b>Email</b>   | Marguerite.Osborne@ards-council.gov.uk  |
| <b>South West Action on Rural Development (SWARD)</b>          |   |
| <b>Name</b>  | Terry Scullion  |
| <b>Address</b>   | Gortlowry House, 94 Church Street, Cookstown, BT80 8HX  |
| <b>Tel</b>   | 028 86 76 4714  |
| <b>Email</b>   | terry.scullion@cookstown.gov.uk   |
| <b>Lagan Rural Partnership (LRP)</b>                           |   |
| <b>Name</b>  | Padraic Murphy  |
| <b>Address</b>   | c/o Lisburn City Council, Island Civic Centre, The Island, Lisburn, BT27 4RL                        |
| <b>Tel</b>   | 028 9250 9383 or 07791757497  |
| <b>Email</b>   | Padraic.murphy@lisburn.gov.uk   |



## Herd Numbers

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the conditions which must be met for a person to be named on more than one herd number.

**(AQW 12732/11-15)**

**Mrs O'Neill:** The policy is, and has been for more than 20 years, that before being issued a new herd registration number, a person should not already be an existing registered keeper of that species of animal, so there are no conditions to be met.

## Herd Numbers

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the number of herd numbers issued in each of the last twenty years; and for an estimate of the number which were issued, in each year, to people who were already named on existing herd numbers.

**(AQW 12733/11-15)**

**Mrs O'Neill:** Please see table below for number of herd numbers issued/herd keepers registered in each of the last 20 years. The figure for 2012 is up to week commencing 11 June.

| Year | Herds Registered |
|------|------------------|
| 1992 | 1025             |
| 1993 | 709              |
| 1994 | 601              |
| 1995 | 684              |
| 1996 | 754              |
| 1997 | 717              |
| 1998 | 564              |
| 1999 | 434              |
| 2000 | 708              |
| 2001 | 346              |
| 2002 | 450              |
| 2003 | 140              |
| 2004 | 261              |
| 2005 | 267              |
| 2006 | 317              |
| 2007 | 166              |
| 2008 | 170              |
| 2009 | 274              |
| 2010 | 387              |
| 2011 | 451              |
| 2012 | 243              |

The policy is, and has been for over 20 years, that a person cannot be registered as a herd keeper if that person is already registered as a keeper of that species of animal. However, it is possible that this may have happened on very rare occasions, for example, if the applicant was a keeper in their own right and a member of a registered company (i.e. a separate legal identity).

Herd keeper registrations are recorded on the Animal and Public Health Information System (APHIS). However, it is not possible to use APHIS to check a herd registration number against a particular name so an estimate cannot be given for the number of keeper registrations that were issued to people who were already named on an existing herd registration number.

## Herd Numbers

**Mrs Dobson** asked the Minister of Agriculture and Rural Development what checks are carried out on people applying for a herd number, or for an additional herd number; and whether, and how, these checks have changed over the last twenty years.

**(AQW 12735/11-15)**

**Mrs O'Neill:** Checks are carried out to ensure that the applicant is not banned from keeping livestock, is over 18 years of age and is not already a registered keeper for that species of livestock. Checks are also carried out to see if the person already has a Customer Identification number or a Business Identification number.

In terms of how the checks have changed during the last 20 years, applicants have always been asked if they are over 18 years of age, while procedures to check if the applicant was banned from keeping livestock were set up in late 2009, and procedures for checking Customer and Business Identification numbers started 2007/2008.

## Herd Numbers

**Mrs Dobson** asked the Minister of Agriculture and Rural Development what questions are asked of people applying for herd numbers; and whether, and how, these questions have changed over the last twenty years.

**(AQW 12736/11-15)**

**Mrs O'Neill:** Applicants are currently asked;

- Their address details and landline and mobile phone numbers.
- Address of premises if different.
- Farm Survey and map reference numbers.
- If they are banned from keeping livestock and what species if applicable.
- Customer or Business Identification numbers.
- Details of keeper if the applicant will not be the keeper and if the proposed keeper is banned from keeping livestock.
- The area of land and if the land is owned or leased.
- The number and type of livestock the applicant proposes to keep.
- What stock handling and isolation facilities are available.
- If the applicant is already named as a keeper in an existing herd or flock registration for the same species.
- If they are already registered as a keeper of different animal species and the registration number and number of animals kept.
- The details of the Veterinary Practice that will be carrying out routine TB testing.

We no longer ask applicants;

- If another family member is registered as a keeper and their relationship to this keeper.
- If the applicant resides and works on the home farm.
- If the applicant intends to reside on new premises and farm separately from the home farm and how far the new premises will be from the home farm.
- Was the land of the new premises previously used by the home farm.
- Will the livestock be bought or transferred from the home farm herd.

## Fish: Alternative and Sustainable Species

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether her Department is engaged in any initiatives, with retailers and restaurants, to promote the consumption of alternative and more sustainable species of fish.

**(AQW 12875/11-15)**

**Mrs O'Neill:** The Department is not currently engaged in initiatives of this type. However Producer Organisations have a role in the marketing of fish products and the Sea Fish Industry Authority produces guidance on sustainable sources of alternative fish species.

## Proposed Common Fisheries Policy Regulation

**Mr Agnew** asked the Minister of Agriculture and Rural Development for her assessment of the proposals to introduce an obligation to land all catches, which is the mechanism to be used to eliminate the practice of discarding fish, contained in Article 15 of the proposed Common Fisheries Policy Regulation.

**(AQW 12903/11-15)**

**Mrs O'Neill:** I welcome the proposed "general approach" on a new Common Fisheries Policy Regulation that was agreed at the Fisheries Council on 12 June 2012. It contains a commitment, in respect of our fisheries, to land all catches of species that are subject to catch limits. I believe that the proposed timetable is testing but achievable. Our biggest challenge is probably to reduce discards in the mixed species Nephrops fishery, however good progress is being made to identify highly selective fishing gear that will significantly reduce unwanted catches of non-target species.

### Bridge Replacement: Grange Lane/Trench Lane, Mallusk

**Mr Girvan** asked the Minister of Agriculture and Rural Development what discussions she has had with other Departments on the replacement of the bridge at Grange Lane/Trench Lane, Mallusk.

**(AQW 12935/11-15)**

**Mrs O'Neill:** I have had no discussions with other Departments on the replacement of the bridge at Grange Lane/Trench Lane, Mallusk. Officials in my Rivers Agency have had ongoing liaison with officials in the Department of Regional Development, Roads Service on this issue during the last year.

## Department of Culture, Arts and Leisure

### Quangos

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure what plans she has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12600/11-15)**

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

- (i) My Department plans to wind up the World Police and Fire Games Company by March 2014. My Department is carrying out reviews of its Arm's Length Bodies (ALB) including consideration of future delivery of the functions of each body which could potentially result in further reduction in the number of ALBs.
- (ii) A table showing the operational cost of each Arm's Length Body for the last four years is attached at Annex A.

#### Annex A

| Name of body                       |   | Funding provided |                 |                 |                 |
|------------------------------------|---|------------------|-----------------|-----------------|-----------------|
|                                    |   | 2011/12<br>£000  | 2010/11<br>£000 | 2009/10<br>£000 | 2008/09<br>£000 |
| Libraries NI                       |   | 34,507           | 37,958          | 34,285          | 34,706          |
| National Museums NI                |   | 15,111           | 24,499          | 17,462          | 21,492          |
| SportNI                            |   | 19,687           | 25,400          | 25,377          | 24,184          |
| Arts Council of NI                 |   | 19,445           | 27,178          | 27,481          | 16,334          |
| Armagh Observatory and Planetarium |   | 1,669            | 2,055           | 1,530           | 1,503           |
| NI Screen Commission Ltd           |   | 1,648            | 1,368           | 1,450           | 1,479           |
| NI Museums Council Ltd             |   | 258              | 324             | 349             | 309             |
| 2013 WPGF Company Ltd              | 1 | 749              | nil             | nil             | nil             |
| North South Language Body          |   | 6,259            | 6,516           | 6,466           | 6,514           |
| Waterways Ireland                  |   | 3,675            | 4,537           | 5,394           | 7,323           |
| NI Events Company Ltd (NIEC)       | 2 | -26              | 10              | 73              | 118             |
| Fisheries Conservancy Board        | 3 | Nil              | Nil             | Nil             | 739             |

### Galbally Pearses GAA Club

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether she intends to take any action following the decision of Galbally Pearses GAA club to award medals featuring an IRA terrorist to children.

**(AQW 12633/11-15)**

**Ms Ní Chuilín:** I am aware of reports in the media that an individual has raised an issue over medals awarded by Galbally Pearses GAC following a recent GAA football blitz. Responsibility for the provision of medals at sporting events is wholly a matter for clubs and the relevant sports governing body. I understand that, in this case, the Tyrone County Board has agreed to look into the matter if it receives an approach from the individual concerned.

## Galbally Pearses GAA Club

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether the decision of Galbally Pearses GAA club to award medals, featuring an IRA terrorist, to children will have any impact on future applications for funding from the club.

**(AQW 12634/11-15)**

**Ms Ní Chuilín:** Sport NI is responsible for the distribution of funding to sport in the north of Ireland. The assessment of funding applications from sporting organisations, including Galbally Pearses GAC, and decisions relating to eligibility are, therefore, wholly a matter for Sport NI. Sport NI funding programmes have an equity clause as a standard condition of their grants and I expect that future applications from all sporting clubs and organisations will be required to satisfy the terms of that clause.

## Table Tennis

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure to detail the funding which her Department has made available to support Table Tennis in each of the last three years.

**(AQW 12639/11-15)**

**Ms Ní Chuilín:** Sport NI is responsible for the distribution of funding for sport in the north of Ireland. In the last three financial years Sport NI, has provided £315,904 exchequer funding towards the development of Table Tennis. Details are set out below:

| Date | Organisation   | Project  | Amount          |
|------|--|--|-----------------|
| 2009 | UB Irish Table Tennis Association                      | Governing Body Investment                            | £66,383         |
| 2010 | Alexandra Presbyterian Church Junior Table Tennis Club | Table Tennis Club Participation Initiative           | £1,910          |
|      | UB Irish Table Tennis Association                      | Governing Body Investment                            | £102,617        |
|      | Na Liu   | Athlete Support Programme Living Costs               | £4,733          |
|      | Glenburn Methodist Church                              | Installation of sports floor and upgrade of lighting | £26,111         |
| 2011 | UB Irish Table Tennis Association                      | Governing Body Investment                            | £98,833         |
|      | Na Liu and Paul McCreery                               | Athlete Support Programme Living Costs               | £15,317         |
|      |  | <b>Total</b>   | <b>£315,904</b> |

## Table Tennis

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure whether she has had any discussions regarding the creation of a Centre of Excellence for Table Tennis and what arrangements would need to be put in place before such a centre could be operational.

**(AQW 12640/11-15)**

**Ms Ní Chuilín:** Responsibility for the creation of Centre of Excellence for Table Tennis rests, in the first instance, with the governing body for the sport in the north of Ireland, Table Tennis Ulster.

Neither my Department nor Sport NI have received any approach from Table Tennis Ulster to discuss the development of a Centre of Excellence. Before such a centre could be operational, the agreement of Table Tennis Ulster would be required and a range of issues in relation to need, finance, design, location and, potentially, procurement would need to be considered. Sport NI can provide advice and guidance to sports organisations and other interested parties on these matters.

## Armagh County Museum

**Mrs D Kelly** asked the Minister of Culture, Arts and Leisure to detail, for each of the last two years, to detail (i) the cost of (a) staffing; and (b) maintaining the Armagh Museum; and (ii) the income received by the museum, broken down by source,

**(AQW 12674/11-15)**

**Ms Ní Chuilín:** National Museums NI has provided me with the following information:

- (i) (a) Staffing costs for Armagh County Museum amounted to:
  - 2010-11: £208,373
  - 2011-12: £197,374
- (b) Maintenance and running costs for Armagh County Museum amounted to:
  - 2010-11: £62,919
  - 2011-12: £60,312
- (ii) The income received by the Armagh County Museum:
  - 2010-11: Total income - £2,789 (made up of retail sales £1,750 and donations of £1,039)
  - 2011-12: Total income - £1,810 (made up of retail sales £1,082 and donations of £728).

## Quangos

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure how many QUANGOS, that are attached to her Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12690/11-15)**

**Ms Ní Chuilín:** One body, attached to the Department of Culture, Arts and Leisure, has been created as a result of legislation passed by the NI Assembly since 2007.

The Northern Ireland Library Authority, known as Libraries NI, was formed in 2009 as a result of legislation laid in 2008.

## Creativity Month

**Mr Swann** asked the Minister of Culture, Arts and Leisure for her assessment of Creativity Month, which was celebrated in March 2012.

**(AQW 12698/11-15)**

**Ms Ní Chuilín:** Creativity Month aims to stimulate new thinking and new collaborations to help creative people, creative ideas and creative businesses to emerge and flourish. The initiative helps to group and profile events, workshops and activities supporting creativity and innovation.

Creativity Month in March 2012 built on the pilot launched in 2011 and there is momentum gathering behind the initiative and an appreciation of the opportunity it provides to showcase creativity and innovation across the region and particularly that from the cultural and creative industries. One such example is the Ulster Festival of Art and Design, at the University of Ulster, which this year moved from its usual June date to March in part to contribute to and benefit from Creativity Month.

The launch of the Programme for Government and Economic Strategy in March 2012 highlighted the priority to “stimulate innovation, R&D and creativity”. This should encourage cross-departmental and other stakeholder engagement in Creativity Month in 2013 and, together with the City of Culture celebrations, showcase the key role that creativity will play in rebuilding and rebalancing our economy and tackling other key priorities in health, education, social inclusion and the environment.

## Culture Company

**Mr Swann** asked the Minister of Culture, Arts and Leisure for an update of her Department's work to establish a digital platform to promote creativity with the Culture Company.

**(AQW 12699/11-15)**

**Ms Ní Chuilín:** During Creativity Month in March 2012 a new online resource, [www.creativityni.org](http://www.creativityni.org), was launched by the Culture Company, in partnership with Culture NI, to profile events and activities promoting creativity. The development of the site was supported by my Department.

The site was also used to launch a competition to design the official mascot for Derry City of Culture in 2013. It will be further developed by autumn 2012 to include digital content and videos profiling innovative initiatives undertaken by DCAL Arm-length Bodies and other organisations. In addition to facilitating networking opportunities, the resource will evolve into an online hub for creativity and innovation and help to maximise the impact of City of Culture across the region.

## Fly Fishing: FIPS-Mouche

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether her Department will raise with the International Fly Fishing Association, FIPS-Mouche, its rejection of an application by the Northern Ireland Fly Fishing Association for membership, given that membership has been granted to Scotland, England and Wales.

**(AQW 12775/11-15)**

**Ms Ní Chuilín:** This is a matter for the governing bodies of Sport, in which DCAL has no focus or remit.

## Ulster-Scots Agency

**Mr Weir** asked the Minister of Culture, Arts and Leisure how much funding the Ulster Scots Agency has allocated to the North Down constituency, in each of the last five years.

**(AQW 12883/11-15)**

**Ms Ní Chuilín:** The funding allocated by the Ulster-Scots Agency to groups in the North Down constituency in each of the last five years is shown in the table below.

| Year | Amount     |
|------|------------|
| 2007 | £8,200.00  |
| 2008 | £7,850.00  |
| 2009 | £10,210.00 |



| Year | Amount     |
|------|------------|
| 2010 | £19,183.50 |
| 2011 | £4,800.00  |

In 2012 to date the Ulster-Scots Agency has allocated £3,000.00 to groups in the North Down constituency.

### Irish League Football Grounds

**Mr Weir** asked the Minister of Culture, Arts and Leisure what opportunities exist for Irish League football clubs, with a non-designated ground, to have a reassessment of the designation of their ground; and whether there are any plans to review the designation of Irish League football grounds.

**(AQW 12978/11-15)**

**Ms Ní Chuilín:** The criteria used to determine which football grounds should be considered for designation is prescribed under legislation, namely the Safety of Sports Grounds (NI) Order 2006. Article 4(1) of the Order enables my Department, by order, to designate as requiring a safety certificate, any sports ground which, in DCAL's opinion, has accommodation for more than 5,000 spectators. Any football ground not currently designated under this legislation, but which has accommodation of more than 5,000 spectators may, therefore, be considered by my Department for designation. DCAL currently has no plans to review the designation of Irish League football grounds under this legislation.

## Department of Education

### Primary and Post-primary Schools: Development Proposals

**Mrs Dobson** asked the Minister of Education (i) how many development proposals from primary and post-primary schools were submitted to his Department in 2011/2012, broken down by sector; and (ii) whether they (a) have been approved; (b) have been refused; or (c) are currently outstanding.

**(AQW 11540/11-15)**

**Mr O'Dowd (The Minister of Education):** There have been 47 development proposals relating to primary schools, including preparatory departments, submitted to the Department in 2011 and 2012. They are broken down as follows;

| Sector                          | Year published | Approved | Not Approved | Decision Pending |
|---------------------------------|----------------|----------|--------------|------------------|
| Controlled Primary              | 2011           | 12       | 2            | 0                |
| Maintained Primary              | 2011           | 6        | 2            | 1                |
| Grant Maintained Integrated     | 2011           | 1        | 1            | 0                |
| Other Maintained (Irish Medium) | 2011           | 4        | 3            | 0                |
| Other Maintained (Not IM)       | 2011           | 1        | 0            | 0                |
| Voluntary (Prep)                | 2011           | 1        | 0            | 0                |
| Controlled Primary              | 2012           | 1        | 2            | 3                |
| Maintained Primary              | 2012           | 1        | 0            | 3                |
| Other Maintained (Irish Medium) | 2012           | 1        | 0            | 1                |
| Voluntary (Prep)                | 2012           | 0        | 0            | 1                |

There have been 6 development proposals relating to post-primary schools submitted to the Department in 2011 and 2012. They are broken down as follows;

|                      | Year published | Approved | Not Approved | Decision Pending |
|----------------------|----------------|----------|--------------|------------------|
| Voluntary Grammar    | 2011           | 1        | 0            | 0                |
| Controlled Secondary | 2011           | 1        | 0            | 0                |
| Maintained           | 2012           | 0        | 0            | 2                |

|                                 | Year published | Approved | Not Approved | Decision Pending |
|---------------------------------|----------------|----------|--------------|------------------|
| Grant Maintained Integrated     | 2012           | 0        | 0            | 1                |
| Other Maintained (Irish Medium) | 2012           | 0        | 0            | 1                |

### Arm's-length Bodies: Pension Schemes

**Mr Allister** asked the Minister of Education whether all the pension schemes that are in place across his Department's arm's-length bodies are exclusively Consumer Price Indexed, including the benefits that were earned by contributions before the change from the Retail Price Index; and to detail any exceptions.

**(AQW 12307/11-15)**

**Mr O'Dowd:** Employees of my Department's arm's-length bodies are eligible to join either the NI Teachers' Pension Scheme (NITPS) or the Local Government Pension Scheme (LGPS (NI)). The NITPS is administered by the Department of Education and the LGPS (NI) is administered by the Local Government Officers' Superannuation Committee (NILGOSC) which is an arm's length body of the Department of the Environment.

For LGPS (NI) pensions in payment and deferred pensions are increased by the amount specified in the Pension Increase (Review) Order (NI) made by the Department of Finance and Personnel. Since April 2011 this percentage has been based on the Consumer Prices Index.

This is also the case for NITPS with one minor exception. That exception is caused by my Department overlooking a specific reference to RPI in Regulation E5A of the Teachers' Superannuation Regulations (NI) 1998 which deals only with additional pension for which revaluation is in line with RPI before the pension comes into payment. The Department proposes to make amending regulations in the near future to rectify this oversight.

### Preschool or Nursery Places

**Mr Weir** asked the Minister of Education, in relation to the 1400 applicants for a pre-school or nursery place in the 2012/13 academic year, to detail those (i) who failed to obtain a place in the first tranche; (ii) who were offered a place in the second tranche; (iii) who dropped out of the process; and (iv) who are still seeking a place, broken down by constituency in which they live.

**(AQW 12584/11-15)**

**Mr O'Dowd:** At the end of Stage 1 of the 2012/2013 Pre-School Admissions Process 1,429 children were unplaced. The parents/guardians of 689 of these children stated further preferences for consideration during Stage 2 of the process and as a result 665 received an offer of a place at the end of Stage 2. The parents/guardians of the remaining 740 children did not state further preferences for consideration during Stage 2.

The 24 children for whom further preferences were stated at the end of Stage 1 which remained unplaced at the end of Stage 2, broken down by the constituency in which they live, is as follows:-

| Belfast North | Belfast South | Lagan Valley | Mid Ulster | North Down | Upper Bann | South Antrim | South Down |
|---------------|---------------|--------------|------------|------------|------------|--------------|------------|
| 3             | 1             | 3            | 1          | 9          | 4          | 1            | 2          |

The South Eastern Education and Library Board have advised that 3 of the 9 unplaced children who live in North Down have now been placed.

### Preschool Places

**Mr Kinahan** asked the Minister of Education, in relation to his statement on 1 June 2012 regarding the 22,500 children who secured a pre-school place, to detail (i) how many secured a place at their (a) first choice and; (b) second choice; and (ii) for an estimate of the number of parents who did not pursue a pre-school place for their child after their first choice was refused.

**(AQW 12734/11-15)**

**Mr O'Dowd:** As I indicated in the Assembly on 23 April, at the end of Stage 1 of the Pre-School Admissions Process, 94% of the 22,800 applicants had been offered a place in a setting that their parents identified in their list of preferences. Furthermore, of those placed, some 84% secured a place at their first preference setting.

Education and Library Boards (ELBs) record details of all children who are offered a place. In addition they record details of the number of children who are placed in their first preference setting but do not collate information on the number offered places in their second or subsequent preferred settings. The provision of this information could only be obtained at a disproportionate cost.

There were 1429 children unplaced at the end of Stage 1 of the process. The parents of 740 of those children chose not to state further preferences by the deadline set by the Education and Library Board for consideration during Stage 2. Of the 689 children whose parents chose to state further preferences at this time all but 24 were placed.

### **GCSE Attainment**

**Mr McKay** asked the Minister of Education to detail the percentage of children who obtained 5 or more GCSEs, at grades A\*-C, including English and Maths, in each of the last three years, who resided in (i) Belfast; (ii) Derry; and (iii) all other areas, broken down by (a) Catholic females; (b) Protestant females; (c) Catholic males; and (d) Protestant males.

**(AQW 12742/11-15)**

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

### **GCSE Attainment**

**Mr McKay** asked the Minister of Education to detail the percentage of children who obtained 5 or more GCSEs, at grades A\*-C, including English and Maths, in each of the last three years, broken down by (i) Catholic females; (ii) Protestant females; (iii) Catholic males; and (iv) Protestant males, in each council area.

**(AQW 12743/11-15)**

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

### **GCSE Attainment**

**Mr McKay** asked the Minister of Education to detail the percentage of children entitled to free school meals who obtained 5 or more GCSEs, at grades A\*-C, including English and Maths in each of the last three years, broken down by (i) Catholic females; (ii) Protestant females; (iii) Catholic males; and (iv) Protestant males, in each council area.

**(AQW 12744/11-15)**

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

### **A-Level Attainment**

**Mr McKay** asked the Minister of Education to detail the percentage of children entitled to free school meals who obtained 2 or more A levels at grades A\*-E, broken down by (i) Catholic females; (ii) Protestant females; (iii) Catholic males; and (iv) Protestant males, in each council area.

**(AQW 12745/11-15)**

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

### **A-Level Attainment**

**Mr McKay** asked the Minister of Education to detail the percentage of children who obtained 2 or more A levels at grades A\*-E, broken down by (i) Catholic females; (ii) Protestant females; (iii) Catholic males; and (iv) Protestant males, in each council area.

**(AQW 12746/11-15)**

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

### **St Colman's Primary School, Lambeg**

**Mr Allister** asked the Minister of Education for his assessment of (i) the standard of education being provided to children with special educational needs at St Colman's Primary School, Lambeg; and (ii) the experience and qualifications of staff currently providing the service.

**(AQW 12779/11-15)**

**Mr O'Dowd:** The statutory responsibility for making provision for children with special educational needs (SEN) rests with schools and the five education and library boards (ELBs) which are responsible under special education legislation for identifying, assessing and, in appropriate cases, making provision for children with SEN in their areas. The Department does not have any role in this process, which is intended to be conducted between parents, schools and ELBs.

The South – Eastern Education and Library Board (SEELB) has advised that it is not aware of any concerns regarding the standard of teaching being provided to children with SEN at St. Colman's. The most recent Education and Training Inspectorate report highlighted very good or excellent teaching in the majority of lessons which includes SEN provision.

SEELB has also confirmed that the two teachers working in the moderate learning difficulty units are fully qualified.

## Preschool Provision

**Mr Storey** asked the Minister of Education, in relation to pre-school provision, how much additional funding was allocated to the voluntary/private sector; and how much was expended, in each of the last three years.

**(AQW 12790/11-15)**

**Mr O'Dowd:** The information requested is set out in the table below:

|                    | 2009/2010   | 2010/2011   | 2011/2012   |
|--------------------|-------------|-------------|-------------|
| Original budget    | £10,296,000 | £10,888,000 | £11,246,000 |
| Final budget       | £10,412,000 | £13,032,000 | £14,057,000 |
| Additional funding | £116,000    | £2,144,000  | £2,811,000  |

As pre-school places in voluntary/private sector settings are funded on a per place basis, with payment made monthly in arrears for each child in attendance, the amount of additional funding allocated and the amount expended are the same.

## Common Funding Scheme

**Mr Storey** asked the Minister of Education, in relation to the review of the Common Funding Scheme, to list the membership of the Project Board and the Advisory Group.

**(AQW 12791/11-15)**

**Mr O'Dowd:** As set out in my letter to you on 12 June 2012, I have commissioned an independent review of the Common Funding Scheme. The review panel will be led by Sir Robert Salisbury, assisted by Dr Eemer Eivers and Evan Bates.

## Arm's-length Bodies

**Mr Storey** asked the Minister of Education to detail the resource allocation, in the 2012/13 financial year, for each of his Department's arms-length bodies.

**(AQW 12793/11-15)**

**Mr O'Dowd:** The initial resource allocation, in the 2012/13 financial year, for each of my Department's arms-length bodies, is as follows:

| Arms Length Body (ALB) | £'000s  |
|------------------------|---------|
| BELB                   | 229,431 |
| NEELB                  | 300,274 |
| SEELB                  | 272,337 |
| SELB                   | 330,658 |
| WELB                   | 297,256 |
| Staff Commission       | 327     |
| CCMS*                  | 3,223   |
| Youth Council*         | 4,685   |
| CCEA*                  | 22,189  |

\* Includes small elements of non-cash

These allocations will allow my arms length bodies to prepare Initial Resource Allocation Plans (RAPs) and financial plans.

## Integrated Education

**Mr Lyttle** asked the Minister of Education how, and to what extent, he has complied with the statutory duty to facilitate and encourage the development of integrated education.

**(AQW 12803/11-15)**

**Mr O'Dowd:** I take the Department of Education's statutory duty to encourage and facilitate the development of integrated education very seriously.

The integrated sector continues to grow. The most recent schools census statistics indicate that there are currently over 20,000 pupils attending 42 primary, and 20 post-primary integrated schools here.

To comply with the statutory duty, my Department provides funding to the Council for Integrated Education (NICIE) to assist the development of integrated schools for public benefit. Funding for 2012/13 is £628k.

The Department has also provided over £4m to the Integrated Education Fund since it was established, to provide assistance with the capital costs of new schools in the period prior to capital grants being available.

In addition, DE also provides funding to help schools with the process of transformation to integrated status. Funding for 2012/13 is £261k. This assists schools in the initial stages of the transformation process, and with the employment of a teacher from the minority community in the school to assist with religious education.

I recognise the vital and valuable contribution that the integrated sector, together with all sectors of education, makes to building a peaceful and stable future for our children.

However, as is the case for all of the other education sectors, my Department responds to parental demand for integrated education. It funds integrated schools that are robust, do not involve unreasonable public expenditure and meet the specified criteria. It does not favour one education sector over another.

## Integrated Schooling

**Mr Lyttle** asked the Minister of Education how, and to what extent, he has met parental preference for integrated schooling for children. (AQW 12806/11-15)

**Mr O'Dowd:** Open Enrolment policy allows all families to express their preferences regarding which primary or post primary school their child wishes to attend. The Education and Library Boards administer the processes by which these preferences reach the schools concerned. The degree to which any school can respond to parental preference, however, is governed by their approved admissions and enrolment numbers. These numbers are set by the Department taking in to account a number of factors including the Long Term Enrolment number of the school and the teaching accommodation available. Where a school is oversubscribed with applications it must apply its published admissions criteria in order to decide which pupils to admit. Decisions regarding which circumstances should be prioritised within the school's admissions criteria are entirely a matter for the Board of Governors of that school and the Department has no role in this.

Information provided by the Education and Library Boards shows that, at the end of the primary and post primary admissions processes for September 2012, overall 92% of pupils who identified an integrated school as their first preference in the primary sector and 88% who identified an integrated school as their first preference in the post primary sector gained a place.

As part of these processes the Department approved 53 additional places in integrated primary schools to allow primary schools who requested additional places to admit those applicants who would not be able to access an integrated school place within reasonable travelling distance of their home address. During the post-primary admission processes no integrated post-primary schools requested additional Year 8 places.

In future area planning will be the process through which demand for all education provision will be determined. I have already given a commitment to allow popular schools to grow within the area planning context. Should there be evidence that there is a need for an increase in any particular sector, this will be factored into the planning process and development proposals published to give effect to the required increases.

## Shared Education

**Mr Lyttle** asked the Minister of Education (i) to define a shared education partnership, co-location and shared education campus; (ii) where these exist; and (iii) how they are resourced. (AQW 12807/11-15)

**Mr O'Dowd:** There is no formal definition of shared education at present. I see it as a broad concept that should focus on the needs of the learner, not institutions.

Shared Education is about delivering education benefits to all learners, promoting the efficient and effective use of resources and promoting equality of opportunity, good relations and community cohesion. It should bring together learners of differing community backgrounds, race, ethnicity, political opinion or socio-economic status.

The models referred to in the question are not defined in legislation. A shared education partnership involves two or more schools co-operating to provide shared education, such as in an area learning community. There are 29 area learning communities at present. Co-location involves two or more schools, with their own facilities and autonomy, within the same area. A shared education campus, such as Lisanelly, involves two or more schools sharing a site and some common infrastructure, but retaining their autonomy.

In all of these arrangements, schools are resourced in the normal way, according to their management type. Controlled and Maintained schools receive delegated budgets from Education and Library Boards; Voluntary Grammar and Grant-maintained Integrated schools receive grants from my Department. However, additional funding is available from various funding sources, to Co-location schools, depending on the type of collaboration.



## School Buildings: North Down

**Mr Weir** asked the Minister of Education how much of the (i) capital; and (ii) recurrent budget was spent on school buildings in the North Down area, in each of the last five years.

**(AQW 12830/11-15)**

**Mr O'Dowd:** Capital and recurrent expenditure on school buildings in each of the last five years in the North Down area is shown below:

This information is based on the schools in the North Down Constituency.

|            | 2007/08   |           | 2008/09 |           | 2009/10 |           | 2010/11 |           | 2011/12 |           |
|------------|-----------|-----------|---------|-----------|---------|-----------|---------|-----------|---------|-----------|
|            | Capital   | Recurrent | Capital | Recurrent | Capital | Recurrent | Capital | Recurrent | Capital | Recurrent |
| Controlled | 2153110   | 444511    | 5018774 | 467467    | 1754694 | 1096437   | 713034  | 699170    | 2171595 | 536280    |
| Maintained | 236289    | 67083     | 224017  | 65474     | 329099  | 138473    | 298873  | 97440     | 136568  | 93782     |
| VGS        | 937473(a) | (b) N/K   | 659631  | N/K       | 1003676 | N/K       | 6321037 | N/K       | 7476278 | N/K       |
| Total      | 3326872   | 511594    | 5902422 | 532941    | 3087469 | 1234910   | 7332944 | 796610    | 9784441 | 630062    |

(a) Furniture & Equipment required for Voluntary Grammar Schools is funded through the capital budget.

(b) Maintenance is funded in Voluntary Grammar Schools through their schools Local Management of School block Grant

## Corran Integrated Primary School and Nursery Unit, Larne

**Mr Dickson** asked the Minister of Education when the twenty-year-old mobile classrooms at Corran Integrated Primary School and Nursery Unit, Larne, will be replaced with a new purpose built school building.

**(AQW 12852/11-15)**

**Mr O'Dowd:** As you will be aware the work on area planning is being taken forward at this time and will in due course identify priorities for capital investment. However, in the interim I recognise there is a need to ensure capital funding is utilised to improve the schools estate.

Therefore I have asked officials to consider an interim process for the identification of major school projects, which are consistent with and supportive of the Area Planning work and in which capital investment can be made in the coming period.

I would hope to be in the position to confirm an interim capital investment plan before the summer. Until then I cannot comment on any individual school proposal.

## Shared Education Advisory Group

**Mr Lyttle** asked the Minister of Education to detail (i) when the Shared Education Advisory Group will be established; and (ii) its Terms of Reference.

**(AQW 12865/11-15)**

**Mr O'Dowd:** I am finalising the terms of reference and membership of the Advisory Group, and intend to make an announcement in the very near future.

## Free School Meals

**Mr Weir** asked the Minister of Education how many pupils, who are entitled to free school meals, are currently enrolled at each school in the North Down area.

**(AQW 12869/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.

### Pupils entitled to free school meals in nursery, primary and post primary schools in the North Down constituency – 2011/12

| School name                   | School type    | Pupils entitled to free school meal |
|-------------------------------|----------------|-------------------------------------|
| Bangor Central Nursery School | Nursery school | 19                                  |
| Hollywood Nursery School      | Nursery school | 5                                   |
| Trinity Nursery School        | Nursery school | 9                                   |
| Ballyholme Primary School     | Primary school | 45                                  |
| Ballymagee Primary School     | Primary school | 61                                  |
| Ballyvester Primary School    | Primary school | 19                                  |

| School name                            | School type         | Pupils entitled to free school meal |
|--|---------------------|-------------------------------------|
| Bangor Central Primary School          | Primary school      | 183                                 |
| Bloomfield Primary School              | Primary school      | 192                                 |
| Clandeboyne Primary School             | Primary school      | 65                                  |
| Crawfordsburn Primary School           | Primary school      | 26                                  |
| Donaghadee Primary School              | Primary school      | 72                                  |
| Glencairn Integrated Primary School    | Primary school      | 12                                  |
| Glenlola Collegiate                    | Primary school      | *                                   |
| Grange Park Primary School             | Primary school      | 45                                  |
| Hollywood Primary School               | Primary school      | 53                                  |
| Kilcooley Primary School               | Primary school      | 111                                 |
| Kilmaine Primary School                | Primary school      | 63                                  |
| Millisle Primary School                | Primary school      | 54                                  |
| Rathmore Primary School                | Primary school      | 69                                  |
| Redburn Primary School                 | Primary school      | 16                                  |
| St Anne's Primary School, Donaghadee   | Primary school      | 9                                   |
| St Comgall's Primary School, Bangor    | Primary school      | 15                                  |
| St Malachy's Primary School, Bangor    | Primary school      | 93                                  |
| St Patrick's Primary School, Hollywood | Primary school      | 15                                  |
| Sullivan Upper School Prep. Dept.      | Primary school      | *                                   |
| Towerview Primary School               | Primary school      | 27                                  |
| Bangor Academy and 6th Form College    | Post primary school | 257                                 |
| Bangor Grammar School                  | Post primary school | 37                                  |
| Glenlola Collegiate                    | Post primary school | 51                                  |
| Priory College                         | Post primary school | 114                                 |
| St Columbanus' College, Bangor         | Post primary school | 94                                  |
| Sullivan Upper School                  | Post primary school | 25                                  |

**Source:** school census

**Notes:**

- Figures for primary schools include children in nursery, reception and year 1 – 7 classes.
- '\*' relates to fewer than 5 pupils.

### St Mary's Primary School, Banbridge: Hybrid Worker

**Mr S Anderson** asked the Minister of Education to detail the nature of the partnership, outlined in the Banbridge Chronicle on 13 June 2012 by a Southern Education and Library Board (SELB) spokesperson, in relation to a hybrid worker for St Mary's Primary School, Banbridge, given that the SELB has, on two occasions, not agreed to attend meetings with the Southern Health and Social Care Trust to discuss the issue.

**(AQW 12893/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board (SELB) has advised that it works in partnership with the Southern Health and Social Care Trust on a regular basis in relation to a range of issues relating to the SEN of children and young people. In relation to the issue of a hybrid worker at St. Mary's Primary School, Banbridge, the Board advises that it has sought a meeting in recent weeks with a manager in the Trust to discuss this issue.

## Baccalaureate Qualification

**Mrs Dobson** asked the Minister of Education what consideration his Department has given to the introduction of a Baccalaureate qualification in schools.

**(AQW 12929/11-15)**

**Mr O'Dowd:** There has been no formal consideration given to the introduction of a Baccalaureate qualification in schools here at either GCSE or GCE level.

I am aware of the GCSE model that currently exists in England, and the three-tier award that is available in Wales. I note that the English Baccalaureate is not a formal qualification but is used purely as a performance measure for schools.

Michael Gove has recently announced proposals to reform the GCE A Level system in England. I have instructed officials to consider the implications of these reforms for our young people. As part of those deliberations, I will be seeking to consider all options that are available, including Baccalaureate models. However, no definite decisions have been taken on any changes.

## Department for Employment and Learning

### European Social Fund

**Mr Buchanan** asked the Minister for Employment and Learning to where the £2.6 million, which was allocated under the European Social Fund to two projects that did not accept their funding, and to one other project that reduced its funding requirement by 50 percent, has been reallocated.

**(AQW 12170/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The figure of £2.6 million quoted in the question is incorrect, but should read £1.270 million comprising both ESF and DEL funding.

In any call for applications, the Managing Authority routinely over-allocates the funds available to allow for slippage in the programme and to allow as many projects as possible to be funded early in the process. In this instance, the over-allocation amounted to 11%.

When the performance of the programme was assessed, its performance was sufficiently strong that there was no scope for any further over-allocation of funding. It was therefore decided to use the £1.270 million to reduce the over-allocation from 11% to 7%.

### University of Ulster and Queen's University, Belfast: Sick Absence

**Mr P Ramsey** asked the Minister for Employment and Learning to detail the sick absence figures, as a percentage, of each grade in the departments within the campuses of the University of Ulster and Queen's University, Belfast, broken down by (i) part-time; and (ii) full-time staff; and (a) long-term; and (b) short-term sickness, for each of the last three years.

**(AQW 12212/11-15)**

**Dr Farry:** As the Department does not hold the information requested, my officials contacted Queen's University and the University of Ulster. The information provided by the universities is attached at Annex A which has been placed in the Assembly Library and on my Department's website <http://www.delni.gov.uk/>.

### St Mary's University College, Belfast

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 11774/11-115, whether he has accepted the representations put forward by the Board of Governors of St Mary's University College, Belfast.

**(AQW 12468/11-15)**

**Dr Farry:** The decision to consult on a merger involving Queen's University and Stranmillis University College was taken by my predecessor as Minister. I have since initiated a two-stage study of the teacher education infrastructure in Northern Ireland. Stage One of the study is an objective analysis of the financial stability and sustainability of the two university colleges. Stage Two will set out options for a more shared and integrated system for the delivery and funding of teacher education

### St Mary's University College, Belfast

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 11774/11-15, whether he can offer an assurance that he balanced St Mary's University College's opposition against all others who are opposed to the merger of Stranmillis University College with Queen's University, Belfast.

**(AQW 12469/11-15)**

**Dr Farry:** I have taken into consideration the responses made to the public consultation on the proposed merger of Stranmillis University College with Queen's University and the views expressed by a range of stakeholders with whom I met following the consultation exercise, started by my predecessor.

## Internships

**Mr Weir** asked the Minister for Employment and Learning how many internships are available in his Department; and if none, what plans he has to introduce an internship scheme.

**(AQW 12485/11-15)**

**Dr Farry:** Corporate Human Resources (CHR, DFP) has responsibility for the co-ordination of internships and work placements across the Northern Ireland Civil Service. The NICS Work Experience Policy is available at [www.nicsrecruitment.gov.uk](http://www.nicsrecruitment.gov.uk).

On an annual basis, Corporate HR approaches NICS Departments to identify opportunities for internships for students in the Queen's University of Belfast School of Politics, International Studies and Philosophy. The Department for Employment and Learning participates in this scheme and is in the process of finalising arrangements for an internship in the 12/13 year. The key aim is to provide a workplace based learning environment that enables students to apply and develop their knowledge and skills acquired in their first years of the university and to help prepare them for further study and/or career.

Annually, the Department for Employment and Learning also provides two one year sandwich placements for students undertaking degree courses in Economics. These placements are publicly advertised by DFP and the successful students become paid employees for the period of their placements. Under the terms of this scheme, the Department is facilitating two placements in the 12/13 year.

The Public Relations industry in Northern Ireland, in association with the Department, is offering a short 8 week unpaid internship scheme for graduates interested in working in the PR industry. It is expected up to 15 places will be offered this year. This initiative is part of the Department's development of its new young employment scheme.

Whilst the Department does not directly fund the Higher Education Institutions in relation to supporting interns, both Queen's University Belfast and the University of Ulster have established partnerships with a number of companies who provide scholarships to students. These scholarship packages generally include financial support, ongoing mentoring and practical experience through placements in the various workplaces. The Department does not hold information on the number of internships facilitated or planned by the Higher Education Institutions.

The new higher education strategy, Graduating to Success, emphasises the importance of work placements and expects the higher education institutions to facilitate an increase in placement opportunities for their students. The Strategy states that, by 2020, all higher education students in Northern Ireland will have the opportunity to avail of a work placement.

## University of Ulster: Staff Redundancies

**Mr Copeland** asked the Minister for Employment and Learning how many (i) academic; and (ii) non-academic staff have been made redundant from the University of Ulster in each of the last three years.

**(AQW 12501/11-15)**

**Dr Farry:** As the Department does not hold the information requested, my officials contacted the University of Ulster and its response is as follows:

|              | 2009/10 | 2010/11 | 2011/12 |
|--------------|---------|---------|---------|
| Academic     | 15      | 30      | 60      |
| Non-Academic | 44      | 64      | 77      |

The University has stated that only one member of those numbered was made compulsorily redundant, following a restructuring in the University's Riverside Theatre.

## University of Ulster: Staff Redundancies

**Mr Copeland** asked the Minister for Employment and Learning whether there are any plans to make more (i) academic; and (ii) non-academic staff redundant from the University of Ulster in the run-up to the relocation to the new Belfast campus.

**(AQW 12502/11-15)**

**Dr Farry:** As the Department does not hold the information requested, my officials contacted the University of Ulster.

The University has stated that it is seeking to reduce its establishment by approximately a further 40 full time equivalent posts. However, this is not connected to the move to the Belfast campus, which is to take place in 2018.

The University also states that, as a result of the merging of the Belfast and Jordanstown campuses, the current duplication of some academic support services (for example, the library) will be eradicated. This will lead to some reduction in posts in these academic support areas. However, it is anticipated that the required reductions will be achieved by upcoming retirements and voluntary resignations.

### University of Ulster: Ratio of Full-time Students to Staff

**Mr Copeland** asked the Minister for Employment and Learning to detail the ratio of full-time students to academic and non-academic staff in each of the last three years at the University of Ulster, broken down by campus.

**(AQW 12503/11-15)**

**Dr Farry:** As the Department does not hold the information requested, my officials contacted the University of Ulster.

In its response, the University has stated that its student population comprises both full-time and part-time students, with the ratio between these two types of student varying between campuses. Also, the number of non-academic staff varies considerably between campuses with, for example, a disproportionate number located at the Coleraine campus, which is the University's administrative headquarters. In addition to the above two factors the number of academic staff engaged in research varies between faculties and schools.

### University of Ulster: Ratio of Full-time Students to Staff

**Mr Copeland** asked the Minister for Employment and Learning what is the proposed ratio of full-time students to academic and non-academic staff at all University of Ulster campuses once the new Belfast campus is opened.

**(AQW 12504/11-15)**

**Dr Farry:** As the Department does not hold the information requested, my officials contacted the University of Ulster. Further to the responses to AQW 12502 and 12503, the University has stated that there will be some reduction in academic support posts.

### Long-term Unemployed

**Mr Buchanan** asked the Minister for Employment and Learning what initiatives his Department intends to bring forward to help long-term unemployed people to gain employment.

**(AQW 12528/11-15)**

**Dr Farry:** My Department offers assistance to all unemployed clients, including those who have been unemployed for some time, to help them overcome barriers to work and move into employment. Advisers located in each of the Jobs and Benefits Offices and JobCentres provide advice and guidance on a range of issues including job search activities and this advisory role focuses on tailoring the service to meet individual client's needs.

My officials are currently developing a new programme of adult return to work assistance which will replace the current Steps to Work programme. This new employment programme will continue to focus on helping participants to prepare for and move into sustainable employment. It will build on the success of the current Steps to Work programme with greater emphasis on helping those furthest away from the labour market.

The main objectives of the programme will be to achieve a higher level of sustained job outcomes, ensure that all participants get the support that they need, and target those most in need of intensive support.

Other initiatives currently being developed include Work Connect which will provide a range of pre-employment interventions, tailored towards the needs of individuals with specific health and disability related barriers to help them progress towards employment. All clients on Employment and Support Allowance and other Incapacity related benefits will be referred by the Employment Service Adviser and the assistance offered will be dependent on the particular barriers identified by the Work Connect Provider agreed with the unemployed client.

A youth employment initiative is also being developed to assist young people aged between 18 and 24 to find work by equipping them with the skills required to compete for jobs and move into and progress through sustainable employment

### Quangos

**Mr Gardiner** asked the Minister for Employment and Learning what plans he has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12543/11-15)**

**Dr Farry:** In terms of reduction, Industrial Tribunals and the Fair Employment Tribunal are both due to transfer from my Department to become part of the single unified tribunal service, as part of the final tranche of the Executive's tribunal reform programme. Discussions are ongoing with the Northern Ireland Courts and Tribunals Service to bring this into effect. The move will reduce the number of DEL-sponsored tribunal Non-Departmental Public Bodies (NDPBs) by two.

In addition, I see merit in the proposed merger of Stranmillis and Queen's University Belfast proceeding, which would reduce by one the number of Departmental NDPBs. This will only be possible, however, if there is sufficient support for such a move within the Assembly.

In November 2011, the role of the NI Employment and Skills Adviser was categorised by the Department of Finance and Personnel as an advisory NDPB. Furthermore, as a direct result of a decision made by the Office of National Statistics to re-classify the six further education (FE) colleges and the two university colleges as public sector bodies, these have now been designated as NDPBs with effect from 1 April 2012. The number of FE colleges was reduced from 16 to 6 in August 2007, as a result of a sector-wide merger process to create regional colleges.



With regard to operational costs, under the Further Education (Northern Ireland) Order 1997, the governing body of each college has a statutory duty “to secure the efficient and effective management of the institution.” To assist the governing bodies in the discharge of this responsibility, and as part of its oversight and monitoring responsibilities, my Department compiles a quarterly report of key financial, operational and governance information from a number of sources and conducts a formal review of each college’s performance. The information contained in this “healthcheck” is shared with college governors and senior management in order to allow them to compare and benchmark with other colleges, in order to identify areas where efficiencies and improvements can be made.

In addition, I have met recently with the further education sector and have asked them to explore areas of common activities which they can deliver using shared services. This work is being taken forward by Colleges NI, and a strategic business case outlining potential areas of activity is being prepared.

From a broader funding perspective, an integral element of my Department’s Budget 2010 settlement was a recurring £4m reduction in the further education baseline. I have required the colleges to continue to deliver the same level of provision each year with the £4m shortfall being funded through efficiencies across all 6 regional colleges.

The baseline for the Labour Relations Agency has likewise been reduced by £200K for each of the four years from 2011/12 to 2014/15 as part of Budget 2010.

## Quangos

**Mr Gardiner** asked the Minister for Employment and Learning how many QUANGOS, that are attached to his Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12688/11-15)**

**Dr Farry:** No arms length bodies have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

## Department of Enterprise, Trade and Investment

### Invest NI: Bonus to Chief Executive

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, to detail (i) whether she has received or approved any recommendation from the Board of InvestNI in relation to the payment of a performance bonus to the Chief Executive of InvestNI in the (a) 2009/10; (b) 2010/2011; and (c) 2011/12 financial years; (ii) when any such bonuses were paid; and (iii) how much was paid on each occasion.

**(AQW 10938/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The arrangements relating to the performance element of the Invest NI Chief Executive’s remuneration for 2009/10 are set out in the Invest NI Annual Report and Accounts for 2010/11. No decisions have been taken in relation to the 2010/11 and 2011/12 financial years.

### Quinn Group

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how much support her Department and InvestNI have given to the Quinn Group since May 2007.

**(AQW 12100/11-15)**

**Mrs Foster:** Quinn Glass was offered support of £750,000 (against eligible costs of £22.8million) from Invest NI in July 2007 for the upgrading of two furnaces to enhance the capacity and improve the capability of downstream production equipment. This offer has been fully drawn down in two tranches in September 2007 and September 2008.

Although no longer part of the Quinn Group, Quinn Insurance was offered support of £300,000 in July 2007 for the implementation of a training and development plan which was fully implemented. Quinn Insurance Limited was acquired by the Liberty Mutual Group in November 2011 and the transferable skills developed through the aforementioned training investment were retained by the new owners or enhanced the local labour pool.

### Arm’s-length Bodies: Pension Schemes

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether all pensions across her Department’s arm’s-length bodies, including InvestNI, are now exclusively Consumer Price Indexed, including benefits earned by contributions before the change from the Retail Price Index; and to detail any exceptions.

**(AQW 12177/11-15)**

**Mrs Foster:** Invest NI is covered by the Principal Civil Service Pensions Scheme (NI).

As outlined in EPN12/2012, the measure used to uprate public service pensions from April 2011 is the Consumer Prices Index. As this is applicable to the Principal Civil Service Pensions Scheme (NI) it is also applicable to all Invest NI staff within the PCSPS (NI).

There are no exceptions.

## North West 200: Funding

**Mr Craig** asked the Minister of Enterprise, Trade and Investment how much funding her Department has allocated to the North West 200 in each of the last three years; and for what purpose was the funding used.

**(AQW 12441/11-15)**

**Mrs Foster:** In 2011/12 the Northern Ireland Tourist Board (NITB) awarded the North West 200 £65,000 towards Marketing and Marquee Costs.

The Events Fund for the previous 2 years 2009/10 and 2010/11 came under the remit of the Department of Culture, Arts & Leisure (DCAL).

## Quangos

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment what plans she has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12542/11-15)**

**Mrs Foster:** My Department sponsors four Executive NDPBs and there are currently no plans in place to reduce the number of these bodies.

The NDPBs are planning to absorb any increased operating costs through the generation of efficiencies.

## Natural Gas Network

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether there is a conflict between her duty to promote the natural gas network and the exploitation of deep geothermal resources.

**(AQW 12597/11-15)**

**Mrs Foster:** No.

## Unfair Contract Terms Legislation

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment for her assessment of consumer rights in Northern Ireland, with specific regard to the suitability of Unfair Contract Terms legislation.

**(AQW 12626/11-15)**

**Mrs Foster:** The Unfair Terms in Consumer Contract Regulations 1999 implement for the UK European Directive (93/13/EEC). The regulations apply to all contracts between a seller or supplier and a consumer. Terms found to be unfair are not binding on a consumer. The regulations give power for injunctive action to be taken, either by the Office of Fair trading or one of the 'Qualifying Bodies' (of which the Department of Enterprise, Trade and Investment is one) in Schedule 1 to the Regulations, through the civil courts to stop the continuing use of such terms.

The regulations have a significant role to play in ensuring that consumers are protected from unfair trading practices.

## Hydraulic Fracturing: Assembly Resolution

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what action she has taken in relation the motion passed by the Assembly on 6 December 2011 which called for a moratorium on hydraulic fracturing and the withdrawal of the licences issued to companies intending to conduct hydraulic fracturing, given that under the ministerial pledge of office she has a duty to support, and to act in accordance with, all decisions of the Executive Committee and the Assembly, and that the First Minister stated on 24 February 2009 that a Minister is compelled by law to act in accordance with the Assembly's decision and if a motion is passed the Minister is compelled by the Assembly's decision to act.

**(AQW 12656/11-15)**

**Mrs Foster:** The motion passed on 6 December 2011 stated that 'a moratorium should be placed on the onshore and offshore exploration, development and production of shale gas by withdrawing licences for hydraulic fracturing...'. As I pointed out during the motion debate, my Department has not issued any licences or permits for hydraulic fracturing and thus there are none to withdraw.

## 'Game of Thrones'

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment, in light of the announcement of series three of the Game of Thrones and the continued use of the Glens of Antrim as a film location, whether she will ensure that any publicity in relation to series three will include the Glens of Antrim.

**(AQW 12660/11-15)**

**Mrs Foster:** My Department through the work of Invest NI, NI Screen, the Northern Ireland Tourist Board and other relevant agencies seeks to capitalise on the publicity opportunities available from the use of the many key locations across Northern Ireland, used in Game of Thrones, and other recent productions such as Your Highness, Whole Lotta Sole and the Oscar winning production The Shore. Both Invest NI and Northern Ireland Screen are currently utilising Game of Thrones in their international sales promotions. It is clearly understood that the credibility of association with international production projects, of this nature

and scale, has significant added value opportunities for the Northern Ireland economy, not least in terms of tourism growth potential across the many film sites utilised throughout Northern Ireland including the Glens of Antrim.

## Internships

**Mr Weir** asked the Minister of Enterprise, Trade and Investment how many internships are available in her Department; and if none, what plans she has to introduce an internship scheme.

**(AQW 12680/11-15)**

**Mrs Foster:** The Department of Finance and Personnel (DFP) has overall responsibility for the promotion of careers and outreach activities, using initiatives such as internships, in the NICS. In 2009-10 Corporate Human Resources (CHR) in DFP worked alongside Queens University Belfast (QUB) to initiate a placement programme for interns from the School of Politics, International Studies and Philosophy to positions within the NICS. This enables final year students to spend three days per week, for twelve weeks, engaged in workplace based learning. My Department facilitated an Internship opportunity for a QUB student in 2010/11, and although we were unable to identify a suitable internship opportunity this year, future opportunities will be considered in the next academic year.

## Electricity Safety, Quality and Continuity Regulations (Northern Ireland) 2011

**Mr McCartney** asked the Minister of Enterprise, Trade and Investment for an update on the consultation on the Electricity Safety, Quality and Continuity Regulations (Northern Ireland) 2011.

**(AQW 12697/11-15)**

**Mrs Foster:** My Department carried out a 12 week statutory consultation on the proposed Electricity Safety, Quality and Continuity Regulations. The consultation ended in October 2011 and received 16 responses. These were analysed and the draft Regulations amended accordingly. The draft Regulations has now received ETI Committee approval and it is my aim to have the Regulations laid in the Northern Ireland Assembly before the Summer Recess, to come into operation by December 2012.

## Written Answers

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 11020/11-15, AQW 11021/11-15, AQW 11022/11-15 and AQW 11023/11-15, why these questions remain unanswered when previous communication stated that the answers would be available before the end of May 2012.

**(AQW 12724/11-15)**

**Mrs Foster:** Previous communications stated that 'the information requested was not yet available due to an ongoing data verification exercise by Invest NI following its financial year end'. It was also stated that Invest NI would 'make this information available to the member once this process has been completed, which should not be later than the end of May'.

The verification exercise has now been completed and the information requested has been prepared. I will write to the member separately and place a copy of the letter in the Assembly library.

## Renewable Energy Generators: Cost

**Mr Kinahan** asked the Minister of Enterprise, Trade and Investment for an estimate of the cost of connecting renewable energy generators to the grid; and what support is available from her Department.

**(AQW 12761/11-15)**

**Mrs Foster:** Connection costs for renewable energy generation vary in scale depending on the size, type and location of the generating station.

NIE operates a cost reflective charging process under a regulatory framework determined by the Utility Regulator and as detailed in their connection charging statement.

There is no support available from my Department towards the cost of grid connection.

## Renewable Energy Generation: Targets

**Mr Kinahan** asked the Minister of Enterprise, Trade and Investment whether she would consider setting in-year targets for differing types of renewable energy generation, to include quarterly, half-yearly or annual targets, with a view to encouraging the industry.

**(AQW 12763/11-15)**

**Mrs Foster:** I am not minded to consider setting in year targets for differing types of renewable energy generation as the Department's targets of 40% renewable electricity and 10% renewable heat by 2020 are technology and geographically neutral. The Programme for Government has set interim targets of 20% renewable electricity and 4% renewable heat by 2015.

The intermittent nature of renewable technologies, especially wind, and the length of time required to build new installations means that targets need to be monitored over a rolling period. Over the twelve month rolling period to end March 2012, on average, 14 per cent of electricity consumption was from renewable sources.

It will be for the market to bring forward the most cost effective technologies which is consistent with other areas of the UK, none of which have technology specific targets.

## Department of the Environment

### Incinerators: Guidance

**Lord Morrow** asked the Minister of the Environment to detail the circumstances which led to his Department issuing misleading guidance to a pharmaceutical company in 2003 regarding the operation of incinerators, and whether an investigation will be carried out into the matter.

**(AQW 1804/11-15)**

**Mr Attwood (The Minister of the Environment):** Further to an investigation conducted by officials I wish to advise as follows. Guidance on Directive 2000/76/EC (Waste Incineration Directive) was issued by the Department in November 2003. The Guidance included a policy view (also contained in equivalent guidance for England and Wales) that some small waste burning appliances (notably small waste oil burners or 'SWOBs') would not be considered 'technical units' as defined in the Directive and would therefore not be subject to the controls set out in it. At the time, this view was taken because such appliances were not considered to be of the size and sophistication intended to be covered by the Directive. The large numbers of SWOBs and the fact that they were already subject to control were also taken into consideration. The Department has changed its interpretation, taking account of correspondence from the European Commission and Court judgments in the case of the pharmaceutical company in question. The Department now considers that appliances such as SWOBs are covered by the Directive and is currently consulting on amendments to the Pollution Prevention and Control Regulations (NI) 2003 and associated Guidance to reflect that change.

The Department advised Norbrook Laboratories Ltd that permits were required for the incinerators installed at its premises and confirmed this in writing on 5th May 2004. That view has been upheld by the Courts. Whilst the Department issued a subsequent letter of 7th June 2004 (which reflected the policy contained in the Guidance of 2003), the Court of Appeal found that this letter did not undermine the clear and unambiguous statement (contained in the Department's letter of 5th May 2004) setting out the Department's position.

(Norbrook Laboratories Ltd -v- Department of the Environment - 6th September (para 18).)

I trust this explains the situation. I would be willing to discuss this matter further with the member, if this would be of assistance.

### Planning Application V/2011/140

**Mr Hilditch** asked the Minister of the Environment why it took the Land and Resource Management Unit more than six months to complete the consultation on planning application V/2011/140.

**(AQW 10075/11-15)**

**Mr Attwood:** NIEA's Land and Resource Management Unit received a planning consultation for the above application on the 9 November 2011 and issued its response to Planning on 30 March 2012.

- 1 Planning permission was granted on 7 August 2008 to develop two blocks of apartments at lands at 7-39 Ellis Street, Carrickfergus in which a number of negative conditions were attached to manage the risks to health receptors and support the new use of the site. The recent consultation was seeking advice to vary three of these conditions.
- 2 The Service Level Agreement between NIEA and Planning details a number of performance targets and timelines for the NIEA in providing its advice and responses to planning consultations. These timelines are based on the nature of the consultation and detail of information to be assessed by NIEA in advising Planning.
- 3 In the case of this Ellis Street consultation, a site report and revised remediation strategy were submitted and a target response date allocated by LRM of 21 December 2012. A response was issued on the 30 March 2012, so the target date was clearly missed. This is regretted.
- 4 The LQ team within the LRM Unit deals with consultations of this technical nature for the whole of Northern Ireland and consists currently of four technical staff. The planning workload in itself far exceeds this resource capacity and consequently this team is under pressure in meeting consultation deadlines. Priority in the first instance is being given to social housing developments and strategic development projects. I hope this is understood.
- 5 There are two vacancies at the Senior Scientific Officer level within the LQ team and, through a collaborative arrangement with the Strategic Investment Board, progress is being made in seeking to recruit two hydrogeologists for a three year period. Interviews have been scheduled after Easter with appointments to be made after that. This will help address the issue identified in the AQ.

#### 4x4 Vehicles: Bumper Bars

**Mr B McCrea** asked the Minister of the Environment whether he has any plans to introduce measures which would require 4x4 vehicles to be fitted with bumper bars to stop other vehicles from being crushed in road traffic collisions and to bring them into line with the requirements for other large vehicles.

**(AQW 10111/11-15)**

**Mr Attwood:** The design and construction of the frontal area of motor vehicles is regulated by European Commission Regulation (EC) No. 78/2009 which is designed to maximise protection for pedestrians and other vulnerable road users. No new motor vehicle can be approved to enter service which does not comply with the strict technical requirements of this EC Regulation; the responsibility for certifying vehicles for use on the UK's roads is a matter for the Vehicle Certification Agency, part of the Department for Transport.

I therefore have no plans to introduce additional frontal protection measures for 4x4 vehicles.

#### Cost of Providing Services in Our Divided Society

**Mr Copeland** asked the Minister of the Environment for an estimate of the annual additional cost to his Department of providing its services in our divided society, broken down by (i) capital; and (ii) revenue costs.

**(AQW 10169/11-15)**

**Mr Attwood:** The cost of division research was commissioned on 29 March 2006 and as such was conducted and finalised during direct rule. The interpretation of and commentary on the datasets contained in the report produced by Deloitte therefore represent the views of Deloitte. The report of itself does not form an agreed basis for future policy development.

The report cites a total figure of £1½ billion pounds as the estimated value of additional, annual expenditure as a result of division in our society. The research provides an upper limit of the cost of the divide by comparing Northern Ireland's public expenditure as a percentage of the GDP with that of other comparable regions.

This comparison indicates a maximum additional spend in the range of £1 ½ billion but a wide range of other factors influence this level of spend, such as deprivation and demographics, not just the impact of the divide or the troubles. The £1½ billion figure is not a summation of the actual costs that were able to be identified but a comparator with other regions.

Therefore, overall due to the number of variables involved it is not possible to calculate the annual additional cost of service delivery that is due to our divided society. However, in relation to the services provided by DOE it is likely that any additional costs would be of a lower level.

#### Assets Owned by District Councils

**Mr Flanagan** asked the Minister of the Environment to list the assets owned by each district council, excluding property, which are worth more than £100,000, including the individual value.

**(AQW 11011/11-15)**

**Mr Attwood:** A list of council assets currently worth more than £100,000 Net Book Value (NBV) is included in the table below.

| Council    | Asset   | Amount<br>£ |
|------------|---|-------------|
| Ballymena  | 26 Tonne Refuse Collection Vehicle with a NBV | 121,833     |
|            | A bridge (an infrastructure asset) with a NBV | 101,400     |
| Ballymoney | Bin lorry                                     | 132,000     |
|            | Mechanical Shovel                             | 106,000     |
| Banbridge  | Refuse Vehicle (Double Loader)                | 202,000     |
|            | 2 Refuse Vehicles (Double Loaders)            | 448,000     |
|            | 20,000 Green bins and Glass Caddy inserts     | 490,000     |



| <b>Council</b> | <b>Asset</b>                                  | <b>Amount<br/>£</b> |
|----------------|---|---------------------|
| Belfast        | North Foreshore Electric Cable                | 2,431,622           |
|                | Duncrue Gas Extraction System                 | 418,341             |
|                | Finance and SRM SAP System                    | 416,705             |
|                | IT Network and VOIP – Adelaide Exchange       | 124,561             |
|                | IT Network and VOIP – City Hall               | 421,233             |
|                | Virtualised Servers and Storage               | 377,603             |
|                | Front of House Carpets – Waterfront Hall      | 101,988             |
|                | Adelaide Exchange Fit Out                     | 1,691,630           |
|                | Mural by John Luke in City Hall               | 200,000             |
|                | Broadway Roundabout Sculpture                 | 450,680             |
|                | Lord Mayor's Chain of Office                  | 383,500             |
|                | Belfast City Civic Mace                       | 123,500             |
|                | Waterfront Hall Grand Piano                   | 110,000             |
|                |   |                     |
| Castlereagh    | Dundonald Ice Rink, refrigeration plant       | 499,000             |
|                | Robinson Ctr ,swimming pool filter / pumps    | 143,000             |
|                | Lough Moss , synthetic pitch                  | 163,000             |
|                | Lough Moss, wind turbine                      | 235,000             |
|                | EZE fitness equipment (various leisure sites) | 198,000             |
| Coleraine      | Hugh Thompson Collection                      | 166,700             |
|                | Gilted Silver Mace & Case                     | 160,000             |
|                | Dennis Olympus Lorry PNZ 9276                 | 124,500             |
|                | Dunluce Centre New Attraction                 | 116,099             |
|                | Mechanical Landfill Compactor                 | 101,451             |
| Cookstown      | Biomass Boiler                                | 112,997             |
|                | Excavator                                     | 147,670             |
|                | RCV   | 137,395             |
| Derry          | Armada Exhibition                             | 1,112,693           |
|                | French Drains at COD Airport Runway           | 106,058             |
|                | Railway Line Delethalisation at COD Airport   | 153,524             |
|                | Runway Delethalisation at COD Airport         | 257,304             |
|                | Rural Signage Scheme                          | 129,429             |
|                | CODA Railway Control System                   | 1,799,918           |
|                | CODA Carpark Redevelopment                    | 244,706             |
| Down           | Heritage assets within Down Museum            | 737,425             |
|                | Permanent collections                         | 570,000             |
| Fermanagh      | Denis Elite Refuse collection Vehicle         | 101,261             |

| <b>Council</b> | <b>Asset</b>                                 | <b>Amount<br/>£</b> |
|----------------|--|---------------------|
| Larne          | Refuse Collecting Vehicle                    | 131,254             |
|                | Refuse Collecting Vehicle                    | 131,254             |
|                | Refuse Collecting Vehicle                    | 146,705             |
| Lisburn        | Dennis Eagle Elite Refuse Collection Vehicle | 117,890             |
|                | Dennis Eagle Elite Refuse Collection Vehicle | 117,890             |
| North Down     | Compactors at WTS                            | 437,018             |
|                | Air Handling System at WTS                   | 383,413             |
|                | Garage Equipment at WTS                      | 193,659             |
|                | Electrical switchgear & Transformers at WTS  | 117,001             |
|                | Wind Turbine                                 | 1,128,385           |
| Omagh          | Iveco Trakker 410 Refuse Vehicle             | 23,650              |
|                | Dennis Elite Refuse Vehicle                  | 68,280              |
|                | Dennis Elite 2 Refuse Vehicle                | 71,220              |
|                | Dennis Olymus Refuse Collection              | 97,160              |
| <b>Total</b>   |  | <b>19,534,505</b>   |

### National Parks: Consultation

**Mr Elliott** asked the Minister of the Environment whether the majority of the responses to the consultation on National Parks last year were in support or opposed to the creation of National Parks.

**(AQW 11056/11-15)**

**Mr Attwood:** The Department received a total of 234 responses to the consultation. Of these, 164 took the form of identical campaign letters from private individuals, largely from the Mourne area, objecting to the establishment of a national park. A number of other respondents (in addition to those who signed campaign letters) were also opposed to national parks. A synopsis of responses is available on the Department's website.

I believe the greater weight of response and the greater weight of argument is firmly in favour of national parks.

### Marine Conservation Zones

**Mr McMullan** asked the Minister of the Environment for his assessment of the impact that Marine Conservation Zones will have on shooting rights and shooting leases.

**(AQW 11062/11-15)**

**Mr Attwood:** The Northern Ireland Marine Bill will provide for a new national designation process for the establishment of Marine Conservation Zones (MCZs) in Northern Ireland's territorial waters to enhance protection for nationally important marine wildlife and habitats.

They will be agreed on a site-by-site basis. The development of MCZs will be undertaken in collaboration with key stakeholders and potential MCZs will be subject to full consultation.

It is envisaged that most MCZs will be designated primarily for the protection of seabed features and as such will have little impact on shooting rights and leases.

### High Court Action: Cost

**Mr McMullan** asked the Minister of the Environment what consideration he has given to the cost of High Court action as set out in Clause 8 of the Marine Bill.

**(AQW 11064/11-15)**

**Mr Attwood:** Clause 8 of the Marine Bill defines the grounds upon which a person aggrieved by a marine plan may apply to the High Court - that the plan is not within the powers of the Department, or that a procedural requirement has not been complied with.

The Marine Bill clearly sets out the powers of the Department and the procedural requirements for the preparation, adoption and publication of a marine plan. The Department will develop marine plans within these boundaries, and thus legal challenges

(and their associated costs) should be minimised. Furthermore, due to the participative process by which marine plans will be developed, it is anticipated that such legal challenges would be unlikely.

The Department has the normal arrangements in place in respect of any High Court challenge. Should a potential risk be identified the Department has procedures in place for the assessment of any identified risk. At that stage, potential costs could be calculated. I trust that there is no suggestion that government should attempt to frustrate proper access to High Court remedy, if legally valid and justified.

### Marine Bill: Consultation

**Mr McMullan** asked the Minister of the Environment what consultation his Department has carried out with the (i) British Association for Shooting and Conservation; (ii) Countryside Alliance Ireland; and (ii) Northern Ireland Marine Task Force in relation to the Marine Bill.

**(AQW 11067/11-15)**

**Mr Attwood:** The Department has consulted with a wide-range of stakeholders on several occasions during the preparation of the Marine Bill. Methods of engagement included; newspaper advertisements, dedicated websites; notification letters and stakeholder events.

Both the British Association for Shooting and Conservation and the Northern Ireland Marine Task Force submitted responses to the consultation on policy proposals for the Marine Bill, which was undertaken in April 2010. The Department has also provided responses to regular requests for information on the Marine Bill from both organisations.

Countryside Alliance Ireland has made no representations to the Department on the Marine Bill but there has been regular correspondence with the organisation in relation to terrestrial conservation and wildlife issues.

Further consultations will be undertaken by the Department in respect of marine plans, designation of Marine Conservation Zones and any byelaws associated with these zones.

### PPS 21: Farm Dwellings

**Mr Clarke** asked the Minister of the Environment, for each of the last two years, to detail how many planning applications for farm dwellings under PPS 21 have been (i) submitted; and (ii) approved, broken down by divisional planning office.

**(AQW 11071/11-15)**

**Mr Attwood:** The number of planning applications (i) submitted in the last two years for farm dwellings under PPS 21 is detailed in Table 1 below.

**Table 1: Applications received for new farm dwellings**

| Area Office                          | 2010/2011  | 2011/2012 (Q1-Q3) | Total      |
|--------------------------------------|------------|-------------------|------------|
| Belfast Area Office                  | 28         | 106               | 134        |
| Northern Area Office - Coleraine     | 38         | 75                | 113        |
| Northern Area Office - Londonderry   | 15         | 32                | 47         |
| South Antrim Area Office - Ballymena | 37         | 121               | 158        |
| Southern Area Office - Craigavon     | 42         | 170               | 212        |
| Southern Area Office - Downpatrick   | 31         | 60                | 91         |
| Western Area Office - Enniskillen    | 10         | 23                | 33         |
| Western Area Office - Omagh          | 60         | 114               | 174        |
| <b>Total</b>                         | <b>261</b> | <b>701</b>        | <b>962</b> |

The number of planning applications (ii) approved in the last two years for farm dwellings under PPS 21 is detailed in Table 2 below.

**Table 2: Applications approved for new farm dwellings**

| Area Office                        | 2010/2011 | 2011/2012 (Q1-Q3) | Total |
|------------------------------------|-----------|-------------------|-------|
| Belfast Area Office                | 6         | 8                 | 14    |
| Northern Area Office - Coleraine   | 19        | 15                | 34    |
| Northern Area Office - Londonderry | 5         | 8                 | 13    |

| Area Office                          | 2010/2011  | 2011/2012 (Q1-Q3) | Total      |
|--------------------------------------|------------|-------------------|------------|
| South Antrim Area Office - Ballymena | 22         | 49                | 71         |
| Southern Area Office - Craigavon     | 8          | 26                | 34         |
| Southern Area Office - Downpatrick   | 10         | 3                 | 13         |
| Western Area Office - Enniskillen    | 3          | 13                | 16         |
| Western Area Office - Omagh          | 31         | 37                | 68         |
| <b>Total</b>                         | <b>104</b> | <b>159</b>        | <b>263</b> |

Please note, the figures provided for 2011/2012 relate to applications received and decisions made in the first 3 quarters up to 31 December 2011 and are the latest statistics currently available, are provisional and may be subject to change following validation for the publication of the 2011/2012 Annual Statistical Report.

### Private Residential Dwelling/Care Home Facility

**Mr Kinahan** asked the Minister of the Environment what actions an owner of a private residential dwelling must undertake to change it to a care home facility, including meeting the obligations of planning policies and consulting with individuals living in close proximity to the facility.

**(AQW 11103/11-15)**

**Mr Attwood:** Part C (Residential Uses) of The Planning (Use Classes) Order (Northern Ireland) 2004 provides a useful starting point for anyone considering changing the use of a property to a care home facility.

The Use Classes Order groups together uses which are sufficiently similar that a change from any use in a class to any other use within the same class does not involve development. By virtue of this Order a change of use from a dwelling house used by a single person or by people living together as a family to a dwelling house used by not more than 6 residents living as a single household where care is provided for residents is not considered to be development and therefore does not require planning permission.

If, however, the proposal does meet the above limitations or involves a change of use from a dwelling house to a residential institution and care to people in need of care, a planning application would be required. The fact and circumstances of each particular case must therefore be considered.

There are many material considerations that may be relevant in the determination of a planning application for a care home facility and these will vary depending on the specific circumstances of each case. Each application is therefore considered on its own merit.

However, as a starting point, Planning Policy Statement 1 General Principles sets out the key themes that underlie the Department's overall approach to planning across the whole range of land use topics. Development Control Advice Note (DCAN) No 9 sets out the planning considerations to which the Department will have regard when considering applications for residential and nursing homes. As highlighted in DCAN 9, considerations can include issues such as the siting of the proposal, the location, traffic implications, history of the site, impact on amenity as well as design and layout. This list is not however exhaustive.

Where relevant, the land use zonings and local policies contained within the local area plan will also provide local policies and land use zonings to be taken into account in reaching a balanced decision.

Adjacent neighbours will be notified of the application under the neighbour notification scheme; it will be advertised in the local press and available for viewing on the Planning website. The general public will therefore have an opportunity to make comments to Planning on any planning issues in relation to the proposal.

I would encourage applicants to discuss any proposals with those adjacent to the site and those they consider would likely to be affected by the proposed development. This communication at an early stage in the process may assist in alleviating concerns in relation to the proposal.

Planning will take all planning comments received into account, including comments from relevant consultees to the planning process and the local council before reaching a balanced judgement on the planning application.

### Planning Applications

**Mr Clarke** asked the Minister of the Environment to detail the number of planning applications received by each divisional planning office in each of the last five years.

**(AQW 11131/11-15)**

**Mr Attwood:** Table 1 overleaf provides the number of planning applications received by each divisional planning office from 1st April 2006 through to the latest published figures as at December 2011.

**Table 1: All applications received by divisional planning office over the past five financial years.**

| Division                             | Applications received <sup>[1]</sup> |               |               |               |               |                                 |
|--------------------------------------|--------------------------------------|---------------|---------------|---------------|---------------|---------------------------------|
|                                      | 2006/07                              | 2007/08       | 2008/09       | 2009/10       | 2010/11       | 2011/12 <sup>[2]</sup><br>Q1-Q3 |
| Belfast Area Office                  | 4,095                                | 4,365         | 3,094         | 2,626         | 4,119         | 2,712                           |
| Strategic Planning                   | 279                                  | 296           | 372           | 332           | 432           | 347                             |
| Northern Area Office - Coleraine     | 1,940                                | 2,185         | 1,550         | 1,469         | 1,511         | 904                             |
| Northern Area Office - Londonderry   | 1,684                                | 1,659         | 1,264         | 1,225         | 1,108         | 709                             |
| South Antrim Area Office - Ballymena | 3,733                                | 3,946         | 2,718         | 2,667         | 2,202         | 1,294                           |
| Southern Area Office - Craigavon     | 5,119                                | 4,399         | 3,540         | 3,672         | 3,159         | 1,780                           |
| Southern Area Office - Downpatrick   | 4,626                                | 4,695         | 3,432         | 3,502         | 850           | 521                             |
| Western Area Office - Enniskillen    | 1,541                                | 1,818         | 1,223         | 1,229         | 871           | 631                             |
| Western Area Office - Omagh          | 4,060                                | 4,543         | 3,276         | 2,835         | 2,516         | 1,596                           |
| <b>Total</b>                         | <b>27,077</b>                        | <b>27,906</b> | <b>20,469</b> | <b>19,557</b> | <b>16,768</b> | <b>10,494</b>                   |

[1] Applications received also include withdrawn applications.

[2] Figures relating to the 2011/12 financial year are provisional and are for the period April 2011 to December 2011. The annual Development Management Statistics report will be published in July 2012. This will contain the full year finalised figures.

### **Asda Store at Loughside Recreation Centre, North Belfast**

**Mr Agnew** asked the Minister of the Environment to detail (i) the public meetings between his Department and local residents on the proposed Asda store at Loughside Recreation Centre, North Belfast; (ii) the individual submissions for and against the development; (iii) whether his Department weights individual submissions differently from collective submissions when assessing whether a development ought to proceed; (iv) whether his Department is aware of any proposals/actions taken by Asda to purchase other land in the vicinity of the project; (v) for his assessment of whether the proposals negatively impact on people's access to free, local outdoor spaces; (vi) for his assessment of Belfast City Council's use of a tick box form as a reliable method of gauging the wishes of the local community; (vii) for his assessment of the results of Asda's tick box form, which were submitted to his Department, to back up the case in favour of the new Asda store as a reliable method of gauging the wishes of the local community.

**(AQW 11176/11-15)**

**Mr Attwood:** There have been no public meetings between the Department and local residents regarding the current planning application – which includes a proposed Asda store – for Loughside Recreation Centre, North Belfast.

The Department has so far received 1,482 individual letters of objection to the application and two individual letters of support.

When assessing a planning application, the Department does not distinguish between individual and collective submissions in terms of weight attributed to them. The Department will focus on the issues raised as opposed to the method in which they are raised.

The Department is not aware of any proposals/actions by Asda to purchase other land in the vicinity of the application site.

The potential impact of the proposed development on the open/outdoor space will be fully considered by the Department as part of the ongoing assessment of the planning application.

With regard to the use of a tick box form as a reliable method of gauging the wishes of the local community, there is no legal impediment to submitting information in this format. The Department will consider the issues raised as opposed to the format in which they are submitted.

Given that the processing of this application remains ongoing, I am not in a position at the present time to comment on the results of any submissions made by Asda.



## Carbon Reduction Targets

**Mrs D Kelly** asked the Minister of the Environment, pursuant to AQW 9512/11-15 (i) what progress has been made in reducing green house gas emissions; and (ii) what are the targets set for each council.

**(AQW 11200/11-15)**

**Mr Attwood:** The Northern Ireland Executive is committed through its Programme for Government to continue to work towards a reduction in greenhouse gas (GHG) emissions by at least 35% on 1990 levels by 2025. The latest data (2009) show that GHG emissions in Northern Ireland fell by 20% compared with 1990 levels.<sup>1</sup>

I chair the Cross-Departmental Working Group on Climate Change whose Greenhouse Gas Emissions Reduction Action Plan<sup>2</sup>, published in February 2011, sets out the policies and measures which each department would undertake to help meet the Executive's emissions reduction target. The plan also contains a commitment to report to the Executive annually on performance. The first progress report to the Executive is due this month and will be published in the coming weeks on my Department's website.

I intend to bring forward a Climate Change Bill with challenging emission targets on the face of the Bill. I asked for and received positive advice from the Committee for Climate Change in this regard. I would wish to see this robust approach part of Council practice and I will assess how this can be done.

## Pollution at Kinnegar Lagoons, Holywood

**Mrs Cochrane** asked the Minister of the Environment why no formal action has been taken by the Northern Ireland Environment Agency against NI Water in relation to the on-going pollution at Kinnegar Lagoons, Holywood.

**(AQW 11278/11-15)**

**Mr Attwood:** Following substantiated polluting discharges from the Kinnegar Waste Water Treatment Works (WWTW) in 2009 and 2010, Northern Ireland Environment Agency (NIEA) issued Northern Ireland Water (NIW) with a Warning Letter under the Water (Northern Ireland) Order 1999 on 20 August 2010.

NIEA has not issued any further warning letters or carried out further enforcement action in relation to the Kinnegar WWTW as poor environmental performance is mainly due to historic under investment in sewerage infrastructure rather than poor operational management. NIW has responded to the warning letter issued in August 2010 and has been working with NIEA towards establishing a resolution to this issue.

Given the pollution history, magnitude of impact and the interconnectivity of the both the pond/reed bed and sewerage systems, NIEA has raised concerns with NIW that there may be other unidentified discharges occurring in the area. With the age of the existing sewerage infrastructure and the fact that some of this infrastructure is beneath the ponds, the possibility of sewage leaks from subsidence can-not be ruled out.

As a consequence of this, NIEA requested that NIW carry out a full survey of the operation of the sewerage infrastructure in the area. A report, detailing the findings of the survey, was requested as a condition in the Warning Letter issued in August 2010.

The draft report which was produced in October 2010 recommended a new gravity sewer along the Belfast Road to collect sewerage from Strathearn Court, Jackson's Road and Palace Barracks and pass forward to a new pumping station located on NIW land adjacent to Kinnegar WWTW. The sewer will close the overflows currently discharging to the reed beds adjacent to Kinnegar WWTW. This recommendation is being developed as a conclusive solution.

The report also identified defects within the existing network which have been addressed. NIW has indicated that consultations with stakeholders are on-going with a view to starting on site early 2013. There is potential for this project to be advanced to the autumn of 2012, subject to funding.

In the interim, NIEA carried out a further investigation on 3 August 2011 in relation to this issue. The Agency's investigation suggested that the three Combined Sewer Overflows (CSOs), which were the focus of the consultant's investigation initiated by NIW, may not be the sole cause of the current problems. NIEA identified a potential area of concern in the sewer network and requested that NIW investigate the issue further.

This investigation was carried out on 19 August 2011 by NIW with NIEA officials in attendance. The investigation involved a dye test which showed that the flow was entering Kinnegar WWTW inlet but did not highlight any areas of leakage from this section of sewer.

NIW has carried out desilting of the three CSOs and has increased the frequency of their maintenance visits in order to prevent pollution to the area and also to monitor the situation more closely. NIW have also removed a restriction downstream of the Palace Barracks CSO which will also assist towards reducing spills to the local waterway.

## Life-saving Equipment: Helen's Bay and Crawfordsburn Beaches

**Mrs Cochrane** asked the Minister of the Environment what life saving equipment is in place at Helen's Bay and Crawfordsburn Beaches to reduce the risk of drowning.

**(AQW 11279/11-15)**

1 Greenhouse Gas Inventories for England, Scotland, Wales and Northern Ireland: 1990-2009

<http://naei.defra.gov.uk/reports.php?list=GHG>

2 [http://www.doeni.gov.uk/northern\\_ireland\\_action\\_plan\\_on\\_greenhouse\\_gas\\_emissions\\_reductions.pdf](http://www.doeni.gov.uk/northern_ireland_action_plan_on_greenhouse_gas_emissions_reductions.pdf)

**Mr Attwood:** The Royal National Lifeboat Institution (RNLI), in November 2011, at the request of the Northern Ireland Environment Agency, assessed the risk of drowning at both Helen's Bay and Crawfordsburn beaches. The assessments indicated that the risks at both beaches are low. The key control measures suggested by the RNLI to make the beaches safer included signage to provide information to visitors before they arrive at the beaches and Public Rescue Equipment for the river mouth of the Crawford's Burn, which shelves steeply. These measures are being procured and are expected to be in place by the end of May 2012. RNLI has advised that life rings and throw bags have been found to be ineffective for gently-shelving beaches such as Helen's Bay and Crawfordsburn.

### Goldmine at Cavanacaw, Omagh

**Mr Hussey** asked the Minister of the Environment what steps he is taking to ensure that in future planning regulations are enforced at the goldmine at Cavanacaw, Omagh.

(AQW 11305/11-15)

**Mr Attwood:** I have instructed planning officials to provide me an update every six weeks on the implementation of the recent Ombudsman conclusions and how current planning conditions are being complied with. I have also advised the Divisional Planning Office to advise the mine operators that there will be a 2 monthly stocktake with them, meeting to monitor compliance.

### Goldmine at Cavanacaw, Omagh

**Mr Hussey** asked the Minister of the Environment why it took the Planning Service more than a year to issue an enforcement notice informing the company to stop the unauthorised removal of rock at the goldmine at Cavanacaw, Omagh.

(AQW 11306/11-15)

**Mr Attwood:** In responding to the complaint raised with the Ombudsman, the Department advised that the delay in taking effective enforcement action was as a result of negotiations with the mine operator along with requests for legal advice. The Ombudsman did not accept this explanation and it was his opinion that the delay demonstrated a complete failure to protect the public interest. The Department accepts this conclusion. I also refer to AQW 11305/11-15.

### Goldmine at Cavanacaw, Omagh

**Mr Hussey** asked the Minister of the Environment, in relation to the goldmine at Cavanacaw, Omagh, for his assessment of the statement by the Northern Ireland Ombudsman that Planners failure to act in relation to the issues at the goldmine and that this represented maladministration and a major system failure at the Planning Service.

(AQW 11308/11-15)

**Mr Attwood:** I have stated previously, and will do so again, be it on planning applications or planning enforcement, the planning system has to act properly, move quickly and give confidence to all. If there is a failure to live up to these standards, it is right and necessary that Planning and the Department are held to account and be seen to be held to account.

The Department accepts the findings of maladministration and major system failure set out in the Ombudsman's report. The Department also accepts the Ombudsman's recommendations and I have asked for an update every six weeks on how the recommendations are being acted on. I refer to AQW 11305/11-15 in this regard.

### Belfast International Airport: Private Car Parks

**Lord Morrow** asked the Minister of the Environment how many of the private car parks at Belfast International Airport do not have planning approval, and how many applied for planning approval retrospectively.

(AQW 11374/11-15)

**Mr Attwood:** South Antrim Area Planning Office is currently investigating 6 alleged unauthorised car parks in the vicinity of Belfast International Airport. Of these, 4 applied retrospectively for planning approval for car parking, 1 applied for a Certificate of Lawful Development for commercial car parking and 1 has applied retrospectively for a car storage compound associated with a car hire business. A summary of the planning applications and application for Certificate of Lawful Development is contained in Appendix 1.

#### APPENDIX 1

| Case   | Application Ref   | Status   |
|--|---|--|
| 1<br>92 Old Ballyrobin Road, Muckamore       | T/2007/0884/F: Temporary Use (for 1 year) as a Park and Ride Facility (Retrospective) | Refused permission 31/03/11<br>Enforcement action ongoing                  |
| 2<br>Lands adjacent to 10 Crooked Stone Road | T/2011/0123/LDE: Retention of commercial car parking use                              | Current Planning/Enforcement Appeal. Hearing to be re-opened 30th May 2012 |

| Case   | Application Ref   | Status  |
|--|---|---|
| 3<br>108 Ballyrobin Road,<br>Muckamore, Antrim | T/2007/0716/F: Carpark (formerly part carpark for adjacent restaurant) for provision of Park & Ride facilities to nearby airport. Consisting of 37 spaces. (Retrospective)  | Refused Planning Permission. Appeal Dismissed 20/05/10<br><br>Enforcement action ongoing  |
| 4<br>6 Antrim Road<br>Aldergrove               | T/2011/0347/F: Proposed car storage compound incorporating existing shed and hardstanding for off site car hire business(Retrospective)   | Current application not yet determined.<br><br>Enforcement investigation ongoing  |
| 5<br>Killead Air Lodge, 26<br>Killead Road     | T/2005/0050/F: Temporary Car Park (Retrospective)<br><br>T/2011/0182/F: 252no car park to supersede approved 149no carpark incidental to existing guesthouse and associated unimplemented approvals plus cycle shelter and surfaced maintenance and manoeuvring area for culvert(Retrospective) | Appeal dismissed 19/07/07<br><br>Appeal dismissed in relation to parking 04/01/12<br><br>Enforcement action ongoing                                       |
| 6<br>5 Seacash rd,<br>Aldergrove               | T/2011/0404/F: Retrospective application for a car park   | Antrim Borough Council consulted 26/4/2012 with opinion to refuse. Application held pending a meeting with MLA.<br><br>Enforcement investigation ongoing. |

### Vintage Vehicles: Tax Exemption

**Mr Copeland** asked the Minister of the Environment whether he has any plans to extend tax exemption for vintage vehicles dated after 1971.

**(AQW 11393/11-15)**

**Mr Attwood:** The criterion for an historic vehicle to be exempt from vehicle excise duty is that the vehicle must have been built or registered prior to 1 January 1973.

Responsibility for rates or duty and criteria for exemptions are a matter for the Treasury, as part of wider fiscal policy, and the Department for Transport. I understand there are no plans at present to change the criterion for exemption of an historic vehicle, but would be prepared to make representations if there was good argument and good support.

### LIFE+ Programme

**Mr Wells** asked the Minister of the Environment if his Department has any plans to make a bid for funding under the LIFE+ Programme in 2012.

**(AQW 11433/11-15)**

**Mr Attwood:** The Northern Ireland Environment Agency (NIEA) is part of a consortium preparing a bid to LIFE+ for a project called 'Marine Pathways'. This project is to assist manage the growing threat from the spread of invasive alien species in the marine environment. The bid should be submitted to the current LIFE+ call for applications and the consortium includes bodies in Northern Ireland, ROI, England, Scotland and Wales.

The total value of the bid is around £3 million over 5 years.

If the bid is successful the Loughs Agency will lead a cross border project team and part of its work will focus on invasive alien species in Belfast Lough.

NIEA is also in discussion with QUB regarding a possible appointment of a researcher to assist with monitoring and restoration work associated with the horse mussel (*Modiolus*) reefs in Strangford Lough. The post holder will be required to seek opportunities to secure LIFE+ funding for this work.

I consider that the opportunities for funding are not being exploited to the full, including under the €50 billion FP7 research/innovation/development fund. I am looking of how to build greater capacity into DOE and learning from the Dublin experience and success. I do not consider the current situation satisfactory.

### LIFE+ Programme

**Mr Wells** asked the Minister of the Environment why his Department has not yet made a bid for funding under the LIFE+ Programme since its inception in 2007.

**(AQW 11434/11-15)**

**Mr Attwood:** The Northern Ireland Environment Agency (NIEA) made an application in 2010 for LIFE+ funding, unfortunately without success.

The Agency is however a partner with the Environment Agency for England and Wales in two LIFE+ projects. The first project is designed to monitor waste from production to collection, transportation, treatment and disposal on a national scale. The other project is designed to demonstrate to businesses and stakeholders new methodology to derive quality waste products without the need for waste controls, in order to raise consumer confidence in such products.

The two projects are worth €7.5 million with 50% funding provided by LIFE+.

### **LIFE+ Programme**

**Mr Wells** asked the Minister of the Environment whether he is aware that the LIFE+ Programme provides matching funding of €2 billion for environmental projects.

**(AQW 11435/11-15)**

**Mr Attwood:** I am aware of the LIFE+ funding programme and that the budget allocation for the duration of the programme, 2007 – 2013, is €2.143 billion.

Every year the European Commission launches one call for LIFE+ proposals. This year the call for Proposals was launched on 13 March 2012 with up to €276 million being made available for co-financing of projects under three headings: Nature and biodiversity; Environment policy and governance; and Information and communication.

In keeping with normal practice the Commission has allocated every Member State with an annual allocation and for 2012/13 the United Kingdom's allocation is €21.6 m.

### **LIFE+ Programme**

**Mr Wells** asked the Minister of the Environment whether he is aware of the funding available through the LIFE+ Programme.

**(AQW 11436/11-15)**

**Mr Attwood:** The LIFE programme is the only European Union funding programme dedicated to delivering European environmental policy and legislation. LIFE+ is the current phase of the programme.

The Department, as a Competent Authority, has responsibility for providing the Government view (in consultation with relevant Departments/Agencies) and agreement to the proposal (A8 form) for Northern Ireland based LIFE+ projects.

The European Commission launches one call for LIFE+ projects proposals per year and provides information on these annual calls by issuing press releases to publicise availability. The Department re-enforces this publicity by informing Councils, other environmental agencies and the NGO sector. In addition it also publishes information on LIFE+ calls on its website.

The 2012 Call for Proposals was launched on 13 March with up to €276 million available for co-financing of projects. The United Kingdom's allocation is €21.6 million.

The deadline for the submission of A8 forms to the Department is the 29th June 2012.

### **National Parks**

**Ms Lo** asked the Minister of the Environment (i) for an update on the timescale for the introduction of the enabling legislation to designate a National Park; (ii) to outline any problems that his Department is facing in introducing the legislation; and (iii) for his Department's assessment of the financial benefits of a National Park.

**(AQW 11440/11-15)**

**Mr Attwood:** I am holding a series of meetings with stakeholders to address some key points that emerged during the consultation process. Officials will then take these matters into account in drafting enabling legislation. With the agreement of Executive colleagues, I envisage bringing draft legislation before the House in the autumn. At this stage I am not aware of any major issues that would hinder this process.

The consultation document on national parks was published last year ([www.doeni.gov.uk](http://www.doeni.gov.uk)) and detailed the substantial economic benefits that national park designation can bring to an area and its communities. It cites the example of Northumberland national park, which generates a cost benefit of £9 for the local economy for every £1 the authority spends on promoting tourism.

### **Review of Public Administration: Fermanagh**

**Mr Flanagan** asked the Minister of the Environment how he intends to ensure that the Review of Public Administration does not place an unfair burden on rate payers in Fermanagh, given the significant difference in debt levels and rates bills between the Fermanagh and Omagh District Councils.

**(AQW 11444/11-15)**

**Mr Attwood:** I am aware of the concerns which have been expressed by representatives of Fermanagh District Council, and others, about rate convergence and debt issues arising from the implementation of local government reform. I will also be meeting members of the council shortly to hear their concerns at first hand.

I do, however, recognise the need to develop plans and procedures to minimise any negative impact of change and ensure that those affected are treated as fairly and equitably as possible. Indeed, this was identified as a key priority at the inaugural meeting, on 25th April 2012, of the Regional Transition Committee (RTC) which I chair. The local and central government officers in the Finance Working Group, which supports RTC, have been commissioned to develop rates convergence proposals and present recommendations for the early consideration of the Committee.

It goes without saying that the concerns that have been raised arise from the decision to go with an 11 council model. Under a 15 council model Fermanagh would have retained its independent status.

### New Councils: Administration Centres

**Mr Flanagan** asked the Minister of the Environment how the location of the administration centres for new councils will be decided.

**(AQW 11445/11-15)**

**Mr Attwood:** Decisions on the location of administrative centres for the new councils will be a matter for local government to settle on, particularly deciding on the most efficient and effective use of their properties. They are best placed to come to a decision and may consider opportunities such as rotating the venue of their meetings between several administrative centres within the new council areas.

### Listed Buildings

**Lord Morrow** asked the Minister of the Environment to detail the number and location of the buildings (i) that have been listed in each of the last two years, broken down by category; and (ii) that are under consideration to be listed.

**(AQW 11450/11-15)**

**Mr Attwood:** In regard to part (i) of the question, 104 buildings have been listed in the past two years 62 in 2010/11 and 42 in 2011/12. These are located across Northern Ireland but principally concentrated in the Council areas recently covered by Northern Ireland Environment Agency's Second Survey of Buildings of Architectural and Historic Interest. I attach Tables 1 and 2 which provides information on the location of these buildings broken down by category (ie listing grade).

In regard to part (ii) I can confirm that the NIEA is presently considering 993 buildings for listing as a result of the ongoing Second Survey and one off requests from the public and others. Please note, that as the Second Survey considers the quality of existing listings it is also reviewing an additional 810 buildings which are already listed. As with (i) all of these buildings are located across Northern Ireland, but are principally concentrated in the Council areas recently covered by the Second Survey. As there is a potential threat arising from awareness that a building is under consideration but not yet protected, the location information provided in the attached table 3 is given in relation to District Council Areas.

**TABLE 1 – New Listings 2010/11**

| HB Ref No     | Address   | Grade | Building Type |
|---------------|---|-------|---------------|
| HB10/03/013   | 35 Knockbrack Road<br>Spamout<br>Castlederg<br>Co Tyrone<br>BT81 7LU  | B+    | House         |
| HB11/07/040   | Camowen Green,<br>Camowen Road,<br>Omagh,<br>BT79 0HA                 | B+    | House         |
| HB21/10/001 C | Railway Bridge<br>Glenville Road<br>Newtownabbey<br>Co Antrim<br>BT37 | B+    | Bridge        |
| HB21/10/001 D | Railway Bridge<br>Glenville Road<br>Newtownabbey<br>Co Antrim<br>BT37 | B+    | Bridge        |



| HB Ref No     | Address  | Grade | Building Type                   |
|---------------|--|-------|---------------------------------|
| HB21/10/001 E | Railway Bridge<br>Glenville Road<br>Newtownabbey<br>Co Antrim<br>BT37  | B+    | Bridge                          |
| HB22/05/005 A | Blackhead Lighthouse<br>McCrea's Brae<br>Whitehead<br>Co Antrim<br>BT38 9NZ  | B+    | Light House/<br>Navigation Mark |
| HB22/05/005 B | Former Lighthouse Keepers Houses at Blackhead<br>Lighthouse<br>McCrea's Brae<br>Whitehead<br>Co Antrim<br>BT38 9NZ | B+    | House                           |
| HB22/05/005 C | Former Superintendent's House at Blackhead Lighthouse<br>McCrea's Brae<br>Whitehead<br>Co Antrim<br>BT38 9NZ       | B+    | House                           |
| HB10/01/034   | 9 Lislaird Road<br>Mournebeg<br>Castledearg,<br>Co Tyrone<br>BT81 7XX  | B1    | House                           |
| HB10/03/019   | Bridge Hill<br>111 Drumquin Road<br>Castledearg<br>Co.Tyrone<br>BT81 7RB   | B1    | House                           |
| HB10/04/055   | 36 Drumlegagh Road North<br>Newtownstewart<br>Co Tyrone<br>BT78 4HE  | B1    | House                           |
| HB10/04/076   | The Old Manse<br>56 Moyle Road<br>Newtownstewart<br>Strabane<br>Co.Tyrone<br>BT78 4JT                              | B1    | House                           |
| HB10/04/079   | New Bridge<br>Old Bridge Road<br>Newtownstewart,<br>Co Tyrone  | B1    | Bridge                          |
| HB10/06/010   | Ardstraw Bridge<br>Ardstraw<br>Co. Tyrone<br>BT82 9LP  | B1    | Bridge                          |
| HB10/11/019   | 38 Station Road<br>Ballymagorry<br>Strabane<br>Co. Tyrone<br>BT82 OAX  | B1    | House                           |

| HB Ref No     | Address   | Grade | Building Type |
|---------------|---|-------|---------------|
| HB10/12/008   | Sacred Heart Roman Catholic Church<br>Derry Road<br>Strabane,<br>Co Tyrone<br>BT82 8DT          | B1    | Church        |
| HB11/04/027   | 19 Segully Road<br>Drumquin<br>Co Tyrone<br>BT78 4RD  | B1    | House         |
| HB11/04/031   | 91 Tattysallagh Road<br>Drumquin<br>Co Tyrone<br>BT78 4RH                                       | B1    | House         |
| HB11/06/007   | Raveagh<br>129 Corkill Road,<br>Eskragh<br>Omagh<br>Co Tyrone<br>BT78 1UP                       | B1    | House         |
| HB11/06/018   | House & Outbuildings<br>at 11 Desert Road,<br>Beragh,<br>Sixmilecross,<br>Co Tyrone<br>BT79 OQL | B1    | Store         |
| HB11/07/030   | Bridge No18,<br>East of Leap Lane<br>Railway Bridge<br>Omagh,<br>Co Tyrone,<br>BT79 ONQ         | B1    | Bridge        |
| HB11/08/012   | 7 Mellon Road<br>Omagh<br>Co. Tyrone<br>BT78 5QU  | B1    | House         |
| HB11/08/024   | Cavanacaw Bridge,<br>Laurel Road<br>Omagh,<br>Co Tyrone<br>BT78 5DH                             | B1    | Bridge        |
| HB11/08/025   | Ashfield<br>Laurel Road<br>Omagh<br>Co Tyrone<br>BT78 5DH                                       | B1    | House         |
| HB11/15/003 B | Farmyard<br>Crevenagh House<br>44 Crevenagh Road<br>Omagh<br>Co.Tyrone<br>BT79 OEH              | B1    | Outbuildings  |

| HB Ref No     | Address   | Grade | Building Type             |
|---------------|---|-------|---------------------------|
| HB12/17/082   | Model School House<br>Education Offices<br>28 Dublin Road<br>Breandrum TD<br>Enniskillen<br>Co. Fermanagh<br>BT74 6HN | B1    | Office                    |
| HB15/03/001 B | Castle Dillon Twin Gate Lodges<br>Drummanmore Road<br>Castle Dillon<br>Co. Armagh                                     | B1    | Gates/ Screens/<br>Lodges |
| HB15/11/024   | St. Louis Convent<br>Middletown<br>Co Armagh  | B1    | Religious House           |
| HB18/13/096   | Tea House<br>Tollymore Forest Park<br>Bryansford<br>Newcastle   | B1    | Shop                      |
| HB01/25/027   | Ardcaien<br>10 Ardcaien,<br>Culmore Road,<br>Derry<br>Co Londonderry  | B2    | House                     |
| HB10/02/050   | Kilclean Bridge,<br>Barleyhill Road,<br>Castledearg,<br>Co Tyrone   | B2    | Bridge                    |
| HB10/04/078   | 30 Carnkenny Road<br>Newtownstewart<br>Strabane<br>Co Tyrone<br>BT78 4LN  | B2    | House                     |
| HB10/05/019   | 141 Glenelly Road<br>Plumbridge<br>Strabane<br>Co Tyrone<br>BT79 8BG  | B2    | House                     |
| HB10/11/016   | 36 Ballyheather Road<br>Strabane<br>Co Tyrone<br>BT82 OBD   | B2    | House                     |
| HB10/12/028   | Royal Mail<br>Strabane Delivery Office<br>18 Castle Street<br>Strabane<br>Co. Tyrone<br>BT82 8AA                      | B2    | Post Office               |
| HB10/12/036   | The Farmers Home,<br>19-23 Railway Street,<br>Strabane,<br>Co Tyrone,<br>BT82 8EG                                     | B2    | Public House              |

| HB Ref No     | Address  | Grade | Building Type  |
|---------------|--|-------|----------------|
| HB11/01/010   | Barr Parish Church<br>173 Moneygar Road,<br>Trillick,<br>Co Tyrone<br>BT78 3PY                           | B2    | Church         |
| HB11/01/037   | The Rock<br>10 Realtons Road<br>Trillick<br>Omagh<br>BT78 3SB  | B2    | House          |
| HB11/02/008   | Barrett Hardware<br>70-72 Main Street<br>Fintona<br>Omagh<br>Co Tyrone<br>BT78 2AE                       | B2    | Shop - Terrace |
| HB11/03/001 B | Former Primary School<br>St Dympna's RC Church<br>St Dympna's Road,<br>Dromore,<br>Co Tyrone<br>BT78 3JG | B2    | Office         |
| HB11/03/013   | 55 Corlagh Road,<br>Dromore,<br>Co Tyrone<br>BT78 3NJ  | B2    | House          |
| HB11/04/024   | Church Bridge<br>Sloughan Road<br>Drumquin<br>Omagh<br>Co.Tyrone<br>BT78 4PF                             | B2    | Bridge         |
| HB11/04/025   | Lime Kiln<br>Bradan Road<br>Drumquin<br>Co Tyrone<br>BT78 4PE  | B2    | Rural Industry |
| HB11/04/026   | Belfry in grounds of<br>St Patricks RC Graveyard<br>Dooish Road<br>Drumquin<br>Co Tyrone<br>BT78 4RA     | B2    |                |
| HB11/04/028   | 27 Segully Road<br>Drumquin<br>Omagh<br>Co. Tyrone<br>BT78 4RD   | B2    | House          |
| HB11/05/025   | House to west of 42 Tallysallagh Road<br>Omagh<br>Co. Tyrone<br>BT78 5ER                                 | B2    | House          |
| HB11/05/030   | 106 Dromore Road,<br>Fintona,<br>Co Tyrone,<br>BT78 2DN  | B2    | House          |

| HB Ref No     | Address   | Grade | Building Type             |
|---------------|---|-------|---------------------------|
| HB11/05/033   | 102 Tattyreagh Road,<br>Fintona,<br>Omagh,<br>Co Tyrone,<br>BT78 2HY                        | B2    | House                     |
| HB11/05/034   | Battynahatty Bridge,<br>Ballynahatty Road,<br>Omagh,<br>Co Tyrone<br>BT78 1PW               | B2    | Bridge                    |
| HB11/06/015   | 112 Newtownsaville Road<br>Gortaclare<br>Sixmilecross<br>Co Tyrone<br>BT79 0YG              | B2    | House                     |
| HB11/06/019   | Gate Lodge<br>Greenmount Lodge<br>38 Greenmount Road<br>Omagh<br>Co. Tyrone<br>BT79 0QU     | B2    | Gates/ Screens/<br>Lodges |
| HB11/08/017   | Rash House<br>49 Beltany Road<br>Omagh<br>BT78 5NF  | B2    | House                     |
| HB11/08/021   | Mill at<br>30 Botera Upper Road,<br>Omagh<br>Co Tyrone<br>BT78 5LH                          | B2    | Store                     |
| HB11/08/023   | Bridge over Creevan Burn<br>Botera Upper Road,<br>Omagh<br>Co. Tyrone<br>BT78 5LH           | B2    | Bridge                    |
| HB11/09/004 D | Tread-wheel<br>Castle Place<br>Omagh<br>Co Tyrone<br>BT79 5ER                               | B2    | Store                     |
| HB11/16/019   | Former Beltrim National School<br>Glenpark Road<br>Gortin<br>Omagh<br>Co Tyrone<br>BT79 8TL | B2    | Recreational Club         |
| HB12/02/042   | Bridge<br>Kilready<br>Newtownbutler<br>Co Fermanagh<br>BT92 6EZ                             | B2    | Bridge                    |
| HB14/06/055 A | Liddell's Mill<br>43 Main Street<br>Donaghacloy   | B2    | Mill                      |



| HB Ref No     | Address  | Grade | Building Type  |
|---------------|--|-------|----------------|
| HB14/06/055 B | Cricket Pavilion<br>Liddel's Mill<br>43 Main Street<br>Donaghacloy               | B2    | Pavillion      |
| HB26/08/023 A | First Ballymacarrett Presbyterian Church<br>Paulett Avenue<br>Belfast<br>BT5 4HD | B2    | Church         |
| HB26/14/010   | White Lodge,<br>31 Eastleigh Drive,<br>Belfast<br>BT4 3DX                        | B2    | House          |
| HB26/50/157   | Former Bradford and Bingley Building<br>2 Chichester Street<br>Belfast           | B2    | Bank - Terrace |

**Table 2 – New Listings 2011/12**

| HB Ref No   | Address  | Grade | Building Type              |
|-------------|--|-------|----------------------------|
| HB03/12/039 | Overbridge<br>Railway Station<br>Sea Road<br>Castlerock<br>Coleraine<br>BT51 4TL       | B1    | Railway Station Structures |
| HB06/07/015 | 17 Drumnadonaghy Road<br>Larne<br>Co Antrim  | B1    | House                      |
| HB10/06/023 | Mourneview,<br>26 Liskey Road<br>Strabane<br>Co Tyrone<br>BT82 8NP                     | B1    | House                      |
| HB11/15/008 | Railway Bridge,<br>Cranny,<br>Omagh,<br>Co.Tyrone                                      | B1    | Bridge                     |
| HB11/18/016 | House nr 22 Coolaharan Road<br>Loughmacrory<br>Omagh<br>Co Tyrone<br>BT79 9LP          | B1    | House                      |
| HB12/19/046 | The Steele Hall<br>Portora Royal School<br>Willoughby Place<br>Enniskillen<br>BT74 7HA | B1    | School                     |
| HB14/17/004 | Demesne House<br>Kilmore Road/ Antrim Road<br>Lurgan                                   | B1    | House                      |
| HB19/01/071 | Fruit Hill<br>Scroggy Lane<br>Scroggy Road<br>Glenavy<br>County Antrim<br>BT29 4LD     | B1    | House                      |

| HB Ref No     | Address  | Grade | Building Type                |
|---------------|--|-------|------------------------------|
| HB26/50/284   | J Braddell and Sons Ltd<br>11 North Street<br>Belfast<br>BT1 1NA   | B1    | Shop - Terrace               |
| HB04/15/019   | Balnamore Mill<br>8 Drumahisky Road<br>Balnamore<br>Ballymoney<br>Co Antrim<br>BT53 7QL                                | B2    | Store                        |
| HB10/03/014   | 19 Edenreagh Road<br>Castlederg<br>Co. Tyrone<br>BT81 7SH  | B2    | House                        |
| HB10/06/022   | Breen bridge over Mourne River,<br>(former railway bridge),<br>Camus & Breen TD,<br>Strabane,<br>Co Tyrone             | B2    | Bridge                       |
| HB10/09/028   | 6 Balbane Road<br>Donemana<br>Strabane<br>Co. Tyrone<br>BT82 0RW   | B2    | House                        |
| HB10/11/001 K | Saw Mill at Holy Hill House<br>78 Ballee Road<br>Artigarvan<br>Strabane<br>Co. Tyrone<br>BT82 0AA                      | B2    | Estate Related<br>Structures |
| HB10/12/030   | Former Strabane Technical College,<br>Derry Road,<br>Strabane,<br>Co Tyrone<br>BT82 8DX                                | B2    | School                       |
| HB11/04/020   | 126 Drumlegagh Church Road<br>Drumquin<br>Co Tyrone<br>BT78 4PP  | B2    | House                        |
| HB11/08/004   | Blackrock Bridge,<br>Lislap West,<br>Omagh,<br>Co Tyrone   | B2    | Bridge                       |
| HB11/08/005   | Broadford Bridge<br>to north of Mellon Road<br>Omagh<br>Co Tyrone<br>BT78 5QU  | B2    | Bridge                       |
| HB11/08/007   | Bridge No 6,<br>Road Bridge over Railway,<br>Mountjoy Avenue<br>Tattraconnaghty TL,<br>Omagh,<br>Co Tyrone<br>BT78 5NX | B2    | Bridge                       |

| HB Ref No   | Address   | Grade | Building Type |
|-------------|---|-------|---------------|
| HB11/08/009 | Clarks Bridge<br>Tully Road<br>Omagh<br>Co Tyrone<br>BT78 5NR   | B2    | Bridge        |
| HB11/08/015 | Dudgeon Bridge<br>Dunwish Road<br>Omagh<br>Co. Tyrone<br>BT78 5PH   | B2    | Bridge        |
| HB11/15/012 | Crevenagh Bridge,<br>Omagh,<br>Co.Tyrone  | B2    | Bridge        |
| HB11/16/034 | 26 Carrigans Road<br>Newtownstewart<br>Co Tyrone<br>BT78 4EQ  | B2    | House         |
| HB11/16/040 | Bridge over Cappagh Burn<br>Tirmurty Road<br>Omagh<br>Co. Tyrone<br>BT79 7TZ                                | B2    | Bridge        |
| HB11/17/005 | 23 Glenmacoffer Road<br>Omagh<br>Co.Tyrone<br>BT79 7RJ  | B2    | House         |
| HB11/17/012 | Campbells Bridge over Glensawisk Burn,<br>Aghnamirigan Road<br>Omagh,<br>Co Tyrone<br>BT79 7SB              | B2    | Bridge        |
| HB11/18/012 | Former Police Station<br>10 Main Street<br>Mountfield<br>Omagh<br>Co Tyrone<br>BT79 7PP                     | B2    | House         |
| HB11/18/013 | 21 Fernagh Road<br>Omagh<br>Co Tyrone<br>BT78 1HH   | B2    | House         |
| HB11/20/002 | Sixmilecross Presbyterian Church<br>Meeting House Road,<br>Sixmilecross,<br>Omagh,<br>Co Tyrone<br>BT79 9NQ | B2    | Church        |
| HB11/20/019 | Altamuskin Post Office,<br>177 Altamuskin Road,<br>Sixmilecross,<br>Omagh,<br>Co Tyrone<br>BT79 9JA         | B2    | House         |

| HB Ref No     | Address  | Grade | Building Type     |
|---------------|--|-------|-------------------|
| HB12/18/008   | Former Enniskillen Workhouse<br>Erne Road<br>Enniskillen<br>County Fermanagh<br>BT74 6NN       | B2    | Hospital Building |
| HB14/23/051   | Bank of Ireland<br>13 Market Street<br>Lurgan<br>BT66 6AR                                      | B2    | Bank              |
| HB19/01/009   | Glenavy Methodist Church<br>Main Street<br>Glenavy<br>County Antrim<br>BT29 4LP                | B2    | Church            |
| HB19/05/151   | Former St John's Primary School<br>St John's Road<br>Hillsborough<br>County Down               | B2    | School            |
| HB21/02/011   | Ballyhamage House<br>The Burn Road<br>Doagh<br>Co Antrim<br>BT39 ORD                           | B2    | House             |
| HB21/04/008   | Orpin's Mill<br>Orpinsmill Road<br>Dunamoy<br>Doagh<br>Ballyclare<br>Co Antrim<br>BT39 OSX     | B2    | Mill              |
| HB21/06/004 B | Merville House<br>Merville Garden Village<br>Shore Road<br>Whitehouse<br>Co Antrim<br>BT37 9TH | B2    | Hall              |
| HB21/07/009   | Railway Bridge<br>Whitehouse Park,<br>Shore Road<br>Newtownabbey<br>Co Antrim                  | B2    | Bridge            |
| HB26/27/083   | Tropical Ravine<br>Botanic Gardens<br>Belfast  | B2    | Glass House       |
| HB26/50/281   | 5-11 Lombard Street<br>Belfast<br>BT1 1RB  | B2    | Office - Terrace  |
| HB26/50/282   | 13-17 Lombard Street<br>Belfast<br>BT1 1RB   | B2    | Office - Terrace  |
| HB26/50/285   | Telephone Kiosk at<br>Northern Bank<br>Waring Street<br>Belfast                                | B2    | Telephone Kiosk   |

**TABLE 3 – Buildings currently under consideration**

| <b>Council ID</b> | <b>Council Name</b> | <b>Total number of buildings under consideration</b> |
|-------------------|---------------------|--|
| HB01              | Londonderry         | 0  |
| HB02              | Limavady            | 0  |
| HB03              | Coleraine           | 4  |
| HB04              | Ballymoney          | 0  |
| HB05              | Moyle               | 4  |
| HB06              | Larne               | 1  |
| HB07              | Ballymena           | 2  |
| HB08              | Magherafelt         | 2  |
| HB09              | Cookstown           | 0  |
| HB10              | Strabane            | 15   |
| HB11              | Omagh               | 12   |
| HB12              | Fermanagh           | 15   |
| HB13              | Dungannon           | 8  |
| HB14              | Craigavon           | 1  |
| HB15              | Armagh              | 21   |
| HB16              | Newry & Mourne      | 13   |
| HB17              | Banbridge           | 40   |
| HB18              | Down                | 15   |
| HB19              | Lisburn             | 444  |
| HB20              | Antrim              | 4  |
| HB21              | Newtownabbey        | 5  |
| HB22              | Carrickfergus       | 3  |
| HB23              | North Down          | 69   |
| HB24              | Ards                | 71   |
| HB25              | Castlereagh         | 86   |
| HB26              | Belfast             | 158  |
|                   | <b>Total</b>        | <b>993</b>   |

**Beaches: Condition**

**Mr Campbell** asked the Minister of the Environment (i) for his assessment of the current condition of beaches; and (ii) how the criteria used to make such an assessment are decided.

**(AQW 11457/11-15)**

**Mr Attwood:** Bathing Water quality results in 2011 were possibly the best ever recorded in Northern Ireland. All 24 bathing waters achieved the mandatory standards of the EC Directive and 20 of these achieved the higher guideline standard and were classified as Excellent.

During the specified bathing season (01 June to 15 September) the Northern Ireland Environment Agency (NIEA) monitors and reports on bathing water quality, as required by the Quality of Bathing Water Regulations (Northern Ireland) 2008. NIEA follow criteria for water quality classification set down in the EC Bathing Waters Directive 1976. This water quality information is published locally on a weekly basis and reported annually to the European Commission. Beach condition is not actually assessed by NIEA.



Other organisations use the NIEA water quality monitoring data as part of their criteria for making beach awards as a means of recommending beaches to the public. Additional factors they use would include beach facilities such as access to toilets which are provided by the beach operators.

NIEA follow criteria for water quality classification set down in the EC Bathing Waters Directive 1976. Tidy NI operates the Blue Flag scheme in Northern Ireland and use criteria set by the Foundation for Environmental Education. Tidy NI also agrees criteria for Seaside and Green Coast awards with partners in GB and in the Republic of Ireland. Marine Conservation Society (MCS) set their own criteria based on, but not identical to, the standards of the Bathing Waters Directive.

All three assessments ie NIEA, Tidy Northern Ireland and MCS indicate that Northern Ireland's bathing beaches are the best they have ever been. In 2012 the MCS Good Beach Guide recommends 16 beaches in Northern Ireland – up from 10 in the previous year. Also in 2012, Tidy Northern Ireland is poised to make more Blue Flag, Seaside and Green Coast awards than ever before. These will be announced on 24 May 2012.

However, there is no room for complacency. Many of our bathing waters are vulnerable to pollution washed out by extreme rainfall events. NIEA is working closely with Northern Ireland Water, the agricultural community and with stakeholder groups to ensure that all pollution risks are minimised or completely eliminated.

The Good Beach Summits have brought all interested parties together and I am determined that they will continue to co-ordinate effectively both for the good of the environment and to the direct benefit of the coastal economy.

## Listed Properties

**Mr McQuillan** asked the Minister of the Environment to detail listed properties that are owned by his Department.  
(AQW 11558/11-15)

**Mr Attwood:** Six listed properties (listed buildings) are currently owned by the Department of the Environment. These are:

- Dogleap Powerhouse, South Watch Tower, Weaving Shed Museum
- Carrick Footbridge (all of which are in Roe Valley Country Park, Limavady);
- Martello Tower, Magilligan; and
- Scrabo Tower (Londonderry Monument) Scrabo Hill, Newtownards.

## Draft PPS 18

**Mr Agnew** asked the Minister of the Environment to list all the organisations, or individuals, who advocated the removal of references to community benefits from the draft PPS 18 in the last 12 months.  
(AQW 11628/11-15)

**Mr Attwood:** The public consultation to draft PPS18 ended on 21 March 2008 and attracted 90 responses from a variety of organisations and individuals, with 22 respondents referencing community benefits.

Antrim Borough Council, Larne Borough Council, RSPB, CNCC, Ross Planning, Belfast City Council, NIEL, the National Trust, ARC21 and the Fermanagh Trust advocated the use of community benefits but with qualifications on how they should be used or administered.

TCI Renewables, RES, Renewables UK (formerly BWEA), and Turley Associates while not opposed to the concept of community benefits, all sought the removal of such references within the context of the policy document. The Royal Town Planning Institute sought the delivery of community benefits through Article 40 agreements only.

In addition Lisburn City Council, Carrickfergus Borough Council, SWAMP, NILGA (supported directly by Newry and Mourne and Coleraine District Councils) and the Carvill Group all cited reservations about the citing community benefits within the PPS.

PPS18 was published in final form in August 2009.

## Wind Turbines: Planning Applications

**Mr Kinahan** asked the Minister of the Environment to detail (i) how long each current planning application for a (a) single turbine; and (b) multiple turbine wind farm has been in the planning system, broken down by divisional planning office; and (ii) the average length of time it has taken to determine planning applications for (a) single turbine; and (b) multiple turbine wind farms to date, broken down by divisional planning office.

(AQW 11697/11-15)

**Mr Attwood:** The details in relation to (i) all current planning applications for (a) single wind turbines; and (b) multiple turbine wind farms and the associated length of time in the planning system broken down by divisional planning office is provided in attached Tables 1A and 1B respectively.

Information showing (ii) the average length of time it has taken to determine planning applications for (a) single wind turbines; and (b) multiple turbine wind farms is found in the following Tables 2A and 2B. The figures provided in these tables are from 1 April 2002 to 31 December 2011.

The median has been used as the measure of “average” processing performance, in line with standard planning reporting practice.

**Table 1A - Current Planning Applications for Single Wind Turbines  
Belfast**

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| S/2010/0305/F      | 12/04/2010        | 429   |
| S/2010/0536/F      | 22/06/2010        | 380   |
| S/2010/0932/F      | 04/11/2010        | 286   |
| S/2010/1039/F      | 02/12/2010        | 266   |
| S/2010/1038/F      | 03/12/2010        | 265   |
| Y/2011/0031/F      | 03/02/2011        | 225   |
| S/2011/0126/F      | 07/02/2011        | 223   |
| W/2011/0089/F      | 10/02/2011        | 220   |
| S/2011/0175/F      | 25/02/2011        | 209   |
| S/2011/0274/F      | 25/03/2011        | 190   |
| S/2011/0289/F      | 31/03/2011        | 186   |
| S/2011/0315/F      | 06/04/2011        | 182   |
| S/2011/0412/F      | 28/04/2011        | 168   |
| S/2011/0461/F      | 19/05/2011        | 155   |
| W/2011/0268/F      | 24/05/2011        | 152   |
| X/2011/0400/F      | 27/05/2011        | 149   |
| S/2011/0487/F      | 02/06/2011        | 146   |
| Y/2011/0216/F      | 21/06/2011        | 133   |
| S/2011/0533/F      | 22/06/2011        | 132   |
| S/2011/0535/F      | 23/06/2011        | 131   |
| S/2011/0552/F      | 30/06/2011        | 126   |
| S/2011/0589/F      | 11/07/2011        | 119   |
| S/2011/0585/F      | 15/07/2011        | 117   |
| S/2011/0610/F      | 28/07/2011        | 108   |
| S/2011/0622/F      | 01/08/2011        | 106   |
| Z/2011/0937/F      | 02/08/2011        | 105   |
| S/2011/0650/F      | 08/08/2011        | 101   |
| S/2011/0667/F      | 18/08/2011        | 93  |
| S/2011/0676/F      | 22/08/2011        | 91  |
| S/2011/0711/F      | 09/09/2011        | 78  |
| S/2011/0712/F      | 09/09/2011        | 78  |
| S/2011/0727/F      | 15/09/2011        | 74  |
| X/2011/0617/F      | 27/09/2011        | 66  |
| Y/2011/0328/F      | 11/10/2011        | 56  |
| Z/2011/1265/F      | 25/10/2011        | 46  |
| X/2011/0729/F      | 29/11/2011        | 21  |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| X/2011/0730/F      | 01/12/2011        | 19  |
| Z/2011/1429/F      | 08/12/2011        | 14  |
| S/2011/0949/F      | 13/12/2011        | 11  |
| Z/2011/1498/F      | 21/12/2011        | 5   |
| X/2011/0795/F      | 23/12/2011        | 3   |

**Northern Area**

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| C/2010/0281/F      | 20/05/2010        | 402   |
| E/2010/0155/F      | 25/05/2010        | 399   |
| C/2010/0297/F      | 28/05/2010        | 396   |
| E/2010/0164/F      | 03/06/2010        | 393   |
| C/2010/0336/F      | 18/06/2010        | 382   |
| B/2010/0236/F      | 19/07/2010        | 363   |
| D/2010/0224/F      | 20/07/2010        | 362   |
| D/2010/0238/F      | 05/08/2010        | 350   |
| C/2010/0442/F      | 12/08/2010        | 345   |
| C/2010/0493/F      | 27/08/2010        | 334   |
| C/2010/0489/F      | 07/09/2010        | 328   |
| B/2010/0311/F      | 24/09/2010        | 315   |
| E/2010/0273/F      | 01/10/2010        | 310   |
| D/2010/0306/F      | 08/10/2010        | 305   |
| B/2010/0333/F      | 12/10/2010        | 303   |
| E/2010/0283/F      | 20/10/2010        | 297   |
| E/2010/0293/F      | 25/10/2010        | 294   |
| C/2010/0632/F      | 01/11/2010        | 289   |
| D/2010/0333/F      | 04/11/2010        | 286   |
| E/2010/0322/F      | 12/11/2010        | 280   |
| B/2010/0405/F      | 18/11/2010        | 276   |
| E/2010/0334/F      | 29/11/2010        | 269   |
| D/2010/0358/F      | 01/12/2010        | 267   |
| D/2010/0361/F      | 06/12/2010        | 264   |
| C/2010/0686/F      | 09/12/2010        | 261   |
| C/2011/0025/F      | 17/01/2011        | 238   |
| C/2011/0041/F      | 25/01/2011        | 232   |
| C/2011/0049/F      | 02/02/2011        | 226   |
| B/2011/0042/F      | 08/02/2011        | 222   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| C/2011/0063/F      | 09/02/2011        | 221   |
| C/2011/0082/F      | 21/02/2011        | 213   |
| B/2011/0063/F      | 01/03/2011        | 207   |
| E/2011/0056/F      | 01/03/2011        | 207   |
| E/2011/0063/F      | 09/03/2011        | 201   |
| B/2011/0083/F      | 15/03/2011        | 197   |
| E/2011/0071/F      | 15/03/2011        | 197   |
| E/2011/0074/F      | 16/03/2011        | 196   |
| D/2011/0082/F      | 25/03/2011        | 190   |
| E/2011/0079/F      | 25/03/2011        | 190   |
| C/2011/0147/F      | 29/03/2011        | 188   |
| C/2011/0149/F      | 30/03/2011        | 187   |
| E/2011/0083/F      | 30/03/2011        | 187   |
| D/2011/0086/F      | 04/04/2011        | 184   |
| B/2011/0096/F      | 05/04/2011        | 183   |
| D/2011/0087/F      | 05/04/2011        | 183   |
| C/2011/0176/F      | 08/04/2011        | 180   |
| C/2011/0185/F      | 08/04/2011        | 180   |
| E/2011/0099/F      | 08/04/2011        | 180   |
| D/2011/0098/F      | 11/04/2011        | 179   |
| D/2011/0107/F      | 20/04/2011        | 172   |
| B/2011/0123/F      | 03/05/2011        | 167   |
| C/2011/0240/F      | 04/05/2011        | 166   |
| E/2011/0150/F      | 14/06/2011        | 138   |
| C/2011/0310/F      | 16/06/2011        | 136   |
| B/2011/0154/F      | 21/06/2011        | 133   |
| C/2011/0340/F      | 30/06/2011        | 126   |
| B/2011/0159/F      | 01/07/2011        | 125   |
| B/2011/0161/F      | 05/07/2011        | 123   |
| C/2011/0351/F      | 07/07/2011        | 121   |
| D/2011/0162/F      | 07/07/2011        | 121   |
| B/2011/0169/F      | 11/07/2011        | 119   |
| B/2011/0170/F      | 11/07/2011        | 119   |
| C/2011/0378/F      | 20/07/2011        | 114   |
| B/2011/0181/F      | 29/07/2011        | 107   |
| D/2011/0173/F      | 01/08/2011        | 106   |
| D/2011/0177/F      | 04/08/2011        | 103   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| D/2011/0182/F      | 09/08/2011        | 100   |
| C/2011/0415/F      | 18/08/2011        | 93  |
| D/2011/0192/F      | 18/08/2011        | 93  |
| C/2011/0441/F      | 31/08/2011        | 85  |
| D/2011/0202/F      | 06/09/2011        | 81  |
| B/2011/0211/F      | 07/09/2011        | 80  |
| C/2011/0466/F      | 09/09/2011        | 78  |
| D/2011/0214/F      | 20/09/2011        | 71  |
| D/2011/0216/F      | 20/09/2011        | 71  |
| D/2011/0224/F      | 30/09/2011        | 63  |
| D/2011/0225/F      | 30/09/2011        | 63  |
| C/2011/0503/F      | 04/10/2011        | 61  |
| C/2011/0525/F      | 14/10/2011        | 53  |
| D/2011/0240/F      | 14/10/2011        | 53  |
| D/2011/0244/F      | 17/10/2011        | 52  |
| C/2011/0537/F      | 24/10/2011        | 47  |
| B/2011/0249/F      | 01/11/2011        | 41  |
| C/2011/0553/F      | 10/11/2011        | 34  |
| E/2011/0235/F      | 28/11/2011        | 22  |
| C/2011/0619/F      | 15/12/2011        | 9   |
| A/2010/0028/F      | 12/01/2010        | 490   |
| A/2010/0151/F      | 08/03/2010        | 451   |
| A/2010/0296/F      | 26/04/2010        | 419   |
| A/2010/0317/F      | 04/05/2010        | 414   |
| A/2010/0320/F      | 05/05/2010        | 413   |
| A/2010/0386/F      | 14/05/2010        | 406   |
| A/2010/0391/F      | 28/05/2010        | 396   |
| A/2010/0442/F      | 23/06/2010        | 379   |
| A/2010/0459/F      | 28/06/2010        | 376   |
| A/2010/0513/F      | 23/07/2010        | 359   |
| A/2010/0530/F      | 03/08/2010        | 352   |
| A/2010/0541/F      | 11/08/2010        | 346   |
| A/2010/0546/F      | 13/08/2010        | 344   |
| A/2010/0544/F      | 16/08/2010        | 343   |
| A/2010/0580/F      | 02/09/2010        | 331   |
| A/2010/0606/F      | 17/09/2010        | 320   |
| A/2010/0600/F      | 20/09/2010        | 319   |



| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| A/2010/0630/F      | 30/09/2010        | 311   |
| A/2010/0650/F      | 18/10/2010        | 299   |
| J/2010/0413/F      | 21/10/2010        | 296   |
| A/2010/0757/F      | 01/12/2010        | 266   |
| J/2010/0498/F      | 10/12/2010        | 260   |
| A/2011/0011/F      | 12/01/2011        | 241   |
| A/2011/0053/F      | 02/02/2011        | 226   |
| A/2011/0054/F      | 03/02/2011        | 225   |
| A/2011/0060/F      | 07/02/2011        | 223   |
| A/2011/0075/F      | 11/02/2011        | 219   |
| J/2011/0083/F      | 25/02/2011        | 209   |
| J/2011/0107/F      | 09/03/2011        | 201   |
| A/2011/0217/F      | 07/04/2011        | 181   |
| A/2011/0218/F      | 07/04/2011        | 181   |
| J/2011/0157/F      | 07/04/2011        | 181   |
| A/2011/0229/F      | 08/04/2011        | 180   |
| A/2011/0231/F      | 08/04/2011        | 180   |
| J/2011/0178/F      | 08/04/2011        | 180   |
| J/2011/0180/F      | 08/04/2011        | 180   |
| J/2011/0183/F      | 08/04/2011        | 180   |
| A/2011/0339/F      | 20/05/2011        | 154   |
| A/2011/0404/F      | 01/07/2011        | 125   |
| A/2011/0411/F      | 04/07/2011        | 124   |
| J/2011/0277/F      | 11/07/2011        | 119   |
| J/2011/0283/F      | 18/07/2011        | 116   |
| A/2011/0439/F      | 19/07/2011        | 115   |
| J/2011/0307/F      | 09/08/2011        | 100   |
| A/2011/0492/F      | 19/08/2011        | 92  |
| J/2011/0316/F      | 23/08/2011        | 90  |
| J/2011/0334/F      | 31/08/2011        | 85  |
| A/2011/0513/F      | 02/09/2011        | 83  |
| J/2011/0338/F      | 06/09/2011        | 81  |
| A/2011/0548/F      | 22/09/2011        | 69  |
| A/2011/0553/F      | 27/09/2011        | 66  |
| J/2011/0373/F      | 29/09/2011        | 64  |
| J/2011/0374/F      | 29/09/2011        | 64  |
| J/2011/0372/F      | 29/09/2011        | 64  |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| J/2011/0395/F      | 19/10/2011        | 50  |
| J/2011/0409/F      | 04/11/2011        | 38  |
| J/2011/0417/F      | 07/11/2011        | 37  |
| J/2011/0425/F      | 16/11/2011        | 30  |
| J/2011/0437/F      | 29/11/2011        | 21  |
| J/2011/0447/F      | 07/12/2011        | 15  |
| A/2011/0679/F      | 09/12/2011        | 13  |
| J/2011/0454/F      | 09/12/2011        | 13  |
| J/2011/0464/F      | 14/12/2011        | 10  |
| J/2011/0472/F      | 22/12/2011        | 4   |
| A/2012/0005/F      | 29/12/2011        | 2   |

**South Antrim Area**

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| H/2007/0954/F      | 17/04/2009        | 673   |
| V/2009/0258/F      | 16/12/2009        | 505   |
| H/2010/0101/F      | 08/03/2010        | 451   |
| G/2010/0346/F      | 27/05/2010        | 397   |
| G/2010/0363/F      | 04/06/2010        | 392   |
| F/2010/0208/F      | 16/06/2010        | 384   |
| G/2010/0401/F      | 23/06/2010        | 379   |
| G/2010/0403/F      | 25/06/2010        | 377   |
| G/2010/0428/F      | 01/07/2010        | 373   |
| G/2010/0444/F      | 07/07/2010        | 369   |
| F/2010/0249/F      | 14/07/2010        | 366   |
| G/2010/0475/F      | 21/07/2010        | 361   |
| G/2010/0508/F      | 06/08/2010        | 349   |
| V/2010/0184/F      | 06/09/2010        | 329   |
| G/2010/0572/F      | 07/09/2010        | 328   |
| G/2010/0593/F      | 21/09/2010        | 318   |
| V/2010/0201/F      | 22/09/2010        | 317   |
| V/2010/0202/F      | 22/09/2010        | 317   |
| V/2010/0205/F      | 23/09/2010        | 316   |
| T/2010/0500/F      | 15/10/2010        | 300   |
| G/2010/0643/F      | 18/10/2010        | 299   |
| G/2010/0645/F      | 18/10/2010        | 299   |
| F/2010/0346/F      | 18/10/2010        | 299   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| G/2010/0672/F      | 25/10/2010        | 294   |
| G/2010/0703/F      | 03/11/2010        | 287   |
| G/2010/0705/F      | 03/11/2010        | 287   |
| T/2010/0521/F      | 03/11/2010        | 287   |
| G/2010/0744/F      | 18/11/2010        | 276   |
| G/2010/0761/F      | 26/11/2010        | 270   |
| G/2010/0766/F      | 29/11/2010        | 269   |
| G/2010/0772/F      | 30/11/2010        | 268   |
| F/2011/0015/F      | 12/01/2011        | 241   |
| G/2011/0018/F      | 18/01/2011        | 237   |
| G/2011/0028/F      | 24/01/2011        | 233   |
| F/2011/0028/F      | 27/01/2011        | 230   |
| F/2011/0034/F      | 03/02/2011        | 225   |
| F/2011/0042/F      | 14/02/2011        | 218   |
| F/2011/0044/F      | 15/02/2011        | 217   |
| F/2011/0045/F      | 15/02/2011        | 217   |
| G/2011/0076/F      | 16/02/2011        | 216   |
| V/2011/0018/F      | 22/02/2011        | 212   |
| G/2011/0119/F      | 07/03/2011        | 203   |
| V/2011/0022/F      | 07/03/2011        | 203   |
| F/2011/0073/F      | 14/03/2011        | 198   |
| F/2011/0085/F      | 30/03/2011        | 187   |
| G/2011/0158/F      | 04/04/2011        | 184   |
| G/2011/0159/F      | 04/04/2011        | 184   |
| G/2011/0166/F      | 05/04/2011        | 183   |
| G/2011/0228/F      | 04/05/2011        | 166   |
| G/2011/0243/F      | 17/05/2011        | 157   |
| F/2011/0126/F      | 19/05/2011        | 155   |
| T/2011/0208/F      | 26/05/2011        | 150   |
| V/2011/0080/F      | 02/06/2011        | 146   |
| G/2011/0266/F      | 07/06/2011        | 143   |
| G/2011/0270/F      | 10/06/2011        | 140   |
| V/2011/0092/F      | 01/07/2011        | 125   |
| G/2011/0313/F      | 07/07/2011        | 121   |
| G/2011/0315/F      | 07/07/2011        | 121   |
| F/2011/0159/F      | 11/07/2011        | 119   |
| G/2011/0326/F      | 15/07/2011        | 117   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| F/2011/0167/F      | 20/07/2011        | 114   |
| G/2011/0332/F      | 25/07/2011        | 111   |
| T/2011/0297/F      | 27/07/2011        | 109   |
| V/2011/0105/F      | 01/08/2011        | 106   |
| U/2011/0278/F      | 02/08/2011        | 105   |
| F/2011/0175/F      | 11/08/2011        | 98  |
| T/2011/0346/F      | 30/08/2011        | 86  |
| U/2011/0329/F      | 16/09/2011        | 73  |
| F/2011/0203/F      | 29/09/2011        | 64  |
| U/2011/0363/F      | 17/10/2011        | 52  |
| T/2011/0416/F      | 25/10/2011        | 46  |
| T/2011/0417/F      | 25/10/2011        | 46  |
| T/2011/0420/F      | 27/10/2011        | 44  |
| G/2011/0480/F      | 28/10/2011        | 43  |
| G/2011/0483/F      | 31/10/2011        | 42  |
| G/2011/0484/F      | 31/10/2011        | 42  |
| F/2011/0224/F      | 04/11/2011        | 38  |
| T/2011/0430/F      | 04/11/2011        | 38  |
| F/2011/0232/F      | 16/11/2011        | 30  |
| G/2011/0509/F      | 16/11/2011        | 30  |
| F/2011/0245/F      | 05/12/2011        | 17  |
| G/2011/0530/F      | 08/12/2011        | 14  |
| T/2011/0482/F      | 08/12/2011        | 14  |
| V/2011/0157/F      | 08/12/2011        | 14  |
| F/2011/0255/F      | 09/12/2011        | 13  |
| T/2011/0497/F      | 09/12/2011        | 13  |
| G/2011/0550/F      | 23/12/2011        | 3   |
| V/2011/0169/F      | 23/12/2011        | 3   |
| U/2012/0005/F      | 30/12/2011        | 1   |

**Southern Area**

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| P/2008/0918/F      | 11/07/2008        | 863   |
| N/2009/0550/F      | 11/09/2009        | 573   |
| P/2010/0150/F      | 15/02/2010        | 471   |
| P/2010/0638/F      | 20/05/2010        | 402   |
| N/2010/0303/F      | 01/06/2010        | 395   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| N/2010/0345/F      | 16/06/2010        | 384   |
| O/2010/0406/F      | 22/06/2010        | 380   |
| P/2010/0931/F      | 27/07/2010        | 357   |
| O/2010/0507/F      | 02/08/2010        | 353   |
| O/2010/0508/F      | 02/08/2010        | 353   |
| O/2010/0552/F      | 19/08/2010        | 340   |
| N/2010/0489/F      | 26/08/2010        | 335   |
| O/2010/0572/F      | 26/08/2010        | 335   |
| P/2010/1065/F      | 31/08/2010        | 333   |
| P/2010/1067/F      | 31/08/2010        | 333   |
| O/2010/0592/F      | 03/09/2010        | 330   |
| N/2010/0528/F      | 15/09/2010        | 322   |
| O/2010/0633/F      | 20/09/2010        | 319   |
| O/2010/0635/F      | 20/09/2010        | 319   |
| P/2010/1212/F      | 01/10/2010        | 310   |
| Q/2010/0487/F      | 18/10/2010        | 299   |
| P/2010/1391/F      | 17/11/2010        | 277   |
| Q/2010/0599/F      | 01/12/2010        | 267   |
| O/2010/0833/F      | 09/12/2010        | 261   |
| O/2010/0836/F      | 09/12/2010        | 261   |
| O/2010/0832/F      | 09/12/2010        | 261   |
| O/2010/0856/F      | 15/12/2010        | 257   |
| P/2010/1521/F      | 17/12/2010        | 255   |
| O/2010/0871/F      | 20/12/2010        | 254   |
| O/2010/0880/F      | 21/12/2010        | 253   |
| P/2011/0031/F      | 07/01/2011        | 244   |
| P/2011/0016/F      | 10/01/2011        | 243   |
| O/2011/0018/F      | 14/01/2011        | 239   |
| O/2011/0028/F      | 24/01/2011        | 233   |
| O/2011/0043/F      | 04/02/2011        | 224   |
| O/2011/0044/F      | 04/02/2011        | 224   |
| O/2011/0045/F      | 04/02/2011        | 224   |
| Q/2011/0055/F      | 07/02/2011        | 223   |
| Q/2011/0062/F      | 09/02/2011        | 221   |
| O/2011/0060/F      | 14/02/2011        | 218   |
| O/2011/0063/F      | 14/02/2011        | 218   |
| O/2011/0066/F      | 15/02/2011        | 217   |



| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| O/2011/0067/F      | 16/02/2011        | 216   |
| O/2011/0068/F      | 16/02/2011        | 216   |
| Q/2011/0091/F      | 22/02/2011        | 212   |
| O/2011/0095/F      | 02/03/2011        | 206   |
| O/2011/0103/F      | 03/03/2011        | 205   |
| P/2011/0239/F      | 04/03/2011        | 204   |
| O/2011/0107/F      | 07/03/2011        | 203   |
| Q/2011/0123/F      | 23/03/2011        | 192   |
| O/2011/0143/F      | 28/03/2011        | 189   |
| O/2011/0145/F      | 28/03/2011        | 189   |
| O/2011/0147/F      | 30/03/2011        | 187   |
| P/2011/0348/F      | 05/04/2011        | 183   |
| P/2011/0360/F      | 07/04/2011        | 181   |
| Q/2011/0160/F      | 07/04/2011        | 181   |
| Q/2011/0162/F      | 07/04/2011        | 181   |
| O/2011/0195/F      | 08/04/2011        | 180   |
| O/2011/0186/F      | 08/04/2011        | 180   |
| Q/2011/0166/F      | 08/04/2011        | 180   |
| Q/2011/0176/F      | 12/04/2011        | 178   |
| Q/2011/0197/F      | 27/04/2011        | 169   |
| P/2011/0500/F      | 19/05/2011        | 155   |
| P/2011/0505/F      | 19/05/2011        | 155   |
| O/2011/0253/F      | 20/05/2011        | 154   |
| O/2011/0252/F      | 24/05/2011        | 152   |
| Q/2011/0247/F      | 09/06/2011        | 141   |
| Q/2011/0251/F      | 10/06/2011        | 140   |
| Q/2011/0254/F      | 13/06/2011        | 139   |
| O/2011/0304/F      | 22/06/2011        | 132   |
| Q/2011/0265/F      | 24/06/2011        | 130   |
| O/2011/0319/F      | 30/06/2011        | 126   |
| O/2011/0348/F      | 19/07/2011        | 115   |
| P/2011/0698/F      | 01/08/2011        | 106   |
| P/2011/0699/F      | 01/08/2011        | 106   |
| Q/2011/0308/F      | 12/08/2011        | 97  |
| P/2011/0737/F      | 16/08/2011        | 95  |
| P/2011/0756/F      | 23/08/2011        | 90  |
| Q/2011/0327/F      | 30/08/2011        | 86  |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| P/2011/0804/F      | 05/09/2011        | 82  |
| Q/2011/0343/F      | 05/09/2011        | 82  |
| P/2011/0802/F      | 06/09/2011        | 81  |
| Q/2011/0342/F      | 06/09/2011        | 81  |
| Q/2011/0357/F      | 14/09/2011        | 75  |
| P/2011/0827/F      | 19/09/2011        | 72  |
| P/2011/0841/F      | 26/09/2011        | 67  |
| P/2011/0859/F      | 26/09/2011        | 67  |
| N/2011/0415/F      | 29/09/2011        | 64  |
| P/2011/0885/F      | 05/10/2011        | 60  |
| Q/2011/0388/F      | 13/10/2011        | 54  |
| Q/2011/0391/F      | 17/10/2011        | 52  |
| O/2011/0507/F      | 26/10/2011        | 45  |
| Q/2011/0402/F      | 26/10/2011        | 45  |
| O/2011/0512/F      | 31/10/2011        | 42  |
| N/2011/0469/F      | 14/11/2011        | 32  |
| P/2011/1055/F      | 05/12/2011        | 17  |
| Q/2011/0442/F      | 05/12/2011        | 17  |
| O/2011/0556/F      | 07/12/2011        | 15  |
| O/2011/0558/F      | 08/12/2011        | 14  |
| P/2011/1066/F      | 09/12/2011        | 13  |
| Q/2011/0467/F      | 12/12/2011        | 12  |
| P/2012/0036/F      | 19/12/2011        | 7   |
| O/2012/0018/F      | 29/12/2011        | 2   |
| R/2010/0232/F      | 19/03/2010        | 443   |
| R/2010/0749/F      | 02/09/2010        | 331   |
| R/2010/0800/F      | 22/09/2010        | 317   |
| R/2010/0843/F      | 30/09/2010        | 311   |
| R/2010/0891/F      | 26/10/2010        | 293   |
| R/2010/0894/F      | 02/11/2010        | 288   |
| R/2010/0927/F      | 09/11/2010        | 283   |
| R/2010/0929/F      | 10/11/2010        | 282   |
| R/2010/0971/F      | 17/11/2010        | 277   |
| R/2011/0071/F      | 27/01/2011        | 230   |
| R/2011/0108/F      | 27/01/2011        | 230   |
| R/2011/0089/F      | 01/02/2011        | 227   |
| R/2011/0105/F      | 03/02/2011        | 225   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| R/2011/0165/F      | 21/02/2011        | 213   |
| R/2011/0177/F      | 21/02/2011        | 213   |
| R/2011/0189/F      | 01/03/2011        | 207   |
| R/2011/0193/F      | 01/03/2011        | 207   |
| R/2011/0197/F      | 02/03/2011        | 206   |
| R/2011/0250/F      | 21/03/2011        | 194   |
| R/2011/0270/F      | 28/03/2011        | 189   |
| R/2011/0272/F      | 28/03/2011        | 189   |
| R/2011/0295/F      | 05/04/2011        | 183   |
| R/2011/0300/F      | 07/04/2011        | 181   |
| R/2011/0315/F      | 08/04/2011        | 180   |
| R/2011/0397/F      | 06/05/2011        | 164   |
| R/2011/0417/F      | 17/05/2011        | 157   |
| R/2011/0420/F      | 19/05/2011        | 155   |
| R/2011/0421/F      | 19/05/2011        | 155   |
| R/2011/0446/F      | 03/06/2011        | 145   |
| R/2011/0474/F      | 15/06/2011        | 137   |
| R/2011/0480/F      | 16/06/2011        | 136   |
| R/2011/0517/F      | 30/06/2011        | 126   |
| R/2011/0508/F      | 01/07/2011        | 125   |
| R/2011/0509/F      | 04/07/2011        | 124   |
| R/2011/0545/F      | 15/07/2011        | 117   |
| R/2011/0616/F      | 25/08/2011        | 88  |
| R/2011/0636/F      | 08/09/2011        | 79  |
| R/2011/0638/F      | 09/09/2011        | 78  |
| R/2011/0675/F      | 29/09/2011        | 64  |
| R/2011/0708/F      | 14/10/2011        | 53  |
| R/2011/0726/F      | 25/10/2011        | 46  |
| R/2011/0742/F      | 03/11/2011        | 39  |
| R/2011/0746/F      | 07/11/2011        | 37  |
| R/2011/0756/F      | 11/11/2011        | 33  |
| R/2011/0760/F      | 11/11/2011        | 33  |
| R/2011/0806/F      | 02/12/2011        | 18  |

**HQ Strategic Planning Division**

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| I/2008/0157/F      | 19/02/2008        | 961   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| J/2007/0700/F      | 20/02/2008        | 960   |
| D/2010/0060/F      | 22/02/2010        | 466   |
| I/2010/0211/F      | 12/05/2010        | 408   |
| D/2010/0190/F      | 17/06/2010        | 383   |
| F/2010/0228/F      | 30/06/2010        | 374   |
| L/2010/0899/F      | 17/11/2010        | 277   |
| L/2011/0110/F      | 10/12/2010        | 260   |
| L/2011/0003/F      | 10/12/2010        | 260   |
| B/2010/0448/F      | 15/12/2010        | 257   |
| C/2010/0709/F      | 23/12/2010        | 251   |
| C/2011/0021/F      | 14/01/2011        | 239   |
| S/2011/0111/F      | 07/02/2011        | 223   |
| L/2011/0157/F      | 15/02/2011        | 217   |
| J/2011/0070/F      | 17/02/2011        | 215   |
| K/2011/0110/F      | 17/02/2011        | 215   |
| L/2011/0214/F      | 07/03/2011        | 203   |
| R/2011/0264/F      | 24/03/2011        | 191   |
| F/2011/0086/F      | 30/03/2011        | 187   |
| M/2011/0213/F      | 31/03/2011        | 186   |
| K/2011/0270/F      | 08/04/2011        | 180   |
| L/2011/0310/F      | 08/04/2011        | 180   |
| L/2011/0312/F      | 08/04/2011        | 180   |
| M/2011/0260/F      | 08/04/2011        | 180   |
| S/2011/0367/F      | 08/04/2011        | 180   |
| A/2011/0249/F      | 11/04/2011        | 179   |
| O/2011/0206/F      | 15/04/2011        | 175   |
| F/2011/0107/F      | 21/04/2011        | 171   |
| K/2011/0302/F      | 28/04/2011        | 168   |
| J/2011/0205/F      | 03/05/2011        | 167   |
| P/2011/0489/F      | 16/05/2011        | 158   |
| K/2011/0388/F      | 14/06/2011        | 138   |
| K/2011/0397/F      | 17/06/2011        | 135   |
| K/2011/0417/F      | 23/06/2011        | 131   |
| X/2011/0435/F      | 23/06/2011        | 131   |
| K/2011/0418/F      | 28/06/2011        | 128   |
| M/2011/0441/F      | 30/06/2011        | 126   |
| L/2011/0588/F      | 21/07/2011        | 113   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| O/2011/0364/F      | 29/07/2011        | 107   |
| Q/2011/0297/F      | 29/07/2011        | 107   |
| R/2011/0571/F      | 29/07/2011        | 107   |
| C/2011/0396/F      | 05/08/2011        | 102   |
| L/2011/0621/F      | 09/08/2011        | 100   |
| H/2011/0396/F      | 10/08/2011        | 99  |
| H/2011/0397/F      | 10/08/2011        | 99  |
| I/2011/0355/F      | 10/08/2011        | 99  |
| I/2011/0357/F      | 11/08/2011        | 98  |
| I/2011/0358/F      | 11/08/2011        | 98  |
| B/2011/0201/F      | 17/08/2011        | 94  |
| K/2011/0509/F      | 19/08/2011        | 92  |
| J/2011/0348/F      | 08/09/2011        | 79  |
| Q/2011/0353/F      | 12/09/2011        | 77  |
| Q/2011/0354/F      | 12/09/2011        | 77  |
| L/2011/0711/F      | 13/09/2011        | 76  |
| J/2011/0358/F      | 19/09/2011        | 72  |
| H/2011/0479/F      | 26/09/2011        | 67  |
| L/2011/0755/F      | 27/09/2011        | 66  |
| R/2011/0669/F      | 27/09/2011        | 66  |
| Y/2011/0317/F      | 27/09/2011        | 66  |
| P/2011/0854/F      | 28/09/2011        | 65  |
| S/2011/0763/F      | 28/09/2011        | 65  |
| G/2011/0433/F      | 29/09/2011        | 64  |
| G/2011/0434/F      | 29/09/2011        | 64  |
| M/2011/0588/F      | 29/09/2011        | 64  |
| O/2011/0460/F      | 29/09/2011        | 64  |
| C/2011/0501/F      | 04/10/2011        | 61  |
| K/2011/0613/F      | 07/10/2011        | 58  |
| K/2011/0651/F      | 31/10/2011        | 42  |
| D/2011/0251/F      | 03/11/2011        | 39  |
| E/2011/0211/F      | 03/11/2011        | 39  |
| A/2011/0622/F      | 10/11/2011        | 34  |
| K/2011/0671/F      | 10/11/2011        | 34  |
| H/2011/0539/F      | 16/11/2011        | 30  |
| K/2011/0685/F      | 17/11/2011        | 29  |
| K/2011/0686/F      | 17/11/2011        | 29  |



| Planning ID   | Date Valid | Working Days from date valid to 31/12/2011 |
|---------------|------------|--|
| I/2011/0473/F | 21/11/2011 | 27   |
| G/2011/0513/F | 24/11/2011 | 24   |
| G/2011/0515/F | 28/11/2011 | 22   |
| O/2011/0577/F | 09/12/2011 | 13   |
| D/2011/0285/F | 15/12/2011 | 9  |
| A/2011/0721/F | 29/12/2011 | 2  |

**Western Area**

| Planning ID   | Date Valid | Working Days from date valid to 31/12/2011 |
|---------------|------------|--|
| L/2010/0774/F | 12/10/2010 | 303  |
| L/2010/0785/F | 14/10/2010 | 301  |
| L/2011/0314/F | 07/04/2011 | 181  |
| L/2011/0338/F | 08/04/2011 | 180  |
| L/2011/0381/F | 13/04/2011 | 177  |
| L/2011/0392/F | 03/05/2011 | 167  |
| L/2011/0398/F | 12/05/2011 | 160  |
| L/2011/0449/F | 27/05/2011 | 149  |
| L/2011/0495/F | 14/06/2011 | 138  |
| L/2011/0531/F | 27/06/2011 | 129  |
| L/2011/0550/F | 07/07/2011 | 121  |
| L/2011/0575/F | 09/07/2011 | 119  |
| L/2011/0604/F | 01/08/2011 | 106  |
| L/2011/0643/F | 11/08/2011 | 98   |
| L/2011/0653/F | 17/08/2011 | 94   |
| L/2011/0681/F | 26/08/2011 | 87   |
| L/2011/0705/F | 08/09/2011 | 79   |
| L/2011/0743/F | 21/09/2011 | 70   |
| L/2011/0811/F | 24/10/2011 | 47   |
| L/2011/0819/F | 25/10/2011 | 46   |
| L/2011/0832/F | 28/10/2011 | 43   |
| L/2011/0840/F | 01/11/2011 | 41   |
| L/2011/0841/F | 01/11/2011 | 41   |
| L/2011/0853/F | 07/11/2011 | 37   |
| L/2011/0895/F | 21/11/2011 | 27   |
| L/2011/0898/F | 23/11/2011 | 25   |
| L/2011/0913/F | 29/11/2011 | 21   |
| L/2011/0926/F | 05/12/2011 | 17   |

| Planning ID   | Date Valid | Working Days from date valid to<br>31/12/2011 |
|---------------|------------|---|
| L/2011/0941/F | 08/12/2011 | 14  |
| L/2011/0971/F | 13/12/2011 | 11  |
| L/2011/0981/F | 21/12/2011 | 5   |
| L/2011/0984/F | 21/12/2011 | 5   |
| L/2011/0993/F | 22/12/2011 | 4   |
| L/2011/0994/F | 22/12/2011 | 4   |
| L/2011/1000/F | 23/12/2011 | 3   |
| J/2010/0065/F | 10/03/2010 | 449   |
| I/2010/0172/F | 15/04/2010 | 426   |
| H/2010/0211/F | 05/05/2010 | 413   |
| I/2010/0266/F | 08/06/2010 | 390   |
| H/2010/0311/F | 09/07/2010 | 367   |
| M/2010/0598/F | 28/07/2010 | 356   |
| I/2010/0476/F | 08/10/2010 | 305   |
| I/2010/0487/F | 08/10/2010 | 305   |
| I/2010/0515/F | 02/11/2010 | 288   |
| I/2010/0514/F | 03/11/2010 | 287   |
| I/2010/0539/F | 16/11/2010 | 278   |
| I/2010/0545/F | 17/11/2010 | 277   |
| K/2010/0731/F | 26/11/2010 | 270   |
| K/2010/0743/F | 30/11/2010 | 268   |
| M/2010/0902/F | 02/12/2010 | 266   |
| I/2010/0565/F | 03/12/2010 | 265   |
| I/2010/0568/F | 07/12/2010 | 263   |
| M/2010/0922/F | 08/12/2010 | 262   |
| I/2011/0009/F | 16/12/2010 | 256   |
| I/2011/0010/F | 16/12/2010 | 256   |
| I/2011/0014/F | 22/12/2010 | 252   |
| I/2011/0016/F | 23/12/2010 | 251   |
| K/2011/0040/F | 05/01/2011 | 246   |
| H/2011/0016/F | 11/01/2011 | 242   |
| I/2011/0037/F | 11/01/2011 | 242   |
| K/2011/0053/F | 13/01/2011 | 240   |
| H/2011/0026/F | 17/01/2011 | 238   |
| H/2011/0045/F | 21/01/2011 | 234   |
| H/2011/0046/F | 21/01/2011 | 234   |
| K/2011/0065/F | 21/01/2011 | 234   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| H/2011/0057/F      | 27/01/2011        | 230   |
| M/2011/0093/F      | 02/02/2011        | 226   |
| I/2011/0068/F      | 03/02/2011        | 225   |
| K/2011/0092/F      | 04/02/2011        | 224   |
| I/2011/0086/F      | 09/02/2011        | 221   |
| I/2011/0096/F      | 10/02/2011        | 220   |
| I/2011/0101/F      | 14/02/2011        | 218   |
| K/2011/0104/F      | 14/02/2011        | 218   |
| I/2011/0107/F      | 16/02/2011        | 216   |
| I/2011/0108/F      | 16/02/2011        | 216   |
| K/2011/0108/F      | 16/02/2011        | 216   |
| M/2011/0135/F      | 28/02/2011        | 208   |
| H/2011/0106/F      | 28/02/2011        | 208   |
| I/2011/0127/F      | 01/03/2011        | 207   |
| K/2011/0143/F      | 01/03/2011        | 207   |
| I/2011/0134/F      | 04/03/2011        | 204   |
| I/2011/0136/F      | 04/03/2011        | 204   |
| H/2011/0122/F      | 08/03/2011        | 202   |
| H/2011/0123/F      | 08/03/2011        | 202   |
| K/2011/0157/F      | 09/03/2011        | 201   |
| I/2011/0148/F      | 11/03/2011        | 199   |
| K/2011/0175/F      | 18/03/2011        | 195   |
| K/2011/0193/F      | 25/03/2011        | 190   |
| H/2011/0166/F      | 28/03/2011        | 189   |
| I/2011/0159/F      | 28/03/2011        | 189   |
| K/2011/0210/F      | 29/03/2011        | 188   |
| M/2011/0206/F      | 29/03/2011        | 188   |
| H/2011/0212/F      | 08/04/2011        | 180   |
| H/2011/0213/F      | 08/04/2011        | 180   |
| I/2011/0193/F      | 08/04/2011        | 180   |
| I/2011/0198/F      | 08/04/2011        | 180   |
| K/2011/0261/F      | 08/04/2011        | 180   |
| K/2011/0269/F      | 08/04/2011        | 180   |
| M/2011/0289/F      | 08/04/2011        | 180   |
| M/2011/0270/F      | 08/04/2011        | 180   |
| H/2011/0255/F      | 03/05/2011        | 167   |
| I/2011/0221/F      | 04/05/2011        | 166   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| K/2011/0315/F      | 04/05/2011        | 166   |
| I/2011/0243/F      | 17/05/2011        | 157   |
| K/2011/0364/F      | 24/05/2011        | 152   |
| K/2011/0369/F      | 25/05/2011        | 151   |
| K/2011/0359/F      | 26/05/2011        | 150   |
| M/2011/0364/F      | 26/05/2011        | 150   |
| M/2011/0369/F      | 31/05/2011        | 148   |
| K/2011/0378/F      | 09/06/2011        | 141   |
| K/2011/0381/F      | 10/06/2011        | 140   |
| K/2011/0383/F      | 14/06/2011        | 138   |
| H/2011/0329/F      | 20/06/2011        | 134   |
| K/2011/0400/F      | 20/06/2011        | 134   |
| K/2011/0405/F      | 23/06/2011        | 131   |
| K/2011/0408/F      | 23/06/2011        | 131   |
| K/2011/0410/F      | 23/06/2011        | 131   |
| K/2011/0427/F      | 04/07/2011        | 124   |
| M/2011/0457/F      | 08/07/2011        | 120   |
| K/2011/0450/F      | 15/07/2011        | 117   |
| M/2011/0464/F      | 15/07/2011        | 117   |
| M/2011/0465/F      | 15/07/2011        | 117   |
| K/2011/0451/F      | 15/07/2011        | 117   |
| K/2011/0458/F      | 19/07/2011        | 115   |
| K/2011/0459/F      | 19/07/2011        | 115   |
| K/2011/0463/F      | 22/07/2011        | 112   |
| H/2011/0373/F      | 25/07/2011        | 111   |
| K/2011/0470/F      | 28/07/2011        | 108   |
| I/2011/0338/F      | 01/08/2011        | 106   |
| I/2011/0340/F      | 02/08/2011        | 105   |
| K/2011/0482/F      | 04/08/2011        | 103   |
| K/2011/0490/F      | 09/08/2011        | 100   |
| K/2011/0506/F      | 11/08/2011        | 98  |
| I/2011/0360/F      | 11/08/2011        | 98  |
| K/2011/0498/F      | 12/08/2011        | 97  |
| K/2011/0518/F      | 23/08/2011        | 90  |
| H/2011/0421/F      | 24/08/2011        | 89  |
| I/2011/0386/F      | 26/08/2011        | 87  |
| K/2011/0521/F      | 26/08/2011        | 87  |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|---|
| K/2011/0525/F      | 31/08/2011        | 85  |
| K/2011/0526/F      | 31/08/2011        | 85  |
| K/2011/0529/F      | 31/08/2011        | 85  |
| M/2011/0541/F      | 31/08/2011        | 85  |
| K/2011/0532/F      | 01/09/2011        | 84  |
| M/2011/0543/F      | 01/09/2011        | 84  |
| M/2011/0555/F      | 13/09/2011        | 76  |
| M/2011/0556/F      | 13/09/2011        | 76  |
| K/2011/0565/F      | 15/09/2011        | 74  |
| M/2011/0570/F      | 20/09/2011        | 71  |
| K/2011/0589/F      | 26/09/2011        | 67  |
| H/2011/0484/F      | 29/09/2011        | 64  |
| I/2011/0431/F      | 05/10/2011        | 60  |
| K/2011/0612/F      | 07/10/2011        | 58  |
| K/2011/0614/F      | 07/10/2011        | 58  |
| I/2011/0435/F      | 10/10/2011        | 57  |
| I/2011/0436/F      | 10/10/2011        | 57  |
| K/2011/0618/F      | 11/10/2011        | 56  |
| I/2011/0445/F      | 18/10/2011        | 51  |
| K/2011/0624/F      | 18/10/2011        | 51  |
| K/2011/0626/F      | 19/10/2011        | 50  |
| H/2011/0507/F      | 20/10/2011        | 49  |
| K/2011/0635/F      | 21/10/2011        | 48  |
| H/2011/0518/F      | 31/10/2011        | 42  |
| H/2011/0520/F      | 02/11/2011        | 40  |
| K/2011/0655/F      | 02/11/2011        | 40  |
| K/2011/0660/F      | 04/11/2011        | 38  |
| H/2011/0533/F      | 07/11/2011        | 37  |
| M/2011/0655/F      | 07/11/2011        | 37  |
| I/2011/0460/F      | 08/11/2011        | 36  |
| I/2011/0463/F      | 09/11/2011        | 35  |
| K/2011/0679/F      | 15/11/2011        | 31  |
| H/2011/0542/F      | 17/11/2011        | 29  |
| H/2011/0543/F      | 17/11/2011        | 29  |
| I/2011/0470/F      | 18/11/2011        | 28  |
| M/2011/0693/F      | 18/11/2011        | 28  |
| K/2011/0702/F      | 30/11/2011        | 20  |



| <b>Planning ID</b> | <b>Date Valid</b> | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|---|
| M/2011/0732/F      | 07/12/2011        | 15  |
| M/2011/0734/F      | 07/12/2011        | 15  |
| M/2011/0735/F      | 07/12/2011        | 15  |
| K/2011/0727/F      | 09/12/2011        | 13  |
| I/2011/0497/F      | 12/12/2011        | 12  |
| M/2011/0744/F      | 12/12/2011        | 12  |
| H/2011/0581/F      | 15/12/2011        | 9   |
| H/2011/0588/F      | 23/12/2011        | 3   |
| K/2011/0750/F      | 29/12/2011        | 2   |

**Table 1B - Current Planning Applications for multiple turbine wind farms**

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Area Office</b>          | <b>Working Days from date valid to 31/12/2011</b> |
|--------------------|-------------------|-----------------------------|---|
| A/2005/0223/F      | 11/02/2005        | Strategic Planning Division | 1712  |
| U/2005/0281/F      | 16/05/2005        | Strategic Planning Division | 1650  |
| J/2006/0840/F      | 21/08/2006        | Strategic Planning Division | 1335  |
| M/2006/1754/F      | 29/08/2006        | Strategic Planning Division | 1330  |
| T/2006/0832/F      | 17/10/2006        | Strategic Planning Division | 1295  |
| K/2007/0547/F      | 20/08/2007        | Strategic Planning Division | 1087  |
| J/2007/0667/F      | 23/10/2007        | Strategic Planning Division | 1042  |
| C/2007/1186/F      | 10/01/2008        | Strategic Planning Division | 989   |
| J/2007/0309/F      | 15/01/2008        | Strategic Planning Division | 986   |
| J/2008/0088/F      | 19/02/2008        | Strategic Planning Division | 961   |
| M/2007/1407/F      | 20/02/2008        | Strategic Planning Division | 960   |
| K/2008/0334/F      | 27/03/2008        | Strategic Planning Division | 937   |
| L/2008/0459/F      | 23/04/2008        | Strategic Planning Division | 918   |
| J/2008/0278/F      | 02/06/2008        | Strategic Planning Division | 892   |
| J/2008/0240/F      | 03/06/2008        | Strategic Planning Division | 891   |
| Q/2007/0914/F      | 15/09/2008        | Strategic Planning Division | 820   |
| L/2008/1113/F      | 18/09/2008        | Strategic Planning Division | 817   |
| K/2008/1153/F      | 11/12/2008        | Strategic Planning Division | 757   |
| B/2009/0070/F      | 04/03/2009        | Strategic Planning Division | 702   |
| T/2008/0358/F      | 09/03/2009        | Strategic Planning Division | 699   |
| K/2009/0243/F      | 03/04/2009        | Strategic Planning Division | 681   |
| D/2009/0142/F      | 02/06/2009        | Strategic Planning Division | 643   |
| A/2009/0868/F      | 09/11/2009        | Strategic Planning Division | 532   |
| H/2010/0009/F      | 15/01/2010        | Strategic Planning Division | 487   |

| <b>Planning ID</b> | <b>Date Valid</b> | <b>Area Office</b>          | <b>Working Days<br/>from date valid to<br/>31/12/2011</b> |
|--------------------|-------------------|-----------------------------|---|
| J/2010/0168/F      | 17/05/2010        | Strategic Planning Division | 405   |
| J/2010/0481/F      | 19/11/2010        | Strategic Planning Division | 275   |
| D/2010/0356/F      | 30/11/2010        | Strategic Planning Division | 268   |
| I/2010/0569/F      | 15/12/2010        | Strategic Planning Division | 257   |
| K/2010/0758/F      | 20/12/2010        | Strategic Planning Division | 254   |
| G/2011/0041/F      | 01/02/2011        | Strategic Planning Division | 227   |
| G/2011/0052/F      | 07/02/2011        | Strategic Planning Division | 223   |
| C/2011/0061/F      | 08/02/2011        | Strategic Planning Division | 222   |
| C/2011/0091/F      | 22/02/2011        | Strategic Planning Division | 212   |
| J/2011/0082/F      | 25/02/2011        | Strategic Planning Division | 209   |
| B/2011/0080/F      | 16/03/2011        | Strategic Planning Division | 196   |
| G/2011/0136/F      | 23/03/2011        | Strategic Planning Division | 192   |
| J/2011/0128/F      | 25/03/2011        | Strategic Planning Division | 190   |
| G/2011/0155/F      | 01/04/2011        | Strategic Planning Division | 185   |
| G/2011/0162/F      | 04/04/2011        | Strategic Planning Division | 184   |
| C/2011/0158/F      | 05/04/2011        | Strategic Planning Division | 183   |
| A/2011/0202/F      | 06/04/2011        | Strategic Planning Division | 182   |
| J/2011/0148/F      | 08/04/2011        | Strategic Planning Division | 180   |
| K/2011/0239/F      | 08/04/2011        | Strategic Planning Division | 180   |
| G/2011/0182/F      | 08/04/2011        | Strategic Planning Division | 180   |
| D/2011/0195/F      | 26/08/2011        | Strategic Planning Division | 87  |
| R/2011/0632/F      | 05/09/2011        | Strategic Planning Division | 82  |
| C/2011/0459/F      | 07/09/2011        | Strategic Planning Division | 80  |
| R/2011/0306/F      | 04/04/2011        | Southern Area - Downpatrick | 184   |
| R/2010/0050/F      | 02/02/2010        | Southern Area - Downpatrick | 475   |
| C/2010/0189/F      | 01/04/2010        | Northern Area - Coleraine   | 434   |
| E/2010/0244/F      | 03/09/2010        | Northern Area - Coleraine   | 330   |
| K/2010/0474/F      | 27/07/2010        | Western Area - Omagh        | 357   |
| I/2011/0182/F      | 06/04/2011        | Western Area - Omagh        | 182   |

**Table 2A - Median Processing Times (working days) for Single Wind Turbine Applications**

| <b>Local Area Office</b>    | <b>No. of Applications</b> | <b>Average (Median)</b> |
|-----------------------------|----------------------------|-------------------------|
| Belfast                     | 68                         | 92.5                    |
| Northern Area               | 266                        | 131                     |
| South Antrim Area           | 223                        | 127                     |
| Southern Area               | 398                        | 97                      |
| Strategic Planning Division | 18                         | 154                     |

| Local Area Office | No. of Applications | Average (Median) |
|-------------------|---------------------|------------------|
| Western Area      | 339                 | 110              |
| <b>Total</b>      | <b>1312</b>         | <b>113</b>       |

**Table 2B - Median Processing Times (working days) for Wind Farm Applications**

|                             | No. of Applications | Average (Median) |
|-----------------------------|---------------------|------------------|
| Belfast                     | 2                   | 261              |
| Northern Area               | 4                   | 88               |
| South Antrim Area           | 9                   | 79               |
| Southern Area               | 7                   | 88               |
| Strategic Planning Division | 61                  | 684              |
| Western Area                | 11                  | 145              |
| <b>Total</b>                | <b>94</b>           | <b>454</b>       |

### Savings: Capital and Revenue

**Mr Gardiner** asked the Minister of the Environment to detail the capital and revenue savings his Department has made in each of the last three years.

**(AQW 11714/11-15)**

**Mr Attwood:** As part of the Budget 2007 process, which covered the period 2008/09 to 2010/11, all departments had to identify 3% cumulative cash efficiency savings on their total budgets (revenue and capital). For DOE these 3% cumulative savings amounted to £3.32 million (2008/09), £7.73 million (2009/10) and £11.42 million (2010/11) and the Department's budgets for the three years were reduced accordingly. To help deliver the savings, DFP requested all departments to develop an Efficiency Delivery Plan to set out how the savings were to be delivered. For DOE, in the main the overall savings were delivered by reductions in:

- Administration costs (mainly a 15% reduction in the Department's non-salary running costs, suppression of certain vacancies and a reduction in the number of casual employees);
- Consultancy costs;
- Environmental protection and heritage conservation grants (revenue and capital); and
- Resources element of the General Grant.

For 2011/12 the Department produced a Savings Delivery Plan which set out the necessary savings which were required to ensure that the Department operated within the Budget allocation determined by the Executive. The overall savings to be delivered, which included a 2% reduction in the Department's current expenditure allocation from the Executive, amounted to £15.7 million.

The following savings measures were identified to address the pressure:

- Review of Corporate Services functions across the Department (£2m);
- Reduction in resources element of the general grant to district councils (£1.2m), although this was eventually reinstated from slippage in other departmental programmes;
- Reduction in capital investment (£1m); and
- Reductions across all the Department's business areas covering administrative costs (such as vacancy control) and grant programmes:
  - Planning and Local Government (£1.9m);
  - Road Safety programmes (£1.5m); and
  - Environmental programmes covering natural and built heritage and environmental protection (£8.1m).

The table below outlines the overall savings split between revenue and capital.

**£ million**

|         | 2009/10 | 2010/11 | 2011/12 |
|---------|---------|---------|---------|
| Revenue | 4.73    | 8.42    | 14.7    |
| Capital | 3.0     | 3.0     | 1.0     |

Full details of all the reductions and savings measures are detailed in the Department's Efficiency Delivery Plan and Savings Delivery Plan documents which have been published on the DOE website.

## Lough Neagh

**Mr Mitchel McLaughlin** asked the Minister of the Environment to detail (i) why Lough Neagh is not designated as a Special Area of Conservation, together with Strangford Lough, given its global significance as a critical wetland environment and its designation as a Ramsar site, and its critical strategic economic importance in terms of tourism and as a source of drinking water for over fifty percent of the population; and (ii) whether he has any plans to reassess the designations in place to protect Lough Neagh in light of the renewed focus on it as a critical economic and environmental asset.

**(AQW 11719/11-15)**

**Mr Attwood:** Lough Neagh in its entirety does not qualify for designation as a Special Area of Conservation (SAC) according to the Habitats Directive selection criteria, although a small part of the shoreline near Antrim has been designated as SAC for its wet woodland habitat. This is why it is not designated.

However, Lough Neagh is already a Special Protection Area (SPA) for its bird assemblage under the related Birds Directive. Article 7 of the Habitats Directive applies the same protection to SPAs as afforded to SACs. Therefore SAC designation would not materially add to the protection currently afforded to Lough Neagh.

SACs and SPAs together form a network of protected sites throughout the European Union. Collectively they are known as European or Natura 2000 sites.

A small part of the shore of the Lough has been designated as SAC for its wet woodland habitat, i.e. Rea's Wood and Farr's Bay which is one of the best examples of Annex I alluvial forests in Northern Ireland.

I am very aware of the strategic economic importance of Lough Neagh and believe that this is best sustained by a high quality natural environment.

## Driving Whilst Under the Influence of Alcohol or Drugs

**Mr Hazzard** asked the Minister of the Environment what steps his Department intends to take, over the next 12 months, to tackle the dangers of driving whilst under the influence of alcohol or drugs.

**(AQW 11757/11-15)**

**Mr Attwood:** Subject to Executive Committee agreement, I plan to have a Road Traffic (Drink Driving) (Amendment) Bill issued for consultation over the next month. The Bill will provide the powers necessary to introduce a comprehensive package of measures to tackle drink driving, including the introduction of new, lower drink drive limits and new graduated fixed penalties together with additional enforcement powers. I will finalise the provisions of the draft Bill on foot of the outcome of that consultation and I plan to seek introduction of the draft Bill to the Assembly in December.

It is currently an offence to drive while impaired through drugs. Unlike with alcohol, however, there is no specific legislation prescribing driving with a certain level of drugs in the body. As you know, with alcohol, the police simply have to prove that a driver was above a certain limit of alcohol in the blood, breath or urine. There is no requirement to prove that the person's driving was impaired. If a drug driver is detected, however, the police must prove that driving was impaired.

The timing of new drug driving laws to align them more closely with drink driving provisions is largely dependent on the Department for Transport delivering on commitments it has given to deliver the essential scientific underpinning for new primary legislation, as well as progressing the testing and approval of new drug testing equipment. My Department is currently liaising with DfT on this work and, on completion, I will consider how best to move forward the drafting of appropriate new legislation. I would, however, hope that this would allow for relevant anti-drug drive provisions to be included in a Road Traffic (Amendment) Bill that I would plan to bring forward in 2014.

I plan to run an anti-drink driving and anti-drug driving media campaign during the summer and again during the Christmas/New Year period. The anti drink drive campaign will continue to reinforce the 'Never Ever Drink and Drive' message. The anti drug drive message encourages road users to take responsibility for their safety by challenging 'What steps would you take to stop a drug driver from wrecking your life?'

## Fines Imposed on People in Breach of Environmental Requirements

**Mr Hazzard** asked the Minister of the Environment to detail the amount of fines that have been imposed by his Department on people who are in breach of environmental requirements in (i) each of the last four years; and (ii) the last 12 months.

**(AQW 11758/11-15)**

**Mr Attwood:** The Northern Ireland Environment Agency (NIEA), an executive agency within the Department of the Environment, aims to protect, conserve and promote the natural environment and built heritage of Northern Ireland for the benefit of present and future generations.

In carrying out its statutory functions, NIEA has obligations to regulate and monitor potentially damaging activities, respond to breaches of environmental legislation and investigate suspected environmental crime.

Once a case goes to court it is up to the magistrate to determine if NIEA has proved the case beyond all reasonable doubt and if so to set a fine appropriate to the offence. The scale and imposition of penalties and sentences is therefore a matter for the courts and not a matter for my Department.

Table A below details the total value of fines levied by the Courts for breaches of environmental requirements or pollution cases in each of the past 5 years.

**Table A**

| <b>Year</b>    | <b>Total value of fines</b> |
|----------------|-----------------------------|
| 2007           | £53,400                     |
| 2008           | £259,460                    |
| 2009           | £303,900                    |
| 2010           | £114,650                    |
| 2011           | £151,273                    |
| 2012 (To date) | £99,950                     |
| <b>Total</b>   | <b>£982,633</b>             |

It should also be noted that prosecutions often take a considerable time to work their way through the court process. Therefore, while the convictions in the tables above are listed against the year in which the case was heard in court, the offences to which each case refers will almost invariably have occurred some time before (typically 12-18 months previously).

### **Fines Imposed on People in Breach of Environmental Requirements**

**Mr Hazzard** asked the Minister of the Environment to detail (i) how his Department has used the revenue collected through fines imposed on people in breach of environmental requirements in (a) each of the last four years; and (b) the last 12 months; and (ii) how his Department intends to spend the revenue in the next 12 months.

**(AQW 11759/11-15)**

**Mr Attwood:** The Northern Ireland Environment Agency (NIEA), an executive agency within the Department of the Environment, has obligations to regulate and monitor potentially damaging activities, respond to breaches of environmental legislation and investigate suspected environmental crime. While the Agency expects full voluntary compliance, we will not hesitate to use our enforcement powers, including prosecution where deemed necessary. There is a growing body of evidence that enforcement in this mandate is escalating.

Once a case goes to court it is up to the magistrate to determine if NIEA has proved the case beyond all reasonable doubt and if so to set a fine appropriate to the offence. The scale and imposition of penalties and sentences is therefore a matter for the courts and not a matter for my Department.

Currently, fines imposed by Courts are credited by the Northern Ireland Court Service to the Treasury Consolidated Fund and paid to the Treasury. I believe this is an area where funds generated in NI should remain in NI. I will look to take this approach forward.

The Magistrate however, can also impose a payment of court costs on the polluter. Any claim for payment for investigation and clean up costs from the polluter by the Agency is always pursued independently by the Agency.

### **Raw Sewage: Ballyhornan Beach, Co Down**

**Mr Hazzard** asked the Minister of the Environment how many European directives his Department is breaching as a result of the on-going pumping of raw sewage into the sea at Ballyhornan beach, Co Down.

**(AQW 11760/11-15)**

**Mr Attwood:** The Urban Waste Water Directive aims to ensure that all significant discharges of sewage are treated before they are discharged to the water environment. In particular it requires discharges of treated sewage to coastal waters from settlements of less than 10,000 population equivalent (PE) to have appropriate treatment.

The Northern Ireland Environment Agency has determined the appropriate treatment requirements for Ballyhornan to consist of a long sea outfall and fine screening.

Fine screening is not currently in place at Ballyhornan, which is a breach of the conditions of the Water Order Discharge Consent issued to Northern Ireland Water (NIW) for the Waste Water Treatment Works at Ballyhornan.

As a consequence of this, NIEA issued two warning letters in 2009 to NIW, followed by a postal caution in June 2011, highlighting the breach of consent. NIW has indicated that it has purchased the screens but there are ongoing issues associated with securing the necessary land, and associated right of way agreement, which are preventing their installation.



As Ballyhormon WWTW continues to be non-compliant with its Water Order Consent, NIEA is currently in the process of preparing an Article 12 Enforcement Notice. The Notice will require that all conditions of the Department's consent are complied with by March 2013. It is an offence for any person to fail to comply with the requirements imposed by an Enforcement Notice.

I would confirm that it is not my Department, but the Department of Regional Development and NIW, that have the statutory responsibility to comply with the requirements of the Urban Waste Water Treatment Directive. I trust that the member will acknowledge this, confirm in any comments that this is the case and further acknowledge that the assertion in AQ 11760 / 11-15 that DOE is breaching EU directives is false and a misunderstanding by the member of EU directives in this instance.

### Planning Applications: Larne West Suburbs of Larne

**Mr Beggs** asked the Minister of the Environment, pursuant to AQW 4746/08, to detail the planning applications in the Larne West suburbs of Larne, as defined in the area study published in 1992 (i) that have been approved, including the date approval was given; and (ii) that have been under consideration since April 2008.

**(AQW 11767/11-15)**

**Mr Attwood:** I attach a table updating the list, previously provided in AQW 4746/08, of approved planning applications in Larne West other than those applications in respect of individual households. There is one application for two detached dwellings currently under consideration in the defined area.

| Application Reference | Date Valid | Date Decision | Application status | Proposal   |
|-----------------------|------------|---------------|--------------------|--|
| F/2006/0336/F         | 20/10/2006 | 13/11/2008    | Approval           | Proposed development for 108 Dwellings consisting of detached, semi-detached, terrace dwellings, apartments and other associated site works.   |
| F/2007/0329/F         | 31/08/2007 | 19/05/2009    | Approval           | Proposed residential development to provide 71 No. semi-detached dwellings, 94 No. terraced dwellings, 93 No. apartments and 45 No. maisonettes (303 units in total) with associated car parking and landscaping with connecting roads infrastructure. To include demolition of No. 91 Ballyboley Road, Larne and existing farm buildings.       |
| F/2007/0360/F         | 05/09/2007 | 20/01/2009    | Approval           | Proposed residential development to provide 48 dwellings, 64 apartments, retail units, fast food/restaurant, public house, doctors surgery with associated car parking and landscaping with associated infrastructure  |
| F/2007/0382/F         | 24/09/2007 | 29/04/2008    | Approval           | Proposed amendment of previously approved residential units (F/2005/0357) to substitute 17 town houses (units 36 - 52) with 9 townhouses & 20 apartments.  |
| F/2007/0436/O         | 05/11/2007 | 12/08/2009    | Approval           | Erection of district centre comprising food store, 3No. service retail units, 2No. hot food outlets, bank/society, ATM, 'wellness centre', cafe/restaurant, taxi booking office, petrol station, car and jet wash, associated access arrangements, car-parking, recycling point, servicing and landscaping works (Transport Assessment Received) |

| <b>Application Reference</b> | <b>Date Valid</b> | <b>Date Decision</b> | <b>Application status</b> | <b>Proposal</b>  |
|------------------------------|-------------------|----------------------|---------------------------|--|
| F/2007/0510/F                | 21/12/2007        | 29/06/2009           | Approval                  | Proposed housing development for 121 units comprising of 46 apartments, 59 terrace, 10 semi-detached and 6 detached townhouses with associated car parking and amenity space (amended description).  |
| F/2008/0105/F                | 26/03/2008        | 21/09/2009           | Approval                  | Demolition of single storey dwelling construction of 102 residential units (38 detached, 24 semi detached, 26 townhouses & 14 apts, associated landscaping & new access onto Ballyboley Road and road improvements (Amended description and amended road alignment drawings submitted) |

| <b>Application Reference</b> | <b>Date Valid</b> | <b>Date Decision</b> | <b>Application status</b> | <b>Proposal</b>  |
|------------------------------|-------------------|----------------------|---------------------------|--|
| F/2008/0349/F                | 03/12/2008        | 14/12/2010           | Approval                  | Proposed private housing development of 19 units consisting of 2 pairs semi detached, 2 Nos block of 3 townhouses, 1 block of 4 townhouses, 1 detached and 1 block of 4 apartments, including removal of existing embankment. (AMENDED HOUSE TYPES REC'D FOR SITES 3, 5, 6, 8, 9 and 12) |
| F/2009/0315/F                | 28/10/2009        | 22/12/2009           | Approval                  | Change of house type to sites 337,340 & 255 of previous approval F/2006/0336/F comprising of detached houses with garages,carports,landscaping and associated site works   |
| F/2009/0371/F                | 14/12/2009        | 26/01/2010           | Approval                  | Change of house types to 19 dwellings site nos 247,256,259,260,261A,262,263,272,275,280,281,284,296, 301A,303A,304,307,309A &314 of previous approval F/2006/0336/F  |
| F/2009/0380/F                | 23/12/2009        | 18/02/2010           | Approval                  | Change of house type to site 326 of previous approval F/2003/0376/F (double garage in lieu of single garage)   |
| F/2010/0240/F                | 07/07/2010        | 10/01/2011           | Approval                  | Residential development of 2 No. dwellings comprising detached houses with garages, landscaping and associated site works (change of house type to previous approval F/2009/0079/F including 1No. new detached dwelling).  |
| F/2010/0246/F                | 14/07/2010        | 14/10/2010           | Approval                  | Alteration of site layout from 6 No. units to 7 No. units comprised of 6 No. semi detached and 1 No. detached using an existing House type.  |

| Application Reference | Date Valid | Date Decision | Application status | Proposal  |
|-----------------------|------------|---------------|--------------------|---|
| F/2011/0254/F         | 09/12/2011 | 22/02/2012    | Approval           | Proposed Change of House Type to sites 244a - 251, with a reduction in density from 17 to 11 units (previously approved under F/2006/0336/F and F/2009/0371/F) to include garages, all associated site works and the addition of a new raised table |
| F/2012/0020/O         | 27/01/2012 |               | Pending            | Proposed site for 2 no. detached dwellings and garages  |

### Belfast International Airport: Off-site Car Parks

**Mr Dickson** asked the Minister of the Environment what action his Department is taking to ensure that the appropriate enforcement action is being taken to close off-site car parks operating around the Belfast International Airport without the appropriate planning permission.

**(AQW 11768/11-15)**

**Mr Attwood:** The Department is aware of 13 car parks that have been or currently are operating outside the lands zoned for such uses around Belfast International Airport.

As a result of effective enforcement action, 6 of the sites of unauthorised car parks in this area have ceased to operate and 1 is operating lawfully as established by the Planning Appeals Commission.

The Department continues to investigate the operation of 6 alleged unauthorised car parks, one of which has had an enforcement notice served, two are subject to planning (enforcement) appeals, one is subject to a current planning application, one has a court hearing pending and one continues to be investigated.

The Department will continue to deal with such breaches of planning control robustly and use those enforcement powers available as appropriate. To date, the Department has brought prosecutions against the operators of 2 of the remaining unauthorised car parks; both operators have been fined with 1 amassed fines totalling £40,000 from 3 successful prosecutions.

I keep this matter under close scrutiny in an attempt to ensure breaches are addressed.

### Belfast International Airport: Illegal Car Parks

**Mr Dickson** asked the Minister of the Environment what action the Driver and Vehicle Agency is taking against the owners of vehicles that do not meet road traffic regulations, but are operating from illegal car parks around Belfast International Airport.

**(AQW 11769/11-15)**

**Mr Attwood:** The Department has primary responsibility for the enforcement of regulations that pertain to the use of buses and coaches on Northern Ireland's roads.

A series of enforcement spot checks have been carried out in recent months on passenger carrying vehicles used for the conveyance of passengers travelling from car parks located close to the Belfast International Airport. During these operations 4 car park operators were detected operating courtesy vehicles without proper PSV licenses or insurance. These detections have resulted in prosecution files being prepared for the Public Prosecution Service covering a variety of offences including: using a public service vehicle without a road service licence in force; using a public service vehicle without a public service licence in force; using a public service vehicle without a certificate of motor insurance in force; and driving a public service vehicle without being the holder of an appropriate licence.

The Department will continue to monitor this situation in conjunction with the Belfast International Airport Constabulary and the Police Service of Northern Ireland, and where vehicles are detected that do not meet road traffic regulations appropriate enforcement action will be taken.

I believe that DOE planning and DOE DVA have critical responsibilities to ensure full and proper compliance with the law. I intend to ensure both live up to these duties.

### Arm's-length Bodies: Payment of Invoices

**Mr Weir** asked the Minister of the Environment what percentage of invoices received by each of his Department's arm's-length bodies, in the last twelve months, were paid within 30 days of receipt.

**(AQW 11829/11-15)**

**Mr Attwood:** I would refer Mr Weir to my previous combined answer to AQW 11230-11233, which was raised by David McClarty. That answer addresses this question.

## Raw Sewage: Ballyhornan Beach, Co Down

**Mr Hazzard** asked the Minister of the Environment to outline the extent to which marine life is affected by the on-going pumping of raw sewage into the sea at Ballyhornan, Co Down.

**(AQW 11844/11-15)**

**Mr Attwood:** Experience of monitoring the impact of coastal outfall sites by the Northern Ireland Environment Agency (NIEA), suggests that such impacts are minimal and localised.

The closest sampling point undertaken by NIEA under Water Framework Directive (WFD) or Area of Special Scientific Interest (ASSI), is approximately 2km North-East of the outfall at Craiglewey Rocks. This site is classified under the WFD as being at High status. WFD classification covers five status classes; Bad, Poor, Moderate, Good and High status.

NIEA intend to conduct a survey of the Killard Point ASSI to

8 June 2012 as the next available low spring tide suitable for a full assessment. This intertidal assessment of flora and fauna will include consideration of the possible effects of the sewage outfall at Ballyhornan.

## Personal Occupancy Conditions

**Mr I McCrea** asked the Minister of the Environment, for each of the last three years, to detail the cases where banks or building societies have been successful in their applications to have Personal Occupancy Conditions discharged from approved planning applications, due to lenders having to repossess properties following a mortgagee defaulting on a loan.

**(AQW 11875/11-15)**

**Mr Attwood:** Policy CTY6 (Personal and Domestic Circumstances) of Planning Policy Statement 21 Sustainable Development in the Countryside allows for a dwelling to be permitted in the countryside for the long term needs of an applicant, where there are compelling and site specific reasons for this related to the applicant's personal or domestic circumstances.

All permissions granted under Policy CTY 6 will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.

Article 28 of the 1991 Order provides for an application to develop land without compliance with conditions previously attached to a planning permission.

Table 1 shows the number of planning applications approved for the removal of a planning condition under Article 28 in each of the last three years. These totals include applications for the removal of personal occupancy conditions.

**Table 1: Article 28 approvals in each of the last 3 years**

| Year       | No. of Article 28 Applications Approved |
|------------|---|
| 2009/2010  | 251                                     |
| 2010/2011  | 222                                     |
| 2011/2012* | 132                                     |

\* The year 2011/2012 provides data up until 31 December 2011

The Department does not have any records of a bank or building society having submitted a planning application under Article 28 in each of the last three years to have a condition removed from a previous planning approval.

I recognise that there may be a small number of cases where the occupancy condition has given rise to difficulties. I am looking further at the issue.

## Wind Turbines: Planning Applications

**Mr McKay** asked the Minister of the Environment to detail the number of (i) wind turbines; and (ii) planning applications for wind turbines that have been approved, in the (a) Ballymoney; (b) Moyle; and (c) Ballymena district council areas.

**(AQW 11926/11-15)**

**Mr Attwood:** The table below shows the number of single wind turbines and wind farms submitted and approved in the Ballymoney, Moyle, and Ballymena district council areas during the period of 2002/2003 to 2011/2012.

**Table: Number of Single Wind Turbines and Wind Farms received and approved per Council Area**

| Council Areas | Single Wind Turbines                       |  | Wind Farms                                 |  |
|---------------|--|--|--|--|
|               | Apps Received<br>2002/2003 to<br>2011/2012 | Approvals<br>2002/2003 to<br>2011/2012 | Apps Received<br>2002/2003 to<br>2011/2012 | Approvals<br>2002/2003 to<br>2011/2012 |
| Ballymoney    | 83   | 46                                     | 10   | 7                                      |

| Council Areas | Single Wind Turbines                       |  | Wind Farms                                 |  |
|---------------|--|--|--|--|
|               | Apps Received<br>2002/2003 to<br>2011/2012 | Approvals<br>2002/2003 to<br>2011/2012 | Apps Received<br>2002/2003 to<br>2011/2012 | Approvals<br>2002/2003 to<br>2011/2012 |
| Moyle         | 145  | 14                                     | 2  | 1                                      |
| Ballymena     | 113  | 49                                     | 12   | 4                                      |
| <b>Total</b>  | <b>341</b>                                 | <b>109</b>                             | <b>24</b>                                  | <b>12</b>                              |

All Statistics provided relate to applications received and decisions issued on planning applications for Single Wind Turbines for the period 2002/2003 to 2011/2012

All Statistics provided for 2011/2012 relate to applications received and decisions made in first 3 quarters of 2012 up to 31 December 2011. They are the latest statistics currently available and may be subject to change following the publication of the 2011/2012 Annual Statistical Report.

### Public Bodies: Former Civil and Public Servants

**Mr Gardiner** asked the Minister of the Environment how many former civil and public servants are employed as (i) paid; and (ii) unpaid board members of public bodies which are sponsored by his Department; and what this figure is as a proportion of the total number of board members.

**(AQW 11950/11-15)**

**Mr Attwood:** As Minister of the Environment I have responsibility for appointing individuals to the following public bodies:

- The Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC);
- The Local Government Staff Commission for Northern Ireland (LGSC);
- The Council for Nature Conservation and the Countryside (CNCC);
- The Historic Buildings Council (HBC) and
- The Historic Monuments Council (HMC).

Members of these bodies are not employed by the public body but are appointed by the Minister of the Environment through a public appointments process based on the principles of openness, transparency and merit. All of these posts, apart from Chairmanship of NILGOSC, LGSC and CNCC, are unpaid and members sit on these bodies on a voluntary capacity. Some of these members are former, and indeed current, civil and public servants and this is detailed in the table below.

| Public Body | Number of<br>Members* | Paid Civil and Public Servants |         | Unpaid Civil and Public Servants |         | % of member-<br>ship |
|-------------|-----------------------|--------------------------------|---------|----------------------------------|---------|----------------------|
|             |                       | Former                         | Current | Former                           | Current |                      |
| NILGOSC     | 12                    | 1                              | -       | 2                                | 6       | 75%                  |
| LGSC        | 7                     | 1                              | -       | 1                                | 2       | 57%                  |
| CNCC        | 14                    | -                              | -       | -                                | 2       | 14%                  |
| HBC         | 18                    | -                              | -       | 3                                | 2       | 28%                  |
| HMC         | 15                    | -                              | -       | 3                                | 4       | 47%                  |

\* Including the Chair

Civil and public servants comprise a larger majority of the membership of NILGOSC and LGSC due to the specialised remit of these bodies. NILGOSC administers the Local Government Pension Scheme for Northern Ireland and membership of the scheme is open to employees working in local government and to employees in the public sector who are not eligible to join another scheme. Legislation requires that five members of the Board are to be appointed after consultation with organisations recognised as representative of employer bodies and five members are to be appointed after consultation with organisations recognised as being representative of employees, the remaining two members are independent. These legislative requirements result in a higher proportion of civil and public servants appointed as members to the Committee.

LGSC provides professional services and advice on human resource issues to district councils and the Northern Ireland Housing Executive. Membership is representative of the Commission's client base and therefore includes a higher percentage of civil and public servants.



## Salt Caverns for Gas Storage: East Antrim

**Mr Hilditch** asked the Minister of the Environment for his assessment of the salt caverns for gas storage in the East Antrim area; and the impact that the hypersaline discharge might have on the environment.

**(AQW 11984/11-15)**

**Mr Attwood:** I am aware that a company, Islandmagee Storage Limited, is seeking planning approval to build an underground natural gas storage facility which will have its above ground facilities near Ballylumford power Station, in Islandmagee, County Antrim.

A planning decision has not yet been made on this proposal, however should planning approval be granted a number of statutory environmental permissions will be required from NIEA prior to construction or operation of this proposal, namely:

- a marine licence is required to control the deposition of materials below the Mean High Water Spring tide mark, under Part 4 (Marine Licensing) of the Marine and Coastal Access Act 2009. This licence, if granted, will include conditions to protect the aquatic environment during construction of the proposed caverns. A separate licence will also be required for the proposed sea outfall pipe;
- a discharge consent, issued under the Water (Northern Ireland) Order 1999, will be required for the proposed hypersaline discharge from this proposed development;
- An abstraction/impoundment licence, issued under the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006, will be required for the proposed water abstraction aspect of this proposal.

As part of the application process for each of these statutory environmental permissions my Department will ensure that the impacts of the proposal are fully considered and assessed in order to protect and conserve the aquatic environment.

I am also aware of another gas storage proposal being put forward by two companies, Bord Gais Eireann and Storengy. This project is not as advanced as the Islandmagee Storage Limited proposal however all relevant planning and environmental requirements will be applied to this project also, should it proceed to a more advanced stage.

## Geothermal Projects: Regulation

**Mr Agnew** asked the Minister of the Environment for his assessment of whether current planning policies are sufficient for the regulation of deep geothermal projects, or whether new policies would be required.

**(AQW 12596/11-15)**

**Mr Attwood:** PPS18 'Renewable Energy' sets out the main considerations that my Department will take into account in assessing proposals for renewable energy and heat generating facilities. PPS18 aims to facilitate the siting of deep geothermal facilities where such proposals will not result in an unacceptable adverse impact upon for example, local natural resources such as water quality.

Given geothermal and other energy possibilities, I will ensure that all appropriate planning and environmental standards are upheld at all stages of any proposal. If I believe, further assessment of regulatory requirements is needed, I will consider the issue.

## Water Rates: Killykeeghan and Crossmurrin sites at Marlbank, Co Fermanagh

**Mr Elliott** asked the Minister of the Environment to detail the cost to his Department of water rates for the Killykeeghan and Crossmurrin sites at Marlbank, Co Fermanagh in each of the last ten years.

**(AQW 12607/11-15)**

**Mr Attwood:** The total cost to NIEA for water rates for Killykeeghan and Crossmurrin sites at Marlbank, Co Fermanagh for the financial years 2007-08 through to 2011-12 is £163.64. This includes water rates from November 2006 to May 2007.

Our records indicate that there was no payment for water rates at any NIEA properties including Killykeeghan and Crossmurrin prior to 2007.

The Companies Act 2006 states that the Accounting Records of a company must be kept 'for six years from the date on which they are made'. It is the policy of the Department to keep financial records for 7 years. Consequently NIEA does not have any financial transaction reports dating before 2005.

## Fencing Repairs: Killykeeghan and Crossmurrin Sites at Marlbank, Co Fermanagh

**Mr Elliott** asked the Minister of the Environment to detail the cost to his Department of fencing repairs for the Killykeeghan and Crossmurrin sites at Marlbank, Co Fermanagh in each of the last ten years.

**(AQW 12609/11-15)**

**Mr Attwood:** The cost to NIEA of fencing repairs for the Killykeeghan and Crossmurrin sites at Marlbank, Co Fermanagh, is not available as a unit cost in individual years. This is because fencing materials were purchased in bulk and used on several different locations for subsequent years.

In previous correspondence (Our reference D02-10-615) dated 15 November 2010 my Department, in a reply to a direct question on fencing costs, indicated: "The total amount the NIEA has spent on repair and replacement of boundary structures from 2006 to 2010 is approximately eight thousand pounds. This figure includes contractor costs, NIEA labour, costed at current rates, and all costs for materials, though some of these material costs may be attributable to compartments other than the grazed lands."

Our records for 2005-06 do not show any expenditure against this item. NIEA does not have any transaction reports dating before 2005. This would be in accordance with the PRONI requirement to retain financial information (7 years).

There has been no expenditure on boundary structures at Crossmurrin and Killykeeghan since 2010.

### By-laws: Minerstown Beach

**Mr Wells** asked the Minister of the Environment when he will confirm the bye laws for Minerstown Beach.  
(AQW 12641/11-15)

**Mr Attwood:** Since receiving the bye-laws for Minerstown Beach, officials have worked closely with Down District Council to reach a version of the bye-laws which is suitable for confirmation and which is agreeable to all parties.

Bye-laws suitable for confirmation are:

- consistent and not in conflict with any legislation;
- clear and certain, so that members of the public will be able to understand what is covered by the bye-laws, and their responsibility to comply with the bye-laws;
- reasonable and not unduly restrictive;
- intra vires; and
- enforceable.

The Department is awaiting further information from the Council, requested in March 2012, to enable the bye-laws to be finalised.

### By-laws: Minerstown Beach

**Mr Wells** asked the Minister of the Environment why it has taken his Department four years to process the bye laws for Minerstown Beach.  
(AQW 12643/11-15)

**Mr Attwood:** The bye-laws for Minerstown Beach were received by the Department in February 2009.

When the bye-laws were received, Down District Council did not have the necessary power to make them. The enabling powers are in section 82 of the Public Health Acts Amendment Act 1907, which does not extend to Northern Ireland automatically. In August 2007, on a separate issue, the Council was informed that in order to make bye-laws for its seashores, it would have to apply to the Department for an Order to extend section 82 of the 1907 Act to its district. The Council made the necessary application in October 2009.

It was over forty years since such an Order had been made and as such, officials worked closely with Departmental Solicitor's Office to make the Order. This process was completed in January 2011 and an Order was made, enabling the Council to proceed with the bye-laws for Minerstown Beach.

By making bye-laws, a council is creating offences which are punishable on summary conviction. Since the bye-laws were received, the Department has worked closely with the Council and Departmental Solicitor's Office to reach a draft which is agreeable to all parties and which is within the council's powers to make.

The Department is currently awaiting further information from the Council, requested in March 2012.

The Department will continue to work closely with the Council towards producing a final draft of the bye-laws that are suitable for confirmation. The time period has been considerable and a shorter timeframe should have been achievable.

### Planning Act (Northern Ireland) 2011

Mr Agnew asked Minister of the Environment (i) which of the 249 clauses of the Planning Act (Northern Ireland) 2011 have already been commenced and why these have been prioritised over other parts of the Act (ii) to provide the proposed schedule of commencement orders for the Planning Act (Northern Ireland) 2011, and (iii) to outline when Part 1, section 2 of the Planning Act (Northern Ireland) 2011 will be commenced and the measures he intends to take to ensure that the promotion of well-being is integrated into the decisions and policies of the Department.

(AQW 12675/11-15)

**Mr Attwood:**

(i) The following sections of the Planning Act (Northern Ireland) 2011 have been commenced:

| Section of the Planning Act (Northern Ireland) 2011 | Date of Commencement                   |
|---|--|
| Section 250 (Interpretation)                        | Commenced on Royal Assent (4 May 2011) |
| Section 251(Further Provision)                      |  |
| Section 254 (Commencement)                          |  |
| Section 255 (Short Title)                           |  |

| Section of the Planning Act (Northern Ireland) 2011   | Date of Commencement                    |
|---|---|
| Section 249(Increase Penalties for certain offences under the Planning (Northern Ireland) Order 1991) | Commenced on Royal Assent (4 May 2011). |
| Section 247 (Regulations and Orders)  | Commenced on 1 December 2011.           |
| Section 248 (Amendment of certain time periods in relation to enforcement.                            | Commenced on 1 December 2011.           |

The reason these measures have been commenced is because I believe it is important to fast track those elements of planning reform that are not dependent or contingent on the transfer of planning powers to councils. In addition, the Environment Committee requested that the Department ensure that elements of the Planning Act which can be implemented in advance of Local Government Reform are not delayed.

- (ii) Commencement of other reforms and provisions within the Planning Act (Northern Ireland) 2011 is dependent on the transfer of planning powers to councils and the development of associated subordinate legislation and guidance. When subordinate legislation and guidance is drafted a schedule of commencement orders will be put in place.
- (iii) Part 1, section 2 of the Planning Act (Northern Ireland) 2011 will be commenced upon transfer of planning powers to councils. I intend, however, in advance of the transfer of powers to councils to bring forward a Bill that will accelerate the implementation of a number of reforms to be administered by the Department. This will introduce the requirement for the Department to produce a statement of its policy for involving the community in its development plan and planning control functions within one year of the section coming into operation.

The Planning Bill will also introduce a requirement on the Department to carry out its plan making and policy functions with the objective of “furthering sustainable development and promoting or improving well-being”. The proposed single, strategic planning policy document will, inter alia, address how well-being considerations will be taken into account in the planning system.

### Crawfordsburn Beach and Country Park: Cleaning

**Mr Weir** asked the Minister of the Environment why there has been no cleaning of Crawfordsburn beach and Country Park in recent weeks.

**(AQW 12677/11-15)**

**Mr Attwood:** Prior to 31 March 2012 a contractor has been employed by the Northern Ireland Environment Agency to clean the Crawfordsburn Beach and Park. Since the expiry of the contract for this, the Northern Ireland Environment Agency has continuously been using its staff to clean the Crawfordsburn Beach and Park. Indeed around 8 tonnes of litter was lifted by them during the last week of May.

NIEA has been using contractors to lift litter and dog foul and to cut grass and effect repairs at its properties over several years. The contract for this expired on 31 March 2012 and a replacement contract was tendered but not awarded as a result of the threat of legal challenges to the procurement processes.

NIEA has employed interim measures to have its properties cleaned and the grass cut while seeking to resolve the threat of legal challenges and to retender for site maintenance services.

The NIEA Site Maintenance Contract which was awarded in 2007 expired on 31 March 2012. The contract for cleaning Crawfordsburn Beach and Country Park was awarded to Bryan Hynds Services Ltd (Portadown). This company was subsequently acquired by The Landscaping Centre Ltd (Ballyclare) which took responsibility for the obligations under the contract.

NIEA sought to tender for site maintenance services so that a new contract would commence at the expiry of the previous one. The services were tendered but following the evaluation and DFP's Central Procurement Directorate (CPD) publishing the intention to award the contract, several legal challenges were made to the processes employed by CPD in procuring the contract on behalf of NIEA. This resulted in CPD advising NIEA against awarding the contract to avoid facing subsequent legal writs and court cases.

Since the expiry of the previous contract, Park staff at Crawfordsburn have been performing all the litter collection since 1 April 2012, at times starting as early as 6:00am to get to grips with the problem before the public started arriving later in the morning. They start with emptying bins and lifting obvious litter in the areas of high public use and then move to deal with more remote locations during the day as resources and time permit.

Aside from using its own staff, NIEA has now been included in the scope of an existing CPD Property Maintenance contract to lift litter and dog foul and cut grass.

### Crawfordsburn Beach and Country Park: Cleaning

**Mr Weir** asked the Minister of the Environment to detail when, and to which company, the last contract was awarded to clean Crawfordsburn Beach and Country Park.

**(AQW 12681/11-15)**

**Mr Attwood:** The last contract to clean Crawfordsburn Beach and Country Park was awarded to Bryan Hynds Services Limited in April 2007. Bryan Hynds Services Limited was acquired in 2011 by The Landscaping Centre Limited which also took responsibility for the obligations under the contract.

## Tree Preservation Orders

**Mr Agnew** asked the Minister of the Environment (i) whether Planning NI is required to publish details of Tree Preservation Orders (TPO); (ii) where the details are published; and (iii) what is the status of a TPO if details are not published.

**(AQW 12765/11-15)**

**Mr Attwood:** The Department has a statutory duty under Article 64 (duty of Department in relation to trees) of the Planning (Northern Ireland) Order 1991 to secure the preservation of trees.

Before a tree preservation order (TPO) is confirmed by the Department, notice of the making of the order shall be given to the owners and occupiers of land affected by the order.

Notice is served on the owner of the property and copy of the order will be attached to a protected tree in an obvious location and neighbours will also be notified by letter. There is not a publication in a newspaper.

A statutory charge will be attached to the land affected by the TPO and details can be found by an official search of the local land charges register.

The Department holds details of all TPOs and these can be made available for inspection by contacting the Tree Officer in the Area Planning Office. Work is ongoing on placing TPO maps and an Orders Register on the DOE Planning website.

Any person who contravenes a TPO by cutting down, uprooting or wilfully destroying a tree, or wilfully damaging, topping or lopping a tree is guilty of an offence under Article 66 of the Order. Any person found guilty of an offence under Article 66(1) will be liable on summary conviction to a fine.

## Tree Preservation Orders

**Mr Agnew** asked the Minister of the Environment whether a Tree Preservation Order could be imposed on a laurel, given that it is considered an invasive species.

**(AQW 12815/11-15)**

**Mr Attwood:** A Tree Preservation Order (TPO) is a statutory protection afforded to trees under the Planning (Northern Ireland) Order 1991.

All types of tree can be protected. The TPO can cover anything from a single tree to woodlands. Normally, unless a Woodland TPO is proposed, only trees over 3.5m in height are considered for a TPO. Hedges, bushes and shrubs will not be protected.

Laurel is generally considered to be a shrub and therefore will not normally be subject to a TPO.

## Tree Preservation Orders: Breaches

**Mr Agnew** asked the Minister of the Environment whether a person who is accused of breaching a Tree Preservation Order, has the right to know who made the complaint.

**(AQW 12901/11-15)**

**Mr Attwood:** Regardless of the nature of the breach of planning control, the Department's policy has been not to release either verbally or on request any personal details which would identify a complainant in an enforcement case. As such, complainants have a reasonable expectation that their identity will not be disclosed.

As you may be aware, requests for information about enforcement investigations are exempt under Section 39 of the FOI Act 2000, Environmental Information. As such, these requests would be considered under the Environmental Impact Regulations (EIR) 2004.

Regulation 13 of the EIR prohibits the Department from disclosing information which would breach any of the principles contained in the Data Protection Act 1998. As complainants have a reasonable expectation that their identity will not be disclosed, the Department would be breaching the first principle which requires the Department to process personal data "fairly and lawfully".

## Listed Buildings: Belfast

**Mr Humphrey** asked the Minister of the Environment what plans he has to protect listed buildings and buildings of architectural merit in the city of Belfast.

**(AQO 2179/11-15)**

**Mr Attwood:** The Department protects buildings of 'special architectural and historic interest' by listing. There are currently 1077 listed buildings in the Belfast City Council area (1974 boundaries) i.e., almost 13% of the total of 8,500 in listed buildings throughout Northern Ireland.

The Department also protects buildings which contribute to the architectural and historic character of an area, through the designation of: Conservation Areas (CAs); Areas of Townscape Character (ATCs); and Local Landscape Policy Areas (LLPAs). There are currently 13 CAs in the Belfast City Council Area, and a total of 52 ATCs, and 67 LLPAs are proposed within the Area, in the draft Belfast Metropolitan Area Plan 2015 (BMAP). This will be a significant increase in protection.

I have provided support to NIEA's Second Survey of historic buildings (which was due to be suspended last year) to allow it to review the buildings of Belfast. A third of the city was surveyed last year with a further third programmed for survey this year. This

will help ensure that all, appropriate, buildings in the city are protected as 'listed buildings' and that the protection of already listed buildings is improved by: increased knowledge for decision making; and increased records to help with enforcement.

The Department also offers grant aid for the repair of the historic fabric of listed buildings and this funding is programmed to continue. Last year I was able to increase the funds available to this scheme by 40%, which allowed the capping of individual schemes to be raised to £150K. 23 listed buildings in the city have current letters of offer for assistance, totalling an investment of £3.1million with a balance to pay of £1.1m. The Department is also currently processing applications for a further 13 schemes.

Grant aid has also been made available to charities to help them to purchase buildings at risk, with the aim of restoring them. 11 such buildings have been purchased in the Belfast City Council Area since 2008.

Last year, I was also able to provide £400k of support to the Belfast Building Preservation Trust to enable them to carry out urgent stabilisation works to Carlisle Memorial Church. This support went beyond the repair provisions of the normal grant scheme because of the urgent condition and setting of the building. I have asked that similar funding for other buildings is considered, as part of a current review of the scheme.

In the last year I have also held three Heritage Crime Summits. These have highlighted 12 key action points which are being taken forward. These range from much better coordination with the Police, Fire Brigade and District Councils to a determination to take action where negotiations with owners have not led to progress.

Five Urgent Works Notices have been issued as a result of the summits. In addition, two more prepared within Belfast did not issue as owners responded to a final warning. This is seven in nine months in contrast to two in the preceding 38 years.

Meanwhile Uses have also emerged as vital component of ensuring that risk is reduced and the Ulster Architectural Heritage Society has been commissioned to provide advice which will be published this year. I have also engaged with DCAL's Ministerial Advisory Group, on Architecture and the Built Environment, on the issue.

Finally, it is important that Government leads by example and I am launching revised guidance in this area tomorrow (Tuesday 19th June) at Hillsborough Courthouse ie the Protocol on the Care of the Government Historic Estate. Government Departments and agencies are required to look after not only listed buildings but all heritage assets in their care, in an exemplary way. Each Department will have to report on the management of their assets to NIEA by June 2013. They will then compile a summary report which will be submitted to the Environment Committee of this Assembly by September 2013. It is estimated that there are 121 listed buildings owned by the public sector – including local Councils etc – in Belfast and I am keen that all of these buildings should be seen to be well protected and looked after.

### **Grange Lane Bridge, Mallusk**

**Mr Girvan** asked the Minister of the Environment what contact he has had with other Departments in relation to the bridge at Grange Lane, Mallusk.

**(AQO 2184/11-15)**

**Mr Attwood:** I am very much aware of the problems facing the residents affect and the concerns they have about the state of their bridge. The matter has been raised with me and I will work with others to assess how to resolve the issue, if possible.

Against that background, I tasked a senior departmental official to meet with Danny Kinahan MLA and a number of residents on 5 April 2012 to explain the Department's position and to see if there might be a solution to the difficulty.

My Department can provide emergency funding in relation to expenditure incurred by a council in taking immediate action to safeguard life or property, or to prevent suffering or severe inconvenience once an emergency or disaster has taken place. Such funding is not available where there has been an ongoing issue such as the gradual deterioration. My Department can only provide funding to local councils and has no powers to provide funding to private owners.

I had previously raised with DFP a similar issue and was advised by DFP that "damage caused to private bridges and indeed private access roads is beyond the remit of the current Emergency Financial Assistance Scheme" and that "inconvenience suffered as the result of loss and damage to second homes, caravans, motor vehicles, access roads, and indeed bridges is beyond the remit of the Scheme".

However, I am prepared to continue working with others on this issue and see if a solution can be developed.

### **Planning Policy Statement 21**

**Ms Ruane** asked the Minister of the Environment when the review of PPS 21 will be completed.

**(AQO 2185/11-15)**

**Mr Attwood:** The review of the operation of PPS21 is approaching conclusion. I am currently considering the matter.

### **Marine Bill: Recreational Activities**

**Mrs Dobson** asked the Minister of the Environment how he will ensure that Clause 24 of the Marine Bill, if implemented, will not excessively limit country sports and other recreational activities in marine areas.

**(AQO 2188/11-15)**



**Mr Attwood:** Clause 24 gives the Department the power to make byelaws for the protection of Marine Conservation Zone's features. Byelaws will manage unregulated activities, be specific to the site and made when such activities are deemed detrimental to the feature(s).

Draft byelaws will be subject to full public consultation and inclusive stakeholder engagement.

It is envisaged that most MCZs will be designated primarily for the protection of seabed features and, as such, any related byelaws will have little impact on country sports and other recreational activities.

The Department already has similar byelaw making powers provided by Article 21 of the Nature Conservation and Amenity Lands (NI) Order 1985 for the protection of marine nature reserves.

The only byelaws developed under this legislation are currently being finalised and will come into operation shortly. These byelaws will regulate anchoring, mooring and diving in certain areas of Strangford Lough which was designated as a Marine Nature Reserve on 4 July 1995.

## **Belfast Metropolitan Area Plan 2015**

**Mr Easton** asked the Minister of the Environment for an update on the Belfast Metropolitan Area Plan 2015.  
(AQO 2189/11-15)

**Mr Attwood:** The Planning Appeals Commission (PAC) delivered all outstanding reports to my Department relating to the Belfast Metropolitan Area Plan (BMAP) Public Inquiry at the end of January 2012.

It is the normal practice for the PAC Reports to be published at the same time that a development plan is finalised, and after my Department has considered the recommendations made by the Commission. However, in the case of BMAP and the Banbridge, Newry and Mourne Area Plan, I decided to depart from normal practice and publish the PAC Reports, in order to provide greater certainty in the current economic situation. Consequently, the reports were published on 6 June 2012, and they are now available on the planning website <http://www.planningni.gov.uk/> I must stress that the reports should be read in conjunction with my Ministerial Statement which sets out the reasons for my decision, and explains the status of the reports.

It is important to recognise that my Department is ultimately responsible for making the final decision on the recommendations made by the PAC, and that a dedicated Team will continue to focus on the adoption of BMAP and complete the process that will result in the finalisation of the Plan next year.

## **Car Parking: Public Buildings**

**Mr Hamilton** asked the Minister of the Environment how he proposes to use the planning system to ensure that family car parking spaces are provided, in new public sector buildings, where car parks are accessible to the general public.  
(AQO 2190/11-15)

**Mr Attwood:** The provision of parent and child parking spaces is a material consideration in the assessment of individual planning proposals where public car parking is required.

When determining planning applications in relation to parking issues, DOE Planning will pay particular regard to current planning policy set out in Planning Policy Statement 3, Access Movement and Parking. PPS 3 states that for retail, leisure and community uses consideration should be given by developers to the provision of 'parent and child' parking spaces.

It has recently been brought to my attention that there has been a low number of such parent and child parking spaces being provided for within approved health care facilities. I have, therefore, instructed officials to highlight this issue to staff to ensure that existing planning policy and guidance is being fully implemented.

To facilitate this new guidance will be issued to all staff to reinforce the need to increase the level of 'parent and child' parking spaces in line with existing policy and guidance.

That said, I have instructed officials to look further at this matter and at the dimensions of car parking spaces generally.

## **Mineral Resources**

**Mr McNarry** asked the Minister of the Environment whether his Department has identified, through the recently published mineral resources map, any potential commercial opportunities.  
(AQO 2191/11-15)

**Mr Attwood:** The Minerals Resources Map of Northern Ireland was launched on 24 May 2012. Separate maps have been prepared for each county. The maps will provide the Department, the minerals industry and local communities with a powerful tool to visualise the distribution of mineral resources across Northern Ireland and to assist future decision making.

The purpose of the maps is not to enable the Department to identify potential commercial opportunities; that is a matter for the minerals industry itself. But I would envisage that the maps will certainly assist the industry in formulating its strategies for future utilisation of Northern Ireland's mineral reserves.

## MOT Test: Vintage Cars

**Mr McGimpsey** asked the Minister of the Environment whether he would consider exempting pre-1960 vintage cars from the MOT test, as is planned in England.

**(AQO 2192/11-15)**

**Mr Attwood:** The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing; and the Environment Committee at its meeting on 22 March 2012 considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which is to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles. The Department is progressing its detailed consideration of the appropriate way forward, to ensure that the requirements of the Directive are met in the detail of the policy.

## Small Businesses: Advertising Signage

**Mr McElduff** asked the Minister of the Environment whether he will urge Planning Service to reduce enforcement action against small businesses which advertise using modest signage.

**(AQO 2193/11-15)**

**Mr Attwood:** The statutory requirement for advertisements is set out in the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992.

The regulations allow for a level of advertisement to be "deemed" as granted if it complies with certain conditions such as size, height, illumination and number of advertisements relating to the profession, business or trade at the premises where it is displayed. The full details of the Regulations are available to view on the Planning website [www.planningni.gov.uk](http://www.planningni.gov.uk). Individuals and companies have a responsibility to ensure that they adhere to and comply with the legislation.

I take the breach of planning control seriously. Staff will continue to assess whether to initiate court action in relation to such breaches, guided by the impact of the unauthorised advertisement on amenity and public safety and where the unauthorised advertisement is considered unacceptable, the Department will normally pursue court action.

Where it is considered that an unauthorised advertisement would be acceptable, subject to conditions, the approach of the Department will be to advise the owners or occupiers of the land to submit, without undue delay, a retrospective application for consent to display an advertisement, together with the appropriate fee.

It is not acceptable for individuals and companies to deliberately flout planning regulations and where it is considered expedient, my Department will continue to take action to secure the removal of signs which cause concerns in terms of amenity and public safety. There is also a wider responsibility on the Department to ensure that we respect our natural and built environment.

## Department of Finance and Personnel

### Ballylumford Power Station: Rates Rebate

**Mr McMullan** asked the Minister of Finance and Personnel how he intends to ensure that Larne Borough Council and its ratepayers will not suffer financially as a result of the claim for a rates rebate for Ballylumford Power Station.

**(AQW 12457/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** As Minister, I cannot interfere in the valuation process of individual properties, or any associated appeal. The impact of any changes on the rates base, positive or negative, must legally be borne by both the district council and the Executive.

I recognise, however, the sudden, substantial and exceptional impact the revision in the Valuation List to Ballylumford Power Station may have on the district revenue rate base and the genuine concerns of the Borough Council about their ability to deliver essential local services.

In this regard we need to be mindful that we are in the early stages of the rate year and as rate revenues ebb and flow it is difficult to predict with any degree of certainty what the end of year position will be for the Council in terms of revenue finalisation. However, my Officials in Land and Property Services (LPS) have assured me that they will look sympathetically at any problems that might arise for the Council in the event that a clawback situation arises at the end of the 2012-2013 rate year.

Clearly we would all want to avoid a situation that may lead to unplanned cuts in front line services particularly if the loss was not something the Council could have predicted when district rates were being struck for this rate year.

Should the Ballylumford loss lead to an exceptional clawback situation then LPS will seek to cushion that impact by staggering the clawback over more than one year. LPS officials will arrange to meet with the Council to discuss the position and potential resolution of any clawback situation. That meeting could also be used to discuss a range of issues and possible options to increase the Council's revenue income between now and 31 March 2013 and thereby reduce to a minimum the potential for clawback in the 2013 finalisation process.

## Quangos

**Mr Gardiner** asked the Minister of Finance and Personnel what plans he has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12540/11-15)**

**Mr Wilson:** DFP has 5 small Arm's Length Bodies (ALBs) and the Department has provided information to the Budget Review Group to inform their recommendations as part of its review of ALBs across all Departments.

Details of the Department's ALBs, the functions they perform and the associated costs are included in the table overleaf.

Although the cost of ALBs does not represent a significant proportion of the DFP's budget, the department continually examines the potential for efficiencies in all areas of its business and will continue to consider the position following further advice in relation to the wider review of ALBs.

| Arm's Length Body   | Function   | Approx Annual cost |
|---|--|--------------------|
| Public Service Commission (PSC)                                   | To make recommendations to government on the guiding principles and steps necessary to safeguard the interests of staff and to ensure their smooth transfer to new organisations as a consequence of decisions on the Review of Public Administration. | £100,000           |
| Northern Ireland Building Regulations Advisory Committee (NIBRAC) | Statutory body provided for under Article 4 of the Building Regulations (Northern Ireland) Order 1979 to advise the Department on the amendment of building regulations and other associated matters.  | £3,000 - £5,000    |
| Statistics Advisory Committee (SAC)                               | Advisory body established under the Statistics of Trade and Employment (NI) Order 1988 to advise NI Departments on all matters relating to the collection and disclosure of statistical information from businesses.                                   | £500               |
| Lay Observer for Northern Ireland                                 | Established under the Solicitors (Northern Ireland) Order 1976 and Solicitors (Amendment) (Northern Ireland) Order 1989 to comment on the process used by the Law Society and on the quality of service provided.                                      | £25,000            |
| Principal Civil Service Pension Scheme (NI) Governance Group      | To monitor the service delivery of the PCSPS(NI), including involvement in actuarial reviews of the scheme, to consider and report to DFP on options for dealing with possible future cost increases.  | £1,000             |

## Internships

**Mr Weir** asked the Minister of Finance and Personnel how many internships are available in his Department; and if none, what plans he has to introduce an internship scheme.

**(AQW 12552/11-15)**

**Mr Wilson:** There are no interns in DFP at present. Applications for the Queens University Internship 2012/13 are currently being dealt with by Corporate HR, which coordinates applications for internships within the Northern Ireland Civil Service.

## Government Procurement Cards

**Mr McNarry** asked the Minister of Finance and Personnel (i) whether any civil servants have the use of Government procurement cards; (ii) how much has been spent in each of the last three years through the use of cards; (iii) what systems are in place to monitor the use of cards; and (iv) what limits are set for the use of cards.

**(AQW 12560/11-15)**

**Mr Wilson:** The Department of Finance and Personnel currently holds 3 Government procurement cards (prior to 2011-12 the Department held 6 Government procurement cards; 3 of which were cancelled in 2011). One card is utilised to purchase urgent construction supplies to negate potential health and safety issues, and the other cards are used to book official travel.

Spend through the use of cards in each of the last three years is as follows:

| 2009-10    | 2010-11    | 2011-12    |
|------------|------------|------------|
| 287,174.30 | 205,462.57 | 203,722.98 |

Use of the cards is monitored by the maintenance of transaction logs which are reconciled monthly upon receipt of bank statements by the line manager.

The limits for the cards currently used to book official travel are set to £15,000 and £45,000 respectively.

The limit for the card used for construction supplies is set at £500 and is restricted to relevant categories of expenditure.

This response is provided for the Department of Finance and Personnel only, as information on the procurement cards held across the wider Civil Service and arm's-length bodies is not held centrally and individual departments should be contacted directly for their information.

### Special EU Programmes Body

**Mr D Bradley** asked the Minister of Finance and Personnel to detail (i) the groups which are currently, or have been, in breach of letters of offer from the Special EU Programmes Body; (ii) what action is being taken to recover grant aid paid under letters of offer; and (iii) the amount of grant aid paid to each group.

**(AQW 12561/11-15)**

**Mr Wilson:** The term 'irregularity' i.e. a breach of letter of offer condition covers actions ranging from the loss of original documentation (invoices, receipts, quotations etc) to fraudulent activity.

The term 'reportable irregularity' refers to an irregularity that either involves suspected fraudulent activity or whose value is greater than £8,695 (€10,000)<sup>1</sup>

Within the PEACE III Programme there are currently two projects with open reportable irregularities. The value of the irregularities currently being investigated is around £45,000 from total project values of some £325,000. As these investigations are ongoing it would not be appropriate to name the projects in question.

SEUPB has withdrawn PEACE III funding from four organisations in respect of seven separate projects. In each case, the full value of each Letter of Offer has been disallowed, and all of the funding that had been paid to the project is therefore eligible for recovery. No funds have been recovered to date. This information has been reported in full detail in AWQ 10363/11-15.

There has been one closed reportable irregularity relating to incorrect apportionment methodology and this has seen approximately £24,000 recovered from the project. The project Letter of Offer was not withdrawn as the errors made were not viewed as a 'serious breach.'

Within the INTERREG IVA Programme there are no projects with open or closed reportable irregularities.

<sup>1</sup> A planning rate of £1=€1.15 has been used

### Cycle to Work Scheme

**Mr Lyttle** asked the Minister of Finance and Personnel for an update on the extension of the Cycle to Work Scheme to the Civil Service.

**(AQW 12588/11-15)**

**Mr Wilson:** The Northern Ireland Civil Service Cycle to Work Scheme will be launched on 22 June 2012 which is 'Bike to Work Day'.

### Civil Servants: Dismissed or Sacked

**Mr Flanagan** asked the Minister of Finance and Personnel how many Civil Servants have been (i) dismissed; and (ii) sacked, in each of the last three years; and for what reason.

**(AQW 12638/11-15)**

**Mr Wilson:** The information requested is provided in the following table broken down by reason for dismissal and financial year. The overall figures presented include both industrial and non-industrial staff for the period.

| Year         | Disciplinary | Inefficiency - Performance | Inefficiency - Sickness Absence | Total      |
|--------------|--------------|----------------------------|---------------------------------|------------|
| 2009/10      | 5            | 0                          | 13                              | 18         |
| 2010/11      | 25           | 2                          | 22                              | 49         |
| 2011/12      | 23           | 5                          | 41                              | 69         |
| <b>Total</b> | <b>53</b>    | <b>7</b>                   | <b>76</b>                       | <b>136</b> |

### Quangos

**Mr Gardiner** asked the Minister of Finance and Personnel how many QUANGOS, that are attached to his Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12654/11-15)**

**Mr Wilson:** My department has one arm's length body which was created as a result of legislation passed by the Northern Ireland Assembly since 2007.

## HMO and Non-HMO Properties

**Ms Lo** asked the Minister of Finance and Personnel why a distinction was not made between HMO and non-HMO properties in the determination of Land and Property Services' evaluations in 2005 and 2007, which resulted in questionable levels of rates for Stranmillis Properties, particularly in the Sandymount area.

**(AQW 12684/11-15)**

**Mr Wilson:** No distinction was made between what is referred to as HMO and non HMO properties, as the property transaction information gathered in 2004/2005 for the 2007 domestic revaluation did not suggest such a differentiation. At the time of this exercise the planning policy was evolving and its impact on values (if any) during this period was inconclusive.

## Civil Servants: Rates Office in Londonderry

**Mr Buchanan** asked the Minister of Finance and Personnel to detail (i) how many civil servants work in the Rates Office in Londonderry; (ii) how many are in domestic rates arrears for (a) 6 months; (b) 12 months; (c) 18 months; (d) 24 months; and (e) 30 months or more; and (iii) the total cost of these arrears.

**(AQW 12729/11-15)**

**Mr Wilson:** Twenty one (21) civil servants work in Londonderry - on rate related duties for Land & Property Services (LPS).

In relation to your request for (ii) and (iii), LPS are unable to provide the number of LPS personnel, based in Londonderry, who are in rating arrears. To enable LPS to collate and provide these figures, each individual staff member's personal rating account would have to be viewed and interrogated. In this instance, therefore, LPS would determine that it would be discriminatory to release this specific information.

The Data Protection Act 1998 clearly states - For data to be processed legally, it must not lead to any kind of discrimination and should not go against any other laws such as the Human Rights Act 1998.

## Civil Servants: Long-term Sick Leave

**Mr Weir** asked the Minister of Finance and Personnel to detail the average percentage of civil servants who have been on long-term sick leave, in each of the last five years.

**(AQW 12772/11-15)**

**Mr Wilson:** The percentage of civil servants who have been on long-term sickness absence in each of the last 5 available years is provided in the table below. Long-term sickness absence is defined as lasting more than 20 consecutive working days. The figure for 2011/12 will not be available until the Northern Ireland Statistics and Research Agency (NISRA) issue their annual publication on sickness absence in the NICS.

### Percentage of staff in the NICS with 1 or more spells of long-term absence

| Year    | Percentage of staff | Notes                               |
|---------|---------------------|-------------------------------------|
| 2010/11 | 10.8%               | Non-Industrial and Industrial staff |
| 2009/10 | 10.4%               | Non-Industrial and Industrial staff |
| 2008/09 | 10.2%               | Non-Industrial only                 |
| 2007/08 | 11.4%               | Non-Industrial only                 |
| 2006/07 | 12.3%               | Non-Industrial only                 |

The increase in 2009/10 was in part due to the inclusion of Industrial staff. The main reason for the increase in 2010/11 was the inclusion of staff from the Department of Justice and the Public Prosecution Service.

## Northern Ireland Annual Business Survey

**Mr F McCann** asked the Minister of Finance and Personnel to detail the publication threshold for the Northern Ireland Annual Business Survey in (i) 2009; (ii) 2010; (iii) 2011; and (iv) 2012.

**(AQW 12784/11-15)**

**Mr Wilson:** The publication threshold for Northern Ireland Annual Business Inquiry is determined by the requirements of the Statistics of Trade and Employment (Northern Ireland) Order 1988. Article 5(a) of the 1988 Order prohibits the disclosure of "the number of returns received with respect to the production of any article if that number is less than 5."

Additional disclosure control methods are employed to protect the confidentiality of individual business data in line with the Code of Practice for Official Statistics and associated guidance on the confidentiality of official statistics. These take into account the relative share which individual businesses contribute to a published total. Precise details of the disclosure control method are not released in line with the guidance, to minimise the risk of unauthorised disclosure.



If any of these primary suppression thresholds are met, the data is not released. A secondary suppression is performed to ensure that primary suppressed data cannot be calculated from other published values.

### Northern Ireland Annual Business Inquiry

**Mr F McCann** asked the Minister of Finance and Personnel whether companies which have local branches and head offices in Britain, form part of the Northern Ireland Annual Business Inquiry return.

**(AQW 12785/11-15)**

**Mr Wilson:** Those companies with local branches in Northern Ireland and head offices in Great Britain are included as part of the Northern Ireland business population, from which businesses are selected by NISRA to participate in the Annual Business Inquiry.

### Northern Ireland Annual Business Inquiry

**Mr McMullan** asked the Minister of Finance and Personnel how many businesses were contracted as part of the Northern Ireland Annual Business Inquiry; and (ii) what proportion of businesses this accounted for in (i) 2009; (ii) 2010; (iii) 2011; and (iv) 2012.

**(AQW 12786/11-15)**

**Mr Wilson:** The eligible population for the Annual Business Inquiry (ABI) includes those businesses registered for VAT and/or PAYE on the Inter Departmental Business Register (IDBR). The survey coverage includes the Production, Construction, Distribution and Service industries in Northern Ireland and some elements of the Agriculture and Financial sectors. Those establishments whose principal activity is in the public sector are excluded. Table 1 shows the number and proportion of eligible Northern Ireland businesses contacted as part of the Northern Ireland Annual Business Inquiry during the period 2009-2012.

**Table 1: NIABI sample size and business contact rate**

| Year conducted | Survey Reference Year | No. of IDBR businesses sampled | Total no. of IDBR eligible businesses | Percentage contacted |
|----------------|-----------------------|--------------------------------|---------------------------------------|----------------------|
| 2009           | 2008                  | 5,075                          | 56,005                                | 9%                   |
| 2010           | 2009                  | 4,770                          | 54,940                                | 9%                   |
| 2011           | 2010                  | 5,099                          | 53,198                                | 10%                  |
| 2012           | 2011                  | 8,708                          | 52,095                                | 17%                  |

### Northern Ireland Annual Business Inquiry

**Mr McMullan** asked the Minister of Finance and Personnel to detail the cost of conducting the Northern Ireland Annual Business Inquiry in (i) 2009; (ii) 2010; (iii) 2011; and (iv) 2012.

**(AQW 12787/11-15)**

**Mr Wilson:** The requested information is provided in Table 1 and includes the costs to the Northern Ireland Statistics and Research Agency (NISRA) which is responsible for the conduct of the survey. Please note that the 2012 Northern Ireland Annual Business Inquiry, which collects information relating to business activity in 2011, is currently underway and therefore total figures are not yet available.

**Table 1: Cost of conducting the Northern Ireland Annual Business Inquiry**

| Year conducted | Survey Reference Year | Survey design and processing costs (£) |
|----------------|-----------------------|--|
| 2009           | 2008                  | 138,584                                |
| 2010           | 2009                  | 141,561                                |
| 2011           | 2010                  | 144,320                                |

### Economic and Labour Market Statistics User Group

**Mr Lynch** asked the Minister of Finance and Personnel to outline the procedures used to identify the membership, and potential membership, of the Economic and Labour Market Statistics User Group.

**(AQW 12789/11-15)**

**Mr Wilson:** The Economic and Labour Market Statistics (ELMS) User Group is a forum whereby statisticians from the Northern Ireland Statistics and Research Agency (NISRA) can engage effectively with users of such statistics to promote trust and maximise public value in line with the Code of Practice for Official Statistics.

Attendance at the ELMS user group meetings is open to any user of economic and labour market statistics. NISRA issues an invitation prior to each meeting to those individuals, academic institutions, organisations, consultants and economic commentators who regularly use or request economic or labour market information from NISRA.

The agenda and minutes of user group meetings are placed on the DETI Statistics Research website together with contact details to enable any user to contact NISRA should they wish to take part in any future meetings.

### Economic and Labour Market Statistics User Group

**Mr Lynch** asked the Minister of Finance and Personnel to list the membership of the Economic and Labour Market Statistics User Group in (i) 2009/10; (ii) 2010/11; and (iii) 2011 to date.

**(AQW 12794/11-15)**

**Mr Wilson:** Attendance at the Economic and Labour Market Statistics User Group meetings is open to any user of economic and labour market statistics. NISRA issues an invitation prior to each meeting to those individuals, government users, academic institutions, organisations, consultants and economic commentators who regularly use or request economic or labour market information from NISRA.

The agenda and minutes of user group meetings are placed on the DETI Statistics Research website together with contact details to enable any user to contact NISRA should they wish to take part in any future meetings.

The table overleaf is a list of organisations that have been represented at the user group meetings in 2009/10, 2010/11 and 2011 to date.

#### External Users/Attendees:

- |  |  |
|--|--|
| ■ ERINI                                      | ■ Economic Research and Evaluation                 |
| ■ Economics & Research at Bank of Ireland    | ■ Institute of Directors                           |
| ■ Economics & Research at Northern Bank      | ■ Intertrade Ireland                               |
| ■ Economics & Research at Ulster Bank        | ■ Construction Employers Federation                |
| ■ Regional Forecasts                         | ■ QUB - Dept of Politics, Philosophy and Economics |
| ■ Oxford Economics                           | ■ CARDI  |
| ■ Bank of England                            | ■ Intertrade Ireland                               |
| ■ School of Economics - University of Ulster | ■ Strategic Policy Division, DFP                   |

#### Government Users/Attendees:

- |  |  |
|--|--|
| ■ Tertiary Education Analytical Services Branch, DEL | ■ Invest NI  |
| ■ Regional Reporting and EU Programmes Branch, NISRA | ■ Central Procurement Directorate, DFP               |
| ■ Equality Rights & Social Need, OFMdFM              | ■ Equality, Good Relations & Economic Policy, OFMdFM |
| ■ Central Survey Unit, NISRA                         | ■ Analytical Services Unit, DETI                     |
| ■ Department of Agriculture and Rural Development    |  |

### Gay Marriage

**Mr Allister** asked the Minister of Finance and Personnel what contact his Department has had with HM Government on the implications, for Northern Ireland if, gay marriage is introduced in England and Wales.

**(AQW 12967/11-15)**

**Mr Wilson:** I am not aware of any contact between my Department and HM Government on the implications, for Northern Ireland if, gay marriage is introduced in England and Wales.

### Rates: Empty Homes

**Mr McQuillan** asked the Minister of Finance and Personnel how much revenue was raised between 1 October 2011 and 31 March 2012 as a result of rating of empty homes.

**(AQO 2207/11-15)**

**Mr Wilson:** Details of the amount of revenue raised in respect of Rating of Empty Homes during 2011-12 is currently subject to audit review and certification, and is expected to be available in early July when the LPS Trust Statement 2011-12 is scheduled to be laid before the Assembly recess. However, the provisional figures for the amount of revenue raised is £14.7 million.

### Government Contracts: Social Enterprise

**Mr Copeland** asked the Minister of Finance and Personnel for his assessment of the current situation on the issue of procurement guidance for integrating sustainable development, particularly social enterprise, into public contracts.

**(AQO 2199/11-15)**

**Mr Wilson:** The Procurement Board for NI published guidance in 2008 on integrating equality of opportunity and sustainable development into public procurement. This guidance was produced jointly by Central Procurement Directorate (CPD) and the Equality Commission for Northern Ireland and was endorsed by the Executive.

Further guidance aimed at promoting and supporting delivery of the 2008 guidance will be published shortly. This includes a toolkit being produced by the Strategic Investment Board and a suite of model contract performance clauses developed by CPD to assist procurement practitioners integrate social clauses into contract specifications and performance requirements. The draft model clause guidance has issued to the Procurement Board for consideration and comments received, including those from the Ministers representing DCAL, DARD and DE, are being considered. A revised draft will issue shortly.

Procurement law does not allow any sector or type of firm tendering for public contracts to be treated differently from others. However CPD has produced guidance aimed at helping social economy enterprises develop their capability to compete successfully for contracts and a companion guide to help procurement practitioners provide SMEs and SEEs with greater access to public procurement contracts.

## Rates

**Mr McNarry** asked the Minister of Finance and Personnel for an estimate of the level of domestic and non-domestic rate charges in the future, given the downward trend in property values in recent years.

**(AQO 2200/11-15)**

**Mr Wilson:** Levels of future rate charges will be determined by regional and district rate increases. The latter, which are the responsibility of district councils, are outside this Assembly's control.

In 2011 the Executive's agreed budget included a commitment to restrict regional rates increases to the level of inflation over the four year budget period.

As for declining property values, it is important to understand that rates are unlike other systems of taxation. Rate bills are worked out after the total amount that is needed to be raised is decided. This is translated into individually assessed rate bills, by sharing the overall burden out in proportion to the estimated value of the property at a fixed point in time.

This is the general approach taken for both households and businesses, so the downward trend in values will not affect rate charges until there is a revaluation and even then it merely redistributes the burden, it won't decrease 'the overall take'. Lower values at a revaluation would simply result in higher rates in the pound.

The Executive has no plans to undertake a capital value revaluation of domestic property during the life of this Assembly. A non-domestic revaluation, based on rental values, is scheduled for 2015.

## DOJ: Equal Pay Claims

**Mr Elliott** asked the Minister of Finance and Personnel whether the £26m included in the Department of Justice budget for equal pay claims is at risk of being returned to Her Majesty's Treasury if the claims are not met in the current year.

**(AQO 2201/11-15)**

**Mr Wilson:** The £26m set aside for DOJ equal pay claims is available in 2012-13 should a liability be established and payments made to staff. It is ring-fenced by HMT and can only be used for this purpose.

If a liability is established after 2012-13 then there is a possibility that this £26m may no longer be made available from HMT for this specific purpose.

## Energy Saving

**Mr Eastwood** asked the Minister of Finance and Personnel what level of energy savings was realised over the last three years under his Department's implementation of the Energy Performance in Buildings Directive and the energy assessment and certification process.

**(AQO 2202/11-15)**

**Mr Wilson:** It is not possible to calculate the level of energy savings which have been realised in Northern Ireland since the introduction of the first requirements of the Energy Performance of Buildings Regulations in 2008.

The scope of these regulations extends to all buildings on construction, for sale or for rent, to large public buildings visited by the public and to buildings with air-conditioning systems. All certificates and inspection reports are accompanied by details of cost-effective recommendations to improve the energy efficiency of the building or system, but there is no

statutory requirement to carry out these recommendations nor to have the building or system re-inspected for the purposes of measuring the level of any such improvement.

## Empty Premises Relief Scheme: South Antrim

**Mr Girvan** asked the Minister of Finance and Personnel what uptake there has been within the South Antrim constituency on the Empty Premises Relief Scheme.

**(AQO 2203/11-15)**

**Mr Wilson:** At 8th June 2012, three applications for Empty Premises Relief have been received by Land & Property Services from the South Antrim Constituency Area. Unfortunately none of the applications have been successful.

### Small Business Rate Relief Scheme

**Ms S Ramsey** asked the Minister of Finance and Personnel for an update on the uptake of the Small Business Rate Relief Scheme. (AQO 2204/11-15)

**Mr Wilson:** The Small Business Rate Relief scheme was introduced in April 2010 to support the growth and sustainability of small businesses across Northern Ireland. With this in mind, my Department devised the scheme whereby it would be applied automatically to all qualifying businesses. Uptake, therefore, is 100% based on the data held by Land & Property Services.

As at 10th June 2012 the scheme has benefited 26,285 small businesses across Northern Ireland to the tune of £26.6 million.

### Rates: Debt

**Mr Easton** asked the Minister of Finance and Personnel what is the total amount of unpaid rates over the last three years. (AQO 2205/11-15)

**Mr Wilson:** The total amount of unpaid rates as at 31st March 2012 is provisionally (subject to audit) estimated to be £160.8 million including debt related to Rating of Empty Homes. This figure breaks down over the last three years as follows:

- £92.2 million related to assessments raised in 2011/12 including assessments related to the Rating of Empty Homes from 1st October 2011;
- £33.4 million related to assessments raised in 2010/11; and
- £16.8 million related to assessments raised in 2009/10.

The remaining debt of £18.4 million is associated with the assessment years prior to 2009/10.

### Empty Premises Relief Scheme

**Mr S Anderson** asked the Minister of Finance and Personnel how many people have availed of the Empty Premises Relief Scheme to date. (AQO 2206/11-15)

**Mr Wilson:** At 8th June 2012, Land & Property Services had received a total of 49 applications for Empty Premises Relief. All applications have been assessed, with 13 successfully meeting the criteria of the scheme.

### Civil Service: Equal Pay

**Mr G Kelly** asked the Minister of Finance and Personnel for an update on the outstanding cases in the Equal Pay Settlement. (AQO 2208/11-15)

**Mr Wilson:** Approximately 4,500 equal pay cases were lodged by NIPSA with the Industrial Tribunal and 64 of these have yet to be withdrawn. A further 6 equal pay cases related to the same issue are also currently listed before the Industrial Tribunal. All but 1 of the 70 cases has been stayed pending the outcome of 13 breach of contract civil bills. These are likely to be heard by the County Court in September.

## Department of Health, Social Services and Public Safety

### Social Care Provision

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, in determining future health and social care provision, whether any assessment has been made of other acute hospitals, anywhere in the UK, where the withdrawal of emergency surgery has resulted in 80 percent of hospital work continuing as before such a withdrawal. (AQW 12417/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** My Department is not aware of any published research which indicated that the withdrawal of emergency surgery from a specific acute hospital resulted in 80% of the hospital's work continuing as before. Transforming Your Care sets out a vision for the future of health and social care services but does not detail the future service profile of individual acute hospitals.

Local Commissioning Groups in partnership with Health and Social Care Trusts are currently undertaking initial work on developing Population Plans. The purpose of Population Plans is to identify the projected needs for an area and how best to meet those needs, consistent with the principles in Transforming Your Care. The development of any new policy or strategy will include consideration of evidence of best practice.

## Causeway Hospital: Accident and Emergency Department

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety what risk assessment has been carried out on the potential risk to the population within the Northern Health and Social Care Trust area if the Causeway Hospital's Accident and Emergency Department is closed or its opening hours are limited.

**(AQW 12474/11-15)**

**Mr Poots:** Transforming Your Care recognises that significant change will be required to ensure that our health system is resilient and safe and delivers the best possible outcomes well into the future. Population plans are currently being developed for each Trust area and any proposals for change will be based on an assessment of need and investigation of the most appropriate way to achieve the safe, sustainable and resilient delivery of those services.

As this process has not yet been completed no decisions have yet been made in relation to the future configuration of services in the Northern Trust area, including the Causeway Hospital. Where there are proposed major changes to service configuration in local areas, these will be subject to full consultation.

## Desertcreat Training College

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what opportunities will be available for local contractors to sub-contract work in the construction of the Desertcreat Training College.

**(AQW 12495/11-15)**

**Mr Poots:**

- Desertcreat Training College, with a capital value of approximately £140 m, will be procured in compliance with the Public Contracts Regulations (2006), Northern Ireland Public Procurement Policy and best practice guidance.
- The competition to select a main contractor was advertised in the Official Journal of the European Union on 16 February 2012.
- Local contractors will have every opportunity to compete for sub-contract work packages.
- In line with other major projects, it is envisaged that a significant number of sub-contract firms will come from the local area.
- Additionally, the construction contract will provide opportunities for the unemployed, apprenticeships and students in accordance with Northern Ireland Public Procurement Policy.

## Quangos

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety what plans he has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12539/11-15)**

**Mr Poots:** In February 2011, the preceding Executive announced a review of Arms Length Bodies (ALBs), led by the Ministerial Budget Review Group. This review of ALBs considered the scope for each ALB's abolition, integration with parent Department or merger with another body. The review is currently under consideration by the Budget Review Group and recommendations will be made to the Executive in due course.

My Department is currently facing significant financial and service challenges. All Arms length Bodies within DHSSPS's responsibility will be expected to contribute to meeting these pressures and closing the funding gap, including focussing on administrative costs.

## Community Hospice Nurses

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what action he intends to take to address the cut in the number of community hospice nurses.

**(AQW 12555/11-15)**

**Mr Poots:** My Department is not responsible for the number of community hospice nurses as they are not employed by the HSC. Although nurses such as hospice or McMillan nurses are invaluable and involved in a very appropriate way in palliative and end of life care, it is District Nurses who are the key workers developing co-ordinating and delivering the care plan. The number of district nurses in training has increased by 2/3 since 2010-11. In addition District Nursing is now made up of skill mix teams which include not only district nurses, but also staff nurses working in the community and community healthcare assistants.

## Bronchial Challenge Test

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety which hospitals employ qualified personnel to carry out a specific bronchial challenge test.

**(AQW 12556/11-15)**

**Mr Poots:** A bronchial challenge test is a medical test used to assist in the diagnosis of asthma.

I can advise that the following hospitals employ qualified personnel able to carry out a bronchial challenge test:

- |                  |                  |               |
|------------------|------------------|---------------|
| ■ Royal Victoria | ■ Mater          | ■ Altnagelvin |
| ■ Belfast City   | ■ Craigavon Area |               |



## Air Ambulance: Viability Study

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for an update on the viability study for an air ambulance. (AQW 12559/11-15)

**Mr Poots:** The Health and Social Care Board has now presented the final version of its feasibility study on the provision of a helicopter emergency medical service/air ambulance in Northern Ireland to my Department.

This is an important matter and I will, therefore, wish to consider carefully the implications of report's findings and recommendations for my Department's policy on the provision of this service.

## Oasis Healthcare

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety (i) the value of the contract awarded to Oasis Healthcare; (ii) the number of patients registered with Oasis Healthcare; and (iii) the average cost, per patient, of dental treatment provided by Oasis Healthcare to date.

(AQW 12576/11-15)

**Mr Poots:**

- (i) The value of the contract awarded to Oasis Healthcare is £5.7m per annum.
- (ii) As at March 2012, there were 47,361 patients registered with Oasis Healthcare.
- (iii) The contractual arrangement between the HSCB and Oasis Healthcare is not on an item of service basis. However, based on activity information supplied by Oasis to the BSO during 2011/12 it has been assessed that the cost of dental treatments in 2011/12 was £1.5m (including patient contributions) and the number of patients that received these treatments during 2011/12 was approximately 39,400. Therefore an estimate of the cost per patient, of dental treatment in 2011/12 has been calculated at £38.

**Notes:**

- 1 Average cost has been based on the financial year 2011/12 as this was the first full financial year in which all 14 Oasis practices operated. Oasis practices were opened on a phased basis with the final practice opening in August 2010.

**Source:** Family Practitioner Services, Information and Registration Unit - HSC Business Services Organisation.

## High Street Dentists

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety, for the 2011/12 financial year, to detail (i) the total amount of money paid to high street dentists; (ii) the number of patients treated by dentists; and (iii) the average cost, per patient, of the treatment provided by dentists.

(AQW 12578/11-15)

**Mr Poots:**

- (i) The total amount of money paid to high street dentists<sup>1</sup> in 2011/12 was £105.7m (including approximately £18m of patient contributions).
- (ii) The total number of patients treated by high street dentists in 2011/12 was 885,024.
- (iii) The average cost<sup>2</sup>, per patient, of treatment provided by high street dentists in 2011/12 was £65.89.

**Notes:**

- 1 High street dentists are defined as all health service dentists excluding Oasis practitioners and salaried practitioners. The total amount of money paid out includes all payments for treatment, patient registration payments, fees and other allowances covered in the Statement of Dental Remuneration.
- 2 Average cost is based on all patients who received treatment from a high street dentist during 2011/12. Treatment includes specialist and orthodontic treatment.

**Source:** Family Practitioner Services, Information and Registration Unit - HSC Business Services Organisation.

## Acute Brain Injury Unit: Belfast Health and Social Care Trust

**Mr Wells** asked the Minister of Health, Social Services and Public Safety how many patients, who are being treated in the Acute Brain Injury Unit of the Belfast Health and Social Care Trust, have completed their treatment and are awaiting transfer to an appropriate level of community care.

(AQW 12583/11-15)

**Mr Poots:** It is assumed that this question refers to the Regional Acquired Brain Injury Unit.

With this in mind, at 8th June 2012, no patients who had completed their treatment in the Regional Acquired Brain Injury Unit, Belfast were awaiting transfer to an appropriate level of community care.

### Brain Injury: Extra-Contractual Referral

**Mr Wells** asked the Minister of Health, Social Services and Public Safety to outline the cost of treatment for each patient with brain injuries who has been sent to Great Britain under the extra-contractual referral arrangement.

**(AQW 12585/11-15)**

**Mr Poots:** In 2011/12, ten patients with brain injuries received treatment in Great Britain under the Extra Contractual Referral process at an average cost of £141k. It is not possible to provide a cost per actual case, as each patient's treatment spans a number of years - the total cost per case is not known until the period of treatment is complete.

### Brain Injury: Extra-Contractual Referral

**Mr Wells** asked the Minister of Health, Social Services and Public Safety which Health and Social Care Trusts have sent patients with brain injuries to Great Britain for treatment under the extra-contractual referral arrangement in each of the last three years.

**(AQW 12587/11-15)**

**Mr Poots:** I have been informed by the Health and Social Care Board that the Northern Health and Social Care Trust were the only Trust in Northern Ireland to transfer a patient with a brain injury to Great Britain for treatment under the extra-contractual referral arrangement during 2009/10. The Western Health and Social Trust was the only Trust to do so during 2010/11 and no patients were transferred by any Health and Social Care Trust in Northern Ireland during 2011/12.

### Brain Injury: Extra-Contractual Referral

**Mr Wells** asked the Minister of Health, Social Services and Public Safety how many patients have been transferred to Great Britain under the extra-contractual referral arrangement for treatment for brain injuries in each of the last three years

**(AQW 12589/11-15)**

**Mr Poots:** I have been informed by the Health and Social Care Board that during 2009/10, there was one patient transferred to Great Britain under the extra-contractual referral arrangements for treatment for brain injury. This patient was from the Northern Health and Social Care Trust. A further two patients were transferred from the Western Health and Social Care Trust during 2010/11 and no patients were transferred by any Health and Social Care Trust in Northern Ireland during 2011/12.

### Nebuliser Equipment: Funding Assistance

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety what funding is available in the South Eastern Health and Social Care Trust area to assist patients in purchasing nebuliser equipment.

**(AQW 12610/11-15)**

**Mr Poots:** The South Eastern HSC Trust does not provide financial assistance to patients to purchase nebuliser equipment. The Trust will, however, provide a nebuliser to children with complex healthcare needs, with associated chronic respiratory conditions.

The medication that is delivered through a nebuliser is available on prescription, however the nebulisers themselves are not.

### Nebuliser Equipment: Funding Assistance

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety whether any arm's-length body can provide financial assistance for the purchasing of nebuliser equipment.

**(AQW 12611/11-15)**

**Mr Poots:** None of the arm's length bodies within the health and social care sector provide financial assistance for the purchase of nebuliser equipment. The Belfast, South Eastern, Southern and Northern Health and Social Care Trusts provide nebulisers to children with complex healthcare needs with associated chronic respiratory conditions.

The medication that is delivered through a nebuliser is available on prescription, however the nebulisers themselves are not.

### Prank Calls: Fire and Rescue Service

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail the total number of prank calls received by the Fire and Rescue Service, in each of the last three years; and the estimated cost of these calls.

**(AQW 12628/11-15)**

**Mr Poots:** The table below details the total number of Hoax Calls received by NIFRS in each of the last 3 years and the estimated cost of mobilisations to Hoax Calls.

| Year    | No of Hoax Calls | No of Hoax Call Mobilisations | Average Cost per Mobilised Call | Estimated Cost of Mobilisation to Hoax Calls |
|---------|------------------|-------------------------------|---------------------------------|--|
| 2009/10 | 3,179            | 989                           | £2,693                          | £2,663,377                                   |

| Year    | No of Hoax Calls | No of Hoax Call Mobilisations | Average Cost per Mobilised Call | Estimated Cost of Mobilisation to Hoax Calls |
|---------|------------------|-------------------------------|---------------------------------|--|
| 2010/11 | 3,036            | 819                           | £2,521                          | £2,064,699                                   |
| 2011/12 | 2,778            | 770                           | £2,795                          | £2,152,150                                   |

### Prank Calls: Ambulance Service

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail the total number of prank calls received by the Ambulance Service, in each of the last three years; and the estimated cost of these calls.

**(AQW 12629/11-15)**

**Mr Poots:** The Northern Ireland Ambulance Service (NIAS) has advised me that it received 6,133 calls during 2009/10 which were classified as possible hoax or 'prank' calls. The figures for 2010/11 and 2011/12 were 5,884 and 5,382 respectively.

NIAS estimates the total cost of these calls for the period 2009/12 is £2,609,850.

### Brain Injuries: Community Placement

**Mr Wells** asked the Minister of Health, Social Services and Public Safety what is the average cost of a community placement for a patient with brain injuries.

**(AQW 12645/11-15)**

**Mr Poots:** Given the range of complexities and needs associated with patients with brain injuries and the diversity of such costs, it is not possible to provide an average cost of a community placement for a patient with brain injuries.

### Brain Injury Unit

**Mr Wells** asked the Minister of Health, Social Services and Public Safety how many patients in the long stay facility of the Brain Injury Unit, which was formerly housed in the Maine Villa of Knockbracken Healthcare Park, have completed their treatment and are waiting for a community care package.

**(AQW 12646/11-15)**

**Mr Poots:** At 12th June 2012, 6 patients who had completed their treatment in the long stay facility of the Brain Injury Unit at Knockbracken Healthcare Park, were waiting for a community care package longer than the agreed maximum waiting time of 7 days.

### Foster Care: Teenagers Leaving

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what support is available for teenagers leaving foster care who are considered fit to reside independently from care for the first time, particularly children with learning difficulties.

**(AQW 12647/11-15)**

**Mr Poots:** Support for all young people leaving care, including those with learning difficulties, is a requirement of the Children (Leaving Care) Act 2002 and regulations made under the Act.

Each young person's range and level of support is determined by a comprehensive needs assessment, pathway planning and review. For young people who may be leaving care with additional needs more specialist support may be required where it is deemed appropriate.

In terms of practical support, young people leaving foster care will have an allocated social worker and personal advisor who will help with the practical and emotional support needs of the young person making the transition to independent living. Supports provided includes assisting young people to move to suitable supported accommodation, remain with their former foster carers, if they wish, up to the age of 21 years, acquire practical and financial skills, and enhance access to full time and part time employment, training and volunteering opportunities.

### Quangos

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety how many QUANGOS, that are attached to his Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12653/11-15)**

**Mr Poots:** Since 2007, four arms length bodies have been created as a result of legislation passed by the Northern Ireland Assembly. All four bodies were established under the terms of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

The four bodies are:

- the Regional Health and Social Care Board, established under section 7;
- the Regional Agency for Public Health and Social Well-being, established under section 12;

- the Regional Business Services Organisation, established under section 14; and,
- the Patient and Client Council, established under section 16.

### Special Needs: Transfer from Children's to Adult Services

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety what action is being taken to speed up the process of transferring people with special needs from Children's Services to Adult Services.

**(AQW 12657/11-15)**

**Mr Poots:** I recognise that transition from childhood to adulthood is particularly difficult for young people with special needs and requires planning which recognises individual need. That transition requires the cooperation and support of a number of departments and agencies and the Health and Social Care Board has established a Children and Young Person's Strategic Planning Partnership (CYPSP) to bring those departments and agencies together. This is a regional group and is a cross sector, strategic partnership, consisting of the leadership of all key agencies who have responsibility for improving outcomes for all children and young people in including health, social services, education, policing and housing as well as representatives from the voluntary and community sectors.

The CYPSP is taking forward work to ensure that appropriate transitions protocols are in place in each Trust and that all relevant agencies are appropriately engaged. In addition, I am advised that the Children's Services Framework Standards note transitions as a key area and it is intended that the Framework will include specific standards for transition which will provide the benchmark for health and social care services for this group of people.

### Antrim Area Hospital: Bank and Agency Staff

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety to detail the number of hours that bank and agency staff have worked at the Antrim Area Hospital in each month of the last three years.

**(AQW 12658/11-15)**

**Mr Poots:** The Northern Health & Social Care Trust advised that it was not possible to provide information on the number of hours that bank and agency staff have worked at the Antrim Area Hospital in each month of the last three years due to disproportionate costs.

### Antrim Area Hospital: Staffing

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety (i) whether all wards at the Antrim Area Hospital are staffed to the legally required levels; and (ii) how often the levels of staff are evaluated.

**(AQW 12659/11-15)**

**Mr Poots:** There are no legally imposed staffing levels in Northern Ireland. The staff required to deliver safe and effective care is determined through a range of measures that include consideration of the number of patients in a ward area, the complexity of their conditions and the level of care required. Staffing levels are assessed on an ongoing basis by senior nurses in clinical areas and are within a safe normative range at Antrim Area Hospital. A full review of nurse staffing across the wards at Antrim Area Hospital was carried out during the last quarter of 2011.

### Child Neglect

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail how data on child neglect is being used to plan and integrate family support services and to tackle child neglect.

**(AQW 12669/11-15)**

**Mr Poots:** An Information Support Group from the Health and Social Care Board (HSCB) is currently carrying out an exercise to map children on the Child Protection Register by their home postcode which will be compared with the levels of deprivation in each of these areas. This group will report back to the HSCB-led Regional Child Protection Committee and the information will be used to help inform decisions taken by the Children and Young People's Strategic Partnership.

Family support services delivered at locality level are key to providing families with services that best meet their assessed needs, especially in relation to neglect. Work has taken place to develop family support hubs that provide accessible needs-based services to families at locality level through partnership working. As with Sure Start, the lead Hub body may be a voluntary/ community or statutory body. Hubs are currently developing on an ad hoc basis and it is intended to provide a more strategic and uniform approach to this.

My Department and the Health and Social Care Board have developed and implemented a range of strategies which will help address the impact of neglect on children and their families involving a range of agencies from the voluntary and statutory sectors. These strategies include: 'Hidden Harm', which deals with alcohol and drug misusing parents, 'Think Child, Think Parent, Think Family' which responds to issues linked to the mental health of parents and the impact on children and families. My Department and the Department of Justice are also jointly leading on the 'Tackling Violence at Home (October 2005)' and 'Tackling Sexual Violence and Abuse (June 2008)' Strategies, which employ a multiagency approach to domestic and sexual violence.

### Branch Surgery Service: Waringstown

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the future of the branch surgery service in Waringstown.

**(AQW 12678/11-15)**

**Mr Poots:** No decision or change of service in the Waringstown area is expected in the immediate future.

The Donaghcloney GP Practice provides a part time GP appointment service from a branch surgery in Waringstown which is located in the local Orange Hall.

Donaghcloney Surgery has advised the HSC Board of its concerns about the condition of the branch surgery premises in Waringstown. The Board and the GPs are in ongoing discussion about the provision of safe, modern, accessible and quality services to all its patients in the context of the strategic direction set out in Transforming Your Care. The future of Waringstown branch surgery will be considered as part of this process, with appropriate consultation with patients as required.

### Dental Treatment: Health Service

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12394/11-15, to provide details, in any format available, on waiting times for patients, who have special needs, to receive Health Service dental treatment.

**(AQW 12682/11-15)**

**Mr Poots:** Patients with special needs receive dental treatment in a variety of settings. Patients with less complex needs may be treated by the family dentist while those with moderate or complex needs will be treated by the Community Dental Service or the hospital dental service.

In most cases these patients will not be recorded on any waiting list as is normal practice in a primary care setting. However, some patients with special needs, for example those with a learning disability, may require their dental treatment to be carried out under a general anaesthetic or sedation, in which case they will be recorded on an inpatient waiting list for admission to hospital as either a day case or an ordinary admission. While these patients represent only a portion of all special needs patients that require Health Service dental treatment, the table below outlines the numbers currently waiting to be admitted to hospital for dental treatment under either a general anaesthetic or sedation, by Health and Social Care Trust and the length of time they have been waiting for admission.

| HSC Trust                     | Waiting time (in weeks) |           |           |          |          |          | Total waiting |
|-------------------------------|-------------------------|-----------|-----------|----------|----------|----------|---------------|
|                               | 0 - 6                   | >6 - 13   | >13 - 21  | >21 - 26 | >26 - 36 | >36      |               |
| Belfast                       | 15                      | 5         | 77        | 1        | 0        | 0        | 98            |
| Northern                      | 28                      | 4         | 0         | 0        | 0        | 0        | 32            |
| South Eastern                 | 12                      | 16        | 4         | 0        | 1        | 1        | 34            |
| Southern                      | 9                       | 1         | 0         | 0        | 0        | 0        | 10            |
| Western                       | 7                       | 0         | 0         | 0        | 0        | 0        | 7             |
| <b>Total Northern Ireland</b> | <b>71</b>               | <b>26</b> | <b>81</b> | <b>1</b> | <b>1</b> | <b>1</b> | <b>181</b>    |

**Source:** Health and Social Care Trusts

### Doctor and Nursing Posts Transferred from the Causeway Hospital, Coleraine

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how many doctor and nursing posts have been transferred from the Causeway Hospital, Coleraine, to the Antrim Area Hospital, in each of the last five years.

**(AQW 12704/11-15)**

**Mr Poots:** The Northern Health & Social Care Trust advised that no doctor or nursing posts have been transferred from the Causeway Hospital, Coleraine to the Antrim Area Hospital in the last five years.

### Northern Ireland Fire and Rescue Service: Scrap Cars for Training

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12121/11-15, for each of the last five years, to detail (i) how much each Northern Ireland Fire and Rescue Service (NIFRS) Area Command has paid to each supplier of scrap cars; (ii) whether there are any agreements or contracts between each Area Command and suppliers; (iii) how much, on average, each Area Command has paid for a scrap car; and (iv) the number of scrap cars purchased by each Area Command.

**(AQW 12705/11-15)**

**Mr Poots:** The tables below outline the responses to questions (i), (iii) and (iv) above. In relation to point (ii), the NIFRS has confirmed that there are no agreements or contracts between Area Commands and suppliers.



**NORTHERN AREA COMMAND**

| <b>Name</b>              | <b>2007/08</b> | <b>2008/09</b> | <b>2009/10</b> | <b>2010/11</b> | <b>2011/12</b> |
|--------------------------|----------------|----------------|----------------|----------------|----------------|
| Agnew Recovery Services  |                |                |                | 3,600          | 7,650          |
| Beatties Recycling       |                |                |                | 2,340          | 900            |
| B&C McKeown              |                |                |                |                |                |
| C Russell                |                |                |                |                |                |
| Gavin's Recovery         |                | 2,400          |                |                |                |
| Hilltop                  |                |                |                | 3,360          | 720            |
| John Beers               |                |                |                |                |                |
| J Tinnelly               |                |                |                |                |                |
| PPE Group                |                |                |                |                |                |
| RR Recovery              |                |                |                |                |                |
| Temple Auto Salvage      |                |                |                |                | 3,220          |
| T-Met                    |                |                |                |                | 5,950          |
| Two Trees Recovery       |                | 18,600         | 28,450         | 10,140         | 4,095          |
| Total                    |                | 21,000         | 28,450         | 19,440         | 22,535         |
| Average Cost             |                | 97             | 177            | 173            | 163            |
| Number of cars purchased |                | 217            | 161            | 115            | 138            |

**SOUTHERN AREA COMMAND**

| <b>Name</b>              | <b>2007/08</b> | <b>2008/09</b> | <b>2009/10</b> | <b>2010/11</b> | <b>2011/12</b> |
|--------------------------|----------------|----------------|----------------|----------------|----------------|
| Agnew Recovery           |                |                |                |                |                |
| B&C McKeown              |                |                |                | 750            | 1,350          |
| Beatties Recycling       |                |                |                | 1,160          | 2,485          |
| C Russell                |                |                | 180            |                |                |
| D&A Garages              |                |                |                | 170            |                |
| Gavin's Recovery         |                |                |                | 4,210          | 4,130          |
| John Beers               |                | 14,500         | 32,700         | -860           | 3,750          |
| J Tinnelly               |                |                |                |                |                |
| PPE Group                |                |                |                |                |                |
| RR Recovery              |                |                |                |                |                |
| Ruddell Metals           |                |                |                | 5265           | 3,195          |
| Temple Auto Salvage      |                |                |                | 2,100          |                |
| T-Met                    |                |                |                |                |                |
| Two Trees Recovery       |                | 1,400          |                |                |                |
| Watson 24 Hour Breakdown |                |                | 280            | 4,900          | 8,330          |
| Total                    |                | 15,900         | 33,160         | 17,695         | 23,240         |
| Average Cost             |                | 110            | 149            | 131            | 132            |
| Number of cars purchased |                | 144            | 223            | 135            | 176            |

**EASTERN AREA COMMAND**

| NAME                     | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--------------------------|---------|---------|---------|---------|---------|
| Agnew Recovery Services  |         |         |         | 11,250  |         |
| Beatties Recovery        |         |         |         |         |         |
| B&C McKeown              |         |         |         | 4,050   | 8,550   |
| C Russell                | 9,360   | 2,610   | 270     |         |         |
| Gregg Hyndman            | 900     |         |         |         |         |
| I Ross                   | 590     |         |         |         |         |
| John Beers               | 600     | 7,700   | 21,260  |         |         |
| PPE Group                |         |         |         |         |         |
| Roy Nixon                | 420     |         |         |         |         |
| Ruddell Metals           |         |         |         |         |         |
| T-Met                    |         |         |         |         |         |
| Temple Auto Salvage      |         |         |         |         | 2,240   |
| Two Trees                | 500     |         |         |         |         |
| Ultra Building Products  | 280     |         |         |         |         |
| Total                    | 12,650  | 10,310  | 21,530  | 15,300  | 10,790  |
| Average Cost             |         | 89      | 192     | 150     | 148     |
| Number of cars purchased |         | 116     | 112     | 102     | 73      |

**WESTERN AREA COMMAND**

| NAME                      | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---------------------------|---------|---------|---------|---------|---------|
| Alcorn Recovery           |         |         |         | 7,800   | 5,010   |
| Beatties Recycling        |         |         |         |         |         |
| C Russell                 |         | 990     |         |         |         |
| Darcy Bros                |         |         |         |         |         |
| Hilltop                   |         |         |         |         |         |
| John Beers Recovery       |         |         | 585     |         |         |
| Lakeland Recovery         |         |         |         | 2,235   | 2,315   |
| Morrow Recovery           |         |         |         |         | 3,990   |
| PPE Group                 |         |         |         |         |         |
| Robert McDaid Carbreakers |         |         |         | 3,050   | 6,200   |
| Temple Auto Salvage       |         |         |         |         |         |
| T-Met                     |         |         |         |         | 350     |
| Two Trees Recovery        |         | 23,345  | 35,095  | 8,935   | 1,365   |
| Total                     |         | 24,335  | 35,680  | 22,020  | 19,230  |
| Average Cost              |         | 114     | 198     | 155     | 130     |
| Number of cars purchased  |         | 214     | 180     | 142     | 148     |

**TRAINING CENTRE**

| NAME                     | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--------------------------|---------|---------|---------|---------|---------|
| Abbey Car Breakers       |         |         | 3,300   |         |         |
| Agnew Recovery           |         |         |         | 8,250   | 8,850   |
| B&C McKeown              |         |         |         |         | 1,650   |
| Beatties Recycling       |         |         |         | 360     |         |
| C Russell                |         | 12,330  | 5,400   |         |         |
| John Beers Recovery      |         | 500     | 990     |         | 1,300   |
| PPE Group                |         |         |         |         |         |
| Gavin's Recovery         |         |         |         |         |         |
| RR Recovery              |         |         |         |         |         |
| Temple Auto Salvage      |         |         |         |         | 1,260   |
| T-Met                    |         |         |         |         |         |
| Two Trees                |         |         |         | 8,580   |         |
| Total                    |         | 12,830  | 9,690   | 17,190  | 13,060  |
| Average Cost             |         | 92      | 65      | 170     | 147     |
| Number of cars purchased |         | 139     | 150     | 101     | 89      |

**COMMUNITY DEVELOPMENT**

| NAME                     | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--------------------------|---------|---------|---------|---------|---------|
| Agnew Recovery           |         |         |         | 1,800   | 1,350   |
| Alcorn Recovery          |         |         |         | 750     |         |
| B&C McKeown              |         |         |         |         | 450     |
| C Russell                |         | 990     | 1,890   |         |         |
| Lakeland Recovery        |         |         |         | 125     |         |
| Ruddell Metals           |         |         |         |         | 375     |
| Temple Auto Salvage      |         |         |         | -300    |         |
| Two Trees                |         |         |         | 585     |         |
| Total                    |         | 990     | 1,890   | 2,960   | 2,175   |
| Average Cost             |         | 90      | 90      | 156     | 145     |
| Number of cars purchased |         | 11      | 21      | 19      | 15      |

**Beechcroft Inpatient Centre, Belfast**

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety to detail the age profile of patients who attended the Beechcroft Inpatient Centre, Belfast, in each of the last five years.

**(AQW 12718/11-15)**

**Mr Poots:** The information requested is not currently available and could only be provided at disproportionate cost.

**Outdoor Gym and Exercise Equipment: PAS888 Standard**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether departmental officials are aware of the new standard PAS888 for outdoor gym and exercise equipment; and whether they will ensure that only equipment meeting this standard is funded directly or indirectly by his Department.

**(AQW 12719/11-15)**

**Mr Poots:** There are existing European standards for play equipment but as yet there are no agreed standards for adult outdoor gym equipment. The PAS888 standard is currently out for consultation following work from the British Standards Institute and the Great Outdoor Gym Company. This has not yet been agreed as an industry standard.

When purchasing any outdoor gym and exercise equipment, providers will be asked to demonstrate adherence to agreed standards, the safety of the equipment, and the ability to take all necessary steps to improve safety.

### Brain Injury: Extra Contractual Referral

**Mr Wells** asked the Minister of Health, Social Services and Public Safety (i) how many patients with Acquired Brain Injuries, who have been sent to Great Britain under the Extra Contractual Referral arrangement, have completed their treatment and are awaiting transfer back to Northern Ireland to start or complete their rehabilitation; and (ii) to detail why their return is being delayed.

**(AQW 12741/11-15)**

**Mr Poots:** I have been informed by the Health and Social Care Board that there are currently nine people with complex Brain Injury needs funded as 'Extra Contractual Referral placements' in Great Britain receiving specialist assessment and treatment. None of these have completed their treatment and are awaiting transfer back to Northern Ireland to start or complete their rehabilitation.

### Board Members of Public Bodies

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11912/11-15, in relation to the appointment of Chairpersons or board members of public bodies sponsored by his Department, whether details of their full-time employment history is requested; and if not, to outline why.

**(AQW 12747/11-15)**

**Mr Poots:** Applicants for appointment of Chairpersons or board members of public bodies sponsored by my Department are invited to provide their 'current' employment. This information is used solely to identify any potential disqualifications or conflicts of interest. The Code of Practice issued by the Commissioner for Public Appointments for Northern Ireland paragraph 3.21 states, 'application forms must be clear and straightforward and should ask only what is truly required'. Therefore, in order to comply with the Code of Practice full employment history is not requested as it is not part of the criterion based selection process used to appoint Chairpersons and board members.

### Board Members of Public Bodies

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11912/11-15, whether application forms for appointment to public bodies, arm's-length bodies and QUANGOs that are sponsored by his Department, have an employment history section; and if not, to outline why.

**(AQW 12748/11-15)**

**Mr Poots:** Applicants for appointment of Chairpersons or board members of public bodies sponsored by my Department are invited to provide their 'current' employment only. This information is used solely to identify any potential disqualifications or conflicts of interest. The Code of Practice issued by the Commissioner for Public Appointments for Northern Ireland paragraph 3.21 states 'application forms must be clear and straightforward and should ask only what is truly required'. Therefore, in order to comply with the Code of Practice full employment history is not requested as it is not part of the criterion based selection process used to appoint Chairpersons and board members.

### Ratio of Administrative Staff to Front Line Medical Staff

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11894/11-15, to detail (i) the ratio of administrative staff to front-line medical staff and nursing staff in each Health and Social Care Trust area; and (ii) the number of staff employed in each Health and Social Care Trust area, excluding front-line medical staff and administrative staff, broken down by post.

**(AQW 12749/11-15)**

**Mr Poots:** I would refer you back to my answer to AQW 11894/11-15 in that it is still not appropriate to calculate and compare the ratio of administrative staff to front-line medical staff (i.e. doctors) or qualified nursing staff due to differences in the focus of services provided by individual Health and Social Care Trusts. It is also not possible to accurately determine the number of front-line staff from information held on the Human Resources Management System. Obtaining front-line staffing numbers would require a large-scale exercise; therefore all staff within the requested staff groups are included in the following calculations.

- (i) The ratios of administrative staff to medical staff and qualified nursing staff, alongside the proportions of total staff who are employed as administrative, medical and qualified nursing staff, are provided in the table below:

Ratio of Administration Staff to Medical and Nursing Staff by Health and Social Care Trust as at 31st March 2012  
(including proportions of total staff employed as Administrative, Medical and Qualified Nursing staff within each Trust)

| <b>HSC Trust</b> | <b>Ratio of Administrative staff to Medical &amp; Qualified Nursing staff</b> | <b>Proportion of Total Staff employed as Administrative staff</b> | <b>Proportion of Total Staff employed as Medical staff</b> | <b>Proportion of Total Staff employed as Qualified Nursing staff</b> |
|------------------|---|---|--|--|
| Belfast          | 0.49  | 18.0%   | 8.9%   | 27.7%  |
| Northern         | 0.58  | 17.3%   | 5.3%   | 24.6%  |
| South Eastern    | 0.53  | 17.7%   | 6.3%   | 26.7%  |
| Southern         | 0.51  | 17.6%   | 6.7%   | 28.0%  |
| Western          | 0.52  | 17.8%   | 5.7%   | 28.8%  |

**Source:** Human Resource Management System

**Notes:**

- 1 Figures exclude bank staff, staff with a whole-time equivalent less than or equal to 0.03 and staff on career breaks.
  - 2 These figures will include individuals who are not employees of the Trust but who are on the system for payment purposes only.
  - 3 Ratios and percentages are based on whole-time equivalent staff.
  - 4 Administrative staff provide a variety of support to central functions such as human resources and finance, but they also provide support to social services, allied health professions, medical & dental, nursing and scientific staff. Not all of these staff will carry out a front-line role.
  - 5 Medical staff includes all grades of medical doctor e.g. consultants, associate specialists, staff grade, specialty doctors, hospital practitioners, specialty registrars and foundation doctors. Not all of these staff will carry out a front-line role.
  - 6 Qualified nursing staff includes all nurses employed at Pay band 5 and above. These staff provide services in a variety of hospital, community and social services settings. Not all of these staff will carry out a front-line role.
- (ii) Summary staffing information by Occupational Group and HSC organisation is published in the quarterly Key Facts Workforce Bulletin and the latest available as at 31st March 2012 can be found at: [http://www.dhsspsni.gov.uk/key\\_facts\\_bulletin\\_march\\_2012.pdf](http://www.dhsspsni.gov.uk/key_facts_bulletin_march_2012.pdf).

Analysis of staffing by post or job title is not centrally available. Information on staffing by grade can be found in the annual NI HSC Workforce Census which provides staffing information as at 31 March. The latest available report provides information as at 31 March 2011 and can be found on the DHSSPS website. A link to the latest publication is given below: [http://www.dhsspsni.gov.uk/workforce\\_census\\_march\\_2011.pdf](http://www.dhsspsni.gov.uk/workforce_census_march_2011.pdf)

The NI HSC Workforce Census as at 31st March 2012 will be published in September 2012.

## **Pharmacists: Medication for Drug Addicts**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety whether pharmacists, who dispense medication on a regular basis for drug addicts, are responsible for ensuring that the medication is taken correctly by the patient; and whether they are able to report any concerns they have regarding patient non-compliance.

**(AQW 12750/11-15)**

**Mr Poots:** Across Northern Ireland, there is a specific regional substitute prescribing service for addicts (predominantly those addicted to heroin) where a safer substitute drug (usually methadone or buprenorphine) is provided to them on prescription in a controlled and managed way. Pharmacists who dispense medication on a regular basis for drug addicts do so as part of this regional service. In the service, patients are managed under a shared care arrangement, initially being prescribed for by Trust secondary care community addiction teams (CATs) and when their drug treatment is stabilised, they can then be managed jointly by GPs and CATs.

All drugs prescribed by either GPs or CATs are dispensed by Community Pharmacists and a signed agreement between the patient, CAT, community pharmacist and GP where appropriate, is put in place so that the responsibilities of each party is clear. As part of the agreement there is an expectation that any concerns that the community pharmacist may have about the patient will be brought to the attention of the prescriber.

A copy of the Northern Ireland Guidelines on Substitution Treatment for Opiate Dependence can be downloaded from the following link: [http://www.dhsspsni.gov.uk/niguide\\_substitute\\_treatment.pdf](http://www.dhsspsni.gov.uk/niguide_substitute_treatment.pdf)

## **Genito-Urinary Medicine Clinic: Royal Victoria Hospital, Belfast**

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to provide, for the last two years, the numbers of patients who attended the Genito-urinary Medicine clinic at the Royal Victoria Hospital, Belfast.

**(AQW 12759/11-15)**



**Mr Poots:** The total number of attendances<sup>1</sup> at consultant led outpatient clinics within the Genito Urinary Medicine (GUM) specialty, at the Royal Victoria Hospital, Belfast, for each of the last two years is outlined in the table below.

| Financial Year       | Attendances at consultant led outpatient services |        |        |
|----------------------|---|--------|--------|
|                      | New   | Review | Total  |
| 2010/11              | 11,330  | 5,885  | 17,215 |
| 2011/12 <sup>P</sup> | 9,851   | 6,317  | 16,168 |

**Source:** Quarterly Outpatient Activity Return

P Data are currently provisional and may be subject to change

1 Data do not equate exactly to the number of patients attending GUM outpatient services as a patient may attend on more than one occasion in a single year.

### Genito-Urinary Medicine Clinic: Royal Victoria Hospital, Belfast

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to provide the numbers of new patients attending the Genito-urinary Medicine clinic at the Royal Victoria Hospital, Belfast.

**(AQW 12760/11-15)**

**Mr Poots:** Provisional data for 2011/12 report a total of 9,851 new outpatient attendances at consultant led Genito-Urinary Medicine outpatient clinics at the Royal Victoria Hospital, Belfast during 2011/12.

### Occupational Therapy

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, given that the Bamford Report states that occupational therapists are the only health care professionals with the core skills and expertise in the analysis, assessment, treatment and evaluation of the occupational dysfunction that is contributing, or consequent to, psychological problems, and that this gap in the Child and Adolescent Mental Health (CAMH) Service needs to be addressed urgently with occupational therapy representatives, to detail (i) when he plans to put measures in place to address the gap in service provision; and (ii) why, in the most recent assessment of the CAMH Service, there is no mention of the need for increased provision of occupational therapy, despite there being no improvements to the provision of occupational therapy in the last six years.<sup>[R]</sup>

**(AQW 12767/11-15)**

**Mr Poots:** RQIA recommended in their report 'Independent Review of Child and Adolescent Mental Health Services' (February 2011) that my Department should confirm through policy guidance a model for service provision in Northern Ireland. Accordingly, the draft document 'Child and Adolescent Mental Health Services – A Service Model' was issued for public consultation in February this year, and is currently being reviewed to take account of consultation responses. The final document is expected to be published this summer.

The policy document outlines what mental health services and interventions should be available through a stepped care model, to meet the needs of children and their families. It recognises that delivery of effective services will require multi-disciplinary working involving a wide range of professionals.

Following publication of the document, it will be for the HSCB and Trusts to translate it into service provision through an implementation plan, taking into account the need for multi-disciplinary working across a wide range of professionals.

### Occupational Therapy

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the number of occupational therapists, per head of population, in the North Down area; and how this compares with other areas.

**(AQW 12768/11-15)**

**Mr Poots:** Information on the number of Occupational Therapists employed per head of population within Northern Ireland Health and Social Care is not available at County level. Therefore, information on the number of Occupational Therapists per head of population is provided at Trust level in the table below.

**Occupational Therapists employed within Northern Ireland Health and Social Care per 100,000 population by Trust as at March 2012**

| Trust Area    | Staff in post WTE | WTE Per 100,000 Population |
|---------------|-------------------|----------------------------|
| Belfast       | 210.97            | 62.8                       |
| Northern      | 186.99            | 40.8                       |
| South Eastern | 115.78            | 33.4                       |

| Trust Area | Staff in post WTE | WTE Per 100,000 Population |
|------------|-------------------|----------------------------|
| Southern   | 152.78            | 42.6                       |
| Western    | 107.82            | 36.0                       |
| Overall    | 774.34            | 43.0                       |

**Source:** Occupational Therapists – Human Resource Management System

Population – Northern Ireland Statistics and Research Agency

**Notes:**

- 1 WTE = Whole-time equivalent
- 2 Figures exclude bank staff, staff on career break and staff with a whole-time equivalent of 0.03 or less.
- 3 The latest population figures relate to the mid-year population estimate for 2010.

### Orthopaedic Surgery: Waiting Times

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety to outline the current (i) average and (ii) longest (a) inpatient and (b) outpatient waiting times for orthopaedic surgery in the Southern Local Commissioning Group area.

**(AQW 12783/11-15)**

**Mr Poots:** My Department collects waiting times for inpatient admission on a patient level basis each quarter. This allows the average and longest waiting times to be calculated. The average waiting time for inpatient admission in the Trauma and Orthopaedic Surgery specialty at the Southern Health and Social Care Trust at 31st March 2012, the most recent quarter for which official statistics are available was 11.7 weeks. The longest waiting time in the Trauma and Orthopaedic Surgery specialty at the Southern Health and Social Care Trust at 31st March 2012 was 42.3 weeks.

Waiting times for a first outpatient appointment are collected by my Department on a quarterly basis by aggregate time band. It is therefore not possible to calculate average waiting time, but the median waiting time band, a similar statistical measure, can be provided. Similarly, it is not possible to calculate the longest waiting time, but the number of patients waiting longest, by time band, can be provided. The table below outlines the number of patients waiting for a first outpatient appointment in the Trauma and Orthopaedic specialty at the Southern Health and Social Care Trust at 31st March 2012, by length of time waiting in time bands.

| Specialty               | Waiting time (in weeks) |       |        |         |         |     | Total Waiting |
|-------------------------|-------------------------|-------|--------|---------|---------|-----|---------------|
|                         | 0 - 6                   | 6 - 9 | 9 - 13 | 13 - 21 | 21 - 26 | 26+ |               |
| Trauma and Orthopaedics | 426                     | 158   | 131    | 43      | 0       | 1   | 759           |

**Source:** Departmental Return CH3

These data show that the median waiting time for a first outpatient appointment in the Trauma and Orthopaedic specialty at the Southern Health and Social Care Trust at 31st March 2012 was '0 – 6' weeks and the patient waiting the longest period of time for a first outpatient appointment was waiting over 26 weeks.

### Independent Sector Providers

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety how many patients each Health and Social Care Trust referred to an independent sector provider in the 2011/12 financial year.

**(AQW 12788/11-15)**

**Mr Poots:** The number of inpatient admissions and outpatient attendances undertaken by patients transferred by HSC Trusts to the Independent Sector during 2011/12, by transferring HSC Trust is outlined in the table below.

| HSC Trust     | Inpatient Admissions | Outpatient Attendances |        |
|---------------|----------------------|------------------------|--------|
|               |                      | New                    | Review |
| Belfast       | 8,129                | 13,648                 | 14,148 |
| Northern      | 970                  | 4,643                  | 319    |
| South Eastern | 1,436                | 3,635                  | 1,095  |
| Southern      | 2,796                | 3,039                  | 1,943  |
| Western       | 2,574                | 3,765                  | 2,527  |

**Source:** Departmental Return IS1 (Parts 1 and 2)

### **Air Ambulance: Feasibility Study**

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 9554/11-15, for an update on the feasibility study on the potential for an air ambulance.

**(AQW 12797/11-15)**

**Mr Poots:** The Health and Social Care Board has now presented the final version of its feasibility study on the provision of a helicopter emergency medical service/air ambulance in Northern Ireland to my Department.

This is an important matter and I will, therefore, wish to consider carefully the implications of the report's findings and recommendations for my Department's policy on the provision of this service.

### **Retired GPs: Average Pension**

**Mr Wells** asked the Minister of Health, Social Services and Public Safety to detail the average pension paid to retired GPs who have worked full-time for more than 30 years.

**(AQW 12802/11-15)**

**Mr Poots:** As pensions paid to retired GPs are based on a percentage of their revalued actual career earnings, details of their working patterns are not held on their HSC Pension Scheme records. It is not possible, therefore, to identify retired GPs who have worked full time for over 30 years.

It is possible to identify retired GPs who have contributed to the HSC Pension Scheme for 30 years or more.

The average pension paid to retired GPs who have contributed to the HSC Pension Scheme for 30 years or more is £46 600 per annum.

### **Domiciliary Care: Tendering Process**

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) whether the tendering process for domiciliary care providers is the same for each Health and Social Care Trust; and (ii) to detail the contracted domiciliary care package providers in each Trust.

**(AQW 12810/11-15)**

**Mr Poots:** Health and Social Care Trusts currently commission and contract their own domiciliary care services, with procurement guidance available to them as necessary. In May 2011, the Business Services Organisation and Procurement and Logistics Service set up the Social Care Procurement Unit to provide more focused advice and support to Trusts in their social care procurement activities.

Please find attached at Appendix A the contracted domiciliary care package providers in each Trust.

### **Appendix A**

List of contracted domiciliary care providers in each Trust

| <b>Trust</b>      | <b>Providers</b>   |
|-------------------|--|
| Belfast HSC Trust | Advanced Community Care<br>Age Concern<br>All Seasons<br>Bluebird<br>Bryson House<br>Care Circle<br>Mears Care<br>Cedars<br>Colin Care<br>Crossroads<br>Domestic Care<br>Extracare<br>Homecare Independent Services<br>M Care<br>Nursing and Caring Direct<br>Prime Care<br>Provincial Care<br>Quality Care<br>Rodgers Community Care<br>Shalom<br>St John of God<br>North West Care |

| Trust                   | Providers  |
|-------------------------|--|
| Southern HSC Trust      | Ann's Homecare<br>Care Force CMS (Mears)<br>Care Plus<br>Darkley & District Community Association (CarePoint NI)<br>Derg Valley Care<br>Enable Care Services<br>Everyday Care (DDA)<br>Extra Care<br>Fermanagh Home Care<br>Firs Homecare Sevices<br>Forever Care<br>Glencaring Services<br>Homecare Independent Living (Homecare N.I.)<br>Leonard Chesire Disability<br>Lydian Care<br>Miriams CVDC<br>Moneydarragh Flexicare<br>Mount Zion Community Care (Shankhill Community Care)<br>PCP - Personalised Care Partnership<br>Peacehaven<br>Phoenix Nursing Agency<br>Provincial Care Services<br>Quality Care Services (previously Guardian)<br>Rathmourne |
| Western HSC Trust       | Fermanagh Home Care<br>Extra Care<br>Care Plus<br>Clogher Care<br>Dromore Community Care<br>Lakeland Community Care<br>Homecare Independent Living<br>Tilery Homecare Services<br>Derg Valley Care<br>Mears Care<br>trabane & District Caring<br>Alzheimer's Society<br>British Red Cross<br>Faughanvale Care At Home<br>Glen Caring<br>Bryson Care West<br>North West Care  |
| Northern HSC Trust      | Age NI<br>Crossroads Caring for Carers<br>Domestic Care<br>Extra Care<br>Homecare Independent Living Service   |
| South Eastern HSC Trust | Unable to provide details within the allocated timescale.  |

### Use of 0844 Numbers by GP Surgeries

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety for an update on phasing out the use of 0844 numbers by GP surgeries, including when 0844 numbers will no longer be in use.

**(AQW 12819/11-15)**

**Mr Poots:** Neither my Department or the Health and Social Care Board have the legal authority to require GP Practices to stop using 0844 numbers.

I instructed the HSC Board to issue policy guidance directing that GP Practices should not enter into new, renew or extend contracts for telephone services unless they are satisfied that patients will not pay more than they would to call a local geographical number. The HSC Board issued guidance to all GPs in September 2011 and again in February 2012.

My Department will explore with the Practices that use a 0844 number the option of installing a geographical line which patients could use as an alternative to the 0844 number along with the option of introducing the call back facility which the Service Provider can set up, until such times as their 0844 contact expires.

Four of the 23 0844 telephony contracts are due to expire by October 2013, 9 by November 2014, 6 by December 2015 and the remaining 4 by April 2016.

### Fractured Femur Operations: Craigavon Area Hospital

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety how many (i) orthopaedic operations; and (ii) repairs to fractured femur operations have been carried out at the Craigavon Area Hospital, during each quarter since the new Orthopaedic Unit opened.

**(AQW 12825/11-15)**

**Mr Poots:** The number of (i) orthopaedic operations; and (ii) repairs to fractured femur operations carried out at the Craigavon Area Hospital, during each quarter since the new Orthopaedic Unit opened are shown in the table below.

| Quarter                           | Number of orthopaedic operations | Number of repairs to fractured femur operations |
|-----------------------------------|----------------------------------|---|
| 1st April - 30th June 2010*       | 214                              | 19  |
| 1st July - 30th September 2010    | 187                              | 21  |
| 1st October - 31st December 2010  | 167                              | 46  |
| 1st January - 31st March 2011     | 252                              | 31  |
| 1st April - 30th June 2011P       | 248                              | 17  |
| 1st July - 30th September 2011P   | 199                              | 26  |
| 1st October - 31st December 2011P | 222                              | 32  |
| 1st January - 31st March 2012P    | 288                              | 34  |

**Source:** Southern HSCT

\* The new orthopaedic unit opened to inpatients on 3rd May 2010.

P Data relating to 2011/12 is provisional and may be subject to change.

### Legionnaires' Disease

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, in light of the recent outbreak of Legionnaires' disease in Edinburgh, what precautionary measures are in place to deal with any outbreak in Northern Ireland.

**(AQW 12828/11-15)**

**Mr Poots:** The Public Health Agency wrote to HSC organisations on 6 June 2012 advising clinicians to be alert to the possibility of Legionnaires' disease in those with a recent history of travel to Edinburgh to advise of this outbreak and to ask that Legionnaire's disease was considered as a possible diagnosis in appropriate patients, in particular those with a recent history of travel to Edinburgh.

A Chief Medical Officer's letter to complement the Public Health Agency letter followed on 8 June 2012.

Legionnaires' disease is a notifiable disease and all cases must be notified to the Public Health Agency who has a well established protocol for recording and monitoring any potential outbreak.

To date there are no reports of cases of Legionnaires' disease in Northern Ireland associated with the Edinburgh outbreak.

### Occupational Therapy: Waiting Time

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the average waiting time in the North Down area for a referral to an occupational therapist.

**(AQW 12829/11-15)**

**Mr Poots:** Table 1 below details the number of people waiting from referral to treatment by an occupational therapist, by aggregate time band, in the South Eastern HSC Trust at 1st June 2012.



**Table 1**

|                          | Waiting time from referral to treatment for Occupational Therapy (by weeks waiting) <sup>1</sup> |         |         |          |     |       |
|--------------------------|--|---------|---------|----------|-----|-------|
|                          | 0 to 3   | >3 to 6 | >6 to 9 | >9 to 13 | >13 | Total |
| Number of people waiting | 399  | 310     | 180     | 169      | 74  | 1,132 |

1 Figures detailed in reply to this question were provided on request by the HSC Board and have not been validated by the DHSSPS.

The median waiting time from referral to treatment in the South Eastern HSC Trust was “>3 to 6” weeks.

The information collected cannot be disaggregated by geographical areas smaller than HSC Trust.

## Mental Health

**Mr McCartney** asked the Minister of Health, Social Services and Public Safety to detail the number of people who are recorded as currently having a mental health problem; and what is this figure as a percentage of the population.

**(AQW 12833/11-15)**

**Mr Poots:** The information is not available in the form requested; however, under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP registered patients with certain mental health conditions is recorded.

The QOF mental health register includes all people with a diagnosis of schizophrenia, bipolar affective disorder and other psychoses.

Other QOF registers relating to mental health problems are the dementia register and the depression register. The dementia register includes all patients diagnosed with dementia. The depression register only includes patients aged 18 and over, and does not include women with postnatal depression.

The number of patients on each register and the associated prevalence are shown in table 1 below.

**Table 1: QOF register sizes and percentages prevalence.**

| QOF Register  | Number of patients on register | Prevalence |
|---------------|--------------------------------|------------|
| Mental Health | 15,709                         | 0.83%      |
| Dementia      | 11,882                         | 0.63%      |
| Depression    | 182,525                        | 9.62%      |

Data Source: Register sizes are taken from the Payment Calculation and Analysis System (PCAS) as at 31 March 2012.

Denominator populations are taken from the combined registered lists of all Northern Ireland practices as at January 2012.

For comparability, the prevalence has been calculated based on the number of patients on each register as a percentage of the full GP registered list for Northern Ireland. If the depression prevalence is calculated as a percentage of the appropriate subset of the population i.e. the GP registered list for Northern Ireland aged 18 and over, the prevalence is 12.5%

Please note it is possible for an individual patient to be included on more than one register, therefore it is not appropriate to sum the register totals as this may lead to double counting due to co-morbidities.

## Case of Mr Adrian Allen from Claudy

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety whether he will review the case of Mr Adrian Allen from Claudy, who is currently suffering from pancreatic cancer, to establish if he can be given drug treatment which is available in England, Scotland and Wales but not currently available in Northern Ireland.

**(AQW 12841/11-15)**

**Mr Poots:** I am unable to comment on individual cases. However, the Health and Social Care Board has made a decision to commission Sunitinib for treatment of a specific form of pancreatic cancer and consequently this medicine is available for patients in Northern Ireland with immediate effect.

## Stereotactic Body Radiotherapy Treatment Equipment

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11876/11-15, whether patients, who are suitable for Stereotactic Body Radiotherapy Treatment, are being referred to Great Britain for treatment; and how many patients each Health and Social Care Trust has referred in each of the last three years.

**(AQW 12842/11-15)**

**Mr Poots:** The referral of patients for stereotactic body radiotherapy treatment is a clinical matter for consultants and Trusts. I am advised by the Belfast Health and Social Care Trust that patients who are clinically suitable for this treatment are routinely referred to other parts of the UK.

Information on the number of patients referred is detailed in the table below:

| Year    | Belfast Trust |
|---------|---------------|
| 2009-10 | 21            |
| 2010-11 | 30            |
| 2011-12 | 56            |

## Domiciliary Care

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the number of domiciliary care packages provided by the Health and Social Care Trusts, compared with the number of packages provided by the private sector.

**(AQW 12864/11-15)**

**Mr Poots:** Table 1 below presents information on the number of clients receiving domiciliary care services from the statutory and independent sectors during a survey week in 2011.

**Table 1**

| HSC Trust        | Statutory | Independent* | Clients Receiving Domiciliary Care from both Sectors | Total Clients Receiving Domiciliary Care (excludes double counting) |
|------------------|-----------|--------------|--|---|
| Belfast          | 4,598     | 3,229        | 1,373  | 6,454   |
| Northern         | 3,259     | 1,519        | 547  | 4,231   |
| South Eastern    | 1,531     | 2,970        | 332  | 4,169   |
| Southern         | 2,844     | 1,615        | 240  | 4,219   |
| Western          | 2,288     | 2,551        | 390  | 4,449   |
| Northern Ireland | 14,520    | 11,884       | 2,882  | 23,522  |

**Source:** CC7b Community Information Return

Information relates to the survey week 18th–24th September 2011 inclusive.

\* Independent refers to both private and voluntary providers.

During the survey week in 2011, HSC Trusts provided domiciliary care services for 23,522 clients. 14,520 clients received domiciliary care services from the statutory sector, 11,884 clients received domiciliary care services from the independent sector (this information cannot be split by private and voluntary providers) and 2,882 clients received domiciliary care services from both sectors.

## MRSA

**Mrs McKevitt** asked the Minister of Health, Social Services and Public Safety to detail the number of people who contracted the MRSA virus during a period in hospital, in each Health and Social Care Trust, in each of the last three years.

**(AQW 12866/11-15)**

**Mr Poots:** Information on the number of people who contracted the MRSA virus during a period in hospital is not available. However, information is available on the number of MRSA patient episodes in hospitals, in each Health and Social Care Trust, during each of the last three years. This is detailed in the table below:

| HSC Trust     | Number of MRSA patient episodes |         |          |
|---------------|---------------------------------|---------|----------|
|               | 2009/10                         | 2010/11 | 2011/12* |
| Belfast       | 62                              | 48      | 46       |
| Northern      | 22                              | 27      | 19       |
| South Eastern | 28                              | 15      | 14       |

| HSC Trust        | Number of MRSA patient episodes |         |           |
|------------------|---------------------------------|---------|-----------|
|                  | 2009/10                         | 2010/11 | 2011/12 * |
| Southern         | 15                              | 11      | 10        |
| Western          | 11                              | 15      | 7         |
| Northern Ireland | 138                             | 116     | 96        |

**Source:** Public Health Agency (PHA)

\* Information for 2011/12 is provisional.

### Depression: Treatment

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety how many people are currently being treated for depression, broken down by constituency.

**(AQW 12867/11-15)**

**Mr Poots:** The information is not available in the form requested; however, under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP registered patients with a current diagnosis of depression is recorded. The depression register only includes patients aged 18 and over, and does not include women with postnatal depression.

The number of patients on the QOF depression register broken down by parliamentary constituency is shown in table 1 below. The QOF data is collected at GP practice level, and patient details such as postcode of residence are not recorded; therefore the figures shown below are allocated to parliamentary constituency based on the location of the GP practice. It should be noted that patients may not reside in the constituency in which their GP practice is located.

**Table 1: Number of patients on the QOF depression register, by parliamentary constituency.**

| Parliamentary Constituency | Number of patients on depression register |
|----------------------------|---|
| Belfast East               | 9,865                                     |
| Belfast North              | 12,074                                    |
| Belfast South              | 10,376                                    |
| Belfast West               | 13,123                                    |
| East Antrim                | 6,937                                     |
| East Londonderry           | 8,945                                     |
| Fermanagh And South Tyrone | 11,027                                    |
| Foyle                      | 11,918                                    |
| Lagan Valley               | 9,334                                     |
| Mid Ulster                 | 8,568                                     |
| Newry And Armagh           | 12,561                                    |
| North Antrim               | 9,836                                     |
| North Down                 | 6,564                                     |
| South Antrim               | 8,354                                     |
| South Down                 | 11,271                                    |
| Strangford                 | 11,089                                    |
| Upper Bann                 | 12,033                                    |
| West Tyrone                | 8,650                                     |
| <b>Northern Ireland</b>    | <b>182,525</b>                            |

**Source:** Register sizes are taken from the Payment Calculation and Analysis System (PCAS) as at 31 March 2012.

### Cancer Patients: Sunitinib

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety whether he plans to introduce the use of Sunitinib, so that cancer patients can benefit from the same treatment as patients in England.

**(AQW 12868/11-15)**

**Mr Poots:** The Health and Social Care Board has made a decision to commission Sunitinib for the treatment of a specific form of pancreatic cancer and consequently the medicine is available for patients in Northern Ireland with immediate effect.

### Bangor Diabetes Clinic

**Mr Weir** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12299/11-15, to detail the timescale for the reinstatement of the Bangor Diabetic Clinic.

**(AQW 12927/11-15)**

**Mr Poots:** The South Eastern Health and Social Care Trust has advised that it is not yet in a position to determine a date for recommencing Bangor Diabetes Clinic.

### Wind Turbines: Health Implications

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety whether there are any health implications associated with living in close proximity to a wind turbine farm.

**(AQW 12943/11-15)**

**Mr Poots:** Scientific research to date has generally not indicated a causal link between living in the vicinity of wind turbines and adverse health effects.

Any public health concerns that may be raised in respect of proposals for wind farm developments should be considered as part of the planning permission process.

### Health and Social Care Trust and Board Staff

**Dr McDonnell** asked the Minister of Health, Social Services and Public Safety to detail (i) the total number of Health and Social Care Trust and Board staff, who are under formal time limited pay protection arrangements; and (ii) where pay protection does not apply, whether healthcare staff are receiving salaries above the published salary for their post.

**(AQW 12980/11-15)**

**Mr Poots:** This information is not held centrally and could only be obtained by individual Health and Social Care employers at a disproportionate cost.

### Jubilee Garden Party: Tickets

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) his Department; and (iii) its arm's-length bodies.

**(AQW 13088/11-15)**

**Mr Poots:** The Northern Ireland Office allocated 150 tickets to each Department for distribution to departmental staff and its Arms Length Bodies. There was no separate allocation of tickets made to Departmental Ministers. Additionally, the Northern Ireland Office allocated tickets directly to the 6 Health and Social Care Trusts and the Northern Ireland Fire and Rescue Service.

### Suicide: Ministerial Subgroup

**Mr G Kelly** asked the Minister of Health, Social Services and Public Safety when the Ministerial Sub-Group on Suicide will meet.

**(AQO 2213/11-15)**

**Mr Poots:** I have invited Ministerial colleagues to attend a meeting of the Ministerial Co-ordination Group on Suicide Prevention. The meeting will take on Thursday 28 June 2012. The purpose of the meeting will be to agree how best to drive forward cross departmental action within the revised Protect Life Strategy Action Plan.

### Residential Care: Northern Health and Social Care Trust

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety for his assessment of the Northern Health and Social Care Trust's proposal to withdraw from provision of residential care home accommodation.

**(AQO 2216/11-15)**

**Mr Poots:** The Northern HSC Trust is in the process of finalising their population plans which will address the future of statutory residential care, in response to recommendations within the Transforming Your Care report.

Once the Trust population plan is completed this will be presented to me for consideration. It would be inappropriate for me to make any assessments before I have had sight of the proposals.

### Fertility Treatment: NICE Guidelines

**Ms Gildernew** asked the Minister of Health, Social Services and Public Safety for his assessment of the proposed National Institute for Health and Clinical Excellence guidelines on fertility treatment which will be published in June 2012.

**(AQO 2217/11-15)**

**Mr Poots:** I understand that the National Institute for Health and Clinical Excellence is currently consulting on revised guidance, which contains draft proposals to make changes to the qualifying period for treatment, raising the age limit for women in certain circumstances and clarifying the number of treatments women should be offered.

It is expected that the final guidance will be issued in October 2012 and, as I have already indicated in the Assembly, the final guidance will be considered for its applicability to the HSC at that time.

### DHSSPS Budget: Ageing Population

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety for his assessment of the effect that the ageing population will have on his Department's annual expenditure up to 2015.

**(AQO 2218/11-15)**

**Mr Poots:** Our ageing population presents a range of challenges to the Health and Social Care system in Northern Ireland. The latest assessment of the financial pressures associated with the ageing population indicates that an additional £40m each year will be required to meet this demand.

### Multiple Sclerosis

**Mr Storey** asked the Minister of Health, Social Services and Public Safety for an update on the provision of services for people diagnosed with multiple sclerosis.

**(AQO 2219/11-15)**

**Mr Poots:** Within the UK, it is believed NI has the second highest prevalence rate of MS after Scotland. So it is important that we have a health service that is appropriately skilled and understands how best to support people with MS.

Following diagnosis, patients with multiple sclerosis have access to the full range of core community health and social care services across Northern Ireland, including physiotherapy, occupational therapy, community nursing, speech and language therapy, dietetics, social work/social care, domiciliary care, day care and day time opportunities and respite care, including specialist respite care.

### Self-harm: Accident and Emergency Departments

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety what measures he is taking to ensure that the National Institute for Health and Clinical Excellence guideline, on the management of self-harm, is implemented in Accident and Emergency departments.

**(AQO 2220/11-15)**

**Mr Poots:** NICE clinical guidance on self harm was endorsed for Northern Ireland by my Department in January this year. The HSC Board has developed arrangements for implementation and these are currently under consideration by the Department. The Board will be responsible for monitoring implementation and reporting on progress to the Department.

An enhanced focus on self harm prevention and response services is an objective of the refreshed Protect Life strategy. The implementation of NICE guidance on self harm is one of the indicators by which achievement of this objective will be measured. Specific action within "Protect Life" includes making self harm awareness training a priority for all frontline staff, including accident and emergency staff, dealing with people in distress.

The Health and Social Care Board is also considering how "places of safety" for people who have self harmed can be provided as part of a wider model of integrated care.

### Residential Care: Costs

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety for his assessment of the cost of staying in a statutory residential home compared to a private residential home.

**(AQO 2221/11-15)**

**Mr Poots:** While direct comparison between private and statutory homes is not straightforward, the information available would indicate that the cost of providing care in a private sector home would be less than the cost of care in a statutory sector home. However, value for money is about more than simply unit cost comparisons. It includes a host of other considerations like the quality of interaction that clients get from staff and whether their specific care needs are being met.



## Compton Review: Consultation

**Mr Ó hÓisín** asked the Minister of Health, Social Services and Public Safety why the public are not being consulted on the Compton Report in its entirety.

**(AQO 2222/11-15)**

**Mr Poots:** A key objective of the Health and Social Care Review was to undertake appropriate consultation and engagement in order to ensure informed debate with a wide range of stakeholders during the review process.

The Review was supported by an extensive engagement process which included an on-line survey, a series of workshops with clinicians, and representatives from the voluntary and community and business sectors; also six public meetings.

The report on the Review, Transforming Your Care, sets out a strategic road map for health and social care into the future. Given the nature of the report, it was not considered necessary or appropriate to undertake a full consultation on the Report itself. It was always the intention that the proposals in Transforming Your Care would be subject to further assessment and development, and the Report sets out a proposed process for Population Plans that would help inform the implementation of the new model of care.

Population Plans are currently being developed by the five Local Commissioning Groups and HSC Trusts for their local areas, and engagement is taking place at local level as part of this process. Population Plans, together with an overarching Strategic Implementation Plan, are due to be developed by the end of June. It will be more meaningful to consult and engage on the more detailed work contained in the Plans and there will be a consultation process on the Strategic Implementation Plan and Population Plans, once they have been agreed.

Where there are proposals for policy changes, or major service changes coming out of the population planning process, these will also be subject to appropriate consultation.

## Water Supply: Fluoridation

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for an update on the discussions he was to have with his Executive colleagues on the possible fluoridation of water.

**(AQO 2223/11-15)**

**Mr Poots:** I recently announced that I would give consideration to fluoridation of the water supplies. In the first instance I want to seek the views of my Executive colleagues and that process is ongoing at present. I have still to come to a final position on this matter and given that there are strongly held views in relation to water fluoridation, I wish to take further time to give this issue wider consideration.

## Department of Justice

### Arm's-length Bodies and Quangos: Remuneration

**Mr Gardiner** asked Minister of Justice to detail the current total annual cost of remuneration for board members at his Department's arm's-length bodies and quangos.

**(AQW 12412/11-15)**

**Mr Ford (The Minister of Justice):** The total cost of remuneration for board members in the Department's 18 arm's length bodies is £670,650; a detailed breakdown is set out in the attached table.

#### Remuneration for Arm's Length Bodies Boards Members in the Department of Justice

| Name of ALB                                | Board Member's Remuneration<br>£   | Total Cost of Board Members' Remuneration<br>£ <sup>1</sup> |
|--|--|---|
| NI Law Commission                          | Chair - 25,794 <sup>2</sup><br>4 x Commissioners = 104,346                                   | 130,140   |
| NI Legal Services Commission               | 9 Commissioners  | 141,065 <sup>3</sup>  |
| NI Police Fund                             | Chair  | 6,000   |
| NI Policing Board                          | Chair - 58,606<br>Vice Chair - 43,954<br>Seven Independent Board Members x £19,437 = 136,059 | 238,619   |
| Police Rehabilitation and Retraining Trust | Ten Directors (including the Chairman)   | 61,216  |

| <b>Name of ALB</b>                   | <b>Board Member's Remuneration<br/>£</b>                | <b>Total Cost of<br/>Board Members'<br/>Remuneration<br/>£<sup>1</sup></b> |
|--------------------------------------|---|--|
| Probation Board for Northern Ireland | Chairman - 33,010<br>12 Board Members x £5,050 = 60,600 | 93,610   |
| <b>Total Cost</b>                    |   | <b>£670,650</b>  |

- 1 The total cost does not include travel and subsistence or other incidental expenses incurred.
- 2 The Chairman's salary is reimbursed to the NICTS for his time allocated to Commission duties each month.
- 3 The 2011/12 figures are taken from the draft un-audited Annual Report & Accounts of the Commission which may be subject to change.

### Judicial Decisions

**Lord Morrow** asked the Minister of Justice (i) how many times he has intervened in, or over-ruled, a judicial decision; and (ii) to provide details of each case.

**(AQW 12466/11-15)**

**Mr Ford:** None. As Minister of Justice, I have no power to intervene in judicial decisions.

### Victims of Crime Prior to Death

**Mr G Robinson** asked the Minister of Justice whether the Public Prosecution Service or the PSNI liaise with a family member, or the state executor, of an individual who was a victim of crime prior to their death.

**(AQW 12472/11-15)**

**Mr Ford:** Where a victim is unable to act for themselves, through injury or incapacity, the Public Prosecution Service (PPS) and the Police Service of Northern Ireland (PSNI) will often work with the victim's next of kin or nominated representative to ensure the interests of the victim are appropriately represented. In doing this, they will take all steps to ensure that the person they are working with is the most appropriate representative.

The PPS and PSNI are jointly working on a project to introduce witness care units in Northern Ireland. In establishing a single point of contact for victims and witnesses, the units will provide information for those attending court and updates on how the case is progressing. The witness care units will also aid referrals to other organisations if a victim or witness requires specialist help.

In addition, I will be bringing forward a new five-year strategy for victims and witnesses of crime, one of the key themes for which will be ensuring better communication with victims and their families to make sure they get the information they need.

### Martin Joseph Corey

**Lord Morrow** asked the Minister of Justice (i) on what date Martin Joseph Corey applied for compassionate bail at the High Court; and (ii) on what grounds this was refused.

**(AQW 12473/11-15)**

**Mr Ford:** Mr Corey made an application to NIPS for a period of Compassionate Temporary Release (CTR) to attend his brother's funeral on 22 May 2012.

His application was initially refused following risk assessment on a number of grounds which included his status as a Category A prisoner and that he had been deemed unsuitable for accompanied release as no appropriate person was available to accompany him.

However, after considering the particular individual circumstances of Mr Corey's case, including the humanitarian aspects, I took the decision to grant him compassionate temporary release; subject to the assurances set out in my answer to AQW/12407/11.

### Stuart Townsend

**Lord Morrow** asked the Minister of Justice what sentence Stuart Townsend received for his first sexual offence conviction; and what sentences he has received subsequently.

**(AQW 12536/11-15)**

**Mr Ford:** Mr Townsend's first conviction was at a Youth Court. It is not possible to publish any details of that case as Youth Courts are not public hearings.

The table overleaf sets out the sentences imposed on Mr Townsend in respect of his convictions in the Adult Magistrates' Court.

| Court Venue   | Offence  | Sentence   |
|---|--|--|
| Belfast Magistrates' Court<br>Date of Conviction:<br>14 March 2011        | Disorderly Behaviour Resisting Police<br>Assault on Police (x2)<br>Criminal Damage   | Community Service Order 100 Hours<br>Probation Order 1 year<br>Compensation £100.00  |
| Magherafelt Magistrates' Court<br>Date of Conviction:<br>16 November 2011 | Breach of Sexual Offences Prevention Order (x6)<br>Assault on Police<br>Resisting Police   | 1 Imprisonment for 4 months<br>Suspended for 1 year and 6 months on all charges. All sentences to run concurrently.<br><br>2 Imprisonment for 3 months<br>Suspended for 1 year and 6 months. Sentence to run concurrently with 1. above.<br><br>3 Imprisonment for 2 months<br>Suspended for 1 year and 6 months. Sentence to run concurrently with 1. above.  |
| Belfast Magistrates' Court<br>Date of Conviction:<br>22 December 2011     | Breach of Sexual Offences Prevention Order<br>Failing to Comply with Notification Requirements<br>Aggravated Assault<br>Breach of Combination Order (x5) | 1 Imprisonment for 3 months<br>Suspended for 2 years.<br><br>2 Imprisonment for 3 months<br>Suspended for 2 years. Sentence to run consecutively with 1. above.<br><br>3 Imprisonment for 2 months<br>Suspended for 2 years. Sentence to run consecutively with 1. above.<br>Fined £250.00.<br><br>4 Imprisonment for 4 months<br>Suspended for 2 years on all charges. All sentences to run concurrently with sentences at 1 – 3 above. |

**Note:** All information as at 11 June 2012.

### Ackah and Deane Report

**Lord Morrow** asked the Minister of Justice, given that other pressures prevented the delivery of the training recommended in the Ackah and Deane Report, whether the Northern Ireland Prison Service is in breach of the Advisory, Conciliation and Arbitration Service Code of Practice on Discipline and Grievances at Work, which states that those responsible for using and operating the discipline rules and procedures, including Managers at all levels, should be trained for the task and that ignoring or circumventing the procedures, when dismissing an employee, is likely to have a bearing on the outcome of any subsequent Employment Tribunal claim.

**(AQW 12538/11-15)**

**Mr Ford:** The Advisory, Conciliation and Arbitration Service (ACAS) Code of Practice does not apply to Northern Ireland.

### Furniture and Decor for Departmental Offices: Cost

**Mr Dallat** asked the Minister of Justice to detail the cost of (i) new furniture; and (ii) the decor, including clocks, carpets and art, for offices under the control of his Department since April 2010.

**(AQW 12577/11-15)**

**Mr Ford:** The total spend on new furniture and decor for the last two financial years for the Department and its Agencies is as follows:

- 2010/11 - £319,138
- 2011/12 - £273,858

Please note that:

- some expenditure on furniture and decor may be recorded as, for example, maintenance or refurbishment costs and is not, therefore, separately identifiable. Any such expenditure is not included in the above totals.
- due to the way it is recorded, the expenditure identified above may include furniture and decor costs for accommodation other than offices.

## Hospitality Events: Costs

**Mr Dallat** asked the Minister of Justice to detail the costs incurred for hospitality events which have been organised by his Department, including (i) food and drinks; (ii) travel costs; and (iii) professional fees, since April 2010.

**(AQW 12579/11-15)**

**Mr Ford:** The cost to my Department, including Agencies, of hospitality events is as follows:

- 2010/11 - £17,181
- 2011/12 - £13,886

Due to the way this expenditure is recorded, it cannot be broken down into the categories requested.

Figures exclude hospitality provided in the course of day to day business, for example hospitality provided at training courses.

## Ackah and Deane Report

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 11517/11-15, (i) to detail the number of Northern Ireland Prison Service staff that have been dismissed from service since the Ackah and Deane report, broken down by (a) grade; and (b) gender; (ii) how many of these staff lodged an appeal to the Northern Ireland Civil Service Appeals Board, broken down by date; (iii) how many of these appeals alleged that the Prison Service had breached the provisions of the Code of Conduct and Discipline and statutory procedures; (iv) what were the outcomes of these appeals; and (v) how many members of staff who have been dismissed and subsequently appealed to the Civil Service Appeals Board have also lodged a complaint with the Office of the Industrial Tribunals and the Fair Employment Tribunal alleging a breach of the provisions of the Code of Conduct and Discipline and statutory procedures.

**(AQW 12614/11-15)**

**Mr Ford:** Four Male and four Female members of staff have been dismissed; three of whom were Prison Officers and five Prison Support Grades.

The Civil Service Appeal Board (CSAB) notified the NI Prison Service that four of those dismissed appealed and lodged their cases in November 2011, March and April 2012. To date two of these appeals have been upheld; two hearings remain pending.

Three of the staff dismissed and who submitted cases to the CSAB, have also lodged a complaint with The Office of the Industrial Tribunals and Fair Employment Tribunal NI alleging breaches of the provision of the Code and Conduct and Discipline.

## Northern Ireland Prison Service Staff

**Lord Morrow** asked the Minister of Justice how many current and former members of staff of the Northern Ireland Prison Service were interviewed in relation to the Prisoner Assessment Unit; and whether this number constitutes all the staff who had worked in the unit prior to its closure.

**(AQW 12616/11-15)**

**Mr Ford:** During the course of the Prisoner Assessment Unit investigation a total of 22 staff were interviewed.

Of these staff five are serving members of NIPS who had previously worked in the Prisoner Assessment Unit but not at the time of its closure.

One member of existing Prisoner Assessment Unit staff was not interviewed due to being on sick leave.

## Fixed Penalties for Minor Offences

**Lord Morrow** asked the Minister of Justice in relation to the new Fixed Penalties for minor offences, what is the procedure if a person refuses to accept a penalty that has been issued.

**(AQW 12617/11-15)**

**Mr Ford:** Acceptance of the new police issued penalty notice is voluntary. If an individual declines the offer of a penalty notice, the offence will be addressed as appropriate in line with current practice.

## Marian Price

**Lord Morrow** asked the Minister of Justice whether the Prisoner Ombudsman has made any representations in relation to Marian Price.

**(AQW 12642/11-15)**

**Mr Ford:** The Prisoner Ombudsman has not made any representation in relation to Marian Price.

## Northern Ireland Prison Service: Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 11188/11-15, to provide a copy of the signed minute.

**(AQW 12644/11-15)**

**Mr Ford:** Confirmation has been received from the Northern Ireland Office that the Member can be provided with a redacted version of the document he has requested. Arrangements will be made to make this available to him.

## Prison and Young Offenders Centre Rules (NI) 1995

**Lord Morrow** asked the Minister of Justice why the Code of Conduct referred to in Rules 6 and 118 (3) of the Prison and Young Offenders Centre Rules (NI) 1995 (SR&O No.8) was not included in the Statutory Rule (SR) when it came into operation on 1 March 1995; and whether he intends to amend the SR.

**(AQW 12648/11-15)**

**Mr Ford:** The Prison Service Code of Conduct and Discipline is enacted under Rule 6 of the Prison and Young Offenders Centre Rules (NI) 1995 and there is no requirement for it to be included in the Statutory Rule (SR). As such I do not intend to amend the SR.

## Martin Joseph Corey

**Lord Morrow** asked the Minister of Justice whether Martin Joseph Corey is a separated prisoner; and whether he has signed the required compact.

**(AQW 12649/11-15)**

**Mr Ford:** I can confirm Martin Joseph Corey is a separated prisoner. Mr Corey has refused to sign the required compact. However, he has been made aware of its content and that he is expected to adhere to the conditions.

## Prisoner Assessment Unit: Report

**Lord Morrow** asked the Minister of Justice whether the Prisoner Ombudsman has received the report by the Northern Ireland Prison Service into the Prisoner Assessment Unit closure and the details of the issues that have arisen following the closure and the report.

**(AQW 12700/11-15)**

**Mr Ford:** The Prisoner Ombudsman has not received the report.

## Code of Conduct and Discipline: Secretary of State

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 11188/11-15, whether the minute constitutes legislative approval by the Secretary of State for the Code of Conduct.

**(AQW 12701/11-15)**

**Mr Ford:** The minute from the Secretary of State's Office approves the Code of Conduct and Discipline in line with Rule 6 of The Prison and Young Offenders Centre Rules (Northern Ireland).

## Capital Spending

**Mr P Ramsey** asked the Minister of Justice to detail (i) his Department's current capital spending; and (ii) any projects that are planned between now and the end of the current Assembly Mandate.

**(AQW 12723/11-15)**

**Mr Ford:** The Department of Justice capital DEL baseline, split by spending area, is set out in the table below.

The main capital projects that are planned over the Budget 2011-15 period (i.e. to 31 March 2015) include:

### NI Prison Service

The NI Prison Service is currently consulting on its Outline Estate Strategy. The Strategy has been developed to meet the accommodation needs of the prison population and also to support delivery of the Prison Service's core aim of improving public safety by reducing the risk of reoffending through the management and rehabilitation of offenders in custody. The outcome of this consultation will inform the main capital projects to be taken forward by the Prison Service.

### Police Service of Northern Ireland

In addition to a range of IT, transport and estate capital projects, the Department will also progress the Desertcreat integrated training college, at a cost of up to £138m (this includes £10m of funding in relation to the NI Prison Service elements of the college). The Outline Business Case for the college has been approved by the Department of Finance and Personnel (DFP).

### Forensic Science Agency

The Department also plans to develop new laboratory accommodation for the Forensic Science Agency at a cost of approximately £14m over the Budget 2011-15 period. An outline business case for this project is currently being considered by DFP.

| DOJ 2012-13 capital baseline  | £k     |
|-------------------------------|--------|
| Forensic Science NI           | 460    |
| Access to Justice Directorate | 10,900 |



| <b>DOJ 2012-13 capital baseline</b> | <b>£k</b>     |
|-------------------------------------|---------------|
| Compensation Agency                 | -             |
| Safer Communities Directorate       | 400           |
| NI Prison Service                   | 8,300         |
| Youth Justice Agency                | -             |
| NI Courts and Tribunals Service     | 2,280         |
| Police Service of NI                | 41,807        |
| Office of the Police Ombudsman NI   | 100           |
| NI Policing Board                   | -             |
| Probation Board for NI              | 290           |
| Criminal Justice Inspection NI      | -             |
| NI Legal Services Commission        | -             |
| NI Police Fund                      | -             |
| RUC George Cross Foundation         | -             |
| <b>Total Capital Budget</b>         | <b>64,537</b> |

### Dungannon Courthouse: Security Measures

**Lord Morrow** asked the Minister of Justice what is the cost of the additional security measures that are being installed at Dungannon Court House; and whether any other court house is having its security measures increased or improved.

**(AQW 12764/11-15)**

**Mr Ford:** The estimated final costs of the additional measures at Dungannon Courthouse is £115,000, excluding VAT and professional fees.

These measures follow a review of the court estate which recommended improvements at a number of courthouses.

### Injury Compensation Claims

**Lord Morrow** asked the Minister of Justice whether an injury compensation claim can be made in the absence of the incident being reported to the PSNI.

**(AQW 12781/11-15)**

**Mr Ford:** An injury compensation claim can be made in the absence of the incident being reported to the PSNI. However, such a claim is likely to be refused under paragraph 14(1) of the Northern Ireland Criminal Injuries Compensation Scheme 2002, whereby if a person fails to take, without delay, all reasonable steps to inform the police, or other appropriate body, of the circumstances giving rise to an injury, compensation can be withheld or reduced.

### Police Ombudsman: Gerry McGeough

**Lord Morrow** asked the Minister of Justice whether the Prisoner Ombudsman has made any representations to his Department, or its arm's-length bodies, in relation to Gerry McGeough.

**(AQW 12795/11-15)**

**Mr Ford:** The Prisoner Ombudsman has not made any representation in relation to Gerry McGeough.

### Case Number 11/128987 at Magherafelt Magistrates' Court

**Lord Morrow** asked the Minister of Justice why case number 11/128987 at Magherafelt Magistrates' Court did not proceed.

**(AQW 12796/11-15)**

**Mr Ford:** On 6 June 2012 at Magherafelt Magistrates' Court the Public Prosecution Service withdrew the charges in case number 11/128987.

This is a prosecutorial decision which is the responsibility of the Director of Public Prosecutions and not something upon which I can comment.

## Illegal Poisons: Possession

**Mr Wells** asked the Minister of Justice how many people have been (i) charged with; (ii) prosecuted for; and (iii) convicted of possession of illegal poisons, in each of the last five years.

**(AQW 12805/11-15)**

**Mr Ford:** There is no specific offence for the possession of illegal poisons. Poison related offences may be prosecuted under a range of statutes including Article 9 and Article 12(5) Poisons (Northern Ireland) Order 1976, Article 15B Wildlife (Northern Ireland) Order 1985, Section 7 Welfare of Animals Act (Northern Ireland) 2011, Section 15 Wildlife and Natural Environment Act (Northern Ireland) 2011 and Section 22 and Section 24 Offences Against the Person Act 1861.

Prosecution and conviction data for the calendar years 2004 to 2006 and conviction data for 2007 to 2008 (the last year for which data are available) record one prosecution and conviction for administering poison to endanger life in 2006 (Section 24 Offences Against the Person Act 1861).

Police Service for Northern Ireland (PSNI) has recorded no charges for poison related offences in the available corresponding years (2006 – 2008).

Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

## Forensic Science Northern Ireland

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12268/11-15, how many cases have been in the Forensic Services Northern Ireland system for more than the 44 day average.

**(AQW 12818/11-15)**

**Mr Ford:** At 14 June 2012, 722 cases at various stages of the analysis or reporting process were in Forensic Science Northern Ireland for more than 44 days.

## Case Number 12/021693 at Dungannon Magistrates' Court

**Lord Morrow** asked the Minister of Justice to clarify the circumstances which led to the dismissal of case number 12/021693 at Dungannon Magistrates' Court, after the Public Prosecution Service was unable to offer any evidence.

**(AQW 12876/11-15)**

**Mr Ford:** On 8 June 2012 at Dungannon Magistrates' Court the District Judge (Magistrates' Court) made the order 'Dismissed – Prosecution offers no evidence'.

The decision not to offer evidence in any case is a matter for the Public Prosecution Service and the reasons unpinning such decisions are not something upon which I can comment.

## Department for Regional Development

### Waste Water Treatment: Maze Site

**Mr Allister** asked the Minister for Regional Development, in light of the requirements of the Water Framework Directive, what plans there are to construct a waste water treatment works at the Maze site in advance of hosting the Balmoral Show; and what will be the waste water and sewage disposal arrangements on the site.

**(AQW 12489/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I have been advised by Northern Ireland Water (NIW) that it has had initial discussions with representatives of the Royal Ulster Agricultural Society and with various Government departments regarding the provision of water and wastewater services to the Maze site. Any decisions on the extent of service provision remain premature as there is no firm direction on requirements or timelines from the parties involved.

NIW will address the water and sewerage requirements for the site as part of the normal planning consultation process.

### Translink: Management

**Mr Allister** asked the Minister for Regional Development, pursuant to AQW 11792/11-15, to detail the current number of management level posts within the (i) bus; and (ii) rail sector, broken down by (a) customer services; and (b) engineering posts.

**(AQW 12491/11-15)**

**Mr Kennedy:**

- (i) Translink advise that the current number of management level posts in Bus Services with customer service responsibilities is 23 and engineering posts is 3.
- (ii) For the Rail sector with customer services responsibilities the number is 5 and for engineering posts the number is 4.

This gives a total number of 35 posts.

These 35 posts were included in the overall figure of 82 managerial posts which were referred to under AQW 11792/11-15.

### Rambler Bus Service, Co Fermanagh

**Mr Flanagan** asked the Minister for Regional Development why Translink is not operating a Rambler Service in Co Fermanagh. (AQW 12514/11-15)

**Mr Kennedy:** Rambler Bus services are operated by Translink with support from the Rural Transport Fund (RTF) which is administered by my Department. To qualify for support such services need to comply with the criteria set. These criteria relate to population served, patronage and the level of subsidy required.

There are currently no Rambler services in Fermanagh despite a range of services being previously trialled in the area. These services failed to sustain the RTF criteria for support as set out above.

RTF services are primarily aimed at reducing social exclusion for rural dwellers.

### Waste Treatment Plant, Tullygarley

**Mr Swann** asked the Minister for Regional Development for his assessment of Tullygarley Waste Treatment Plant's capacity to deal with the waste that it receives. (AQW 12530/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that under normal conditions the Tullaghgarley Wastewater Treatment Works in Ballymena operates at approximately 76% of capacity and the performance of the Works is satisfactory.

Discharges from the Works are subject to control by the Northern Ireland Environment Agency (NIEA) under the Water (Northern Ireland) Order 1999 and standards have been set relating to the quality and quantity of effluent that can be discharged to the River Maine. The Works has consistently achieved the standards set and has been assessed by NIEA as compliant.

### Waste Treatment Plant, Tullygarley

**Mr Swann** asked the Minister for Regional Development what type of waste treatment is carried out at the Tullygarley Waste Treatment Plant. (AQW 12531/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water that Tullaghgarley Wastewater Treatment Works in Ballymena is a Conventional Activated Sludge Plant. The treatment processes at the plant include inlet screening; grit removal; primary settlement; biological aeration; final settlement; tertiary sand filters; sludge thickening and chemical addition to aid phosphorus reduction.

### River Maine: Discharges into

**Mr Swann** asked the Minister for Regional Development to detail the discharges into the River Maine, from NI Water controlled waste treatment plants, during the last three months, including (i) the dates and times of the discharge; and (ii) the volume and nature of the material discharged. (AQW 12532/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that four wastewater treatment works discharge into the River Maine namely Tullaghgarley, Dunloy, Glarryford and Slaght. Discharges from these Works are subject to control by the Northern Ireland Environment Agency (NIEA) under the Water (Northern Ireland) Order 1999 and standards have been set relating to the quality and quantity of effluent that can be discharged to the River Maine.

In relation to (i) all four works are consented to discharge treated wastewater on a continuous basis.

In relation to (ii) NIW is only required to collect treated wastewater volume and quality data for the two larger Works namely Tullaghgarley and Dunloy and this information is provided below for the three month period March to May 2012. The results show that both Works are complying with the quality standards set by NIEA. Dunloy Works is also consented to discharge settled storm wastewater and screened wastewater but there were no discharges to the River Maine from the storm tank during the three month period. There is no requirement to collect volumetric data for Glarryford or Slaght Works so volume and quality data is not available.

Volume Data for Tullaghgarley and Dunloy Works

| Date       | Tullaghgarley<br>(m3/day) | Dunloy<br>(m3/day) |
|------------|---------------------------|--------------------|
| 31/05/2012 | 22794.96                  | 203.919            |
| 30/05/2012 | 15795.29                  | 208.312            |
| 29/05/2012 | 15800.19                  | 212.442            |
| 28/05/2012 | 16279.93                  | 216.433            |

| <b>Date</b> | <b>Tullaghgarley<br/>(m3/day)</b> | <b>Dunloy<br/>(m3/day)</b> |
|-------------|-----------------------------------|----------------------------|
| 27/05/2012  | 14600.66                          | 235.676                    |
| 26/05/2012  | 16620.56                          | 221.006                    |
| 25/05/2012  | 19863.34                          | 173.366                    |
| 24/05/2012  | 17622.67                          | 237.78                     |
| 23/05/2012  | 15669                             | 243.077                    |
| 22/05/2012  | 16864.17                          | 246.413                    |
| 21/05/2012  | 15230.58                          | 262.322                    |
| 20/05/2012  | 16270.5                           | 348.491                    |
| 19/05/2012  | 18447.13                          | 375.288                    |
| 18/05/2012  | 30861.66                          | 539.232                    |
| 17/05/2012  | 22706.82                          | 386.083                    |
| 16/05/2012  | 23951.03                          | 446.151                    |
| 15/05/2012  | 24417.43                          | 396.733                    |
| 14/05/2012  | 17050                             | 257.68                     |
| 13/05/2012  | 17534.46                          | 349.647                    |
| 12/05/2012  | 24822.77                          | 472.486                    |
| 11/05/2012  | 24276.04                          | 400.003                    |
| 10/05/2012  | 16750.71                          | 228.739                    |
| 09/05/2012  | 20695.1                           | 296.482                    |
| 08/05/2012  | 18519.39                          | 383.442                    |
| 07/05/2012  | 14313.3                           | 226.652                    |
| 06/05/2012  | 14865.23                          | 232.079                    |
| 05/05/2012  | 16712.35                          | 227.981                    |
| 04/05/2012  | 16885.09                          | 233.897                    |
| 03/05/2012  | 16395.55                          | 232.153                    |
| 02/05/2012  | 17061.21                          | 235.247                    |
| 01/05/2012  | 16644.84                          | 237.268                    |
| 30/04/2012  | 16101.04                          | 252.858                    |
| 29/04/2012  | 17369.44                          | 258.291                    |
| 28/04/2012  | 18403.92                          | 265.275                    |
| 27/04/2012  | 25386.73                          | 354.226                    |
| 26/04/2012  | 19818.31                          | 288.903                    |
| 25/04/2012  | 21331.03                          | 370.698                    |
| 24/04/2012  | 22667.5                           | 384.882                    |
| 23/04/2012  | 25380.87                          | 459.205                    |
| 22/04/2012  | 21329.75                          | 375.665                    |
| 21/04/2012  | 17752.36                          | 250.028                    |

| <b>Date</b> | <b>Tullaghgarley<br/>(m3/day)</b> | <b>Dunloy<br/>(m3/day)</b> |
|-------------|-----------------------------------|----------------------------|
| 20/04/2012  | 18765.13                          | 299.786                    |
| 19/04/2012  | 19799.33                          | 359.336                    |
| 18/04/2012  | 31635.32                          | 509.125                    |
| 17/04/2012  | 18460.2                           | 268.597                    |
| 16/04/2012  | 15935.4                           | 237.384                    |
| 15/04/2012  | 16836.12                          | 252.66                     |
| 14/04/2012  | 18221.21                          | 302.046                    |
| 13/04/2012  | 18183.39                          | 356.432                    |
| 12/04/2012  | 17750.24                          | 492.787                    |
| 11/04/2012  | 17563.15                          | 538.826                    |
| 10/04/2012  | 17579.04                          | 366.842                    |
| 09/04/2012  | 17893.23                          | 358.253                    |
| 08/04/2012  | 16489.33                          | 324.707                    |
| 07/04/2012  | 15486.73                          | 284.524                    |
| 06/04/2012  | 15983.08                          | 208.986                    |
| 05/04/2012  | 15838.77                          | 256.829                    |
| 04/04/2012  | 19258.79                          | 382.475                    |
| 03/04/2012  | 15663.77                          | 228.604                    |
| 02/04/2012  | 14252.45                          | 212.796                    |
| 01/04/2012  | 18073.1                           | 255.967                    |
| 31/03/2012  | 17698.33                          | 175.493                    |
| 30/03/2012  | 20242.93                          | 215.659                    |
| 29/03/2012  | 18733.7                           | 218.051                    |
| 28/03/2012  | 16859.31                          | 224.196                    |
| 27/03/2012  | 19095.79                          | 229.382                    |
| 26/03/2012  | 14996.79                          | 211.231                    |
| 25/03/2012  | 15262.82                          | 228.996                    |
| 24/03/2012  | 22420.36                          | 225.923                    |
| 23/03/2012  | 19483.81                          | 228.54                     |
| 22/03/2012  | 15388.16                          | 226.245                    |
| 21/03/2012  | 17270.25                          | 231.105                    |
| 20/03/2012  | 21605.46                          | 237.962                    |
| 19/03/2012  | 16502.27                          | 258.882                    |
| 18/03/2012  | 18625.29                          | 344.33                     |
| 17/03/2012  | 26330.67                          | 275.313                    |
| 16/03/2012  | 17872.31                          | 199.765                    |
| 15/03/2012  | 19260.97                          | 173.961                    |



| Date       | Tullaghgarley<br>(m3/day) | Dunloy<br>(m3/day) |
|------------|---------------------------|--------------------|
| 14/03/2012 | 17684.49                  | 179.104            |
| 13/03/2012 | 17717.39                  | 203.547            |
| 12/03/2012 | 16779.66                  | 279.36             |
| 11/03/2012 | 18288.91                  | 319.994            |
| 10/03/2012 | 19151.23                  | 325.955            |
| 09/03/2012 | 19896.21                  | 345.707            |
| 08/03/2012 | 25342.91                  | 348.149            |
| 07/03/2012 | 21140.02                  | 276.185            |
| 06/03/2012 | 19583.28                  | 300.065            |
| 05/03/2012 | 18418.89                  | 317.125            |
| 04/03/2012 | 24452.07                  | 326.118            |
| 03/03/2012 | 37590.7                   | 183.132            |
| 02/03/2012 | 33146.33                  | 110.407            |
| 01/03/2012 | 27138.72                  | 260.579            |

**Quality Data for Tullaghgarley and Dunloy Works**

| Works         | Date Sampled | Ammonia<br>mg/l | Biological<br>Oxygen Demand<br>mg/l | Total Phosphorus<br>mg/l | Suspended Solids<br>mg/l |
|---------------|--------------|-----------------|-------------------------------------|--------------------------|--------------------------|
| Tullaghgarley | 07/03/2012   | 0.04            | 0.8                                 | 0.13                     | <0.100                   |
| Tullaghgarley | 15/03/2012   | <0.033          | 0.4                                 | 0.12                     | 7                        |
| Tullaghgarley | 23/03/2012   | <0.033          | 0.9                                 | 0.18                     | 2                        |
| Tullaghgarley | 26/03/2012   | <0.033          | 0.7                                 | 0.4                      | 3                        |
| Tullaghgarley | 03/04/2012   | <0.033          | 0.7                                 | 0.73                     | 2                        |
| Tullaghgarley | 11/04/2012   | <0.033          | 0.8                                 | 0.87                     | 6                        |
| Tullaghgarley | 19/04/2012   | <0.033          | 2                                   | 0.35                     | 7                        |
| Tullaghgarley | 27/04/2012   | <0.033          | 0.8                                 | 0.26                     | 4                        |
| Tullaghgarley | 03/05/2012   | <0.033          | 1.2                                 | 0.34                     | 2                        |
| Tullaghgarley | 08/05/2012   | <0.033          | 1.1                                 | 0.78                     | 5                        |
| Tullaghgarley | 24/05/2012   | 2               | 1.2                                 | 0.26                     | 2                        |
| Dunloy        | 08/03/2012   | 0.05            | 0.8                                 |                          | 0.4                      |
| Dunloy        | 23/03/2012   | 0.07            | 1.6                                 |                          | 6.3                      |
| Dunloy        | 03/04/2012   | 0.89            | 0.9                                 |                          | 5.6                      |
| Dunloy        | 16/05/2012   | 0.53            | 1.1                                 |                          | 0.9                      |

**Tullaghgarley Works Consent limits**

|                          |                             |
|--------------------------|-----------------------------|
| Ammonia                  | 3 mg/l (Upper tier 12mg/l)  |
| Biological Oxygen Demand | 15 mg/l (Upper tier 50mg/l) |
| Total Phosphorus         | 1 mg/l                      |
| Suspended Solids         | 25 mg/l (Upper tier 60mg/l) |

**Dunloy Works Consent Limits**

|                          |         |
|--------------------------|---------|
| Ammonia                  | 3 mg/l  |
| Biological Oxygen Demand | 10 mg/l |
| Suspended Solids         | 20 mg/l |

**NI Water Controlled Waste Treatment Plants**

**Mr Swann** asked the Minister for Regional Development to detail the discharges into designated water courses, from NI Water controlled waste treatment plants, during the month of May 2012, including (i) the dates and times of the discharge; and (ii) the volume and nature of the material discharged.

**(AQW 12533/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that it has 359 wastewater treatment works which discharge to designated water courses. In relation to (i) all of these works discharge wastewater on a continuous basis. In relation to (ii) information in the form requested is not readily available and could only be compiled at disproportionate cost.

**Water Mains Network: Berryhill Road, Donemana**

**Mr Buchanan** asked the Minister for Regional Development, pursuant to AQW 11818/11-15, whether the Asset Management Unit has completed plans for the replacement of the water mains network on the Berryhill Road, Donemana, and is ready to commence work when funding becomes available.

**(AQW 12574/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that it has an on-going multi-million pound water mains rehabilitation programme that includes network modelling and assessments, solution development and ultimately project delivery. The upgrade of the network in Berryhill Road has been included as one element of this programme but work is unlikely to commence until the 2013/14 financial year.

NIW is currently engaged in developing working drawings to allow the project to commence on site when funding becomes available.

**Park-and-ride Facilities**

**Mr Weir** asked the Minister for Regional Development to outline what action is being taken to ensure that Park and Ride car parks are being used for that purpose, rather than being used as general parking for the location or by people working in the area.

**(AQW 12591/11-15)**

**Mr Kennedy:** The use of these sites is controlled by the Off Street Parking Order (NI) 2000 which determines the types of vehicles permitted to use the car parks. The Order does not limit the use of the car parks solely for Park and Ride/Park and Share purposes, however, as most of these are located outside of town centres, their use by other users tends to be limited.

Translink officials advise that many of their Park & Ride facilities have access/egress barriers in place to discourage casual parking. However, it is acknowledged that even where these exist and where staff are on site, this may not necessarily prevent motorists from choosing to use the facility without availing of the connecting public transport. They add that at other locations where there are no barriers, for example at the Park and Ride site at Abbey Street, Bangor, arrangements may be put in place to have a security guard on site to deter casual parking.

Such facilities also have relevant signage, to inform intending passengers of the availability of Park & Ride at that location and to highlight to others the purpose of the facility.

**Parking Charges: Bangor**

**Mr Weir** asked the Minister for Regional Development to outline what assessment was made of the potential impact on train users of the introduction of parking charges in Bangor car parks.

**(AQW 12592/11-15)**

**Mr Kennedy:** As the Member is aware, the Belfast Metropolitan Transport Plan (BMTP) 2015 set out a range of measures to control the demand for parking within the Belfast Metropolitan Area. The BMTP identified an area of parking restraint within Bangor and the car-parks at Dufferin Avenue, Abbey Street West, and Central Avenue all fall within this area.

Plans to introduce charging in a number of Roads Service car-parks were included in the budgetary Savings Delivery Plan relating to the review of car-parking charges. Charges were to have been introduced in 2011 but there was a delay to allow for a consultation period. Roads Service officials have advised me that, during the consultation period, no objections were received in respect of these car-parks.

No specific assessment has been carried out to assess the potential impact that the proposed charges would have on train users. However, tariffs in these car parks have been set at the low end of the spectrum, that is, 20p per hour in respect of Dufferin Avenue car park and 30p per hour at both the Abbey Street West and Central Avenue car parks. Season tickets, which are likely to be an attractive option for train users and offer a significant reduction on these hourly rates, are also available at each of these car parks.

The BMTP can be viewed on-line at the following address: [www.drdni.gov.uk/bmtp](http://www.drdni.gov.uk/bmtp).

### Park-and-ride Facilities: Bangor

**Mr Weir** asked the Minister for Regional Development to outline the plans his Department has to increase Park and Ride facilities in Bangor.

**(AQW 12594/11-15)**

**Mr Kennedy:** Last year my Department published a Strategic review of Park and Ride. That report highlighted the importance of Park and Ride in promoting sustainable transport. In addition it set out a number of recommendations and identified those strategic locations at which the development of Park and Ride should be prioritised as available funding permits.

The report recognised the need for additional Park and Ride at Bangor Station and identified this as a priority site for development as funding permits. While funding has been secured for the extension of Park and Ride across Northern Ireland, it will not be possible to deliver all priority schemes in the current budgetary period. Recognising this, officials from my Department, Roads Service and Translink are finalising details of those schemes to be delivered up to 2015 and those for delivery beyond that period.

### TaxSmart Initiative

**Mr Hilditch** asked the Minister for Regional Development whether there are any plans to extend the TaxSmart Initiative to employees within the Imperial Civil Service.

**(AQW 12710/11-15)**

**Mr Kennedy:** I can advise the member that the decision whether or not to introduce the TaxSmart Initiative in the Imperial Civil Service rests with the employing body, HM Treasury.

### Grass Cutting in Residential Areas

**Mr Clarke** asked the Minister for Regional Development to outline the Roads Service policy on grass cutting in residential areas where the 30 mph speed limit applies.

**(AQW 12720/11-15)**

**Mr Kennedy:** My Department's Roads Service cuts grass on areas, deemed to be part of the public road, to prevent overgrowth onto carriageways and footway surfaces and obstruction of sightlines and traffic signs. Such grass cutting operations are carried out for road safety reasons and not for cosmetic or amenity purposes.

The present policy provides for two cuts a year in rural areas and five cuts in urban areas. The area to be cut is one swathe width, approximately 1.2m wide, with the complete area required for sightlines to be cut as necessary. This maintains a balance between road safety and environmental protection.

However, for aesthetic and amenity reasons, some Councils wish to have a higher standard of grass maintenance within their boundary than is provided by Roads Service. In such areas, the Councils accept responsibility for the work within their respective boundary and are reimbursed by Roads Service for the cuts that would have been carried out under Roads Service Policy.

### Parking Tickets Issued in Omagh During the Olympic Torch Parade

**Mr Buchanan** asked the Minister for Regional Development how many parking tickets were issued by traffic wardens in Omagh, during the Olympic Torch parade which took place on 6 June 2012.

**(AQW 12721/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that of the 14 Penalty Charge Notices issued in Omagh on Tuesday 5 June 2012, the day of the Olympic Torch parade in the town, two were issued during the parade.

### NI Railways Services: Wi-Fi

**Mr McGlone** asked the Minister for Regional Development for an update on the introduction of wi-fi to the Belfast to Dublin Enterprise train service, and other NI Railways services.

**(AQW 12726/11-15)**

**Mr Kennedy:** Translink advise that the target date for introduction of Wi-Fi on all train services is the end of September 2012.

### Traffic Calming Measures: North Down

**Mr Agnew** asked the Minister for Regional Development to list the roads in the North Down area that are scheduled to have traffic calming measures introduced; and when these measures will be introduced.

**(AQW 12774/11-15)**

**Mr Kennedy:** My Department's Roads Service receives many requests for traffic calming schemes and, as demand greatly exceeds the resources available to supply these measures, all proposals are assessed, scored and prioritised using established criteria. Works programmes are then drawn up on an annual basis and subsequently published in the Spring Roads Service Report to Councils.

In relation to the 2012/13 financial year, I can advise that Roads Service currently proposes to provide the following traffic calming schemes in the North Down area:

- Brunswick Road area (incorporating Brunswick Road, Rugby Avenue, Grange Road and Grange Avenue);
- Bryansburn Road; and
- Groomsport Road area (incorporating Groomsport Road, Windmill Road and Bellevue).

However, I would emphasise that progression of these the schemes will be dependent on the successful conclusion of the public consultation and legislative processes and the availability of funding. In addition, this programme may be subject to change as priority assessments of new requests for traffic calming are completed therefore ensuring that the finite resources available are directed at those sites deemed to be in greatest need of such measures.

In these circumstances, I am currently unable to provide definitive timescales for the introduction of these schemes.

## Cycle Lanes

**Mr Campbell** asked the Minister for Regional Development for an estimate of the change in the number of people cycling, as a result of the construction of cycle lanes in the last five years.

**(AQW 12804/11-15)**

**Mr Kennedy:** I can advise the member that I remain committed to promoting and supporting the use of sustainable transport including cycling. The Annual Cycling Usage Report for Northern Ireland 2000-2010 contains information on the average daily flow of cycle journeys recorded at both shared and dedicated cycle facilities and shows increases over 47% in the number of cyclists across Northern Ireland recorded. The average daily cycle flow in 2003 based on the Survey was 1245 and in 2010 was 1837. This is likely to understate the volume of regular cyclists. The report is currently being updated. It is unlikely that a direct causal link can be established between estimates of increases in the number of people cycling and cycle lane construction as there are a range of factors involved.

## Roads Service: Sandbags

**Mr McDevitt** asked the Minister for Regional Development whether he has any plans to review Roads Service's policy on issuing sandbags to properties, particularly to those in areas vulnerable to flooding, such as parts of Finaghy, South Belfast.

**(AQW 12888/11-15)**

**Mr Kennedy:** During periods of inclement weather, the primary objective of my Department's Roads Service is to deal with the impact of roads related flooding that is caused by blocked or overwhelmed infrastructure, such as gullies or other road drainage systems, for which it has responsibility.

During periods of flood warnings, severe weather warnings or actual flooding incidents, numerous requests are made to Roads Service from the public, elected representatives and traders for the provision of sandbags. If these requests relate to roads related flooding and when resources permit, Roads Service will supply and deploy sandbags. In other cases, where Roads Service is not the lead Agency for the distribution of sandbags, I can confirm that if requested and when resources permit, Roads Service will provide assistance to other agencies dealing with flooding incidents, particularly in cases where public safety is an issue or where properties are at risk of flooding.

It is my view that Roads Service's policy relating to the issue of sandbags is fit for purpose and as such, I currently have no plans to review it.

# Department for Social Development

## Energy Companies: Meetings or Events

**Mr Flanagan** asked the Minister for Social Development to detail the occasions on which he or his Special Advisor have taken part in hospitality trips, engagements, dinners, meetings or events arranged by, or on behalf of, energy companies in the last four years, broken down by (i) location; (ii) attendees; (iii) the companies present or represented; (iv) the matters that were discussed; and (v) who covered the cost of each event.

**(AQW 12447/11-15)**

**Mr McCausland (The Minister for Social Development):** Please see the attached table for information in relation to (i) to (iv) above. Costs of meetings in the Lighthouse Building or Parliament Buildings would be met by the Department for Social Development, with the costs of other events met by the hosts.

| <b>Type of event; engagement; meeting etc</b> | <b>Occasion - date</b> | <b>Arranged By</b>           | <b>Location (i)</b>                                   | <b>Attendees (ii)</b>  | <b>Companies Pres (iii)</b>  | <b>Matters Discussed (iv)</b>  |
|---|------------------------|------------------------------|---|--|--|--|
| Meeting                                       | 19 December 08         | Eamon Clarke                 | Alternative Heats – 11 Burrenreagh Road, Castlewellan | Eamon Clarke   | Alternative Heat   | Renewable energies   |
| Meeting                                       | 14 January 09          | Minister                     | Lighthouse Building                                   | Pat Austin   | National energy Action - NEA   | Warm Homes   |
| Conference                                    | 24 February 09         | Pat Austin                   | Dunadry Hotel   | Pat Austin   | NEA  | Opening Address - Action on Fuel Poverty, Finding it – Fixing it                       |
| Annual Dinner                                 | 11 March 2009          | Dan Sinton (Chair NIEI)      | Culloden Hotel  | Dan Sinton<br>Ciaran McGrath   | Energy Institute NI  | Provided key note address  |
| Meeting                                       | 22 April 2009          | John McMullan – Bryson House | Lighthouse Building                                   | John McMullan,<br>Jenny Boyd, Pat Austin, Nigel Brady, Noel Williams, Tracey Colgan, Collete Brolly, Lucinda McMurran, Paula Tally, Sarah Brady, Andy McCrea, Eleanor Gill, Richard Williams, Mimi McAlinden, Noel Rice, Pat McAuley, Laura Barclay, Mark Prentice, David Strahan, Ann O'Reilly. | NIE, National Energy Action NI, NI Energy Agency, Energy Saving Trust, Northern and Western Health Action Zone' NIFA, Armagh and Dungannon Health Action Agency, Firmus Energy, Phoenix Gas, Age Concern, Minister Ritchie | Affordable warmth, Task Force Recommendations, UK Regional FPAGs, Social Action Plan   |
| Meeting                                       | 29 April 2009          | Noel Williams                | Lighthouse Building                                   | Noel Williams & Patrick Thomas   | Energy Savings Trust (EST)   | Domestic Energy Efficiency, domestic renewable and roll out of natural gas to rural NI |



| <b>Type of event; engagement; meeting etc</b> | <b>Occasion - date</b> | <b>Arranged By</b> | <b>Location (i)</b>  | <b>Attendees (ii)</b>  | <b>Companies Pres (iii)</b>                      | <b>Matters Discussed (iv)</b>  |
|---|------------------------|--------------------|----------------------|--|--|--|
| Meeting                                       | 23 June 2010           | Terry McErlane     | Lighthouse Building  | Terry McErlane & Nigel Brady (Account Director, Chambre Public Affairs LLP)            | NIEA   | Introduction of the boiler replacement scheme & Green New Deal                 |
| Meeting                                       | 26 October 10          | Minister           | Lighthouse Building  | Stephen McCully, NIE<br>David Strahan, Phoenix Energy,<br>Mark Prentice, Firmus Energy | Phoenix Gas, NIE, Firmus Gas                     | Fuel Poverty & energy brokerage  |
| Meeting                                       | 23 November 10         | Minister           | Lighthouse Building  | Stephen Wheeler, Airtricity  | Airtricity                                       | Fuel Poverty & energy brokerage  |
| Meeting                                       | 16 February 11         | Minister           | Lighthouse Building  | Shane Lynch  | Northern Ireland Authority for Utility Regulator | Energy Price, Energy Brokerage, Extension of gas network and Regulation of oil |
| Meeting                                       | 9 March 2011           | Minister           | Parliament Buildings | Peter Molloy, Roy Murray & Beverly Warburton   | BP   | Energy Price, Energy Brokerage, Extension of gas network and Regulation of oil |

**MINISTER McCAUSLAND IN POST FROM MAY 2011**

| <b>Meeting</b> | <b>26 July 2011</b> | <b>John McMullan – Bryson House</b> | <b>Lighthouse Building</b> | <b>John McMullan, Nigel Brady, NI Energy Agency</b>                                      | <b>NI Energy Agency</b>   | <b>Warm Homes Scheme &amp; Boiler Replacement Scheme</b>   |
|----------------|---------------------|-------------------------------------|----------------------------|--|---|--|
| Visit          | 1 September 11      | Minister                            | Portadown                  | Neil Stewart<br>Graeme Stewart<br>Kevin McNamee  | Glen Dimplex Renewables<br>Seagoe Technologies<br>Kingspan Renewables | Overview on the role of renewable energy in tackling fuel poverty  |
| Meeting        | 20 September 11     | Shane Lynch                         | Parliament Buildings       | Shane Lynch, Kevin Shiels & Sarah Brady (Manager, Social & Environmental Sustainability) | Utility Regulator   | Professor Liddell's research on the definition of fuel poverty;<br>Social/ Affordability tariffs;<br>Winter Fuel Payments. |
| Meeting        | 18 October 11       | Pat Austin                          | Parliament Buildings       | Pat Austin & Meadhbh McCann  | NEA   | Fuel Poverty Issues  |
| Meeting        | 25 October 11       | Minister                            | Parliament Buildings       | David Blevings<br>Jillian Ferris<br>Philip Browne  | NI Oil Federation, Carillion, Kingspan Environmental                  | To view a "Pay as you go" Oil System   |
| Meeting        | 30 January 2012     | Neil Stewart                        | Parliament Buildings       | Neil Stewart   | Glen Dimplex Renewables   | To discuss a potential new domestic energy system  |

## House Rewiring: Gamble Park, Castlederg

**Mr Doherty** asked the Minister for Social Development to detail (i) whether the houses at Gamble Park, Castlederg, have ever been rewired and when; and (ii) whether he will arrange for a health and safety audit to be undertaken on the houses to ensure that the electrics and plumbing are safe.

**(AQW 12558/11-15)**

**Mr McCausland:** Improvement and maintenance works, including rewiring, were carried out to the properties at Gamble Park, Castlederg in the early 1980's. The Housing Executive recently inspected five of their seven properties in the Gamble Park area and whilst the electrics and plumbing were deemed to be safe, a number of socket outlets were below current standards. A kitchen refurbishment scheme is currently programmed for November 2012 and complete house rewiring for the properties in Gamble Park will be included within this scheme.

## Empty Homes Action Plan

**Ms Lo** asked the Minister for Social Development for an update on the new Empty Homes Action Plan.

**(AQW 12568/11-15)**

**Mr McCausland:** In October of last year I tasked the Housing Executive with producing a new empty homes strategy and action plan as a matter of urgency.

A working group has been established to bring forward a revised action plan to actively address the issue of empty homes; this includes senior representatives from my Department, the Housing Executive, the Department of Finance and Personnel and Belfast City Council. Two pilots have commenced in the Fortwilliam/Victoria and Upper Newtownards Road areas of Belfast (comprising of 160 houses in total of which 30 are empty); these will inform the development of a regional plan. However, initial attempts to make contact with registered home owners has been disappointing and follow up work is being undertaken. I will bring forward a plan as soon as possible.

## Girdwood Barracks Site

**Mr Durkan** asked the Minister for Social Development to list all correspondence he has sent to individuals and organisations, in relation to the development of the former Girdwood Barracks site, North Belfast, including the name of each recipient and the date of the correspondence.

**(AQW 12573/11-15)**

**Mr McCausland:** I have written to the following individuals and organisations in relation to the development of the former Girdwood Barracks site, North Belfast:

- Caral Ni Chuilin MLA and Gerry Kelly MLA on 12 September 2011;
- Executive colleagues on 27 October 2011 and 18 May 2012;
- Chief Executive of the Northern Ireland Housing Executive on 15 November 2011;
- Judith Cochrane MLA on 5 March 2012;
- Chair of the Assembly's Committee for Social Development on 18 May 2012; and,
- Letter signed by an official, on behalf of the Minister for Social Development, on 18 April 2012 to Belfast City Council officers'.

## St Patrick's Barracks Site, Ballymena

**Mr Swann** asked the Minister for Social Development for an update on the release of the St Patrick's Barracks site in Ballymena by the Office of the First Minister and deputy First Minister.

**(AQW 12603/11-15)**

**Mr McCausland:** Legal processes for the conveyance of the former military housing at St Patrick's Barracks in Ballymena from OFMDFM to my Department are underway. This will be completed as soon as possible taking account of the normal conveyance period. In the meantime Fold Housing Association is being facilitated with access to the site for planning purposes.

The remainder of the site is owned by OFMDFM. My Department has been engaged since the site was declared surplus in 2008 with other public sector stakeholders who are interested in acquiring portions of the sites for new facilities. There has been no decision by OFMDFM on the next steps in releasing this part of the site.

## Quangos

**Mr Gardiner** asked the Minister for Social Development how many QUANGOS, that are attached to his Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12605/11-15)**

**Mr McCausland:** One new Non-Departmental Public Body has been created as a result of legislation passed by the Northern Ireland Assembly for which my Department has responsibility since 2007.

The Charities Act (NI) 2008 provided for the establishment of the Charity Commission for Northern Ireland (CCNI), an Executive Non-Departmental Body. The CCNI was established in June 2009 to put in place a new regulatory framework for the charitable sector in Northern Ireland.

### Portadown People's Park: EU Grant Application

**Mrs D Kelly** asked the Minister for Social Development to explain the delay in issuing the letter of offer to Craigavon Borough Council for the EU grant application for Portadown People's Park; and when the letter will be issued.

**(AQW 12622/11-15)**

**Mr McCausland:** Letters of Offer are issued by the Special EU Programmes Body (SEUPB) subject to approval of the Economic Appraisal/Business Case by the Department for Social Development and the Department of Finance and Personnel (DFP). Since receipt of the Economic Appraisal from the applicant both my Department and DFP have progressed it within the appropriate timescales. In the course of this work it has been necessary to seek further information from the applicants. On the 11 June the applicants provided information that will allow DFP to continue their assessment.

The SEUPB have advised applicants that budgetary constraints within one of the Accountable Departments in Ireland (the Department of Environment, Community and Local Government), responsible for providing match-funding for specific priorities under the EU's PEACE III Programme, have led to a temporary delay in the issuing of letters of offer to a number of projects.

### Disability Facilities: South Down

**Ms Ruane** asked the Minister for Social Development, for each of the last 12 months, to detail (i) how much has been spent on disabled facilities in the South Down constituency; (ii) how many people have received adaptations to their houses; and (iii) how many people have received additional bathroom and bedroom facilities, broken down by (a) areas within the South Down constituency; and (ii) community background.

**(AQW 12650/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Parliamentary constituency or on the basis of their customer's community background. The number of people is also not available.

However, the tables 1, 3, 4, 5 and 6 below provide details relating to the Housing Executive's Banbridge, Newry and Downpatrick district office areas. Table 2 is by Council area.

**Table 1 – Housing Executive stock expenditure on all adaptations for persons with a disability \***

| Year         | Month     | Banbridge District<br>£k | Downpatrick District<br>£k | Newry District<br>£k | Total<br>£k  |
|--------------|-----------|--------------------------|----------------------------|----------------------|--------------|
| 2011         | June      | 7                        | 7                          | 55                   | 69           |
|              | July      | 22                       | 23                         | 29                   | 74           |
|              | August    | 31                       | 66                         | 58                   | 155          |
|              | September | 33                       | 45                         | 67                   | 145          |
|              | October   | 30                       | 86                         | 32                   | 148          |
|              | November  | 9                        | 34                         | 17                   | 60           |
|              | December  | 40                       | 34                         | 91                   | 165          |
|              | January   | 27                       | 85                         | 41                   | 153          |
|              | February  | 4                        | 7                          | 31                   | 42           |
|              | March     | 4                        | 51                         | 85                   | 140          |
| 2012         | April     | 11                       | 66                         | 113                  | 190          |
|              | May       | 14                       | 27                         | 19                   | 60           |
| <b>Total</b> |           | <b>232</b>               | <b>531</b>                 | <b>638</b>           | <b>1,401</b> |

\* Expenditure may relate to works commenced in previous months

**Table 2 – Disabled Facilities Grants (DFGs) Activity 2011/12, Owner occupiers/Private Rented**

| Council Area     | DFGs completed | Expenditure |
|------------------|----------------|-------------|
| Banbridge        | 23             | £401,978    |
| Newry and Mourne | 79             | £1,150,714  |
| Down             | 36             | £763,121    |

**Notes:**

- (i) The Housing Executive can not report on Disabled Facilities Grants in terms of work content, constituency area or community background.
- (ii) The most up to date available information regarding Disabled Facilities Grants Activity is for the 2011/12 financial year. This cannot be broken down into monthly.

**Table 3 – Banbridge District Major adaptations**

| Year | Month        | Extensions | Type                  | Heating  |
|------|--------------|------------|-----------------------|----------|
| 2011 | June         | 0          |                       | 2        |
|      | July         | 0          |                       | 1        |
|      | August       | 0          |                       | 1        |
|      | September    | 0          |                       | 1        |
|      | October      | 0          |                       | 0        |
|      | November     | 0          |                       | 0        |
|      | December     | 0          |                       | 0        |
|      | January      | 0          |                       | 0        |
|      | February     | 0          |                       | 0        |
|      | March        | 0          |                       | 0        |
| 2012 | April        | 0          |                       | 0        |
|      | May          | 1          | Bedroom & shower-room | 0        |
|      | <b>Total</b> | <b>1</b>   |                       | <b>5</b> |

**Table 4 – Newry District Major Adaptations**

| Year | Month     | Extensions | Type                                     | Heating |
|------|-----------|------------|--|---------|
| 2011 | June      | 0          |  | 4       |
|      | July      | 0          |  | 0       |
|      | August    | 1          | Bedroom & shower-room                    | 0       |
|      | September | 0          |  | 6       |
|      | October   | 1          | Bedroom & shower-room                    | 1       |
|      | November  | 0          |  | 7       |
|      | December  | 1          | Shower-room                              | 2       |
|      | January   | 1          | Bedroom & shower-room                    | 1       |
|      | February  | 2          | 1 x Bedroom & shower-room<br>1 x Bedroom | 0       |
|      | March     | 1          | Bedroom                                  | 1       |



| Year | Month        | Extensions | Type                  | Heating   |
|------|--------------|------------|-----------------------|-----------|
| 2012 | April        | 0          |                       | 0         |
|      | May          | 1          | Bedroom & shower-room | 0         |
|      | <b>Total</b> | <b>8</b>   |                       | <b>22</b> |

**Table 5 – Downpatrick District Major Adaptations**

| Year | Month         | Extensions | Type                  | Heating  |
|------|---------------|------------|-----------------------|----------|
| 2011 | June          | 0          |                       | 1        |
|      | July          | 1          | Bedroom               | 0        |
|      | August        | 0          |                       | 1        |
|      | September     | 0          |                       | 0        |
|      | October       | 0          |                       | 0        |
|      | November      | 1          | Bedroom & shower-room | 0        |
|      | December      | 0          |                       | 1        |
|      | January       | 1          | Bedroom               | 0        |
|      | February      | 0          |                       | 2        |
|      | March         | 1          | Bedroom & shower-room | 1        |
| 2012 | April         | 0          |                       | 0        |
|      | May           | 0          |                       | 0        |
|      | <b>Totals</b> | <b>4</b>   |                       | <b>6</b> |

**Table 6 – Banbridge, Newry & Downpatrick Districts Minor Adaptations**

| District    | Number of minor adaptations completed |                    | No. of dwellings |
|-------------|---------------------------------------|--------------------|------------------|
|             | Routine adaptations                   | Shower adaptations |                  |
| Banbridge   | 80                                    | 20                 | 75               |
| Newry       | 177                                   | 22                 | 159              |
| Downpatrick | 189                                   | 45                 | 156              |

**Notes:**

- (i) Routine adaptations include the fitting of handrails and ramps.

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

**Social and Affordable Homes: Foyle**

**Mr Durkan** asked the Minister for Social Development to detail the number of social and affordable homes that his Department plans to build in the Foyle constituency in each of the next three years. [R]  
(AQW 12671/11-15)

**Mr McCausland:** The Social Housing Development Programme for the next three years has been published and is available on the Housing Executive website at [www.nihe.gov.uk](http://www.nihe.gov.uk) and this will identify where new social housing will be delivered in those years. Affordable homes are demand led and cannot be identified in advance as the Member requests.

## Universal Credit: Direct Rent Payments

**Mr Durkan** asked the Minister for Social Development whether his Department is considering retaining direct payments for rent to landlords via Universal Credit, as is currently the case for Housing Benefit. [R]

**(AQW 12673/11-15)**

**Mr McCausland:** I welcome the overall reform of the welfare system but in doing so I want to be sure that the Northern Ireland position is taken into account when it comes to the question of how that reform is delivered. In this connection I instigated the setting up of the Executive sub-Committee on Welfare Reform and this is one of the questions that Members of that sub-Committee have been addressing. I have yet to take a final view on the implications of the payment arrangements for Universal Credit, in Northern Ireland, as I want to give full consideration to all points of view on this issue.

## Social Housing Development Programme

**Mr Weir** asked the Minister for Social Development how many new home starts have been delivered in the North Down constituency through the Social Housing Development Programme.

**(AQW 12706/11-15)**

**Mr McCausland:** During the last three years, we have started 186 new homes across the constituency of North Down. Details of these are noted below for your information.

| Year    | Housing Association | Location                                    | Units      | Scheme Type | Need Group        |
|---------|---------------------|---|------------|-------------|-------------------|
| 2009/10 | Helm Housing        | Rathgill Zone 1, Bangor                     | 28         | NB          | General Needs     |
|         | Oaklee              | Gibson's Lane, Bangor                       | 17         | NB          | General Needs     |
|         | Oaklee              | Central Avenue, Bangor                      | 47         | NB          | Cat 1 Fit Elderly |
|         | Trinity             | Strand Avenue, Holywood                     | 19         | NB          | General Needs     |
|         |                     | <b>Total</b>                                | <b>111</b> |             |                   |
| 2010/11 | Apex Housing        | Moss Road, Millisle                         | 10         | NB          | General Needs     |
|         | Fold                | Dufferin Avenue, Bangor                     | 6          | OS          | General Needs     |
|         | Fold                | Upritchard Gardens, Bangor                  | 9          | OS          | General Needs     |
|         |                     | <b>Total</b>                                | <b>25</b>  |             |                   |
| 2011/12 | Clanmil             | Bloomfield Road/South Circular Road, Bangor | 37         | NB          | General Needs     |
|         | Trinity             | Primacy Road, Bangor                        | 13         | NB          | General Needs     |
|         |                     | <b>Total</b>                                | <b>50</b>  |             |                   |

## Motability Scheme

**Mr P Ramsey** asked the Minister for Social Development to outline the difference between a customer receiving notification, from the Motability Scheme, that their award is for 'life', and a customer receiving the award 'indefinitely'.

**(AQW 12711/11-15)**

**Mr McCausland:** The Motability Scheme, whereby people who receive the higher rate mobility component of the Disability Living Allowance may exchange all or part of their allowance in return for a car, is administered by the independent charity Motability. Information on administrative matters can be obtained by writing to: Declan O'Mahony, Director, Motability, Warwick House, Roydon Road, Harlow, and Essex, CM19 5PX.

The Welfare Reform and Pensions (Northern Ireland) Order 1999 removed the term "for life" in respect of awards of Disability Living Allowance and replaced it with an award "for an indefinite period", as there had been a misconception held by many Disability Living Allowance recipients that a life award would always remain in payment regardless of their circumstances.

## Customer First: Western District

**Ms Boyle** asked the Minister for Social Development whether the criteria, used by Social Security Agency management, to determine the location of Customer First functions throughout its office network in the Western District area, included any consideration of the existing levels of Civil Service posts in each District Council area.

**(AQW 12715/11-15)**

**Mr McCausland:** The locations of Benefit Processing Centres were selected following a detailed analysis of staffing capacities in existing Social Security Agency offices and the availability of skilled staff. In addition consideration was given to:

- Customer impact
- Impacts on staff travel
- Accommodation constraints
- Fit with operational delivery for the future

As the Social Security Agency is structured on the basis of 3 geographical regions across Northern Ireland, no consideration was given to the existing levels of Civil Service posts broken down by District Council areas.

### **Jobs: Strabane District Council**

**Ms Boyle** asked the Minister for Social Development, given that Strabane District Council already has a disproportionately low number of civil service and public sector jobs, for his assessment of whether the planned transfer of up to 37 additional posts, from the Social Security Office to Derry, will compound this inequality even further.

**(AQW 12716/11-15)**

**Mr McCausland:** The aim of the Customer First Project is to develop and implement organisational structures that represent the optimum long-term model for the delivery of services. In keeping with the successful roll-out of Customer First in what was formerly known as North District and Belfast West and Lisburn, it was determined that the centralisation of back office processing created the most sustainable and viable service delivery model.

Analysis undertaken by officials showed that processing staff across the local office network are currently spread too thinly to assure the continued delivery of a high-quality service into the future. As a consequence, the Agency decided to consolidate these skilled resources to ensure the availability of a 'critical mass' of staff to be able to sustain the Social Security Agency's high level of performance.

Officials are in the process of finalising staffing requirements for processing centres and will continue to work with staff and Trade Union side to consider measures which may militate against any adverse impact such as reasonable daily travelling distances. Agency officials will continue to work with local representatives to ensure they are kept informed as Customer First is rolled out.

### **Customer First: Western District**

**Ms Boyle** asked the Minister for Social Development, in relation to the planned roll-out of Customer First in the Western District, to detail what consideration Social Security Agency management has given to locating at least one of the new telephony service functions at the Strabane Social Security Office.

**(AQW 12717/11-15)**

**Mr McCausland:** Customer First has been rolled-out in what was formerly North District and Belfast West and Lisburn and has proven to deliver significant service improvements. The continued roll-out of Customer First, announced by the Social Security Agency on 1 June, will ensure that all customers of the Agency can benefit from these service improvements.

Whilst officials are continuing to finalise staffing numbers for Benefit Processing Centres and support functions the plans announced recently propose organisational arrangements that provide a viable and sustainable service delivery for customers.

Officials will continue to work with staff and Trade Union side to consider measures which may militate against any adverse impact such as reasonable daily travelling distances. Agency officials will continue to work with local representatives to ensure they are kept informed as Customer First is rolled out.

### **Child Maintenance and Enforcement Division**

**Mr Hamilton** asked the Minister for Social Development how many Administrative Officers have transferred out of the Child Maintenance and Enforcement Division to other parts of the Civil Service, in the last year.

**(AQW 12727/11-15)**

**Mr McCausland:** Records show that, in the year from 1 June 2011 to 31 May 2012, 38 Administrative Officers transferred out of the Department's Child Maintenance and Enforcement Division to other parts of the Civil Service.

### **Mental Health Descriptors: Training**

**Mr McGlone** asked the Minister for Social Development to detail the training given on mental health descriptors for people carrying out Work Capability Assessments for Employment and Support Allowance, and in particular, the training relating to agoraphobia and other phobic conditions.

**(AQW 12728/11-15)**

**Mr McCausland:** Healthcare Professionals carrying out Work Capability Assessments receive mental health training relating to the mental health descriptors as part of their initial training programme. This includes specific training relating to agoraphobia and other phobic conditions.

A yearly training needs analysis is undertaken by Atos Healthcare who are contracted to undertake the Work Capability Assessment, and this is approved by the Social Security Agency. This informs the development of a professional development programme, which for 2012/2013 includes ongoing mental health training for Health Care Professionals.

Mental Health Champions are in place to support mental health training and provide appropriate advice. Part of their role is to provide specialist mental health training to the Health Care Professionals employed to undertake Work Capability Assessments.

### Homelessness Legislation

**Mr Hamilton** asked the Minister for Social Development whether the Northern Ireland Housing Executive has a legislative duty, under homelessness legislation, to house full duty applicants in social housing as opposed to the private rented sector. (AQW 12754/11-15)

**Mr McCausland:** There is no legislative requirement under homelessness legislation, to house full duty applicants in social housing. When someone presents as homeless, Article 10 (2) of the Housing (Northern Ireland) Order 1988 states that "Where the Executive is satisfied that the applicant has a priority need and is not satisfied that he became homeless intentionally, it shall secure that accommodation becomes available for his occupation."

### Housing Management System

**Mr Hamilton** asked the Minister for Social Development to detail the cost of implementing the new IT Housing Management System; and whether the system has the functionality to extract data for reporting purposes necessary for future planning. (AQW 12757/11-15)

**Mr McCausland:** The Housing Executive has advised that the cost of implementing the new Housing Management System was £12.26m and that the system does have the functionality to extract data for reporting purposes. This functionality is continually being developed as the suite of reports available from the system is expanded and added to.

### Social Security Agency: Benefits Processing Section, Strabane

**Mr Byrne** asked the Minister for Social Development to outline why 37 jobs in the Social Security Agency benefits processing section in Strabane are to be removed under current proposals. (AQW 12762/11-15)

**Mr McCausland:** The aim of the Customer First Project is to develop and implement organisational structures that represent the optimum long-term model for delivery of services. This involves the centralisation of back office processing which will necessitate the relocation of some staff. Analysis shows that processing staff across the local office network are currently spread too thinly to assure the continued delivery of a high-quality service into the future. As a consequence, the Agency is consolidating these skilled resources to ensure the availability of a 'critical mass' of staff to be able to sustain the Social Security Agency's high level of performance.

Officials are in the process of finalising staffing requirements for processing centres and will continue to work with staff and Trade Union Side to consider measures which may militate against any adverse impact such as reasonable daily travelling distances. Social Security Agency officials will continue to work with local representatives to ensure they are kept informed as Customer First is rolled out.

### Northern Ireland Housing Executive: Boiler Replacement Scheme

**Mr Agnew** asked the Minister for Social Development whether a pay-as-you-save model is being considered for the Northern Ireland Housing Executive's Boiler Replacement Scheme, so that up-front costs do not deter customers from switching to more efficient boilers. (AQW 12766/11-15)

**Mr McCausland:** On the 25th May 2012, I announced a £12m boiler replacement scheme to improve energy efficiency in 16,000 homes across Northern Ireland which will be administered by the Northern Ireland Housing Executive. The scheme, which will launch in September this year, will be open to owner occupiers who earn less than £40,000 and with an inefficient boiler of at least 15 years old. The scheme will provide a grant of up to £1000 dependent on total gross income to assist in replacing an inefficient boiler for a more energy efficient condensing oil or gas boiler; switching from oil to gas; or switching to a wood pellet boiler.

A pay-as-you-save model was not considered as part of the scheme.

### West Belfast: Planned Work

**Ms S Ramsey** asked the Minister for Social Development to detail the work his Department is due to carry out in the West Belfast constituency in 2012/13. (AQW 12808/11-15)

**Mr McCausland:** The new build schemes within the Social Housing Development Programme for the West Belfast constituency in the 2012/13 financial year are attached at Annex A. The information relating to the Housing Executive's planned programme of improvement and maintenance schemes is not available by Constituency. However, the Housing Executive's West Belfast, Shankill

and Lisburn Dairy Farm District offices cover the West Belfast constituency and details of the programmed schemes in 2012/13 are listed at Annex B.

My Department also manages a regeneration strategy for the renewal and development of the most deprived areas in and around Belfast, including areas of the west Belfast constituency. The Belfast Regeneration Office continues to deliver the Neighbourhood Renewal Investment Programme, to encourage private sector property development and deliver physical development and environmental improvement projects.

A £5 million regeneration scheme is planned for Bank Square and surrounding area subject to business case approval.

Finally, an announcement to continue the roll-out of the Customer First Initiative within the Social Security Agency's Working Age network was made on 1 June. It is anticipated that approximately 27 members of Shankill Jobs and Benefits processing staff will be relocated to Royston House Benefit Processing Centre in mid - September 2012, which is located in the centre of Belfast.

#### **Annex A - Social Housing Development Programme 2012/13 West Belfast Constituency**

| <b>Scheme/Location</b>                                      | <b>Units</b> | <b>Need Group</b>     |
|---|--------------|-----------------------|
| Springfield Crescent, Belfast                               | 9            | General Needs         |
| Lenadoon Flats EA (T)                                       | 27           | General Needs         |
| Colin Glen, Belfast   | 66           | General Needs         |
| Ballyowen Replacement                                       | 31           | Elderly Housing       |
| Lawnbrook URA Phase 2, Belfast (T)                          | 28           | General Needs         |
| St John's GAA Site, Belfast                                 | 34           | General Needs         |
| Arundel Replacement, Belfast (T)                            | 8            | General Needs         |
| Jasmine Way, Twinbrook (T)                                  | 22           | General Needs         |
| Ballygomartin Road/Somervale, Belfast (T)                   | 41           | General Needs         |
| Cupar Street Site, St Galls Phase 3, Belfast (T)            | 16           | General Needs         |
| Hannahstown, Phase 1A, Belfast                              | 119          | General Needs         |
| Lower Shankill, Belfast (T)                                 | 24           | General Needs         |
| Lower Clonard Street, Belfast (T)                           | 2            | General Needs         |
| Peters Hill, Belfast MAH Resettlement (Oldstone)            | 13           | Learning Disabilities |
| West Belfast Learning Disability (Dympna House Reprovision) | 12           | Learning Disabilities |
| Forthriver Road, Belfast                                    | 18           | General Needs         |
| Distillery Street, Belfast (T)                              | 16           | General Needs         |
| Devonshire Tradas Phase 3, (Albert Court), Belfast          | 11           | General Needs         |
| Good Shepherd Road, Poleglass                               | 23           | General Needs         |
| <b>Total</b>  | <b>520</b>   |                       |

(T) – transfer scheme from NIHE to a Housing Association  
Annex B – NIHE Programmed Schemes in 2012/13

#### **West Belfast District**

| <b>Scheme</b>                  | <b>Dwellings</b> | <b>Work Group</b> |
|--------------------------------|------------------|-------------------|
| Hannahglens Heights *          | 27               | Double Glazing    |
| Donegall Rd/St James Windows * | 105              | Double Glazing    |
| Kenard/Ramoan                  | 164              | Double Glazing    |
| Doon Road Flats                | 58               | Double Glazing    |
| Carrigart Avenue               | 72               | Double Glazing    |
| Andersonstown                  | 202              | Double Glazing    |



| <b>Scheme</b>                | <b>Dwellings</b> | <b>Work Group</b>           |
|------------------------------|------------------|-----------------------------|
| Brooke/Greenane              | 164              | Double Glazing              |
| Whiterock                    | 150              | Double Glazing              |
| Lower Falls/Grosvenor 1      | 191              | External Cyclic Maintenance |
| Bearnagh/Bingnian            | 174              | External Cyclic Maintenance |
| Glencolin/Hamill             | 168              | External Cyclic Maintenance |
| Fire Safety West Belfast     | 305              | Health & Safety             |
| Lenadoon Flats (Ec7)         | 100              | Heating Installation        |
| Low Rise Ec7 (West) Ph 2     | 140              | Heating Installation        |
| Doon Road Flats (Roofing)    | 30               | Revenue Repair              |
| Doon Road Health & Safety    | 48               | Revenue Repair              |
| Ballymurphy Orlits (Roofing) | 100              | Revenue Repair              |
| Springmadden/Ballymurphy     | 40               | Kitchens                    |
| Divis Kitchens 2             | 80               | Kitchens                    |
| Doon Road                    | 48               | Kitchens                    |
| Carrigart/Corrib             | 152              | Kitchens                    |

**Shankill District**

| <b>Scheme</b>                | <b>Dwellings</b> | <b>Work Group</b>           |
|------------------------------|------------------|-----------------------------|
| Woodvale/Donaldson*          | 158              | Double Glazing              |
| Glencairn                    | 323              | Double Glazing              |
| Ainsworth                    | 127              | Double Glazing              |
| Lower Shankill               | 168              | External Cyclic Maintenance |
| Woodvale/Twaddell            | 144              | External Cyclic Maintenance |
| Glencairn                    | 258              | External Cyclic Maintenance |
| Fire Safety Shankill Belfast | 117              | Health & Safety             |
| Low Rise Ec7 (Shankill) Ph 1 | 133              | Heating Installation        |
| Mid Shankill Phase 2         | 147              | Kitchens                    |
| West Circular Rd (Roofing)   | 2                | Revenue Repair              |
| Mid Shankill Phase 3         | 206              | Kitchens                    |

**Lisburn Dairy Farm District**

| <b>Scheme</b>                  | <b>Dwellings</b> | <b>Work Group</b>           |
|--------------------------------|------------------|-----------------------------|
| Colinbrook                     | 95               | External Cyclic Maintenance |
| Altan/Glenfearna *             | 94               | Double Glazing              |
| Cherry/Aspen                   | 172              | External Cyclic Maintenance |
| Summerhill/Thornhill           | 138              | External Cyclic Maintenance |
| Colinvale/Glendowan            | 90               | External Cyclic Maintenance |
| Lisburn Df Med Rise Fire Doors | 51               | Health & Safety             |
| Bbu Rep Woodside Poleglass     | 122              | Heating Installation        |

| Scheme                          | Dwellings | Work Group          |
|---------------------------------|-----------|---------------------|
| Lisburn Df Smoke Det Repl 12/13 | 77        | Smoke Alarm Install |

\* Double glazing schemes proceeding. The remaining double glazing schemes are being held pending the introduction of the new procurement arrangements. The delivery of these remaining schemes during this financial year will be subject to the availability of funding and appropriate approvals.

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Double-Glazing Scheme: West Belfast

**Ms S Ramsey** asked the Minister for Social Development for an update on the double-glazing scheme for the West Belfast constituency. (AQW 12809/11-15)

**Mr McCausland:** As part of the Housing Executive's review of double glazing, I have agreed what category groups and scheme should now proceed. The following schemes should commence this financial year in West Belfast:-

- Hannahglens Heights
- Donegall Road/St James
- Altan/Glenfearna
- Woodvale/Donaldson

### Pavement Cafés: Licensing Legislation

**Mr McMullan** asked the Minister for Social Development when the Licensing of Pavement Cafés legislation is likely to come into operation.

(AQW 12814/11-15)

**Mr McCausland:** Subject to Executive approval, I anticipate a Bill to licence pavement cafés will be introduced and approved by the Assembly in its next session. District councils will then need some time to complete the preparations necessary to administer the new statutory licensing scheme. Therefore, the main provisions of the legislation will come into operation on a date appointed in an Order made by my Department, following liaison with district councils.

### Fuel Poverty

**Mr Agnew** asked the Minister for Social Development what plans he has for an area-based approach to tackle fuel poverty. (AQW 12820/11-15)

**Mr McCausland:** My Department is working with the University of Ulster and District Councils to pilot an area based approach to tackling fuel poverty. Working in partnership with other Departments such as OFMDFM and DARD we will target areas most affected by fuel poverty and provide appropriate solutions to improve the energy efficiency of homes in the area. The pilot will start later this year and the outcome will inform our approach to tackling fuel poverty in the future.

### Work Capability Assessments

**Mr McGlone** asked the Minister for Social Development to detail the qualifications that people who conduct the Work Capability Assessments are required to have to carry out assessments on people with (i) mental health disabilities; (ii) anxiety disorders; (iii) respiratory conditions ; (iv) cardiovascular disease; (v) chronic fatigue syndrome; and (vi) arthritic and rheumatic conditions. (AQW 12851/11-15)

**Mr McCausland:** The qualifications required of healthcare professionals who conduct Work Capability Assessments are:

- (a) in the case of a Medical Practitioner:
  - to hold a current registration to practice in the United Kingdom;
  - to have 3 years post-registration full-time equivalent experience across a range of relevant clinical disciplines (within the last 6 years prior to an advertisement for positions being placed); and
  - to hold a full and unconditional registration with the United Kingdom General Medical Council.
- (b) in the case of a nurse:
  - to be fully registered, without restrictions or conditions, with the Nursing and Midwifery Council; and
  - to have a minimum of 3 years post registration experience.
- (c) for all other healthcare professionals:
  - to be fully registered, without restrictions or conditions, with the relevant licensing body;
  - to have a minimum of 3 years post registration experience;
  - to possess good communication skills;

- to have an understanding of customer care issues; and
- to have an understanding of disability issues.

Whilst healthcare professionals are not required to have specialist qualifications in areas (i), (ii), (iii), (iv), (v), (vi), as part of their initial training every practitioner is provided with specific training material and is given access to Evidence Based Medicine protocols, which include protocols on a number of mental health, cardiovascular, respiratory, musculoskeletal, neurology and rheumatology conditions, and include one specifically addressing Chronic Fatigue Syndrome.

### **Northern Ireland Housing Executive: Neighbourhood Wardens**

Mr Kinahan asked Minister for Social Development to detail number of Northern Ireland Housing Executive Neighbourhood Wardens in (i) Northern Ireland; and (ii) the South Antrim constituency, in each of the last five years.

**(AQW 12854/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Parliamentary constituency. However, in relation to (i) they have advised that there are currently 70 Neighbourhood Officers throughout their local offices in Northern Ireland and this has been the case for the last five years and (ii) the Housing Executive confirmed that there are two Neighbourhood Officers in each of their Antrim, Newtownabbey 1 and 2 District offices, which contains the areas which comprise the South Antrim constituency.

### **Private Rental Tenants**

**Mr Weir** asked the Minister for Social Development whether there are any schemes available to help private rental tenants with money towards a deposit to help secure a tenancy.

**(AQW 12924/11-15)**

**Mr McCausland:** The Housing Executive currently funds a voluntary sector organisation (First Housing and Support Services) for the provision of a Rent Deposit Guarantee Scheme called SmartMove.

The aim of SmartMove's Rent Deposit Guarantee Scheme is to promote the private rented sector as a decent and affordable housing option. They cover such areas as budgeting, applying for Housing Benefit, rent statements and a support plan that deals with securing and sustaining a tenancy.

This scheme, which is available in North Belfast, Londonderry and in a limited number of other locations, enables homeless and waiting list applicants to access the private rented sector without the need to pay a deposit to secure the tenancy.

My Department in conjunction with The Housing Executive is currently preparing plans for the expansion of this scheme across Northern Ireland and I expect it to see it implemented province wide by spring 2013.

### **Housing Executive: White Horse Group**

**Mr F McCann** asked the Minister for Social Development, given that the White Horse Group is withdrawing its services from West Belfast maintenance for the Housing Executive, which contractor will replace it and when.

**(AQW 12931/11-15)**

**Mr McCausland:** The Housing Executive state that their new contracts for the provision of response Maintenance Service are currently set for commencement on 1 August 2012. They hope to appoint contractors within the next 2 weeks. As the Housing Executive is still carrying out the procurement process it is unable to provide the name of the contractor who will replace the White Horse Group. Once the procurement process has been completed the Housing Executive will publish the result of the procurement in the Official Journal of the European Union as well as directly informing all those who expressed an interest in providing these services.

In terms of the White Horse Group withdrawing its services, the Housing Executive confirms that the Group will continue to operate in support of tenants, until the new contracts are in place.

## **Northern Ireland Assembly Commission**

### **Parliament Buildings: Heating**

**Mr Wells** asked the Assembly Commission what were the temperatures recorded, at noon, in Parliament Buildings on 28 May and 29 May 2012.

**(AQW 12378/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** Unfortunately, the Assembly Commission is not in a position to provide the information that you request as it does not currently maintain a record of the temperatures within Parliament Buildings.

Should you require any supplementary information I would be very happy to assist with your enquiry.

## Parliament Buildings: Heating

**Mr Wells** asked the Assembly Commission why the heat was on in the Long Gallery and Room 115, Parliament Buildings on 28 May and 29 May 2012.

**(AQW 12380/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** The majority of Parliament Buildings is heated by a low temperature hot water system using gas fired boilers. This heating system was not in operation on either 28th or 29th May.

The heating within the Long Gallery and Room 115 differs from the rest of the building in that it is heated by radiators with convector fans. The heat for these convectors is a by-product from the air handling units in the building and is fed by the constant temperature (CT) pumps. When additional heat is required in these rooms the convector fans are employed to circulate the heat.

On the days in question, as the air handling units were in operation, the CT pumps were passing hot water through the system but the convector fans were not in operation.

Unfortunately the Building Energy Management System (BEMS) affords only limited control over the heating and cooling systems in the building and the Commission has plans to upgrade the BEMS system during the forthcoming roof refurbishment project.

Building Services are aware of the problem in the areas that you refer to when there is a high ambient temperature and investigatory work is currently taking place to see if it would be possible to install additional isolation valves to allow greater control over the heating and cooling in these areas.

I hope that the above information provides the detail that you sought, however should you require any supplementary information I would be very happy to assist with your enquiry.

## Media Interviews in the Great Hall: Non-Members

**Mr Allister** asked the Assembly Commission to outline the current protocol on non-members giving media interviews in the Great Hall, Parliament Buildings.

**(AQW 12776/11-15)**

**Mr McElduff (The Representative of the Assembly Commission):** The Northern Ireland Assembly Media Handbook, which can be accessed on the NIA website at <http://www.niassembly.gov.uk/News-and-Media/Media-Handbook/> sets out the conditions for interviews in the Great Hall.

In respect of interviews with non-Members the Handbook states that: "Committee witnesses, members of other legislatures and others may be interviewed in the Great Hall. Interviewees must give their consent in advance."

This advice allows for non-Members to be interviewed in the Great Hall along with MLAs or Ministers. Non-Members may not be interviewed in the Great Hall unless they have been witnesses to a Committee as stated above or are being interviewed with a Member.

## Parliament Buildings: Car Parking

**Mr Copeland** asked the Assembly Commission for its assessment of the adequacy of the car parking facilities for users of Parliament Buildings, including staff and visitors; and when it intends to take action to resolve this issue permanently.

**(AQW 12987/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** The Assembly Commission fully recognises the difficulties experienced in parking within the car parks, particularly on sitting days. In recent years the Assembly Commission has been working with DFP, who are responsible for Stormont Estate grounds, to find ways of alleviating the problem.

As a result of this work, some realignment work within the lower East car park together with the introduction of the overspill car park, has gone some way towards providing additional parking spaces, and this has been favourably received by the vast majority of car park users. It has also already been concluded that it would not be possible to increase the number of parking spaces within the existing car parks without recourse to significant works and redevelopment.

Whilst further resolution of the perennial problem of car parking cannot be guaranteed at this time, Facilities Directorate will nevertheless continue in consultation with the Assembly Commission and DFP to explore other potential options for improvement. In the meantime, Assembly Security staff will continue to oversee and manage both car parks to ensure that these are used as efficiently and as effectively as possible, and to that end the cooperation and assistance of all car park users is very much appreciated.

## Overflow Car Park

**Mr Copeland** asked the Assembly Commission whether it has sought to renegotiate, with the Department of Finance and Personnel, the terms for use of the overflow car park, to extend the length of time for which it can remain open; and if not, to outline the reasons for its position on this issue.

**(AQW 12988/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** The Overflow car park was an additional facility the Assembly Commission negotiated with DFP to help alleviate on-going problems with car parking, and it has undoubtedly gone some ways towards helping with those problems. It was agreed with DFP at the outset however, that like the lower East car park, the Overflow car park would be staffed and managed by Assembly Security Officers whilst open.

To make the most efficient use of finite Security staff resources and still continue to meet other pressing operational security requirements however, it remains necessary to close the Overflow car park at 7pm. At present, it is not possible to extend opening beyond this time within existing resources.

For this reason, all users of the Overflow car park are therefore advised to move their vehicles into the lower East car park before 7pm as spaces become available, and we rely on car park users to comply accordingly.

As with all operational security measures, the Assembly Commission will keep this matter under review.



# Northern Ireland Assembly

Friday 29 June 2012

## Written Answers to Questions

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

#### Ministerial Subcommittee on Children and Young People

**Mr Agnew** asked the First Minister and deputy First Minister for an update on the work being carried out on each of the following priorities of the Ministerial Sub-Committee on Children and Young People (i) Safeguarding; (ii) NEETS; (iii) Special Educational Needs; (iv) Early Years; and (v) Vulnerable Young People.

**(AQW 10799/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** A summary of progress on each of the five sub-groups is set out below:

#### (i) Safeguarding

The Safeguarding Board Act (NI) 2011 provides a legislative framework for the creation of a new regional Children's Safeguarding Board for Northern Ireland (SBNI) and a Committee structure of the Board. This multi-disciplinary, inter-agency body will be the main statutory mechanism for agreeing how members co-operate to deliver safeguarding and for ensuring the effectiveness of what they do. The Department of Health, Social Services and Public Safety (DHSSPS) will publish guidance for the SBNI before it comes into operation.

#### (ii) NEETs

The Department for Employment and Learning (DEL) has consulted on its Pathways to Success Strategy which set a broad strategic direction and supports cross-departmental actions to reduce the number of 16 to 19 year-olds who are outside education, employment or training, or at risk of being so. It recognises the need to put in place structures or mechanisms to co-ordinate and make these more effective.

#### (iii) Special Educational Needs

Work on this issue focused on improving transitions for children with Special Educational Needs. This included: the transition from school to the range of post-school settings eg further and higher education, training, social care; preparing for independent living eg housing and benefits; and those who come within the youth justice system.

#### (iv) Early Years

In line with direction from the Ministerial Sub-Committee, the Early Years sub-group produced an action plan to monitor progress on aspects of Early Years work. The action plan drafted by the Early Years sub-group identifies DE and DHSSPS as the key departments responsible for Early Years Services. The Sub-Group has not met since 2008, but the actions proposed have been taken forward by other means in the absence of any formal meetings. Officials from DE have continued to work closely with DHSSPS on a range of relevant key issues. The action plan was agreed by the MSC in 2009, the Executive in March 2010, and updated in 2011.

#### (v) Vulnerable Young People

Work has focused on young people at risk of becoming involved in anti-social behaviour and entering the juvenile justice system, with the Department of Justice taking the lead. This work is now being progressed through the Children and Young People's Strategic Partnership and the Regional Steering Group on Community Safety. Both of these Groups bring key agencies together to co-ordinate actions that support children and young people.

#### Apprenticeship Programmes

**Mr Eastwood** asked the First Minister and deputy First Minister to detail (i) the apprenticeship programmes available within their Department; (ii) the apprenticeship programmes provided by their Department; (iii) the number of people currently enrolled in these programmes; and (iv) the number of places available on the programmes.

**(AQW 12006/11-15)**

**Mr P Robinson and Mr M McGuinness:**

- (i) OFMDFM, together with other departments, participates in the Programme Led Apprenticeship (PLA) Programme which is run by the Department for Employment and Learning.
- (ii) Nil
- (iii) Nil
- (iv) Three PLA places have been identified in OFMDFM.

**Maze/Long Kesh: Balmoral Park**

**Mr Allister** asked the First Minister and deputy First Minister what is the delineation of 'Balmoral Park', and whether the entire Maze/Long Kesh site has been renamed accordingly.

**(AQW 12882/11-15)**

**Mr P Robinson and Mr M McGuinness:** Balmoral Park refers to the Royal Ulster Agricultural Society's 55-acre licensed area at Maze/Long Kesh.

**Investment Strategy: North Antrim**

**Mr Frew** asked the First Minister and deputy First Minister how they plan to implement the Executive's Investment Strategy in the North Antrim area.

**(AQO 2178/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Investment Strategy (ISNI) sets out the Executive's high-level strategy for the development of our essential infrastructure across the region in the years ahead – consistent with the level of resources available to us. The investment supports delivery of the Programme for Government by improving and upgrading our economic, social and environmental infrastructure. It also secures much needed jobs in the local construction industry and wider supply chain – in addition to making this region a more competitive place to do business.

Departments and related public bodies have primary responsibility for implementing the ISNI in their respective parts of the public services. They do this by developing capital investment plans consistent with ISNI and their capital budget. For individual projects, a systematic assessment of needs and benefits is undertaken and the best way of meeting this need through investment is identified. This process helps to ensure that value for money is secured for the public purse and that investment is focused on those areas identified as a priority in the ISNI.

The Strategic Investment Board (SIB) within OFMDFM supports departments and related public bodies to implement the ISNI. SIB does this by providing in-house legal, commercial, financial and project management advice at the request of the procuring department. This is particularly important for larger and more complex projects.

Notwithstanding the above support, final investment decisions on individual capital projects rests with the Minister in each respective department.

Following a period of public consultation, we are now considering a final draft of the ISNI 2011-21 prior to publication in the forthcoming period.

In the meantime, work is underway across the region. The Investment Strategy website [www.isni.gov.uk](http://www.isni.gov.uk) which is hosted by SIB provides the facility to view projects being delivered under the investment strategy listed by Assembly constituency. The website currently lists a number of projects underway in the North Antrim area including housing, transport and schools projects. This information is maintained and updated by the departments delivering the projects.

## Department of Agriculture and Rural Development

**Dairy Industry: Milk Quotas**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development what plans her Department has to support the local dairy industry up to, and beyond, the end of milk quotas in 2015.

**(AQW 12484/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The local dairy industry makes a very important contribution to the agri-food sector. It is important that it remains competitive and continues to bring benefit to the economy, particularly in rural areas. My Department's overall aim is therefore to help the industry to improve its performance and grow its potential in the marketplace.

For many years, activity in the dairy sector (including the level of milk production in each Member State) has been subject to various EU restraints and support mechanisms. These, in large measure, had a significant impact on the development of the industry. However, important changes have already taken place and others lie ahead.

Notably, EU milk quotas will end in 2015 and this effectively means there will be no restraints on production after that. My Department is therefore focused on helping the dairy sector as it seeks to grow its potential in the global market place.

For too long, our dairy industry has been reliant on the processing of commodity products which normally generate the lowest returns. However, I am pleased to see that steps have been taken in recent years to move away from the processing of milk powders to higher added value products. But more needs to be done. That is why Arlene Foster and my predecessor provided support to Dairy UK (NI) to undertake an industry-led competitiveness study. The aim was to help the sector plan for the future and representatives from the dairy industry are now taking forward the report's recommendations.

As regards future levels of milk production, I believe that a market-led strategy is vital for the dairy industry. In practice this means that, especially when milk quotas end in 2015, decisions on milk production should be taken by milk producers in the context of their input costs and market returns. Therefore, to help ensure that the industry remains sustainable, my Department through CAFRE and AFBI, remain available to provide education, training, technical support and research to help improve efficiency and competitiveness.

In particular, CAFRE's Loughry Campus supports the processing sector in the key area of product innovation. Additionally, my Department has provided support under the Regional Food Programme and Axis 1 of the Rural Development Programme. While a range of financial and non-financial support measures are available to dairy processing companies from Invest NI to help them remain competitive.

I believe that the dairy sector has the potential to grow further and to exploit opportunities arising from the predicted expansion in world population. My Department will continue to help the industry improve its competitiveness and I would encourage the dairy sector to engage positively with the Agri-Food Strategy Board to help shape the future growth of this important sector up to and beyond 2015.

### Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail the (i) resource allocation; and (ii) actual spend of the Central Investigation Service in each of the last five years.

**(AQW 12695/11-15)**

**Mrs O'Neill:** The resource allocation and actual spend in relation to the Central Investigation Service in each of the last 5 financial years is as follows:

|         | Budget (£000's) | Spend (£000's)         |
|---------|-----------------|------------------------|
| 2007/08 | 232             | Figures not available. |
| 2008/09 | 214             | 172                    |
| 2009/10 | 279             | 148                    |
| 2010/11 | 158             | 122                    |
| 2011/12 | 165             | 154                    |

The budget figures represent the allocation at the outset of the financial year. Both the budget and expenditure figures are net of income as appropriate.

### Omagh Show: Single Farm Payment

**Mr Hussey** asked the Minister of Agriculture and Rural Development whether she will reconsider her decision not to attend the Omagh Show, given that it would provide her with an opportunity to interact with the farming community, especially in relation to the delay in issuing Single Farm Payments.

**(AQW 12850/11-15)**

**Mrs O'Neill:** I plan to visit all local agricultural shows during my time in office and welcome any opportunity to interact with the farming community. However, the Tyrone Farming Society Committee have sent in a letter stating that they would not be extending an invitation to me this year, to visit Omagh Show.

I am pleased to say that good progress is being made in completing the remaining claims submitted under the 2011 Single Farm Payment Scheme. A number of measures have been introduced to increase the speed of applying inspection findings to claims and these are helping to increase the number of payments. Over 96% of claims are now finalised and more than £257 million has been paid out to farmers. The claims not yet finalised are outstanding for a variety of reasons including the need for inspection findings to be applied to claims, duplicate claims, the need to determine the availability of land to support an aid application, the award of probate and the provision of bank account details by farmers to enable payment to be credited to the farm business bank account. It is anticipated that the majority of inspection cases will be finalised by the end of July.

## Fish: Illegal Landings

**Mr Agnew** asked the Minister of Agriculture and Rural Development for an estimate of the percentage of fish that were landed illegally in the last full year for which figures are available.

**(AQW 12874/11-15)**

**Mrs O'Neill:** In 2011 there were five prosecutions cases taken by the Department's Fisheries Inspectorate involving landing or attempting to land illegally a total of 1.02 tonnes of fish and shellfish. A further 13.9 tonnes were subject to investigation but no infringement was found or the evidence was not sufficient to support prosecution proceeding. This represents 0.06% of the total landings of 24,919 tonnes landed in the north of Ireland during 2011. A further investigation is still ongoing.

The Fisheries Inspectorate are continually monitoring fishing activity to prevent and deter illegal landings and during 2011 fishery officers attended 92% of fish markets at the ports, monitored 1611 fish landings and carried out 3085 inspections of catches. In addition there were 121 boardings and inspections of fishing vessels at sea.

Prior notification of landing and designated landing port requirements allow resources to be targeted. Satellite monitoring and surveillance data is also employed to validate the fishing records submitted by fishermen and detect infringements.

## Broadband: Rural Areas

**Mr Craig** asked the Minister of Agriculture and Rural Development whether her Department can fund, under the Rural Development Programme, the extension of broadband to rural communities.

**(AQO 2276/11-15)**

**Mrs O'Neill:** The lead department in telecommunications is the Department of Enterprise Trade and Investment (DETI) and they have responsibility for access to and the upgrade of the broadband network in the North. The £51m Next Generation Broadband Project, which included a £2.5 million investment from my Department was aimed specifically at improving access to broadband in rural areas.

As you know, I announced my Department's intention to invest a further £5 million in Broadband and my officials are working closely with DETI to ensure that these funds are specifically targeted at rural areas to eliminate "not spots" and improve line speeds. I want to ensure that as many rural dwellers as possible can benefit from future initiatives to ensure that those living, working or conducting business in rural areas have access to services, that can offer download speeds of at least 2Mbps and in some rural areas of the North 100Mbps usually from a number of providers.

## DARD: Research

**Mr McNarry** asked the Minister of Agriculture and Rural Development how much her Department spends, on average each year, on agricultural research.

**(AQO 2277/11-15)**

**Mrs O'Neill:** DARD spend on agricultural research can be divided into three distinct areas. These are the DARD Directed Agri-Food and Biosciences Institute Research Work Programme worth about £8 million per annum; the DARD Research Challenge Fund worth approximately £1 million per annum; and lastly the DARD Postgraduate scheme valued at around £430,000 per annum. This brings departmental total spend per annum to around £9.4 million.

## Common Agricultural Policy

**Mr D Bradley** asked the Minister of Agriculture and Rural Development to outline the current negotiations on the Common Agricultural Policy, in relation to Northern Ireland, for the next five years.

**(AQO 2278/11-15)**

**Mrs O'Neill:** In October of last year the EU Commission published proposals for reform of the CAP for the period 2014 to 2019. The key features of these reforms include a move to a regional flat rate payment per hectare by 2019 and the introduction of new environmental requirements known as 'greening'. Further changes to farm support arrangements such as introducing a number of additional compulsory and optional direct support payments are also proposed. The complexity surrounding greening and the fact that the current single support payment would be replaced by as many as six (and in some cases more) separate payments has attracted considerable criticism across the EU. Proposed reform of the rural development regulation has proven less controversial.

There was a full public consultation following publication of the Commission's proposals for CAP reform, which provided valuable feedback from stakeholders. These views helped inform a response paper, which I prepared and presented to EU Commission representative Georg Haeusler, Head of Cabinet for Agriculture Commissioner Dacian Ciolos, on 19 April 2012. In this response, I sought to be constructive and offered various suggestions for improving the focus of the Commission's proposals while achieving significant simplification. This meeting was very positive and I followed this up a week later with an additional meeting with Gwilym Jones, member of Commissioner Ciolos' Cabinet.

As well as the Commission, I have had a number of discussion on CAP reform with our local MEPs and hosted a briefing of MEPs in Brussels last month. The EU parliament will play a much greater role in these negotiations compared to previous agreements on CAP reform.

I have been engaging directly with Defra Ministers and my Devolved Administration colleagues on the reform proposals, as well as with Simon Coveney TD, Minister for Agriculture, Food and the Marine in the south. My officials are working with Defra and Devolved Administration counterparts in feeding into the Brussels working groups and discussions and keep in regular contact with officials in Dublin.

Despite the considerable discussion and debate in Brussels since the reform proposals were published last autumn, there has been fairly limited progress in the negotiations. The EU Commission has been unwilling so far to concede to many of the suggestions for change coming from Member States. The European Parliament is currently in the process of preparing its response to the proposals. I expect the negotiations to intensify in the latter part of 2012 and to continue well into 2013. It remains difficult to say exactly when an overall agreement will be reached. However, agreement on the EU budget for 2014-20 will be an important and necessary first step to a deal on CAP.

My approach has been and will continue to be one of engaging directly with the Commission, with Defra and the Devolved Administrations, with MEPs and with the Irish Agriculture Minister, (including through the North/South Ministerial Council). The goal remains a well funded, flexible and simplified CAP that meets our local needs.

## Brucellosis

**Mr Boylan** asked the Minister of Agriculture and Rural Development what progress has been made on the eradication of Brucellosis. (AQO 2279/11-15)

**Mrs O'Neill:** We have made very significant progress with brucellosis and the confirmed herd incidence was down to 0.02% at 31 March 2012. This good progress has been achieved as a result of the combined efforts of farmers in the north working along with my Department to tackle this serious disease. We are on track to achieve the target in the Programme for Government to eradicate brucellosis by March 2014 which means that there must be no confirmed case of brucellosis in the preceding 12 months.

Eradication of brucellosis will pave the way to achieving Officially Brucellosis Free status, provided that there has been no confirmed case of brucellosis in the preceding three years. Achieving OBF status will benefit all cattle farmers here through the progressive relaxation of annual and pre-movement testing, which represent an annual £7 million compliance cost to farmers.

However, the last case of brucellosis was confirmed here on 28 February 2012, which shows that we cannot be complacent. DARD and the industry need to continue to be vigilant against any reversal of the downward trend – either from genuine infection or resulting from reckless or fraudulent activity.

The changes that we are making to the brucellosis compensation scheme are aimed at encouraging better biosecurity on the part of all farmers and helping to achieve brucellosis eradication by 2014 and maintaining freedom thereafter. I also call on all farmers to continue to report any suspicions of brucellosis, particularly abortions in cattle, without delay. The earlier we can detect disease the more likely it is that we will be able to stop it from spreading further. The combination of all our actions should enable us to eradicate the disease by 2014 and ensure that it remains eradicated.

## Bovine Tuberculosis: Eradication Programme

**Mr B McCrea** asked the Minister of Agriculture and Rural Development to outline the overall cost, since 1996, of implementing the Bovine Tuberculosis Eradication Programme. (AQO 2280/11-15)

**Mrs O'Neill:** The overall cost of implementing the Bovine Tuberculosis eradication programme since 1996 is £325.2m. This includes costs for 2011/12 which are provisional at this time.

## Dairy Industry

**Mr Dallat** asked the Minister of Agriculture and Rural Development what efforts are being made by her Department to address the problems being faced by the dairy farming sector. (AQO 2282/11-15)

**Mrs O'Neill:** The dairy industry makes an important contribution to the local economy and life in rural areas. I am also aware of the recent changes in fortunes for our dairy farmers. However, you will understand that like many other businesses, dairy farmers experience difficult times as well as good times. Nevertheless, I want to see farmers receiving a good price for their milk.

The current weak prices for dairy products are a result of an increase in milk production in the major dairy exporting countries, as well as here. The economic reality is that the milk price obtained by producers is closely linked to the returns received in the market place and our dairy industry remains too reliant on the processing of commodity products which normally generate the lowest returns.

However, I am pleased to see steps have been taken in recent years to move away from the processing of milk powders to higher added value products. Also, Arlene Foster and my predecessor provided support to Dairy UK(NI) to undertake an industry-led competitiveness study. The aim was to help it plan for the future and I welcome the fact that representatives from the dairy industry are currently taking forward the report recommendations.



The sector also receives significant assistance from my Department through AFBI and CAFRE. In particular, CAFRE's Loughry Campus supports the processing sector in the key area of product innovation. Additionally, my Department has provided support under the Regional Food Programme and Axis 1 of the Rural Development Programme.

In view of the predicted expansion of the world population I believe that the dairy sector may have opportunity to grow further. I would therefore encourage the dairy sector to engage positively with the recently established Agri-Food Strategy Board to articulate its views on the challenges and opportunities ahead.

## Department of Culture, Arts and Leisure

### Ulster Provisional Government: Proclamation

**Mr Allister** asked the Minister of Culture, Arts and Leisure what plans her Department has to secure the only copy of the 1913 Ulster Proclamation of a Provisional Government which is due to be auctioned in London next month, given its historical importance. (AQW 11549/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Public Record Office NI has no plans to bid for this document. Any procurement decision by National Museums would be a matter for its Board of Trustees.

In line with best practice, I do not expect the Trustees to publicly express an interest in procuring an object in advance of public auction as such an action could adversely affect the bidding process.

### Capital/Revenue Savings: DCAL

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure to detail the capital and revenue savings her Department has made in each of the last three years. (AQW 11657/11-15)

**Ms Ní Chuilín:** It is important to make a distinction between capital and revenue budgets.

#### Capital savings

In contrast to resource budget, it is not possible to give meaningful information about savings in capital budget since there is no baseline or standard against which to measure changing allocations.

#### Revenue savings

The years in question straddle two Spending Review settlements, CSR 2007 and CSR 2010.

CSR 2007 covers the years 2008/2009, 2009/10 and 2010/11. The Department delivered efficiency savings of £2.92m in 09/10 and £4.78m in 11/12 respectively. In addition to this, the Department had to find further savings in its budget of £5.9m in 2010/11, as its share of the costs of wider pressures in respect of water and sewerage charges, Equal Pay claims and reductions in the Block Grant.

CSR 2010 covers the most recent complete financial year of 2011/12. Using the previous year as a baseline, the Department delivered a saving of £1.26m in 2011/12.

### Internships: DCAL

**Mr Weir** asked the Minister of Culture, Arts and Leisure how many internships are available in her Department; and if none, what plans she has to introduce an internship scheme. (AQW 12480/11-15)

**Ms Ní Chuilín:** NICS Policy on work Experience includes provision for internships, arranged through Colleges or University to provide undergraduates with work experience relating to the degree course undertaken by the student. During 2011/12 DCAL provided internships to two students through QUB Politics Internship Scheme, which is managed by Corporate HR in the Department of Finance and Personnel. A further placement has been arranged under this scheme for the first semester of the 2012/13 academic year. In addition my Department considers and accommodates, where appropriate, requests received directly from educational organisations.

### Galbally Pearses GAC: Funding

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, in light of the presentation of medals commemorating a republican terrorist to children by the Galbally GAC, and the subsequent concerns that were raised by a parent, whether she plans to suspend her Department's funding to the GAA until such time as the Tyrone County Board addresses this issue in the interests of child protection and good relations. (AQW 12619/11-15)

**Ms Ní Chuilín:** Sport NI is responsible for the distribution of funding to sport in the north of Ireland. Decisions relating to funding to any sporting organisation, including the GAA, would therefore be a matter for Sport NI. I understand that Sport NI would only consider suspending funding where there is evidence of a significant risk to public funds and/or where it is clearly demonstrated that specific conditions of award are not being complied with.

### Galbally Pearses GAC: Funding

**Mr Allister** asked the Minister of Culture, Arts and Leisure to outline the use that Galbally Pearses GAA club made of the £200,565 funding that was awarded by her Department in 2008.

**(AQW 12632/11-15)**

**Ms Ní Chuilín:** Sport NI is responsible for the distribution of funding to sport in the north of Ireland. On 9 January 2009, Sport NI awarded Galbally Pearses GAC £200,565 under its Places for Sport Programme to assist with the construction of a full-size Gaelic games grass pitch. I understand that since the pitch was developed, the club has established a number of programmes and activities at their ground, including 'Gaelic for Mothers' and an over 40's team. Furthermore, they have been pro-active in terms of creating links with a number of schools and other organisations who are also benefiting from the investment.

### Arts Council Funding: North Down

**Mr Weir** asked the Minister of Culture, Arts and Leisure to list the funding awarded by the Arts Council, under the Small Grants Programme, to projects in North Down, in each of the last three years.

**(AQW 12816/11-15)**

**Ms Ní Chuilín:** A list of the grants awarded in the last 3 years by the Arts Council in North Down, under the Small Grants Programme, is set out in the tables below:

#### 2009/10

| Organisation                              | Project  | Amount |
|---|--|--------|
| Bangor International Choral Festival      | Bangor International Choral Festival   | 2,000  |
| Camerata Ireland                          | The Clandeboye Festival  | 10,000 |
| Friends of Portaferry Presbyterian Church | His Majesty's Sagbutts and Cornetts (HMSC): a Concert and Workshop in Portaferry | 7,000  |
| Hollywood Music Festival                  | Hollywood Music Festival   | 2,350  |
| Seacourt Print Workshop Limited           | Defining Original Printmaking in a Digital Age                                   | 4,500  |

#### 2010/2011

| Organisation  | Project                              | Amount |
|---|--------------------------------------|--------|
| Bangor International Choral Festival                                      | Bangor International Choral Festival | 2,000  |
| Camerata Ireland  | The 2010 Clandeboye Festival         | 7,500  |
| Parent Teachers' Association for Bangor Central Integrated Primary School | Nautical Imprint                     | 3,650  |
| Rathmore Parent Teacher Association                                       | The Journey                          | 1,550  |

#### 2011/2012

| Organisation                              | Project   | Amount |
|---|---|--------|
| Bangor International Choral Festival      | Bangor International Choral Festival                                    | 2,100  |
| Camerata Ireland                          | The 2011 Clandeboye Festival  | 7,500  |
| Friends of Portaferry Presbyterian Church | Portaferry Proms 2012   | 4,485  |
| Friends of Portaferry Presbyterian Church | 2011 FPPC Concert Series: The Rietz Ensemble and the Mornington Singers | 4,750  |
| Hollywood Music Festival                  | Hollywood Music Festival 2011   | 2,200  |
| Seacourt Print Workshop Limited           | Conditionally framed and Open Books                                     | 9,006  |

## Boxing: Access NI

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in light of the revelation about coaches operating in boxing clubs without Access NI checks, (i) what action she intends to take; and (ii) for her assessment of the adequacy of the present governance arrangements in amateur boxing.

**(AQW 12911/11-15)**

**Ms Ní Chuilín:** I am aware of reports in the media about a recent Belfast City Council (BCC) questionnaire suggesting a number of boxing coaches have not been subject to AccessNI checks. This is a matter, in the first instance, for the governing body of boxing, the Ulster Provincial Boxing Council (UPBC). However, through SportNI, which is an arms-length body of my Department, I already have, and will continue to have, a policy of requiring robust and effective child protection and safeguarding policies and procedures from all sports clubs, including boxing clubs, seeking funding. SportNI carries out this work in partnership with the National Society for the Prevention of Cruelty to Children (NSPCC) and, through this partnership, clarification is currently being sought on the exact nature of the findings in the BCC questionnaire. My officials have also contacted BCC about this issue and I understand, from this, that the Council is currently working with the boxing clubs concerned to ensure all coaches, that may be expected to work with children and vulnerable people, have completed any requisite Access NI checks.

There are, in my view, considerable weaknesses within the present governance arrangements for amateur boxing in the north of Ireland. In particular, in many areas, the sport currently lacks the capacity to enable it to avail of public funding, on a competitive basis, or to administer it effectively. The sport also needs support to help it address barriers to participation so that anyone who wishes to take part in boxing at any level within the north has the opportunity to do so. In recognition of these problems, my Department is currently developing a Boxing Strategy in order to help the sport address these weaknesses.

## North Down: Community Arts Projects

**Mr Weir** asked the Minister of Culture, Arts and Leisure how much of this year's Arts Council budget has been allocated to Community Arts Projects in North Down.

**(AQW 12957/11-15)**

**Ms Ní Chuilín:** This year the Arts Council has allocated £184,284 to community arts projects in North Down.

## Libraries: Capital Spend

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the total capital spend on libraries in each of the last five years.

**(AQW 12996/11-15)**

**Ms Ní Chuilín:** The total capital spend on libraries for each of the last five years is as follows:

| Year      | Total Capital Spend |
|-----------|---------------------|
| 2007/08*  | £3,548,000          |
| 2008/09*  | £2,917,000          |
| 2009/10   | £4,065,000          |
| 2010/11   | £5,519,000          |
| 2011/12** | £2,387,000          |

\* Education & Library Boards. LNI Established April 2009.

\*\* Draft LNI Accounts- Not yet agreed.

## Sport: Female Participation

**Mr Weir** asked the Minister of Culture, Arts and Leisure what actions her Department is taking to encourage female participation in sport.

**(AQW 12998/11-15)**

**Ms Ní Chuilín:** I am fully aware of evidence that suggests that females are significantly under-represented in sport in comparison to males. This is an equality issue. To help address this problem, my Department's strategy for sport, Sport Matters, contains a specific target to deliver a 6% increase in women's participation rates by 2019 from the 2011 baseline. In order to ensure this women's participation target is achieved, a series of actions, embracing a range of organisations across the sport and leisure sector, have been agreed as part of a wider, published Sport Matters Action Plan developed by Sport NI led Sport Matters Implementation Groups. These actions include promoting increased female participation through a range of Sport NI investments, and encouraging other parties (such as district councils, governing bodies and clubs) to do the same.

Furthermore, as part of the delivery of Sport Matters, I have been seeking to promote female participation and success in sport publicly in a number of ways. For example, I organised and hosted a special reception for 'Women in Sport' in Parliament Buildings in December 2011. In addition, the last meeting of my cross-Departmental Sport Matters Monitoring Group, which is

responsible for overseeing the delivery of Sport Matters, was deliberately held at a girls' school with quality PE facilities in order to highlight the importance of female participation in sport. This meeting took place in April 2012.

### **Libraries: Assessment of Importance**

**Mr Agnew** asked the Minister of Culture, Arts and Leisure what criteria is used to assess the importance of individual libraries; and whether Bangor Carnegie Library would rank highly under these criteria, given its central location in a high density residential area. **(AQW 13025/11-15)**

**Ms Ní Chuilín:** Libraries NI inform me that there are no specific criteria to assess the importance of individual libraries.

LNI has undertaken strategic reviews of library provision to assess the viability and sustainability of all of its libraries. Each of the libraries that has been deemed to be viable and sustainable is important to the community that it serves and in that context there is no hierarchy of importance.

### **Jubilee Garden Party: DCAL Ticket Allocation**

**Mr Allister** asked the Minister of Culture, Arts and Leisure how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) her Department; and (iii) its arm's-length bodies. **(AQW 13121/11-15)**

**Ms Ní Chuilín:** My Department, inclusive of its arm's-length bodies, was allocated 150 tickets to the Jubilee Garden Party on 27 June 2012.

### **Armagh County Museum**

**Mrs D Kelly** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 12674/11-15, whether the budget to meet the associated costs will also be devolved to the relevant council. **(AQW 13140/11-15)**

**Ms Ní Chuilín:** In reply to your previous question, I have provided financial details pertaining to the Armagh Museum.

With regard to whether the budget to meet the costs associated with the Museum will be devolved, my response follows.

The Executive has agreed two funding principles for RPA implementation namely:

- i that the implementation costs associated with reform will not be met by central government.
- ii. that the functions which are to transfer from central to local government should be fit for purpose, sufficiently funded and cost neutral to the ratepayer at the point of transfer.

This will require the transfer of resources from central to local government when the functions transfer. However, the mechanism for transferring funding has not yet been finalised.

### **Foyle Pride Festival 2012: DCAL Funding**

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure to detail (i) the level of funding her Department has allocated to the Foyle Pride Festival 2012 in Derry; and (ii) if her Department has not allocated funds to the event, how much it is willing to provide towards the running costs of £15,000. **(AQW 13201/11-15)**

**Ms Ní Chuilín:**

- (i) My Department's funding for Community Festivals is disbursed through local councils. Foyle Pride Festival 2012 applied to Derry City Council for funding however it was unsuccessful. The total allocation for Derry City Council this year is £60k and the four top scoring applications were each awarded £15k thus exhausting the budget.
- (ii) My Department's funding for the Arts is disbursed through the Arts Council. I would encourage the organisation to contact the Arts Council to explore further funding opportunities.

## **Department of Education**

### **Translink: School Buses**

**Mr Easton** asked the Minister of Education what plans his Department has to cut the budget for Translink's school buses. **(AQW 11888/11-15)**

**Mr O'Dowd (The Minister of Education):** In the current financial climate, the Department of Education will be continuing to seek savings from the home to school transport budget in the forthcoming 2012/13 school year. Translink is the main provider of home to school transport, carrying approximately 55% of pupils eligible for transport assistance. I expect the Education and Library Boards to operate the most efficient home to school transport service and within that it is expected that efficiency measures will be reflected in the negotiations for the Translink sessional ticket contract.

## Priorities for Youth

**Mr Copeland** asked the Minister of Education to detail when the next Priorities for Youth strategy will be published.  
(AQW 12740/11-15)

**Mr O'Dowd:** The draft Priorities for Youth policy document is close to completion and will be published for public consultation in early September. The Priorities for Youth will be finalised as soon as possible following the public consultation.

## Down High School: Spend on Buildings

**Mr Storey** asked the Minister of Education how much was spent on school buildings at Down High School, Downpatrick, in each of the last five years.

(AQW 12792/11-15)

**Mr O'Dowd:** The table below details the spend on school buildings at Down High School, Downpatrick in each of the last five years and has been provided by the South Eastern Education and Library Board.

|                                | <b>Capital<br/>£</b> | <b>Maintenance<br/>£</b> | <b>Total<br/>£</b>  |
|--------------------------------|----------------------|--------------------------|---------------------|
| 2007/08                        | 450,546.18           | 39,602.91                | 490,149.09          |
| 2008/09                        | 309,724.54           | 75,511.34                | 385,235.88          |
| 2009/10                        | 190,715.68           | 106,783.56               | 297,499.24          |
| 2010/11                        | 28,384.88            | 124,841.19               | 153,226.07          |
| 2011/12                        | 47,468.17            | 79,451.43                | 126,919.60          |
| <b>Total over last 5 years</b> | <b>1,026,839.45</b>  | <b>426,190.43</b>        | <b>1,453,029.88</b> |

## Schools: iPads and Kindles

**Mr McKay** asked the Minister of Education how widespread the use of iPads and Kindles is in schools; and what potential there is for his Department to make significant savings as a result of their use.

(AQW 12890/11-15)

**Mr O'Dowd:** The Department of Education does not hold figures on the number of schools using such devices. The Department is not aware if schools have purchased kindles, although it is aware of a small number that have invested in iPads for class use. Schools that have purchased iPads or Kindles have done so using their delegated budgets to enhance the C2k core provision.

C2k provides schools with a core provision of PCs. Post primary schools had a PC replacement in the academic year 2009/10 and the C2k managed service provider will support or replace (if necessary) existing core PCs throughout the lifetime of the contract. Primary schools will however receive an upgrade of their core PCs, as a much longer period of time has elapsed since their original installation.

The new C2k service takes account of developments in technology, such as the increasing use of personal smart mobile devices, the need for increased broadband width to accommodate bandwidth-hungry functions and the move to central hosting (the 'cloud'). As a result, major improvements in the use of digital technologies will be delivered to all grant-aided schools. The new C2k service is designed to provide these important infrastructure improvements, it does not include the provision of Kindles or tablet devices, such as iPads.

Schools are best placed to assess the needs of their pupils and it is a matter for schools themselves to reach a judgement on the resources, including books and ICT provision, they wish to use in their delivery of the curriculum. If they wish to enhance their ICT provision by purchasing Kindles and iPads they may do so.

Whether savings are made by a school as a consequence of the introduction of Kindles or iPads, would be a matter for the individual schools that have taken the decision to invest in such equipment which sits outside the core service provided by C2k.

## Teachers: Redundancies

**Mr Storey** asked the Minister of Education to detail the amount spent on teacher redundancies in each of the last three years, broken down by (i) Education and Library Board; and (ii) sector.

(AQW 12892/11-15)

**Mr O'Dowd:** The information requested is set out in the table below.

| <b>Financial Year</b> | <b>2009-2010</b> | <b>2010-2011</b> | <b>2011-2012</b> |
|-----------------------|------------------|------------------|------------------|
| Belfast Board         | £354,588.48      | £600,849.50      | £675,968.52      |



| Financial Year              | 2009-2010            | 2010-2011            | 2011-2012             |
|-----------------------------|----------------------|----------------------|-----------------------|
| Western Board               | £207,639.23          | £368,727.62          | £1,194,274.56         |
| North Eastern Board         | £446,956.59          | £1,717,123.22        | £2,027,465.16         |
| South Eastern Board         | £300,094.69          | £704,413.98          | £1,171,507.14         |
| Southern Board              | £271,090.68          | £562,186.60          | £986,573.14           |
| CCMS                        | £1,508,445.82        | £2,685,284.38        | £4,801,626.58         |
| Grant-Maintained Integrated | £108,282.08          | £275,139.80          | £269,078.74           |
| Other-Maintained            | £30,615.12           | £64,390.00           | £93,033.90            |
| VGS                         | £434,520.00          | £927,842.00          | £2,976,297.00         |
| <b>Total</b>                | <b>£3,662,232.69</b> | <b>£7,905,957.10</b> | <b>£14,195,824.74</b> |

### Autism: Support Classes

**Mr Anderson** asked the Minister of Education to detail the nature of the support provided to children who attended autism support classes, compared with that provided in a special school setting.

**(AQW 12894/11-15)**

**Mr O'Dowd:** The statutory responsibility for making provision for children with special educational needs (SEN), including those with autism, rests with schools and the five Education and Library Boards (ELBs) which are responsible under special education legislation for identifying, assessing and, in appropriate cases, making provision for children with SEN in their areas.

This provision can be made within mainstream schools, special classes attached to mainstream schools or special schools, tailored to the individual needs of the child and where these can be most appropriately met.

### Preschool Provision: Quality

**Mr McKay** asked the Minister of Education, when the quality of pre-school provision is being measured by the Education and Training Inspectorate, whether the ownership of grounds/facilities is considered.

**(AQW 12915/11-15)**

**Mr O'Dowd:** When the quality of pre-school provision is being measured by the Education and Training Inspectorate, the key emphasis is on the safety and security of the children and the quality of educational provision which they are receiving. The ownership of the grounds/facilities is a matter for others to consider.

### Redburn Primary School, Holywood

**Mr Weir** asked the Minister of Education what action his Department intends to take to secure the site of Redburn Primary School, Holywood, when it closes.

**(AQW 12925/11-15)**

**Mr O'Dowd:** Responsibility for securing the site of Redburn Primary School, Holywood rests with the South Eastern and Education and Library Board (SEELB). The SEELB is in the process of carrying out a competitive tender competition for the demolition of the school. The indicative programme is that the demolition should be completed by the end of 2012. In the interim period between the end of term and the appointment of the successful contractor, SEELB will engage a private security firm to provide 24 hour security.

### Baccalaureate Qualification

**Mrs Dobson** asked the Minister of Education to detail the percentage of post-primary pupils who would have achieved a Baccalaureate qualification if a system, similar to the English model, was available in Northern Ireland, in each of the last three years.

**(AQW 12930/11-15)**

**Mr O'Dowd:** The information requested is not readily available and could only be obtained at disproportionate cost.

I note that the English Baccalaureate is not a formal qualification, but is used purely as a performance measure for schools.

## Schools: Newcomer Pupils and Language Skills

**Mr D McIlveen** asked the Minister of Education how many new pupils, who do not speak the same language as with their teacher, have enrolled in schools in each of the last five years.

**(AQW 12940/11-15)**

**Mr O'Dowd:** Information on the number of newcomers enrolled in schools is detailed in the table below. A newcomer pupil is one who has enrolled in a school but who does not have the satisfactory language skills to participate fully in the school curriculum, and the wider environment, and does not have a language in common with the teacher, whether that is English or Irish.

### Newcomers enrolled in schools 2007/08 – 2011/12

| Year    | Newcomers |
|---------|-----------|
| 2007/08 | 5,665     |
| 2008/09 | 6,995     |
| 2009/10 | 7,754     |
| 2010/11 | 8,094     |
| 2011/12 | 8,418     |

**Source:** school census.

### Notes:

- Figures relate to pupils recorded as newcomers in nursery, primary, post-primary and special schools.
- Pupils may fall under the newcomer classification for more than one academic year and thus the figures record the total numbers of newcomers in schools in each year. They do not relate to pupils newly enrolled who are recorded as newcomers in each academic year.
- Information on numbers of newcomers in schools is available on the DE website at the following web link. [http://www.deni.gov.uk/newcomer\\_time\\_series\\_-\\_suppressed\\_updated\\_1112.xls](http://www.deni.gov.uk/newcomer_time_series_-_suppressed_updated_1112.xls)

## Free School Meals

**Mr D McIlveen** asked the Minister of Education for an estimate of the number of children, entitled to free school meals, who did not claim them in the (i) 2009/10; (ii) 2010/11; and (iii) 2011/12 academic years.

**(AQW 12941/11-15)**

**Mr O'Dowd:** I am keen to ensure that the parents/guardians of every child who is entitled to free school meals establishes that entitlement and that every child who is entitled to free school meals has the chance to avail of a nutritionally balanced meal during the school day. We know that free school meals entitlement is a robust indicator of social disadvantage and that children from disadvantaged homes can face barriers to achieving to their full potential. That is why we provide additional resources to schools to support those pupils in their learning and are keen for pupils to avail of the school meal that is provided.

The Department does not hold estimates of the number of children who would be entitled to free school meals and do not claim that entitlement. However, we can estimate the number of those who have done so and who do not avail of a free school meal. We do this based on the uptake of meals by those entitled to free school meals on Census day and the information is set out in the table below.

|   | 2009/10 | 2010/11 | 2011/12 |
|---|---------|---------|---------|
| Pupils who have claimed entitlement to but did not avail of a free school meal on Census day <sup>1,2</sup> | 12787   | 13270   | 15512   |

**Entitlement Source:** School Census 2009/10 - 2011/12

**Uptake Source:** School Meals Census 2009/10 - 2011/12

### Notes:

- Includes pupils entitled to free school meals who were absent from school on Census Day (the Friday of the first full week in October); and pupils entitled to free school meals who were not present for the midday meal, i.e. (i) pupils who attend on a part-time basis, and (ii) new pupils enrolled but who were not present for school lunch due to schools' staggered or phased admissions arrangements.
- Excludes special schools, as free school meal entitlement data is not validated.
- Eligibility criteria for free school meals has been extended over this period. Further details can be found at paragraph 6 of the Approved Arrangements for the Provision of Milk, Meals and Related Facilities. [http://www.deni.gov.uk/elb\\_milk\\_and\\_meals\\_arrangements\\_-\\_may\\_2012.pdf](http://www.deni.gov.uk/elb_milk_and_meals_arrangements_-_may_2012.pdf)

### Civil/Public Servants: Membership of Public Bodies

**Mr Gardiner** asked the Minister of Education how many former civil and public servants are employed as (i) paid; and (ii) unpaid board members of public bodies which are sponsored by his Department; and what this figure is as a proportion of the total number of board members.

**(AQW 12948/11-15)**

**Mr O'Dowd:** There are currently 6 former civil and public servants serving in a paid capacity as members of public bodies sponsored by my Department. This equates to 5% of the total number of board members appointed by my Department.

There are currently 27 former civil and public servants serving in an unpaid capacity as members of public bodies sponsored by my Department. This equates to 23% of the total number of board members appointed by my Department.

### Public-private Partnerships: Unitary Charge

**Mr Storey** asked the Minister of Education to detail the Public Private Partnership projects which had inflationary uplifts to unitary payments.

**(AQW 12949/11-15)**

**Mr O'Dowd:** A proportion of the unitary charge, for all schools sector PPP projects, is subject to an annual inflationary uplift.

The inflationary uplift is calculated in accordance with the terms set out within the contract.

### Early Years: Funding

**Mr Storey** asked the Minister of Education to detail the early years projects that have been allocated funding, following his Ministerial Statement on 15 May 2012.

**(AQW 12951/11-15)**

**Mr O'Dowd:** Additional resources have been allocated to the education and library boards to allow the number pre-school places in voluntary/private settings which will be funded in the 2012/13 school year to be increased where required. At the end of the Pre-school Admissions Process on 1 June a total of over 8,000 places in the voluntary/private sector had been allocated to children. It is anticipated that this figure may increase between now and the start of the school year due to late applications. Funding is allocated on a per place basis and the actual number of places funded in individual settings will not be available until the Annual School Census in October.

An additional £150 per place payment will, as in previous years, be based on the average number of funded places for which each group claims in the period between September and December 2012 and therefore information in relation to this will not be available until after that time.

With regard to the expansion of Sure Start, proposals are currently being developed through the Childcare Partnerships in the Health and Social Care Board to extend services to those areas falling within the top 25% most disadvantaged wards that do not currently have access to Sure Start services. The funding will be made available on a phased basis as proposals are approved and progressed.

### Capital Investment: DE

**Mr Storey** asked the Minister of Education, pursuant to AQW 12032/11-15, for an update on a new build for Strabane Grammar School.

**(AQW 12952/11-15)**

**Mr O'Dowd:** The work on area planning is being taken forward at this time and will in due course identify priorities for capital investment. In the interim, however, I recognise there is a need to ensure capital funding is utilised to improve the schools estate. I have, therefore, asked officials to consider an interim process for the identification of major school projects, which are consistent with and supportive of the Area Planning work and in which capital investment can be made in the coming period.

I would hope to be in the position to confirm an interim capital investment plan before the summer. Until then I cannot comment on any individual school proposal.

### Loreto Grammar School, Omagh

**Mr Storey** asked the Minister of Education, pursuant to AQW 12032/11-15, why Loreto College, Omagh, was not mentioned in his response.

**(AQW 12953/11-15)**

**Mr O'Dowd:** The information previously conveyed in AQW 12032/11-15 clearly stated that the answer related to the Review of Major Capital Projects completed in June 2010 which assessed all capital projects on the IDP against the sustainable schools policy criteria. At that time, there were issues regarding the Economic Appraisal for Loreto College Omagh and therefore it was not one of the projects on the IDP which was deemed to be fully compliant. However, my officials will be meeting with Loreto College shortly to discuss the Economic Appraisal and its status in the current strategic context.

## Primary Schools: Inspections

**Lord Morrow** asked the Minister of Education to detail the frequency of primary school inspections in each Education and Library Board area, in each of the last three years.

**(AQW 13002/11-15)**

**Mr O'Dowd:**

| Education & Library Board | 2009/2010  | 2010/2011  | 2011/2012  | Total      |
|---------------------------|------------|------------|------------|------------|
| BELB                      | 14         | 15         | 9          | 38         |
| NEELB                     | 32         | 24         | 31         | 87         |
| SEELB                     | 15         | 18         | 30         | 63         |
| SELB                      | 38         | 25         | 54         | 117        |
| WELB                      | 14         | 27         | 25         | 66         |
| <b>Total</b>              | <b>113</b> | <b>109</b> | <b>149</b> | <b>371</b> |

## DE: Diary Commitments

**Lord Morrow** asked the Minister of Education, pursuant to AQW 12365/11-15, (i) whether he visited a school in East Londonderry on 25 May 2012 from which he was called away to deal with urgent business; (ii) whether the visit was of a ministerial or constituency nature; and (iii) to provide details of the urgent business.

**(AQW 13004/11-15)**

**Mr O'Dowd:** I would refer the member to my answer to his earlier question AQW 12365/11-15 which was published in the Official Report on 15 June 2012.

## Loreto Convent and St Colmcille's Primary Schools, Omagh: Amalgamation

**Mr Hussey** asked the Minister of Education when the essential minor works will commence to facilitate the amalgamation of Loreto Convent Primary School and St Colmcille's Primary School, Omagh, to the Holy Family Primary School, Omagh; and (ii) whether he is aware of the Health and Safety concerns of the Interim Board of Governors and that the Board may consider deferring the amalgamation if the work is not completed by the end of August 2012.

**(AQW 13021/11-15)**

**Mr O'Dowd:**

- (i) The Council for Catholic Maintained Schools (CCMS) has submitted a number of minor works applications to the Department to facilitate the amalgamation of Loreto Girls Primary School and St Colmcille's Boys Primary Schools in Omagh to form Holy Family Primary School. These are currently being considered for funding alongside other competing priorities. In the interim, work to refurbish the toilets in both schools is being progressed. It is anticipated that the contractors will be appointed during the second or third week of August 2012.
- (ii) I am aware that the Interim Board of Governors has written to CCMS expressing concern regarding completion of the works prior to the amalgamation of both schools. Particular concerns have been raised regarding the condition of external walls in the playground which are considered to pose serious health and safety risks. Work to replace a retaining wall on the Loreto site will be undertaken over the summer months. I am advised that CCMS is aware that the Interim Board of Governors may consider deferring the amalgamation and understand that discussions have taken place with the school Principal.

## Miscellaneous Educational Services

**Mr Kinahan** asked the Minister of Education to detail the potential areas of expenditure of the Miscellaneous Educational Services budget; and what scrutiny can take place on this expenditure.

**(AQW 13023/11-15)**

**Mr O'Dowd:** Miscellaneous Educational Services is a subhead within Request for Resources A of the Main Estimates. It relates to expenditure for direct payments, grants to other bodies and the associated apportionment of Departmental administrative costs. The total funding for this subhead in 2012-13 is £13.8m, which equates to 0.7% of the total Education Resource Estimate. This is analysed below:

| Miscellaneous Educational Services | 2012-13<br>£m |
|------------------------------------|---------------|
| Special Education                  | 0.9           |

| <b>Miscellaneous Educational Services</b>      | <b>2012-13<br/>£m</b> |
|--|-----------------------|
| Teacher-related Activities                     | 0.3                   |
| Young Enterprise NI & Business/Education Links | 1.6                   |
| Pupil Support & Counselling                    | 3.9                   |
| Educational Research & Publicity               | 0.5                   |
| Access NI                                      | 0.2                   |
| School Improvement Programme                   | 0.5                   |
| School Governor Services                       | 0.5                   |
| Education Training Group                       | 0.4                   |
| Other minor budgets                            | 1.9                   |
| Sports Initiative                              | 1.5                   |
| RPA Institutions                               | 0.7                   |
| Departmental Administrative and Salaries       | 0.9                   |
| <b>Total</b>                                   | <b>13.8</b>           |

Budgets are reviewed internally on an ongoing basis. This allows potential internal pressures and easements to be highlighted and considered as part of DFP's monitoring round process.

### Early Years Strategy

**Mr Agnew** asked the Minister of Education (i) for an update on the Early Years (0-6) Strategy; (ii) what efforts have been made to ensure that it will be a cross-departmental strategy; and (iii) what involvement he envisages for the Department of Health, Social Services and Public Safety.

**(AQW 13026/11-15)**

**Mr O'Dowd:** The analysis of the consultation responses is complete. I will be outlining the way forward for the Early Years (0-6) Strategy before the summer recess.

### School Workforce Review

**Mrs Dobson** asked the Minister of Education what progress his Department has made on the re-profiling of the educational workforce.  
**(AQW 13035/11-15)**

**Mr O'Dowd:** I remain fully committed to undertaking a strategic review of the school workforce. Work on this issue, within my Department, is being led by a dedicated Education Workforce Development Directorate which was created with the task of taking forward the School Workforce Review.

The scope of the review is to identify the steps needed to develop a highly motivated, flexible and effective school workforce.

To facilitate this work a number of key steps have been taken:

A Strategic Forum has been established to provide the recognised trade unions with an opportunity to work with the Department to shape and influence policy development and strategic planning before decisions are made;

Reviews of both the teaching and classroom assistant staffing groups are underway. These reviews are scheduled for completion by the autumn along with a review on nursery assistants; and

A comprehensive school-based workforce database is under development with an initial survey of staff currently being evaluated .

Alongside this work, the Department is in the process of finalising a draft strategy for the way forward for teacher education which will consider how to attract the best staff, how to strengthen professionalism and how to motivate and manage performance. The actions arising from this strategy will complement the teaching workforce elements of School Workforce Review.



### School Attendance: Fines

**Mr McGimpsey** asked the Minister of Education, pursuant to AQW 11990/11-15, how many fines have been issued to the parents of children who are not attending school regularly, broken down by each Education and Library Board area, in each of the last five years.

**(AQW 13042/11-15)**

**Mr O'Dowd:** The Education Welfare Service in each Education and Library Board has provided the following information on the number of fines in each of the last five years.

|      | BELB | SELB | SEELB | WELB | NEELB |
|------|------|------|-------|------|-------|
| 2007 | 2    | 13   | 0     | 8    | 4     |
| 2008 | 0    | 4    | 1     | 10   | 1     |
| 2009 | 1    | 8    | 4     | 6    | 0     |
| 2010 | 1    | 10   | 3     | 6    | 2     |
| 2011 | 7    | 23   | 6     | 8    | 2     |

### Primary Schools: Inspections

**Lord Morrow** asked the Minister of Education how the results of primary school inspections are made available to the public; and whether they are updated after each inspection.

**(AQW 13053/11-15)**

**Mr O'Dowd:** Primary school inspection reports are in the public domain. They are published on the Education and Training Inspectorate website at [www.etini.gov.uk](http://www.etini.gov.uk)

### Education and Library Boards: Websites

**Mr McKay** asked the Minister of Education whether he will review the Education and Library Boards' websites to assess how easy it is to locate information, particularly application forms for registering an interest to be a member of a board of governors.

**(AQW 13062/11-15)**

**Mr O'Dowd:** The Education and Library Board (ELB) websites are an important source of information for individuals interested in becoming school governors and it should be a priority to make sure that this information is accessible and designed to encourage a diverse range of people to put themselves forward for consideration as school governors. I understand that the quality of the information available on school governance and the ease with which it can be found on ELB websites varies from board to board. The Department will therefore be writing to the ELBs making clear my expectation that websites should be user friendly and that information on school governor positions, including application forms, is easily accessible.

### Irish-medium Schools: Location

**Mr Clarke** asked the Minister of Education to detail the location of each (i) primary; and (ii) post-primary Irish-medium school.

**(AQW 13087/11-15)**

**Mr O'Dowd:** The location details of each Irish-medium school are detailed in the tables below. Details are also provided for all Irish-medium Units attached to English-medium schools.

#### (i) Irish-Medium Primary Schools

| Ref      | School                  | Board   | Address   |
|----------|-------------------------|---------|---|
| 101-6647 | Bunscoil Mhic Reachtain | Belfast | 10A Lancaster Street, BELFAST BT15 1EZ            |
| 104-6641 | Scoil an Droichid       | Belfast | 4 Cooke Street<br>Ormeau Road<br>BELFAST, BT7 2EP |
| 104-6672 | Gaelscoil an Lonnáin    | Belfast | 61 Falls Rd<br>BELFAST<br>BT12 4PB                |
| 104-6671 | Gaelscoil Na Móna       | Belfast | 1 Monagh Link<br>BELFAST<br>BT11 8EF              |

| Ref      | School                      | Board         | Address   |
|----------|-----------------------------|---------------|---|
| 104-6593 | Bunscoil an tSléibhe Dhuibn | Belfast       | 15a Ballymurphy Road, Whiterock Road,<br>BELFAST BT12 7RG                             |
| 104-6596 | Bunscoil Bheann Mhadagáin   | Belfast       | Wyndham Drive<br>BELFAST<br>BT14 6HP  |
| 104-6501 | Bunscoil Phobal Feirste     | Belfast       | 11 Rosgoill Park, Shaws Road<br>BELFAST<br>BT11 9QS                                   |
| 104-6571 | Gaelscoil Na bhFál          | Belfast       | 34A Iveagh Crescent<br>BELFAST<br>BT12 6AW  |
| 304-6653 | Bunscoil an Chaistil        | North Eastern | 5 Kiln Road<br>BALLYCASTLE<br>Co Antrim, BT54 6QQ                                     |
| 304-6678 | Gaelscoil Na Speiríní       | North Eastern | 53 Moneyneeny Road<br>Magherafelt<br>Co Derry<br>BT45 7EN                             |
| 304-6684 | Gaelscoil Ghleann Darach*   | North Eastern | The Old St Joseph's School<br>15 Glenavy Road<br>CRUMLIN BT29 4LA                     |
| 304-6685 | Gaelscoil Eanna             | North Eastern | C/O St Enda's GAA, Hightown Road,<br>Glengormley, ANTRIM, NEWTOWNABBEY,<br>BT36 7AU   |
| 304-6691 | Gaelscoil an tSeanchaí      | North Eastern | Killowen Drive, MAGHERAFELT,<br>LONDONDERRY, BT45 7YY                                 |
| 504-6695 | Gaelscoil Aodha Rua         | Southern      | 97 Donaghmore Road, DUNGANNON,<br>TYRONE, BT70 1HD                                    |
| 504-6597 | Bunscoil an Iúir            | Southern      | 74 Kilmorey Street<br>NEWRY, Co Down<br>BT34 2DH                                      |
| 504-6637 | Gaelscoil Uí Néill          | Southern      | 104 Washing Bay Road<br>COALISLAND, Co Tyrone<br>BT71 4DU                             |
| 404-6648 | Bunscoil Bheanna Boirche    | South Eastern | 69 Circular Road, Castlewellan<br>Co Down, BT31 9ED                                   |
| 404-6600 | Scoil Na Fuiséige           | South Eastern | 6 Summerhill Road,<br>BELFAST<br>BT17 ORG   |
| 204-6669 | Bunscoil an Traonaigh       | Western       | Drumbrughas North Enniskillen Road<br>LISNASKEA Co Fermanagh BT90 2PE                 |
| 204-6677 | Gaelscoil na gCrann         | Western       | Dun Uladh Cultural Heritage Centre<br>Ballynamullan Rd, Omagh<br>Co. Tyrone, BT79 OGZ |
| 204-6686 | Gaelscoil na Daróige        | Western       | Coshquin Road<br>Ballymagroarty<br>DERRY<br>BT48 OND                                  |
| 204-6689 | Gaelscoil Leim an Mhadaidh  | Western       | 57 Church Street, LIMAVADY, LONDONDERRY,<br>BT49 OBX                                  |

| Ref      | School                    | Board   | Address   |
|----------|---------------------------|---------|---|
| 203-6574 | Bunscoil Cholmcille       | Western | 40A Steelstown Road<br>DERRY<br>BT48 8EX              |
| 204-6638 | Gaelscoil Uí Dhochartaigh | Western | Ballycolman Estate<br>Strabane, Co Tyrone<br>BT82 9AQ |
| 204-6646 | Gaelscoil Éadain Mhóir    | Western | 128 Lecky Road<br>DERRY BT48 6NP                      |

**(ii) Irish-Medium Post – Primary School**

| Ref      | School           | Board   | Address                                  |
|----------|------------------|---------|--|
| 124-0291 | Colaiste Feirste | Belfast | 7 Beechview Park,<br>BELFAST<br>BT12 7PY |

**Irish-Medium Units (Primary)**

| Ref      | School                                 | Board         | Address   |
|----------|--|---------------|---|
| 203-2737 | St Columbkille's Primary School        | Western       | Creggan Road, Carrickmore Co.Tyrone BT79 9BD                      |
| 203-6045 | St Canice's Primary School             | Western       | 11 Curragh Road, Dungiven BT47 4SE                                |
| 303-2018 | St Brigid's Primary School Tirkane     | North Eastern | 130 Tirkane Road, Maghera BT46 5NH                                |
| 403-6693 | Our Lady and St Patrick Primary School | South Eastern | Edward Street, Downpatrick BT30 6JD                               |
| 503-6173 | St John's the Baptist Primary School   | Southern      | 250 Garvaghy Road, Portadown BT62 1EB                             |
| 503-1110 | Christian Brothers Primary School      | Southern      | Christian Brothers School, Greenpark, Keady Road, Armagh BT60 4AB |
| 503-1148 | St Patrick's Primary School            | Southern      | 54 Carran Road, Crossmaglen, Newry BT35 9JL                       |
| 503-6118 | St Mary's Primary School               | Southern      | 5 Cacanakeeran Road, Pomeroy, Dungannon BT70 2RD                  |
| 503-6633 | St Francis Primary School              | Southern      | Francis Street, Lurgan BT66 6DL                                   |

**Irish-Medium Units (Post Primary)**

| Ref      | School                             | Board         | Address   |
|----------|------------------------------------|---------------|---|
| 223-0225 | St Brigid's College                | Western       | Glengalliagh Road, Shantallow, Derry BT48 8DU           |
| 523-0218 | St Catherine's College             | Southern      | 2 Convent Road, Armagh BT60 4BG                         |
| 423-0211 | St Malachy's High School           | South Eastern | 3 Dublin Road, Castlewellan BT31 9AG                    |
| 542-0073 | St Joseph's Convent Grammar School | Southern      | 58 Castlecaulfield Road, Donaghmore, Dungannon BT70 3HE |

## Travellers: Education

**Ms Lo** asked the Minister of Education what action his Department is taking to improve education provision in the traveller community, given that 92 percent of Irish travellers have no GCSEs.

**(AQW 13093/11-15)**

**Mr O'Dowd:** In recognition of the need to improve educational outcomes and ensure that every Traveller child and young person is given the opportunity to fulfil their educational potential, a Taskforce on Traveller Education was established in September 2008 to assist my Department with the development of an action plan to address Traveller education.

In 2011 the Taskforce submitted its report to me with a number of high level recommendations.

In response to these recommendations my Department has developed a draft Traveller Child in Education Action Framework which will be issued for consultation in September 2012.

In addition to this my Department invests £1.6million additional funding each year to support Traveller education.

## Gaelscoil na mBeann, Kilkeel

**Mr Kinahan** asked the Minister of Education, following his recent announcement in relation to Gaelscoil na mBeann, Kilkeel, to detail (i) the anticipated enrolment numbers; (ii) the total cost of the project; (iii) the projected annual running costs; and (iv) how the existing evidence of a demand from parents to have their children educated through the medium of Irish merited the construction of a new school.

**(AQW 13098/11-15)**

**Mr O'Dowd:** The Development Proposal No 269 published in November 2011 for the establishment of a new grant-aided Irish Medium primary school in Kilkeel estimated that the long-term enrolment of the school would be in the range of 116-145 pupils.

The approval to the new school is conditional on the school achieving the minimum viability intake of 12 pupils in year 1, with the required number of pupils to be registered at the school before 30 September 2012. To be eligible for recurrent funding the school must meet this condition.

The projected annual running costs of the school are approximately £105,000 per annum.

Approval to the Development Proposal does not, however, mean that I have approved the construction of a new school. Initially the school plans to place temporary accommodation on its site and will be eligible to recoup rental costs for this until such time as they become eligible for capital grant.

To qualify for capital funding new primary schools in rural areas must meet the medium term targets of an annual intake of 15 pupils over a period of three years.

## Schools: Empty Places

**Mr Kinahan** asked the Minister of Education to detail the number of empty places in schools in the (i) maintained; (b) controlled; and (iii) integrated sectors in the Kilkeel area.

**(AQW 13099/11-15)**

**Mr O'Dowd:** The number of vacant school places in primary and post-primary schools in the Kilkeel area in the maintained, controlled and integrated sectors (i.e. management type) for the 2011/12 school year is as follows:

| Management Type | Number of Vacant Places |
|-----------------|-------------------------|
| Maintained      | 281                     |
| Controlled      | 374                     |
| Integrated      | 0                       |

### Notes:

- 1 The Kilkeel area is taken to be Kilkeel Central Ward and Kilkeel South Ward.
- 2 There are no integrated schools in the Kilkeel area.
- 3 The number of vacant places in schools is derived from the difference between a school's approved enrolment number and the number of pupils enrolled at the school.
- 4 The figures exclude the enrolment pupils in receipt of a statement of special educational needs, and pupils admitted on appeal by the Education and Library Board appeal tribunals or by direction of the independent Exceptional Circumstances Body, as these are admitted over and above a school's approved enrolment number.

## Careers Teachers: Qualifications

**Mr Lyttle** asked the Minister of Education for an update on the creation of a qualification for Careers teachers.  
(AQW 13142/11-15)

**Mr O'Dowd:** In line with a commitment in the Preparing for Success careers strategy and in order to ensure that those staff involved in the provision of CEIAG are fully equipped with the knowledge, skills and expertise to lead, manage and deliver appropriate learner centred CEIAG, my Department has commissioned the writing of four CPD modules to be rolled out to existing and new careers teachers to meet the specific needs of CEIAG staff in post-primary schools within the North of Ireland.

The modules encompass the key knowledge and skills required of school staff to lead and manage CEIAG effectively.

## Careers Education

**Mr Lyttle** asked the Minister of Education for his assessment of the Northern Ireland Schools and Colleges Careers Association's analysis that the quality of Careers education, information, advice and guidance provision is widely inconsistent across schools and colleges.

(AQW 13144/11-15)

**Mr O'Dowd:** I am advised of the nature of schools' careers education, information, advice and guidance in school inspection reports provided to me by the Education and Training Inspectorate (ETI). Objectivity and consistency in making these evaluations, honesty in communicating findings and openness in ensuring that evaluations reflect accurately the school's achievements are key in informing ETI's view of a school's provision and rely, in the main, on first-hand evidence based on observation rather than anecdotal evidence.

ETI base their reports on firm and verifiable data, evidence and a systematic exploration of all aspects of the curriculum including careers. They are currently collating evidence of inspection for the period April 2010 to June 2012 in order to prepare for the next Chief Inspector's report. That evidence provisionally indicates that the percentage of schools inspected where careers education, information, advice and guidance was evaluated as good or better has almost doubled from the 37% of schools during the period 2008/10 to 70% of schools inspected for the current period. This improvement is welcome but there is no room for complacency in this important area.

## Careers Education

**Mr Lyttle** asked the Minister of Education how his Department governs the quality of Careers education, information, advice and guidance provision in schools.

(AQW 13145/11-15)

**Mr O'Dowd:** I am fully committed to the continuous improvement of the quality of careers education in schools and my Department is taking this forward through the full and continuing implementation of the joint DE DEL Careers Education, Information, Advice and Guidance (CEIAG) strategy, the aim of which is to develop effective career decision makers, leading to increased and appropriate participation in education, training and employment.

An integrated approach is essential for a learner's career development and Boards of Governors, Principals and Senior Managers are responsible for ensuring the quality of provision and the monitoring and evaluation of the quality of CEIAG provision is sustained. In addition, I am advised of the nature of schools' careers, education, information, advice and guidance in school inspection reports provided to me by the Education and Training Inspectorate.

## Construction Contracts

**Ms Maeve McLaughlin** asked the Minister of Education for his assessment of (i) his Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

(AQW 13154/11-15)

**Mr O'Dowd:** The Department does not procure construction works. When procuring construction works, the Department's Arms Length Bodies are required to comply with all current applicable procurement legislation and Procurement Guidance Notes (PGNs) issued by the Department of Finance and Personnel's Central Procurement Directorate.

The PGNs may be accessed on-line ([http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/content\\_-\\_cpd\\_-\\_policy\\_-\\_procurement\\_guidance\\_notes.htm](http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/content_-_cpd_-_policy_-_procurement_guidance_notes.htm)). PGN 01/00, 02/11 and 02/12 are of particular relevance to your query.

- (i) The Arms Length Bodies ensure that opportunities for small to medium companies to tender are permitted. Should a company not meet the relevant financial and notational value requirements to qualify as a lead contractor, they may be able to apply either as part of a consortium or by being included in the supply chain of subcontractors for a lead contractor.
- (ii) The works contract documentation used by the education sectors is designed to maximise opportunities to bid for contracts by setting proportionate minimum standards for experience and financial standing.

## Preschools: First-preference Places

**Mr Weir** asked the Minister of Education to detail the number of applicants who failed to obtain their first choice nursery place for the 2012/13 academic year, broken down by constituency.

**(AQW 13196/11-15)**

**Mr O'Dowd:** There were 22,799 applications for final pre-school places considered during Stage 1 of the 2012/13 admissions process. Of these, 15.6% failed to obtain a place in their first preference setting.

Education and Library Boards do not capture applications to pre-school settings broken down into individual constituencies and this information could only be obtained at a disproportionate cost.

## Area Planning Co-ordination Group

**Mr Storey** asked the Minister of Education to detail the membership of the Area Planning Co-ordination Group.

**(AQW 13228/11-15)**

**Mr O'Dowd:** The Area Planning Co-ordination Group is chaired by a Senior Departmental Official who is supported by DE officials with responsibility for area planning.

The group comprises the Chief Executive and the Senior Official responsible for area planning from each of the 5 Education and Library Boards and the Council for Catholic Maintained Schools.

## Schools: Mergers

**Mr Flanagan** asked the Minister of Education whether any policy exists to stop a large school and a small school merging.

**(AQW 13239/11-15)**

**Mr O'Dowd:** There is no policy to stop schools of a different size merging.

The key aim in any amalgamation is to provide high quality education in a school that will be viable and sustainable in the longer term, in line with the Sustainable Schools Policy.

It is the responsibility of the relevant school managing authorities, in the first instance, to ensure that children's educational needs are met. Should this require a significant change to a school, such as amalgamation, then this is subject to the statutory Development Proposal process. This ensures that all interested and affected parties have an opportunity to comment on the proposal. I make my decisions on Development Proposals on a case by case basis, taking account of the policy context and all pertinent information.

# Department for Employment and Learning

## Apprenticeships

**Mr Eastwood** asked the Minister for Employment and Learning to detail the (i) target number; and (ii) actual number of enrolments in Programme-Led Apprenticeships, in each year since 2009, broken down by constituency.

**(AQW 12826/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Programme Led Apprenticeships were introduced in September 2009 with the aim of assisting young people who were finding it particularly difficult to secure an apprenticeship through employment due to the economic downturn. There is no target tied to enrolments as the programme is demand led.

The number of enrolments in each academic year, by constituency, is shown in the attached Annex.

| Constituency               | 2009/10  |         | 2010/11  |         | 2011/12  |         |
|----------------------------|----------|---------|----------|---------|----------|---------|
|                            | Enrolled | Percent | Enrolled | Percent | Enrolled | Percent |
| Belfast East               | 121      | 4%      | 112      | 3%      | 125      | 4%      |
| Belfast North              | 271      | 8%      | 260      | 7%      | 296      | 8%      |
| Belfast South              | 112      | 3%      | 106      | 3%      | 117      | 3%      |
| Belfast West               | 372      | 11%     | 333      | 9%      | 287      | 8%      |
| East Antrim                | 152      | 4%      | 189      | 5%      | 189      | 5%      |
| East Londonderry           | 185      | 5%      | 166      | 5%      | 142      | 4%      |
| Fermanagh And South Tyrone | 144      | 4%      | 190      | 5%      | 171      | 5%      |



| Constituency        | 2009/10     |             | 2010/11     |             | 2011/12     |             |
|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|
|                     | Enrolled    | Percent     | Enrolled    | Percent     | Enrolled    | Percent     |
| Foyle               | 292         | 9%          | 218         | 6%          | 240         | 7%          |
| Lagan Valley        | 203         | 6%          | 204         | 6%          | 183         | 5%          |
| Mid Ulster          | 118         | 3%          | 157         | 4%          | 172         | 5%          |
| Newry And Armagh    | 185         | 5%          | 189         | 5%          | 208         | 6%          |
| North Antrim        | 160         | 5%          | 210         | 6%          | 204         | 6%          |
| North Down          | 95          | 3%          | 70          | 2%          | 109         | 3%          |
| South Antrim        | 126         | 4%          | 193         | 5%          | 166         | 5%          |
| South Down          | 234         | 7%          | 262         | 7%          | 245         | 7%          |
| Strangford          | 208         | 6%          | 161         | 5%          | 193         | 5%          |
| Upper Bann          | 156         | 5%          | 201         | 6%          | 201         | 6%          |
| West Tyrone         | 220         | 6%          | 238         | 7%          | 237         | 7%          |
| Not Known           | 43          | 1%          | 60          | 2%          | 65          | 2%          |
| <b>Total Starts</b> | <b>3397</b> | <b>100%</b> | <b>3519</b> | <b>100%</b> | <b>3550</b> | <b>100%</b> |

### St Mary's University College

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQO 2149/11-15, and given that St Mary's University College, Belfast has identified itself as a specialist institution with a distinctive mission that seeks to maintain autonomy to protect its ethos and identity, why his Department continues to fund the college which is setting itself apart from integration; and whether he has any plans to legislate to have departmental funding withdrawn.

**(AQW 12871/11-15)**

**Dr Farry:** My Department funds St. Mary's University College on the basis of the initial teacher education intake numbers as allocated by the Department of Education each year in recognition of a need to train teachers primarily for both maintained and Irish-medium education schools.

I have initiated a two-stage study of the teacher education infrastructure in Northern Ireland. Stage One of the study is an objective analysis of the financial stability and sustainability of the two university colleges. Stage Two will set out options for a more shared and integrated system for the delivery and funding of teacher education.

### South West Regional College

**Mr Allister** asked the Minister for Employment and Learning what steps are being taken to redress the community imbalance of 11 Roman Catholics to 1 Protestant in the management of the South West Regional College.

**(AQW 12887/11-15)**

**Dr Farry:** Under the Further Education (Northern Ireland) Order 1997, the Governing Body of each Further Education College, in its capacity as the employing authority, is responsible for all employment related matters, including staff recruitment and selection; the Department has no locus in such matters.

The college's most recent Equality Scheme, which was approved by the Equality Commission for Northern Ireland on 25th January 2012, includes an action by the college to continue to implement and review the college's 'Affirmative Action' plan, aimed at increasing applications to the college from those from a Protestant background.

I have asked the Chair of South West College to write to the member, directly, on this matter.

### Kickstart to Work

**Mr McCartney** asked the Minister for Employment and Learning whether he has considered implementing an agreement between his Department, the Social Security Agency, Derry City Council and others in relation to the Kickstart to Work Programme, to allow a quick and clear implementation of pre-employment programmes, to alleviate the onerous and time consuming procedure which is currently in place when processing new clients onto programmes.

**(AQW 12918/11-15)**

**Dr Farry:** My Department is aware of the procedures which the Social Security Agency has put in place which impact on Clients who wish to participate on "Kickstart to Work" and other such pre employment programmes which are available across Northern

Ireland. I have asked my officials in the Employment Service to meet with their colleagues in the Social Security Agency and the Department of Social Development to seek agreement, in conjunction with programme providers, to find a way in which the procedures for clients who are participating in pre employment programmes of this type can be streamlined.

### Step Ahead

**Mr McElduff** asked the Minister for Employment and Learning to detail the future of the Step Ahead Programme, including any plans for its re-introduction.

**(AQW 12921/11-15)**

**Dr Farry:** The Step Ahead initiative ceased in April and I currently have no plans to re-introduce this strand of the Steps to Work programme. The Steps to Work programme itself is due to end on 31 March 2013, and my Department is working on the development of a new employment programme to replace it during 2013.

### St Mary's University College

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 11514/11-15, (i) when Stranmillis University College, or Queen's University, Belfast expressed a desire for the proposed merger, and which faculty initiated the first move; (ii) whether representatives of either faculty approached St Mary's University College, Belfast about the merger during the initial stages; and (iii) why St Mary's was permitted to retain its no-merger stance while Stranmillis was not, despite negative responses and Equality Commission concerns.

**(AQW 12954/11-15)**

**Dr Farry:** It is my understanding that the Governing Body of Stranmillis University College first proposed the merger with Queen's University in 2008. I further understand that both St. Mary's University College and the University of Ulster were approached by Stranmillis and asked to consider merger with it but both declined. The Governing Body of Stranmillis continues to support the proposed merger with Queen's and has not withdrawn its request to merge. The Equality Commission did highlight some concerns about the impact of the merger on students from a Protestant background but stated that this was not an argument against merger but rather a factor that should be borne in mind.

### Special Educational Needs: Statements

**Mr Rogers** asked the Minister for Employment and Learning what steps he is taking to ensure that young people, who have had a statement of special educational needs throughout their school life, receive a similar level of support when they transfer to Further and Higher Education.

**(AQW 13078/11-15)**

**Dr Farry:** My Department has a number of initiatives in place to ensure that young people with disabilities and learning difficulties, who have had a statement of special educational needs throughout their school life, receive a similar level of support when they transfer to Further and Higher Education.

### Further Education

Under the Special Educational Needs and Disability (NI) Order 2005, further education (FE) colleges are required to make reasonable adjustments to allow students with learning difficulties and/or disabilities access to further education; adjustments depend on the nature of the disability, and the course of study.

Colleges receive funding of £3.5m per annum, through the Department's Additional Support Fund (ASF), which is ring-fenced, and additional to the funding generated by students with disabilities within the Recurrent Block Grant. This funding provides £1.5m to cover additional technical and/or personal support, such as note takers or specialist software, and £2m to provide extra support for those students with disabilities, who cannot be accommodated within a college's mainstream provision.

### Higher Education

In financial year 2011/12, my Department provided Disabled Student Allowances (DSA) funding of over £3m. DSA provides funding for disability needs assessments to determine the support needs of each student and the level of award. These allowances are available to help pay the extra costs, which students may incur whilst studying, as a direct result of their disability, mental health condition, or specific learning difficulty. The allowances can help with the cost of a non-medical support provider, items of specialist equipment, travel, and other course-related costs. The amount awarded does not depend on a student's (or their family's) income, and does not have to be repaid.

Additionally, DSA also supports the administration and delivery of a Register of Support Providers in each of the two Northern Ireland Universities. Support from a register is available to all students with disabilities and learning difficulties in the universities, and university colleges. Students on affiliated higher education courses in further education colleges can also avail of a range of support, including note taker, proof reader, typist, campus assistant, and library assistant.

## Department of Enterprise, Trade and Investment

### Sustainable Energy Programme

**Mr Copeland** asked the Minister of Enterprise, Trade and Investment to outline the current status of the Northern Ireland Sustainable Energy Programme.

**(AQW 12919/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The Northern Ireland Sustainable Energy Programme (NISEP) is the independent Utility Regulator's energy efficiency and renewable energy scheme. It is not currently committed to run beyond 31 March 2013. With the agreement of the Utility Regulator, DETI has recently issued a consultation on the Energy Bill which also invites views on whether NISEP should be continued until any new energy efficiency measure is put in place.

## Department of the Environment

### Planning Permission: Memorials

**Mr Allister** asked the Minister of the Environment how many existing memorials to innocent victims of the Troubles have planning permission.

**(AQW 8437/11-15)**

**Mr Attwood (The Minister of the Environment):** In general a free standing structure such as a statue is likely to require planning permission. There may be circumstances where a memorial is minor in nature such that it is considered not to be development requiring planning permission, for example, a small roadside cross or a small wall mounted plaque.

DOE Planning has however dealt with approximately 50 planning applications since 1999 for various memorials. A total of 42 of these applications have been approved and 18 enforcement cases have been undertaken in relation to memorials.

I appreciate the issue identified in the AQ in relation to 'innocent victims'. The Planning system records information in relation to 'memorials', independent of their particular backgrounds.

### Planning Approval: Parkgate Quarry

**Mr Kinahan** asked the Minister of the Environment what conditions are likely to be attached to the planning approval of Parkgate quarry, should it be granted.

**(AQW 8478/11-15)**

**Mr Attwood:** The proposed conditions to be attached to any planning approval of Parkgate quarry would most likely cover areas such as the types of waste permitted on the site; permitted hours of operation; noise restrictions; landscaping and restoration of the site; roads issues including a detailed programme of works and traffic management proposals, visibility splays, haulage routes and wheel wash facilities. Some of these will be in the form of negative conditions which will require works to be carried out prior to the commencement of waste operations.

### Planning Approval: Parkgate Quarry

**Mr Kinahan** asked the Minister of the Environment how his Department intends to enforce (i) the route restrictions; and (ii) the vehicle size and weight on the possible Parkgate quarry planning approval.

**(AQW 8482/11-15)**

**Mr Attwood:** I apologise to the Member for the delay in answering the question. Officials are currently liaising with Roads Service regarding the control of the issues you have raised. I will write to you personally with an update once the matter has been agreed.

### Wind Turbines/Farms

**Mr Kinahan** asked the Minister of the Environment to detail the number of (i) wind turbines; and (ii) wind farms in each council area.

**(AQW 8648/11-15)**

**Mr Attwood:** Table 1 below sets out the number of approvals for single wind turbines and wind farms for the each of the last 3 business years by Council Area.

**Table 1: Wind Turbine and Wind Farm Approvals**

|        | 2008/09        |           | 2009/10        |           | 2010/11        |           | 2011/12        |           |
|--------|----------------|-----------|----------------|-----------|----------------|-----------|----------------|-----------|
|        | Single turbine | Wind farm | Single turbine | Wind farm | Single turbine | Wind farm | Single turbine | Wind farm |
| Antrim | 7              | 0         | 4              | 1         | 2              | 1         | 14             | 0         |
| Ards   | 11             | 0         | 5              | 0         | 2              | 0         | 1              | 0         |

|                  | 2008/09        |           | 2009/10        |           | 2010/11        |           | 2011/12        |           |
|------------------|----------------|-----------|----------------|-----------|----------------|-----------|----------------|-----------|
|                  | Single turbine | Wind farm | Single turbine | Wind farm | Single turbine | Wind farm | Single turbine | Wind farm |
| Armagh           | 10             | 0         | 5              | 1         | 4              | 0         | 10             | 0         |
| Ballymena        | 9              | 0         | 3              | 1         | 2              | 1         | 22             | 0         |
| Ballymoney       | 8              | 1         | 6              | 2         | 13             | 0         | 9              | 1         |
| Banbridge        | 20             | 0         | 5              | 0         | 10             | 0         | 9              | 0         |
| Belfast          | 0              | 0         | 2              | 0         | 0              | 0         | 1              | 0         |
| Carrickfergus    | 5              | 0         | 2              | 0         | 10             | 0         | 0              | 0         |
| Castlereagh      | 8              | 0         | 2              | 0         | 0              | 0         | 4              | 1         |
| Coleraine        | 15             | 0         | 4              | 0         | 3              | 0         | 10             | 2         |
| Cookstown        | 1              | 0         | 3              | 0         | 2              | 0         | 11             | 0         |
| Craigavon        | 4              | 0         | 1              | 0         | 0              | 0         | 3              | 0         |
| Derry            | 3              | 2         | 4              | 0         | 0              | 0         | 2              | 0         |
| Down             | 24             | 0         | 6              | 0         | 5              | 0         | 5              | 0         |
| Dungannon        | 5              | 0         | 3              | 1         | 9              | 1         | 12             | 1         |
| Fermanagh        | 9              | 2         | 4              | 1         | 8              | 1         | 18             | 0         |
| Larne            | 5              | 1         | 2              | 0         | 1              | 0         | 7              | 0         |
| Limavady         | 3              | 0         | 2              | 1         | 0              | 1         | 0              | 1         |
| Lisburn          | 10             | 1         | 7              | 0         | 3              | 1         | 2              | 0         |
| Magherafelt      | 2              | 0         | 9              | 0         | 5              | 1         | 9              | 1         |
| Moyle            | 3              | 0         | 2              | 0         | 2              | 0         | 2              | 1         |
| Newry and Mourne | 41             | 0         | 4              | 0         | 5              | 0         | 3              | 0         |
| Newtownabbey     | 5              | 0         | 5              | 1         | 3              | 0         | 3              | 0         |
| North Down       | 1              | 0         | 2              | 0         | 1              | 0         | 1              | 0         |
| Omagh            | 8              | 2         | 5              | 1         | 14             | 3         | 23             | 2         |
| Strabane         | 10             | 1         | 7              | 1         | 24             | 3         | 39             | 0         |
| <b>Total</b>     | <b>227</b>     | <b>10</b> | <b>104</b>     | <b>11</b> | <b>119</b>     | <b>13</b> | <b>220</b>     | <b>10</b> |

**Source:** Planning

This information is based on records up to 30 September 2011.

DOE Planning continues to refine and improve the quality of data it holds for renewable energy applications. As such the data contained herein may differ from that previously published and in itself may be subject to revision.

### Planning: Developer Contributions

**Mr Flanagan** asked the Minister of the Environment when he plans to introduce a Planning Gain Developer Contribution mechanism. (AQW 9753/11-15)

**Mr Attwood:** Developers can already be required to make contributions to mitigate the impact of a proposal and overcome a barrier to development, for example, the funding or provision of road improvement schemes or the inclusion of open space and recreational facilities. All such contributions must be reasonable and related to the development proposal in question.

My Department is also working with the Department for Social Development to investigate how the planning system may contribute to securing contributions to affordable housing from developers of residential proposals. I have to say that it is past time to create certainty on this issue and for developer contributions to be put in place.

The issue of wider contributions to regional infrastructure beyond site-specific mitigation, for example motorways, hospitals and water treatment works, is an issue which would need to be considered at Executive level in line with responsibility for the funding and provision of such infrastructure.

I shall write to relevant Ministers (DRD / DETI / FMdFM) to encourage progress in this regard.

### Alcohol Consumption: Private Hire Vehicles

**Mrs Dobson** asked the Minister of the Environment, in relation to his plans to curb illegal drinking, (i) for his assessment of bus operators' concerns that they could be placed in a policing role to control their customers consuming alcohol on private hire vehicles; and (ii) what measures he plans to put in place to ensure that bus operators and drivers are not adversely affected by the actions of their customers.

**(AQW 9995/11-15)**

**Mr Attwood:** I have discussed the matter with bus operators, and I recognise the difficulty that drivers may face when challenging passengers about consuming alcohol on board their vehicles, and I acknowledge that they can be expected to fulfil only a limited role in policing the activities of their passengers.

The Department's advice is therefore that operators should consider stipulating in advance of any booking that alcohol will not be allowed on board. This control measure should be considered in respect of all high risk journeys, particularly where there has been a history of habitual offending. In the event that passengers become threatening or refuse to comply with the driver's instructions, the PSNI should be contacted.

The Driver & Vehicle Agency recognises that some bus operators may attempt to acquire additional business by permitting passengers to consume alcohol on board their vehicles, and I can confirm that the Agency is stepping up its enforcement activities, in conjunction with the PSNI, in order to target that particular issue.

### Alcohol Consumption: Private Hire Vehicles

**Mrs Dobson** asked the Minister of the Environment, in relation to his plans to curb illegal drinking, what measures he plans to put in place to ensure that (i) private hire companies and coach operators, who are in full compliance with the law, are not adversely affected; and (ii) his plans do not increase the prevalence of unlicensed operators.

**(AQW 9997/11-15)**

**Mr Attwood:** Whilst the issue of alcohol consumption on buses is primarily an enforcement responsibility for the police, the Driver & Vehicle Agency will continue to work with the PSNI to target operators who flout the law and at the same time to safeguard the interests of those who are fully compliant.

I am also considering, in consultation as necessary with partner organisations, a range of strengthening measures that would serve to enhance enforcement and reduce the prevalence of unlicensed operators. These include changes to legislation that would enable the confiscation of unlicensed vehicles, tougher licensing conditions, the issuing of fixed penalty notices, stricter compliance requirements in respect of vehicle construction, and measures to promote public and industry awareness of legal requirements.

### Driver and Vehicle Agency, Coleraine

**Mr Campbell** asked the Minister of the Environment to outline the proposals he submitted to the Secretary of State for Transport to protect staff numbers at the Driver and Vehicle Agency office in Coleraine.

**(AQW 10048/11-15)**

**Mr Attwood:** I am very concerned about any threat to jobs, either in Coleraine or in local vehicle licensing offices, that may emerge from the ongoing examination by the Driver and Vehicle Licensing Agency of the options for the future delivery of vehicle licensing services following the planned integration of IT systems next year.

In correspondence to, and meetings with Ministers in the Department for Transport, I have made it very clear that there should be no reduction in jobs. Even if the new IT system results in more tax discs being purchased online or through Post Offices, there is still a wide range of vehicle licensing services that could be delivered by staff in DVA, either for Northern Ireland customers or for customers across the UK.

I have emphasised to Ministers in Britain the exceptionally high standards of service delivered by DVA and also the special economic conditions in Northern Ireland, our reliance on public sector jobs and the need for time to rebuild and rebalance the economy. I have made it clear that now is not the time to be cutting jobs.

I have raised the matter with the secretary of State, Owen Patterson who I intend to meet and have provided a detailed submission to Justine Greening, the Secretary of State for Transport, who I have also requested a meeting with. I have advised NIPSA of my efforts which have been ongoing since June 2011.

### Republican Monument, Kilcoo, County Down

**Mr Wells** asked the Minister of the Environment what progress has been made in taking enforcement action against the republican monument that was erected without planning permission in Kilcoo, near Castlewellan.

**(AQW 10467/11-15)**

**Mr Attwood:** This enforcement case remains under investigation and the Member will be informed of the outcome in due course. I have asked for an update on this case, which I need to consider in the context of similar matters.

Should the landowner submit a planning application, Down District Council would be consulted as the relevant Council and in relation to Section 75 of the Northern Ireland Act 1998.

### Crown Estate: Devolution

**Mr McMullan** asked the Minister of the Environment (i) for his assessment of the potential benefits to the economy if the administration and revenue of the Crown Estate were devolved; and (ii) whether he will consider discussing with the Scottish Government their position on the devolution of the Crown Estate.

**(AQW 10544/11-15)**

**Mr Attwood:** I am a strong advocate of the devolution to the Executive of powers held by London. I believe, as with Scotland and more than Scotland, this should be a key element in political developments over the next period. This includes the devolution of the administration and revenue of the Crown Estate.

### Hydraulic Fracturing: Interdepartmental Working Group

**Mr Agnew** asked the Minister of the Environment to detail (i) the membership of the inter-departmental working group on hydraulic fracturing; (ii) when the group has met; (iii) plans for future meetings and any future agendas; (iv) the agenda of all previous meetings; and (iii) to provide the minutes of all of the group's meetings.

**(AQW 11110/11-15)**

**Mr Attwood:** The Department of Enterprise, Trade and Investment (DETI) provides the chair and secretariat for this group and the information requested would be sought more appropriately from that Department. I can confirm that officials from the Department in Northern Ireland Environment Agency, Planning and Environmental Policy Division are represented on the group.

### Consumer Focus Scotland: 'Reaping the Benefits of Renewables'

**Mr Flanagan** asked the Minister of the Environment for his assessment of the report by Consumer Focus Scotland 'Reaping the Benefits of Renewables - The role of community benefit funds in tackling fuel poverty and energy efficiency' including what lessons his Department might learn from this report.

**(AQW 11609/11-15)**

**Mr Attwood:**

- 1) I commend the Consumer Focus Scotland report in its assessment of the potential future links between the significant and growing issues of energy costs, fuel poverty in rural areas, the development of renewable energy infrastructure and the resources available through community benefit funds.
- 2) I will also take into account the publication of the Northern Ireland Renewable Industry Group's (NIRIG) protocol on community benefits, which I will discuss with NIRIG at a renewable subgroup of the Planning Forum in late June.
- 3) I recognise fully the view that there should be community benefit / greater community benefit on renewable applications. I have tasked officials to bring forward proposals on how in terms of guidance on / and new policy and / on other means, the requirement for community benefit may be advanced. Clearly, the Scotland report bears on DFP and DSD (energy efficiency / fuel poverty). I will write to the respective Ministers to seek their views.

### Wind Farms: Community Benefit

**Mr Flanagan** asked the Minister of the Environment for his assessment of the report, by the Fermanagh Trust, on the level of benefits that communities here derive from wind farm developments; and what changes will be made to PPS 18 as a result.

**(AQW 11612/11-15)**

**Mr Attwood:** I recently met with the Fermanagh Trust to discuss its report, and remain wholly supportive of communities deriving meaningful and long term benefits from the windfarms developments.

You will be aware that the Northern Ireland Renewable Industry Group (NIRIG) is at an advanced stage in the development of a community benefit protocol.

I will consider this protocol when published.

However, I would also refer the member to AQW 11609 / 11-15 in this regard.

### Marine Bill: Clause 20(5)

**Mr Agnew** asked the Minister of the Environment, in relation to clause 20(5) of the Marine Bill which states 'if the authority believes that there is, or may be, a significant risk of the act hindering the achievement of the conservation objectives stated for the MCZ' , to detail what circumstances would be considered a significant risk.

**(AQW 11896/11-15)**

**Mr Attwood:** Clause 20 places a general duty on public authorities to inform the Department if they intend to undertake an activity or action that they believe will or may cause a significant risk of hindering the achievement of conservation objectives for an MCZ.

What constitutes a significant risk will depend on individual circumstances. It will be considered on a case by case basis, having regard to, the likelihood and an assessment of whether the protected features might potentially be affected by the location, size, timing or other characteristics/consequences of the activity or development concerned.



Under Clause 22 the Department has the power to provide advice and guidance to public authorities on MCZs. Any advice/guidance will be based on the best available evidence.

In legislative terms 'significant' is deemed to be anything more than minor or trivial. To that end, it would depend on the conservation objectives of each individual site to determine if an activity would be considered a significant risk to the MCZ.

## Marine Bill

**Mr Agnew** asked the Minister of the Environment (i) why irrationality (unreasonableness) is not included in the Marine Bill as grounds for judicial review, given that this is accepted as grounds for judicial review under common law; (ii) why, under the Marine Bill, an application must be made no later than 6 weeks after the publication of the relevant document, given that applications for judicial reviews are accepted up to 3 months in common law; and (iii) for his assessment of whether the proposals are compatible with the Aarhus Convention which assures 'access to justice' for people in environmental decision making.

**(AQW 11897/11-15)**

**Mr Attwood:** Clause 8 of the Marine Bill defines the grounds upon which a person aggrieved by a marine plan may apply to the High Court.

Legal advice has confirmed that clauses 8 and 9 of the Bill provide for a form of statutory judicial review of the marine plan which substitutes for generic judicial review. Given that the specific grounds for judicial review of administrative acts are reflected in provisions such as clause 8, it is not considered necessary to specify irrationality as a particular ground of review.

Due to the inclusive nature of the marine planning process grounds for challenge are likely to become apparent prior to the adoption of the final plan. In addition anyone who wishes to challenge a marine plan will be able to raise their concerns during the marine planning process. Nonetheless, I acknowledge the point and am reviewing the time limit provision.

Clauses 8 and 9 afford recourse to the Courts and are therefore compatible with Aarhus Convention

## Marine Bill: Clause 2(5)

**Mr Agnew** asked the Minister of the Environment what constitutes a 'relevant consideration' as stated in clause 2(5) of the Marine Bill.

**(AQW 11898/11-15)**

**Mr Attwood:** 'Relevant considerations' for clause 2(5) of the Marine Bill are not defined, as this would be too prescriptive and would not allow for future developments in knowledge, technology and legislation etc. However, relevant considerations could include: the effects of climate change; the development of new technologies; regional considerations or changes in international or European policies and legislation. They could also include matters not reflected in a Marine Policy Statement (MPS) which was under review or being amended.

Although the Bill enables the marine plan to depart from the policies set out in the MPS if relevant considerations indicate that another course of action is more appropriate, this flexibility is not expected to be used as a matter of course. In fact, frequently needing to depart from the MPS could indicate that it was not working effectively, and could need amending.

Since the marine planning process is designed to be inclusive, all stakeholders and those affected by a plan will be able to provide input to the process and will be able to make representations on any departure from the MPS.

## Review of Public Administration: Costs

**Mrs D Kelly** asked the Minister of the Environment for his assessment of the cost of implementing the Review of Public Administration in each council area, including the cost of possible staff redundancies.

**(AQW 11914/11-15)**

**Mr Attwood:** The economic appraisal of local government service delivery, published by PricewaterhouseCoopers in October 2009, indicated that under the preferred option (i.e. Transformation with Regional Collaboration) implementation of the local government reform programme could involve expenditure of up to £118 million over five years and achieve savings of £438 million over twenty five years. This expenditure included just over £20 million for the redundancy of local government staff, mainly at Chief Executive and Director level. These costs and savings were not, however, broken down on an individual council basis.

I have asked that work is now done to re-examine the cost of reform against the backdrop of the 2015 timescale for reform set out in the Programme for Government 2011-15, the sector's Improvement, Collaboration and Efficiency proposals and the changed economic climate in which reform is now being taken forward.

Each of the Voluntary Transition Committees, which I have asked local government to establish, will also be developing supporting economic appraisals embracing the detailed costs and benefits of implementing reform within their constituent councils.

## Agricultural Vehicles

**Mr McMullan** asked the Minister of the Environment for an update on the review of the use of agricultural vehicles, as discussed at the North South Ministerial Council Transport Sectoral meeting.

**(AQW 12042/11-15)**

**Mr Attwood:** The review of the use of agricultural vehicles referred to is planned for the Republic of Ireland and no such review is planned for Northern Ireland.

The use of agricultural vehicles in Northern Ireland will however be impacted by the introduction of the Goods Vehicles (Licensing of Operators) Act (NI) 2010 which will come into operation on 1 July 2012. This legislation requires that all those using goods vehicles over 3500kg to carry goods on the road in the course of a trade or business will need to hold an operator's licence.

Licence holders will be required to carry out regular safety inspections and sign undertakings in respect of maintenance, record keeping and observing traffic and transport laws.

The Goods Vehicles (Licensing of Operators) (Exemption) Regulations (NI) 2012, which are subject to affirmative resolution in the Assembly, exempt agricultural tractors being used solely for agriculture, horticulture or forestry purposes from the need to hold an operator's licence. The regulations in this regard were recently passed by the Assembly.

## Motorcyclists: Compulsory Basic Training

**Mr Spratt** asked the Minister of the Environment whether he will offer a concessionary rate for people aged over 65 who are required to complete a Compulsory Basic Training course for motorcycling.

**(AQW 12049/11-15)**

**Mr Attwood:** The Driver & Vehicle Agency maintains the register of approved motorcycle instructors (AMIs) under the Road Traffic (Northern Ireland) Order 2007 and the Motor Vehicles (Driving Instruction) Regulations (Northern Ireland) 2010.

From 21 February 2011 new legislation introduced a requirement for all new moped and motorcycle riders to complete compulsory basic training (CBT) before being permitted to ride unaccompanied on public roads. The training is provided by AMIs.

Course fees for CBT are not currently regulated: they are "market led". There is no current provision within the existing legislation for them to be determined by the Department, this is the reality of the law.

The scheme, which was developed in conjunction with the motorcycle industry, road safety organisations and the PSNI, is designed with flexibility in mind not only to take account of a trainee's experience and knowledge but also to accommodate an individual's ability to learn. Courses may also be delivered and undertaken either in one go or in bite-sized pieces, which means that trainees may learn at their own pace and thereby spread the overall costs.

I am content with the existing arrangements, and have no plans to change them at present.

That said, I recognise the point in the question. I shall write to the AMIs to make the argument for a concessionary rate and update members thereafter.

## HMS Caroline

**Mr Hussey** asked the Minister of the Environment whether he would consider listing HMS Caroline as part of the history of Belfast as a naval city, given that this is one of the very few remaining crafts of this type.

**(AQW 12067/11-15)**

**Mr Attwood:** I am advised by officials that the special protection afforded by Listing (i.e. to declare it a 'building of special architectural or historic interest') under the provisions of the Planning (NI) Order 1991 cannot be extended to a vessel such as the HMS Caroline. I am further advised, however, that the vessel could, potentially, be afforded statutory protection as a Scheduled Historic Monument, under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995. There is a process to be observed in bring forward a proposal for such protection, including consultation with the Historic Monuments Council, a Statutory Advisory Council constituted under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995.

The HMS Caroline is certainly an important, historic vessel. As you are probably aware, it was one of the oldest commissioned vessels in the Royal Navy, and it is the only known First World War light cruiser that is still afloat. Indeed, it is thought to be, perhaps, the last vessel from any nation in the world that saw active service during the great First World War sea battle known as the Battle of Jutland. HMS Caroline was finally decommissioned in March 2011, after some 97 years of service.

You may also be aware that its future has recently been the subject of three questions in the Houses of Parliament, Westminster (questions 106156, 106157 and 106227 refer). I should make you aware that, should the vessel be selected for scheduling as a historic monument, this does not provide a guarantee of funding from this Department. Although there is provision under the HMAOO for the Department to make a contribution towards the costs of preservation, maintenance and management of monuments, I am sure that you will appreciate, that there are many competing demands upon the resources currently available to my Department.

I have been advised by my Executive colleague Arlene Foster, Minister for Enterprise, Trade and Investment of the following:

*"I have been working for some time now to find the best solution for HMS Caroline and have met with various stakeholders who are also keen to have HMS Caroline retained in Belfast.*

*An economic appraisal which considered the options around retaining the ship has been finalised and discussions with the Royal Navy are ongoing."*

I have also been advised by my Executive colleague Carál Ní Chuilín, Minister for Culture, Arts and Leisure, of the following:

"The issue of whether HMS Caroline should be listed is entirely a matter for DOE. To date DCAL has consistently taken a position on HMS Caroline that:

- This project is outside of the Department's statutory remit.
- Capital and/ or revenue funding is not available from DCAL existing budgets to provide any financial support to the project.
- To ensure good continued communications and relations DCAL is actively participating in a number of stakeholder meetings, led by SIB and DETI. These seek to explore opportunities for developing Belfast's maritime assets in the context of the Belfast Titanic and Maritime Asset Strategy developed by DSD, Belfast City Council and NITB and in line with the Department's Museums Policy."

Belfast certainly has a lengthy, internationally-recognised, history as a maritime city and the city's naval past is part of that story. With the ongoing delivery of the Titanic Signature Project, Belfast's maritime history could, potentially, continue to draw significantly more visitors to the city in the years to come. It would certainly be good to see the HMS Caroline as part of Belfast's heritage offering, with the overall contribution that that can bring to our economy etc and I will continue to explore how my Department can best contribute to that in a positive way. In this particular instance officials from my Department will contact their counterparts in DETI to establish with them whether or not statutory protection as a Scheduled Historic Monument would help them to secure a better future for the vessel.

### **Marine Bill: Clause 14(3)(b)**

**Mr Agnew** asked the Minister of the Environment to detail the information that must be included in a published notice of a proposal to make an order designating a marine conservation zone under clause 14(3)(b) of the Marine Bill.

**(AQW 12143/11-15)**

**Mr Attwood:** An order made under clause 11 of the Marine Bill will define the overall area and boundaries of an MCZ, its protected features and its conservation objectives. The conservation objectives will describe the purpose and aim of the designation, specific information on the feature(s) designated and the level of protection.

As part of the consultation process, clause 14(3) (b) requires that the proposed designation order includes this information and therefore allows relevant stakeholders the opportunity to participate in the process.

### **Sickness Absence**

**Mr P Ramsey** asked the Minister of the Environment to detail the percentage of sickness absence in his Department in each of the last three years; and the agreed target rate of sickness as set out in any memoranda of understanding between his Department and the trade unions.

**(AQW 12225/11-15)**

**Mr Attwood:** The percentage of sickness absence within the Department of the Environment (DOE) in each of the last three years is set out in the table below.

Ministerial targets were set in 2010 for an overall reduction in sickness absence within the Northern Ireland Civil Service to 8.5 days lost per staff year by the end of the 2014/2015 financial year. This target appears in the Executive's Draft Programme for Government 2011-2015. Individual Departmental targets were also set for the same period and the DOE targets are also set out below. The Department of Finance and Personnel (Corporate HR) advised the Trade Unions of the new targets. This is not reflected in any memorandum of understanding with the Trade Unions.

#### **DOE Absence information April 2008 – March 2011**

| <b>Year</b> | <b>Days lost per staff year/<br/>Whole time equivalent</b> | <b>Rate<br/>(% of available days lost)</b> |
|-------------|--|--|
| 2008/09     | 9.6  | 4.3  |
| 2009/10     | 9.9  | 4.4  |
| 2010/11     | 9.2  | 4.2  |

The sick absence statistics for 2011-12 are not yet published.

**DOE Sickness Absence Targets**

|           | <b>2010/11</b> | <b>2011/12</b> | <b>2012/13</b> | <b>2013/14</b> | <b>2014/15</b> |
|-----------|----------------|----------------|----------------|----------------|----------------|
| Days lost | 9.5            | 9.0            | 8.5            | 8.0            | 7.5            |

**MOT Test: Pre-1960 Vehicles**

**Mr Elliott** asked the Minister of the Environment whether he has any plans to introduce legislation, similar to that which was introduced at Westminster, regarding the exemption from the MOT for historic and vintage cars which were manufactured before 1960. (AQW 12348/11-15)

**Mr Attwood:** The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing and the Environment Committee at its meeting on 22 March 2012 considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which is to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles. The Department is progressing its detailed consideration of the appropriate way forward, to ensure that the requirements of the Directive are met in the detail of the policy.

**Listed Buildings: Enforcement Cases**

**Mr McQuillan** asked the Minister of the Environment how many enforcement cases have been opened in relation to listed buildings in the last twelve months, broken down by planning office. (AQW 12398/11-15)

**Mr Attwood:** The number of enforcement cases opened in relation to listed buildings in the last twelve months, broken down by planning office is set out in the table below

| <b>Planning Office</b>      | <b>Listed Building Cases received<br/>Apr 11 – Mar 12</b> |
|-----------------------------|---|
| Belfast Area Office         | 1   |
| Northern Area Office        | 11  |
| South Antrim Area Office    | 0   |
| Southern Area Office        | 10  |
| Downpatrick Office          | 9   |
| Strategic Planning Division | 0   |
| Western Area Office         | 3   |

**Planning: Priority 1 Enforcement Cases**

**Mr McQuillan** asked the Minister of the Environment how many category one enforcement cases have been opened in the last twelve months. (AQW 12399/11-15)

**Mr Attwood:** The Department will investigate all alleged breaches of planning control. However, when determining what (if any) action is to be taken, priority will be given to those breaches where, in the Department's opinion, the greatest harm is likely to be caused.

The priority given is determined by the guiding principle that any action in response to a breach of planning control should be proportionate to the harm it causes.

Priority 1 cases relate to works resulting in public danger or development which may result in permanent damage to the environment. For example demolition of or works to a listed building, trees protected by a TPO, demolition of a building in a conservation area, and commencement of building operations without planning permission.

In the last twelve months, 78 priority 1 cases have been opened.

### Local Area Planning Offices: Staff Numbers

**Mr McQuillan** asked the Minister of the Environment how many staff are employed in each planning office; and how many are involved in enforcement.

**(AQW 12400/11-15)**

**Mr Attwood:** The number of staff employed in each local area planning office (including development management, development plan, administrative and enforcement); and the number of P&T staff involved in enforcement are set out in the table below.

| Local Planning Office | Total staff employed in each local area planning office | Number of staff involved in Enforcement |
|-----------------------|---|---|
| South Antrim Area     | 53  | 5                                       |
| Belfast Area          | 63  | 6                                       |
| Southern Area         | 77  | 6                                       |
| Downpatrick Office    | 62  | 11                                      |
| Northern Area         | 64  | 7                                       |
| Western Area          | 57  | 4                                       |
| <b>Total</b>          | <b>367</b>  | <b>39</b>                               |

In addition to the 46 staff dealing solely with enforcement cases, there are an additional 10 officers at PPTO (Principal) grade involved in enforcement along with their other development management responsibilities across the area office network. There is a further dedicated enforcement team of 7 staff in Strategic Planning Division based at Headquarters.

I have made it clear that I take the enforcement of planning powers seriously. Despite pressures associated with redeployment within the Department dedicated enforcement teams have been retained within each area office reflecting the high priority I attach to this area of work.

### Planning: Enforcement Cases

**Mr McQuillan** asked the Minister of the Environment how many enforcement cases have been opened in the last twelve months, broken down by planning office.

**(AQW 12402/11-15)**

**Mr Attwood:** The Department will investigate all alleged breaches of planning control and has a general discretion to take enforcement action when it regards it as expedient to do so, having regard to the provisions of the development plan and any other material considerations.

The number of enforcement cases opened in the last twelve months broken down by planning office is set out in the table below.

| Planning Office             | Number of Cases opened |
|-----------------------------|------------------------|
| Belfast Area Office         | 473                    |
| Northern Area Office        | 398                    |
| South Antrim Area Office    | 290                    |
| Southern Area Office        | 377                    |
| Downpatrick Office          | 520                    |
| Strategic Planning Division | 136                    |
| Western Area Office         | 371                    |
| <b>Total</b>                | <b>2565</b>            |

## Arm's-length Bodies: Board Members' Remuneration

**Mr Gardiner** asked the Minister of the Environment to detail the current total annual cost of remuneration for board members at his Department's arm's-length bodies and quangos.

**(AQW 12409/11-15)**

**Mr Attwood:** The Department has five arm's length bodies (ALBs) as follows:

- NI Local Government Officers' Superannuation Committee (NILGOSC);
- Local Government Staff Commission for NI (LGSC);
- Council for Nature Conservation and Countryside (CNCC);
- Historic Monuments Council (HMC); and
- Historic Buildings Council (HBC).

Board members of NILGOSC, LGSC and CNCC are remunerated while those of HMC and HBC receive expenses only.

The table below details the annual cost of remuneration for board members of the Department's ALBs for 2011/12.

| Arm's Length Body | £             |
|-------------------|---------------|
| NILGOSC           | 33,277        |
| LGSC              | 19,276        |
| CNCC              | 16,417        |
| <b>Total Cost</b> | <b>68,970</b> |

## Quangos

**Mr Gardiner** asked the Minister of the Environment what plans he has to reduce (i) the number of QUANGOs; and (ii) the operational cost of QUANGOs.

**(AQW 12541/11-15)**

**Mr Attwood:** I am proceeding with a Review of the Local Government Staff Commission which has now been in existence for nearly 40 years. The review will be launched before the end of June 2012 and the consultation will remain open for 12 weeks.

There have been no new arms length bodies (QUANGOs) attached to my Department created as a result of legislation passed by the Northern Ireland Assembly since 2007.

## Planning Applications: Wind Turbines

**Mr McQuillan** asked the Minister of the Environment what is the closest distance a wind turbine can be sited to a parachute club.

**(AQW 12562/11-15)**

**Mr Attwood:** The main planning policy for the assessment of a planning application for wind energy is contained within Planning Policy Statement 18 'Renewable Energy'. Although this policy document does not refer specifically to the proximity of a proposed turbine to a parachute club, the 'Best Practice Guidance' does make reference to safety; for an individual wind turbine the fall over distance (i.e. the height of the turbine to the tip of the blade) plus 10% is often used as a safe separation distance between the turbine and occupied property.

In addition, as part of its consideration of a planning application the Department checks the planning history of the site and undertakes a site inspection. Planning officers generally have a knowledge of the local area for which they are responsible and the proximity of a parachute club would become evident and would be a material consideration in the decision making process.

In addition, in order to further inform the decision making process, the Department consults with local airports within 30km of the application site, National Air Traffic Services, Belfast International Airport, OFCOM and the Civil Aviation Authority, as required.

I acknowledge the hazard that a wind turbine and other structures such as hangers and masts can present to parachutists and trust that the implementation of this safety zone from occupied property and consultation with aviation bodies alleviates your concerns in terms of the Departments consideration to safety.



## Vehicle Registration Mark: Transfer

**Mr A Maginness** asked the Minister of the Environment how many applications to transfer a vehicle registration mark have been processed by the Driver and Vehicle Agency, in each of the last five years.

**(AQW 12566/11-15)**

**Mr Attwood:** The numbers of applications processed for the transfer a registration mark in each of the last five financial years are as follows:

| Financial Year | Applications Processed |
|----------------|------------------------|
| 2007/08        | 33,091                 |
| 2008/09        | 28,123                 |
| 2009/10        | 26,861                 |
| 2010/11        | 28,286                 |
| 2011/12        | 27,165                 |

## Quangos

**Mr Gardiner** asked the Minister of the Environment how many QUANGOS, that are attached to his Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

**(AQW 12655/11-15)**

**Mr Attwood:** I am proceeding with a Review of the Local Government Staff Commission which has now been in existence for nearly 40 years. The review will be launched before the end of June 2012 and the consultation will remain open for 12 weeks.

There have been no new arms length bodies (QUANGOs) attached to my Department created as a result of legislation passed by the Northern Ireland Assembly since 2007.

## Planning: Non-farming Rural Dwellers

**Mr Buchanan** asked the Minister of the Environment what consideration his Department is giving to a change in policy which would allow non-farming rural dwellers to receive planning approval to remain in rural areas.

**(AQW 12730/11-15)**

**Mr Attwood:** Whilst PPS 21 does not include a bespoke policy for non-farming rural dwellers, almost all of its policies are relevant to them. The policy offers considerable opportunities for non-farming rural people wishing to live in the countryside, not just farmers. It does so by providing for replacement dwellings; the conversion and re-use of non-residential buildings as dwellings; opportunities for new dwellings within an existing cluster or ribbon of buildings; social and affordable housing schemes development within Designated Rural Communities; and a dwelling to meet compelling personal or domestic circumstances.

However in recognition of the continued interest in this issue as part of my review I met with 3 members of the Independent Working Group set up by the previous Executive to examine the issue of non-farming rural dwellers. I was interested to hear their expert views first hand and have taken these into account in the review.

The review of the operation of PPS21 is now concluded. I am currently finalising the review report and intend to make a Statement to the Assembly in this regard as soon as practicable.

## Planning Policy Statement 21: Update

**Mr Buchanan** asked the Minister of the Environment for an update on the review of PPS 21, including when it will be completed.

**(AQW 12731/11-15)**

**Mr Attwood:** The review of the operation of PPS21 is now concluding. I am currently finalising the review report.

## Recycling

**Mr Spratt** asked the Minister of the Environment whether he has any plans to introduce financial incentives to encourage people to return bottles and cans for recycling.

**(AQW 12739/11-15)**

**Mr Attwood:** The Department has already given consideration to introducing a refundable deposit scheme or levy in Northern Ireland in conjunction with England, Scotland and Wales. The Department for Environment, Food and Rural Affairs (Defra) in England reviewed proposals put forward by the Campaign to Protect Rural England (CPRE) in relation to the introduction of a beverage container deposit system.

Defra considered representations for and against the proposals and carried out an analysis of the economic model compiled on behalf of CPRE.

Taking into account all the information presented, Defra concluded that it would not be viable to take the option of deposits forward at this time. The Department has considered Defra's findings and conclusions and has decided not to put forward proposals at present to introduce a beverage container deposit scheme.

However, bottles and cans are a significant component in the household and municipal waste streams and many of the measures and initiatives that I am bringing forward impact positively on their recycling.

I have included in the Programme for Government a household waste recycling target of 45% by 2014/15. This challenging target accelerates the current annual increase in the rate of recycling. I have also recently announced my plans to bring forward primary legislation proposals to set a statutory target for 60% of local authority collected municipal waste to be recycled by 2020.

At a practical level, the Department will be continuing to provide support to improve recycling rates. Existing measures such as the Rethink Waste Campaign, Rethink Waste Funds and funding of the Waste Resources Action Programme (WRAP) Northern Ireland Delivery Programme will continue during the period up to 2014/15. The current call for applications for the Rethink Waste Funds can be found at [www.rethinkwasteni.org](http://www.rethinkwasteni.org).

## Planning: Alternative Energy

**Mr Kinahan** asked the Minister of the Environment what action he has taken to speed up the planning process for alternative energy, especially planning applications for single and multiple wind turbines; and what indications he has of the situation improving.

**(AQW 12752/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable energy proposals make to the economy and to the reduction of carbon emissions. It also acknowledges the importance of processing these types of applications in a timely manner.

Since becoming Minister I commenced a radical reform of planning in order to reduce delays in processing applications and require active case management and other interventions to improve processing times. Indeed, I have included more challenging targets for processing applications over the next three years. I have also established a Sub Group of the Planning Forum to focus on measures to improve planning performance for renewables and to consider issues such as licensing requirements, resources and structures.

To date this work has resulted in the majority of renewable applications being redirected from Strategic Planning Division to the Area Office network which has increased capacity to speed up the decision making process. Prior to the redistribution of this work training was rolled out across the Area Office network to ensure consistency in decision making.

However, applications for wind turbines differ in complexity and in quality of submission and are attracting increasing levels of local objection. Consultation with a number of statutory and non-statutory bodies is required to inform the decision-making process and all of these issues may prolong the processing of an application.

To improve the consultation process and ensure substantive responses are received in a timely basis I have instructed my staff to monitor the performance of the statutory bodies for which agreed Service Level Agreements or Memorandums of Understanding are in place. I have also asked Senior officials to meet with all other interested parties to ensure the consultation process is operating effectively and planning staff have been reminded that they should only consult in the correct circumstances to avoid unnecessary consultations.

I would urge applicants to engage with planners and local communities at an early stage in the planning process, and to submit high quality applications accompanied by all of the information and surveys necessary to allow it to be determined as quickly as possible.

I appreciate that the industry needs to see improvement and the Department will continue to monitor performance throughout the year under the new targets set out in the Programme for Government.

## Bat Surveys: Wind Turbines

**Mr Copeland** asked the Minister of the Environment how many bat surveys on wind turbines have been requested by the Northern Ireland Environment Agency in the past three years, what is the estimated cost of this work and how many sites were found to have bats.

**(AQW 12753/11-15)**

**Mr Attwood:** Bats are afforded strict protection under the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). Information regarding the potential impacts of development on a protected species is a material consideration in the planning process and the planning authority must ensure that it has sufficient information prior to the determination of an application. This means that when the Department is exercising its planning functions it must have regard to the requirements of the Habitats Directive as far as those requirements may be affected by the exercise of the planning functions.

The Department (along with other relevant authorities across the UK) considers it is essential that the presence of protected species, and the extent that they may be affected by proposed development, is established before the planning permission is granted. This is based on the interpretation of legislation and the analysis of relevant case law. NIEA is mindful of the delay and cost that may be involved, and developers are not required to undertake surveys for bats unless there is a reasonable likelihood of bats being present and affected by the development.

If a survey concludes that no bats are present or very low numbers are recorded, NIEA will recommend approval for the proposal but may include as a condition the delivery of a monitoring programme to ensure the proposal does not impact the favourable conservation status of bats.

NIEA does not know for certain how many applicants carry out bat surveys. Officials have, however, reviewed ten randomly selected cases throughout Northern Ireland where a bat survey has been carried out. This has demonstrated that bats were present at all ten sites. NIEA used the survey information to recommend conditions on approvals, where necessary, and did not recommend refusal on any of these cases.

NIEA is unable to estimate the cost of bat surveys due to the variety of quotations available to applicants through many qualified bat surveyors currently offering their services as ecological consultants in Northern Ireland. Each quotation will vary according to the size of the site and complexity of survey methodology required and also the consultant's current fees. This is a private matter between the consultant and the applicant.

### **Bat Surveys: Wind Turbines**

**Mr Copeland** asked the Minister of the Environment to outline any evidence available to suggest that bats use hedges to navigate, which gives grounds to the Northern Ireland Environment Agency requiring bat surveys for all wind turbine installations. (AQW 12756/11-15)

**Mr Attwood:** Firstly, I would like to clarify that the Northern Ireland Environment Agency does not request bat surveys for all wind turbine applications.

Bats are afforded strict protection under the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). Information regarding the potential impacts of development on a protected species is a material consideration in the planning process and the planning authority must ensure that it has sufficient information prior to the determination of an application. This means that when the Department is exercising its planning functions it must have regard to the requirements of the Habitats Directive as far as those requirements may be affected by the exercise of the planning functions.

There is ample evidence available to support the use of hedgerows by bats for commuting purposes. This evidence is based upon readings taken from the ultrasonic sounds produced by bats when they are in flight. Using appropriate equipment and computer software it is possible to differentiate between those sounds made during feeding and those which are made when navigating. Many studies have taken place to determine associations between the movement of bats and the presence of landscape features such as hedgerows which have concluded there are strong relationships between the two. This has informed the production of the many guidelines, management practices and plans laid out to protect bats on a regional, national and European level.

### **MOT Test Centres: Sunday Opening**

**Mr Allister** asked the Minister of the Environment if there are any plans to open MOT centres on Sundays. (AQW 12778/11-15)

**Mr Attwood:** I can confirm that I have authorised the Driver & Vehicle Agency to avail of the option of opening vehicle testing centres on Sundays.

The demand for vehicle tests has increased almost tenfold since the mid 1980s, and is projected to grow by a further 5% in 2012-13 and on average by 3.5%-4% a year over the next five years. The Agency's 15 test centres are currently open and fully staffed for 12.5 hours a day from Monday to Saturday, and their capacity to cope with demand increasing on this scale is therefore diminishing.

It is envisaged that Sunday opening will be necessary only at peak periods, normally between January and March. Current projections indicate that initially only the Belfast test centre will require Sunday opening during the peak period early next year.

Sunday working will be on a voluntary basis for staff, and customers will still be able to choose, subject to availability, to have their vehicles tested at any of the Agency's test centres from Monday to Saturday between 8.00 am and 8.30 pm.

### **Vehicle Licensing: Payment by Direct Debit**

**Mr Flanagan** asked the Minister of the Environment what plans his Department has to allow people to pay vehicle tax by direct debit. (AQW 12798/11-15)

**Mr Attwood:** As announced in the recent 2012 Budget, the UK Government, which has responsibility for the collection of vehicle excise duty, aims to develop a direct debit system to allow motorists to spread their payments. At present, no timetable has been announced for the development of a direct debit scheme.

## Vehicle Licensing: Payment Online

**Mr Flanagan** asked the Minister of the Environment what plans his Department has to allow people to pay vehicle tax online.  
(AQW 12799/11-15)

**Mr Attwood:** The Driver and Vehicle Licensing Agency in Swansea, which has responsibility for the collection of vehicle excise duty across the UK, on behalf of the Department for Transport, are currently examining how they can deliver a fully integrated IT system that would bring vehicle licensing services in Northern Ireland into line with those in Britain and improve services to customers by facilitating online applications and more services from Post Offices.

A separate study is also examining options for the future delivery of vehicle licensing services following systems integration.

I recently wrote to Justine Greening, Secretary of State for Transport, expressing my support for the delivery of these services to customers in NI but emphasising my opposition to any reduction in jobs in NI as a consequence, and I have been assured that no decisions will be made without further consultation with me.

## Committee on Climate Change

**Mr Agnew** asked the Minister of the Environment whether there are any plans to invite the Independent Committee on Climate Change to conduct a climate audit of Northern Ireland.  
(AQW 12817/11-15)

**Mr Attwood:** Whilst I have not yet requested that the independent Committee on Climate Change carries out an audit of climate change activity in Northern Ireland, I do intend to build in such a role for the Committee in my plans for a Climate Change Bill.

The Committee on Climate Change already provides assistance to Northern Ireland on how to reduce greenhouse gas emissions and be prepared for the impacts of climate change. I recently sought and was provided with advice by the Committee on the appropriateness of Northern Ireland climate change legislation<sup>1</sup>. The Committee is currently dealing with a request by DARD to provide a robust methodology to measure greenhouse gas emissions per unit of commodity output at the farm-gate. It also engages with DOE officials routinely on UK wide matters including progress being made against UK greenhouse gas reduction targets by Northern Ireland Departments.

## Listed Buildings: New and Delisted

**Mr Weir** asked the Minister of the Environment, for each of the last 10 years, to detail (i) how many buildings have been (a) newly categorised as listed buildings; and (b) de-listed; and (ii) the number of listed buildings in the North Down area.  
(AQW 12832/11-15)

**Mr Attwood:** The following table provides the information requested on new listings and delistings in Northern Ireland for each of the last 10 years.

| Financial year | No of New Listings | No of Delistings |
|----------------|--------------------|------------------|
| 2002/2003      | 44                 | 89               |
| 2003/2004      | 47                 | 58               |
| 2004/2005      | 62                 | 37               |
| 2005/2006      | 71                 | 102              |
| 2006/2007      | 71                 | 6                |
| 2007/2008      | 51                 | 7                |
| 2008/2009      | 72                 | 11               |
| 2009/2010      | 79                 | 3                |
| 2010/2011      | 62                 | 31               |
| 2011/2012      | 42                 | 14               |

In regard to part (ii), I refer you to the answer provided to AQW 9161 11-15 and can advise that since then a further four buildings have been delisted and three buildings added to the list. The three new listed buildings were formerly included as a listed group under a single record.

You should note that North Down Council Area is currently being reviewed under the Northern Ireland Environment Agency's Second Survey of Buildings of Architectural or Historic Interest. This means that the total figure may change again, soon, following the evaluation and processing of these records.

<sup>1</sup> <http://www.theccc.org.uk/reports/appropriateness-of-a-northern-ireland-climate-change-act>

### **Northern Ireland Independent Retail Trade Association: 'Town Centre First'**

**Ms Lo** asked the Minister of the Environment for his assessment of the Northern Ireland Independent Retail Trade Association's report 'Town Centre First' which recommended that that his Department should introduce a five-year moratorium on any further out-of-town superstore developments.

**(AQW 12834/11-15)**

**Mr Attwood:** It is my ambition to bring forward a new policy for town centres and retailing. I consider that a moratorium on out of town retail development in advance of this would not be appropriate. Rather, it is important that I follow due process, including stakeholder engagement and public consultation in developing the best policy response to the complex town centres and retail development issues facing the north at this time. Planning applications should continue to be assessed on their merits in light of the circumstances pertaining to the case, the existing planning policy framework including the local development plan and all other material considerations.

Clearly, the NIIRTA recommendations need to be taken seriously. I have looked at those which fall to my Department and written to the FM/dFM to request that the proposals are discussed at an executive meeting. I believe there are short term and long term reasons to respond to NIIRTA positively.

### **Out-of-town Retail Centres**

**Ms Lo** asked the Minister of the Environment whether he will give urgent consideration to the introduction of a cap on the size of Class 1 out-of-town retail stores, based on the scheme already in place in the Republic of Ireland.

**(AQW 12839/11-15)**

**Mr Attwood:** In bringing forward a new planning policy for town centres and retailing I will keep an open mind and assess all policy options. As part of this process I will consider the current evidential context, which includes an examination of existing practice in other jurisdictions.

### **Planning: Third-party Right of Appeal**

**Ms Lo** asked the Minister of the Environment what consideration he has given to introducing a third party right of appeal, in relation to major retail planning applications, to avoid lengthy and expensive judicial reviews.

**(AQW 12840/11-15)**

**Mr Attwood:** A Third Party Right of Appeal may have some impact on the volume of judicial reviews. However, the processes are different. Under Judicial Review a judge reviews the lawfulness of a decision or action made by a public body. The way in which a decision is made is challenged in a Judicial Review, whereas the planning merits of a decision to grant an application would be addressed in Third Party Right of Appeal. In that way, there will be people who will avail of the option of judicial reviews.

It is not my intention to introduce a Third Party Right of Appeal at this time. I believe it has great appeal but has to be assessed in the context of the fundamental change to planning that I am developing and as an option within a changed planning system. I will keep the issue under ongoing review in light of the impact of the range of reforms I will be introducing to the planning system.

### **River Faughan: Illegal Land Filling**

**Mr McCartney** asked the Minister of the Environment whether the illegal land filling associated with the concrete production yard at 91 Glenshane Road, Derry, which slipped into the River Faughan, a Special Area of Conservation, in November 2011, is a breach of the Habitats Directive, given that the Northern Ireland Environment Agency has acknowledged that a pollution incident has occurred and that there is a high probability of pollution in the future.

**(AQW 12845/11-15)**

**Mr Attwood:** The settlement lagoons at the W.J. Chambers site were in place prior to designation of the River Faughan and Tributaries Special Area of Conservation and its prior designation as an Area of Special Scientific Interest. As the lagoons were in operation before designation of the River and as no permission was granted by any 'competent authority' under the Conservation (Natural Habitats etc) Regulations 1995, a breach of the Habitats Directive has not occurred in relation to the referred works.

The Department has, however, investigated a number of alleged pollution incidents at this site and is working to resolve the matter in order to fully protect this important river.

### **MOT Test: Pre-1960 Vehicles**

**Mr Allister** asked the Minister of the Environment, in relation to the decision of the Department of Transport to remove the need for pre-1960 vehicles to undergo an annual MOT test from 18 November 2012, what steps are being taken to bring Northern Ireland into line with the rest of the United Kingdom by providing a similar exemption for classic and historic vehicles.

**(AQW 12849/11-15)**

**Mr Attwood:** The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing and the Environment Committee at its meeting on 22 March 2012 considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which is to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles. The Department is progressing its detailed consideration of the appropriate way forward to ensure that the requirements of the Directive are met in the detail of the policy.

### River Faughan: Illegal Land Filling

**Mr McCartney** asked the Minister of the Environment, in relation to the Environmental Liability Directive, whether his Department is liable for the environmental damage caused to the River Faughan, a Special Area of Conservation, as a result of illegal land filling, and for any future damage, given that it has not taken enforcement action against the unauthorised development at 91 Glenshane Road, Derry.

**(AQW 12855/11-15)**

**Mr Attwood:** My Department has a range of enforcement options open to it in dealing with situations like this. In this particular case I am aware that the problem is the risk posed by settlement lagoons associated with a concrete plant which have the potential to overflow or leak into the River Faughan with attendant negative consequences for the environment.

My officials are considering the appropriate route to resolving this situation and if enforcement action is appropriate it will be carried out. In accordance with the 'polluter pays' principle the Department would regard liability in relation to environmental offending of any kind to rest with the operator of the site whose activities cause damage.

### River Faughan: Illegal Land Filling

**Mr McCartney** asked the Minister of the Environment, in relation to the recorded pollution incident at 91 Glenshane Road, Derry, what action his Department is taking to ensure that it is complying fully with the Habitats Directive, given that illegal landfill slipped into the River Faughan, a Special Area of Conservation, in November 2011, and that the Northern Ireland Environment Agency acknowledges that there is a high probability of further land slippage.

**(AQW 12856/11-15)**

**Mr Attwood:** Following a report of a pollution incident on the River Faughan, enforcement officers from NIEA investigated the River adjacent to 91 Glenshane Road. There was no visible pollution problem in the River at the time and therefore no enforcement action could be taken, however an advisory letter to W.J. Chambers was issued directing them to take action to ensure there are no further slippages from their site to the River Faughan and Tributaries SAC.

W.J. Chambers have recently submitted a planning application for relocation of the lagoons to a site further from the River. This application is currently under consideration by the Department and will be subject to a Habitats Regulations Assessment.

I have instructed officials to provide an enforcement/monitoring update to me on this case at the beginning of every month.

### National Parks: Consultation

**Mr Weir** asked the Minister of the Environment to detail the number of responses to the consultation on the creation of National Parks, broken down by constituency.

**(AQW 12870/11-15)**

**Mr Attwood:** The following table details the responses received on taking forward National Park enabling legislation, broken down by parliamentary constituency:

| Constituency     | Number of responses |
|------------------|---------------------|
| North Down       | 2                   |
| Strangford       | 1                   |
| Lagan Valley     | 3                   |
| North Antrim     | 2                   |
| South Antrim     | 3                   |
| East Antrim      | 2                   |
| Upper Bann       | 0                   |
| East Londonderry | 2                   |
| Belfast North    | 6                   |
| Belfast East     | 5                   |
| Belfast West     | 0                   |



| Constituency             | Number of responses |
|--------------------------|---------------------|
| Belfast South            | 9                   |
| Foyle                    | 0                   |
| South Down               | 181                 |
| Fermanagh & South Tyrone | 3                   |
| Mid Ulster               | 0                   |
| West Tyrone              | 1                   |
| Newry & Armagh           | 0                   |
| <b>Total</b>             | <b>220</b>          |

There is insufficient information to identify the constituency of 12 respondents, and a further six responses came from outside Northern Ireland.

Of the 181 responses from the South Down constituency, 164 were identical letters from private individuals objecting to the establishment of a national park.

The three South Antrim responses were identical letters from private individuals supporting a national park.

### MOT Test: Pre-1960 Vehicles

**Mr Swann** asked the Minister of the Environment for his assessment of the potential exemption of pre-1960 classic and historic vehicles from MOT testing.

**(AQW 12917/11-15)**

**Mr Attwood:** The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing and the Environment Committee at its meeting on 22 March 2012 considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which is to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles. The Department is progressing its detailed consideration of the appropriate way forward to ensure that the requirements of the Directive are met in the detail of the policy.

### Japanese Knotweed

**Mr Allister** asked the Minister of the Environment to outline the protocols for dealing with Japanese knotweed on (i) public; and (ii) private property.

**(AQW 12934/11-15)**

**Mr Attwood:** It is widely recognised that invasive alien species, such as Japanese knotweed (*Fallopia japonica*), are the second biggest threat to biodiversity loss worldwide.

The Wildlife Order (NI) 1985 (as amended) Article 15 makes it an offence for any person to plant or otherwise cause Japanese knotweed to grow in the wild. This legislation does not, however, give the Department the power to enforce a landowner to undertake control. Where the growth occurs on either public or private land it is the decision and responsibility of the landowner or manager to undertake control.

The protocols for controlling Japanese knotweed can be variable depending on the site's intended end use, the size and location of the growth and the herbicide selected for use.

For example, where a site has a pressing development requirement, typically more expensive short term solutions, such as deep excavation and deep burial, would be used. For other sites, which do not have such an urgent development requirement, control is typically achieved through the repeated use of a systemic herbicide over a number of years. The location of the growth, such as growth near water or other mature vegetation, will determine which herbicide can be used and the optimum time of application.

To assist both public and private landowners to undertake control officials in the Northern Ireland Environment Agency (NIEA) have developed a range of best practice management guidance documents which outline the range of control options available for Japanese knotweed. These documents are available online on the Invasive Species Ireland website and the DOE website.

In addition officials in NIEA have provided training on identification and management of Japanese knotweed to District Council staff across Northern Ireland.

## National Trust: Funding

**Mr Hamilton** asked the Minister of the Environment to detail the level of funding his Department, and its arm's-length bodies, have allocated to the National Trust, in each of the last five years.

**(AQW 12946/11-15)**

**Mr Attwood:** The table below details the funding provided by the Department to the National Trust for the years 2007-08 to 2011-12. No funding was provided by the Department's arm's-length bodies.

**£000s**

|  | 2007/08    | 2008/09    | 2009/10    | 2010/11    | 2011/12    |
|--|------------|------------|------------|------------|------------|
| Natural Heritage Grant                         | 516        | 676        | 234        | 69         | 107        |
| Listed Building Grant                          | 290        | 91         | 128        | 10         | 6          |
| Funding for Management of NIEA Nature Reserves | 16         | 16         | 16         | 16         | 16         |
| Management Agreements                          | 62         | 114        | 76         | 10         | 43         |
| Challenge Fund Grant                           | 0          | 0          | 0          | 0          | 34         |
| <b>Total</b>                                   | <b>884</b> | <b>897</b> | <b>454</b> | <b>105</b> | <b>206</b> |

You will note that funding has decreased dramatically since 2007-08 and 2008-09. This is primarily due to the fact that the Natural Heritage Grant expenditure for 2008-09 contains a one off grant payment of £450k for land acquisition at Runkerry, Giant's Causeway and the 2007-08 expenditure contains a one off grant payment of £250k for land acquisition at Divis. In addition the Listed Building Grant expenditure for 2007-08 contains expenditure of £138k associated with Florencecourt. Also, offers relating to some larger projects covering 3 years ceased at the beginning of 2009-10.

## Department of Finance and Personnel

### Civil Servants: Relocation Expenses

**Mr McGlone** asked the Minister of Finance and Personnel to detail (i) what relocation expenses are available to civil servants who have to relocate or are placed on secondment, within Northern Ireland or elsewhere; (ii) how much can be claimed in expenses; (iii) what the expenses cover; (iv) how many civil servants have claimed expenses when (a) relocating; or (b) on secondment, in each of the last five years; (v) the total cost of relocation expenses in each of the last five years; and (vi) to provide a breakdown of the total expenses, including travel, accommodation and moving costs.

**(AQW 10289/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** Details of the allowances available to civil servants who are relocated or on secondment including how much can be claimed and what the allowances cover can be found in Section 9 of the NICS HR Handbook, which can be accessed on the website of the Department of Finance and Personnel as follows: <http://www.dfpni.gov.uk/publications-foi/publications-browse/publication-scheme-our-policies-and-procedures/recruiting-and-employing-staff/publication-scheme-hr-policies.htm>. The specific policies are:

9.02 Official Travel

9.03 Concessionary Travel

9.04 General Guidance on Overseas Postings

9.05 Introduction to Overseas Pay and Allowances

9.06 Administrative Arrangements for Overseas Post

9.07 Other Allowances and Grants for Overseas Posts

9.08 Medical Arrangements at Overseas Post

9.09 Overseas Subsistence Allowances

9.10 Overseas Posting and Travel

9.11 Cost of Living Addition for Overseas Postings

9.12 Financial Liabilities of Staff who Leave Post Early

9.13 Subsistence Allowances

9.14 General Removal Expenses

## 9.15 Refunds of, and Assistance with, Expenditure on Removal

## 9.16 Assistance with the Cost of Setting up New Home

## 9.17 Travelling, Subsistence and Lodging Allowance for Removals

The number and cost of civil servants claiming expenses is outlined in the tables below. Information on the types of expenses requested is held across a number of different accounting systems and has proved difficult for some Departments to extract. The data provided is the most reliable information that can be extracted however a number of Departments were unable to supply the specific figures requested.

The number of civil servants who have claimed relocation expenses is as follows:

| 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---------|---------|---------|---------|---------|
| 524     | 1094    | 1384    | 1199    | 1103    |

There are an additional 223 staff from DOE who have claimed relocation expenses from the period of 2008-2012. This was unable to be broken down further.

The number of civil servants who have claimed expenses on secondment is as follows:

| 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---------|---------|---------|---------|---------|
| 10      | 14      | 18      | 25      | 19      |

There are an additional 31 staff from DOE who have claimed expenses on secondment from the period of 2008-2012. This was unable to be broken down further.

The total cost of relocation and secondment expenses is as follows:

| 2007/08     | 2008/09      | 2009/10       | 2010/11       | 2011/12       |
|-------------|--------------|---------------|---------------|---------------|
| £646,262.82 | £704,923.10* | £1,631,415.93 | £1,238,552.66 | £1,044,888.65 |

\* This includes 7,500 Euro at a conversion rate in May 2008 of 0.81

The breakdown of expenses claimed by category is as follows:

| Expense       | 2007/08     | 2008/09     | 2009/10       | 2010/11       | 2011/12     |
|---------------|-------------|-------------|---------------|---------------|-------------|
| Travel        | £561,610.89 | £624,566.93 | £1,570,280.95 | £1,187,655.35 | £955,061.50 |
| Accommodation | £35,197.88  | £32,496.27  | £23,998.53    | £4,524.41     | £20,801.47  |
| Moving Costs  | £32,517.80  | £7,417.99   | £1,987.45     | £9,521.00     | £17,429.68  |

The breakdown of the total expenses for a number of Departments could not be broken down into categories. For this reason, the overall totals will differ.

## Civil Service: Advertisements

**Mr McClarty** asked the Minister of Finance and Personnel whether he will consider extending the advertising of civil service jobs, including jobs in Central Procurement Directorate, and notices of departmental consultation to weekly newspapers that are distributed outside Greater Belfast.

**(AQW 12269/11-15)**

**Mr Wilson:** In December 2011 the Northern Ireland Executive decided to introduce tight controls on Departments' advertising expenditure, open classified advertising up to competition and change the legislation to allow greater use of online and other media for classified advertising. Departments are responsible for deciding their requirements for classified advertising.

The NICS uses a range of media to market recruitment opportunities to ensure effective communication and value for money. This may include advertising job opportunities in weekly local newspapers where it is appropriate.

The Central Procurement Directorate (CPD) electronic tendering system, 'eSourcingNI' advertises current tender opportunities and facilitates the issue and receipt of tender documentation and all communications associated with the tender process through its website. CPD places a monthly advertisement in the Belfast Telegraph, Irish News and Newsletter to advise suppliers that all tendering opportunities for works, supplies and services can be viewed on the CPD website at [www.dfpni.gov.uk/cpd](http://www.dfpni.gov.uk/cpd). For highly specialised procurements CPD may occasionally advertise opportunities through other specific trade or professional publications, as appropriate. There are no plans to extend its tender advertising strategy to include weekly local newspapers.

There is no statutory requirement for Departments to advertise departmental consultations. In placing advertisements Departments consider effective communication and value for money and this may include advertising consultations in weekly newspapers, if that is appropriate.

### Rates: Fermanagh

**Mr Flanagan** asked the Minister of Finance and Personnel how his Department plans to offset the likely increase in rates in Fermanagh as a result of the Review of Public Administration.

**(AQW 12800/11-15)**

**Mr Wilson:** This issue has already been brought to my attention and I am all too aware of the concerns of ratepayers in Fermanagh, indeed I have written to the Environment Minister on the matter.

The Department of the Environment has the lead policy responsibility for the Review of Public Administration and that Department is already setting up the structures to address the consequences of this major change.

My Department (DFP) has responsibility for the rating system.

There are two points I would like to make about rates and the concerns around convergence. First of all, whilst, on the face of it, the impact of joining up some councils might lead to rate increases, these would not be of the scale of 20% that has been suggested for Fermanagh in the media.

This is because over half of a rate bill comprises the regional rate and this is set by the Executive for the whole of NI. The rest is District rate and this is where the disparity lies. As a result, rate bills would not go up by anything like 20% in Fermanagh.

Secondly, and most importantly, the Executive and local government will be examining transitional measures to help mitigate the impact of increases.

The figures that have been quoted in relation to Fermanagh are based on combining the different rates and then dividing by the number of old councils in the new areas.

The new councils will have a different cost base (presumably a more efficient one) which will also be a factor in setting new rates, rather than simply adding and dividing

These issues and others are presently being considered by the Finance Working Group, set up to consider these issues.

### Rates: Fermanagh

**Mr Flanagan** asked the Minister of Finance and Personnel how his Department intends to ensure that an increase in rates in Fermanagh will not increase levels of poverty in the county.

**(AQW 12801/11-15)**

**Mr Wilson:** This issue has already been brought to my attention and I am all too aware of the concerns of ratepayers in Fermanagh, indeed I have written to the Environment Minister on the matter.

The Department of the Environment has the lead policy responsibility for the Review of Public Administration and that Department is already setting up the structures to address the consequences of this major change.

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These issues and others are presently being considered by the Finance Working Group, set up to consider these issues.

### Education: Cross-border

**Mr Allister** asked the Minister of Finance and Personnel, pursuant to AQW 11281/11-15, why in relation to cross-border provision of education, no funding is provided or sought from the respective Education Departments; and what is the resulting cost of providing education to over 400 Republic of Ireland pupils.

**(AQW 12848/11-15)**

**Mr Wilson:** This is a matter for the Minister for Education.

## Lone Pensioner Allowance

**Mr Weir** asked the Minister of Finance and Personnel to detail (i) how many pensioners, in the North Down, area have benefited from the Lone Pensioner Allowance, in each of the last three years; and (ii) the total value of the savings made by pensioners. (AQW 12873/11-15)

**Mr Wilson:** Land & Property Services records information by local government district and not parliamentary constituency. The number of pensioners in the North Down and Ards Borough Council Areas, (i) who have benefited from the Lone Pensioner Allowance, in each of the last three years; and (ii) the total value of the savings made by pensioners are given in the tables overleaf.

These figures do not include awards of the allowance made by the Northern Ireland Housing Executive.

### North Down Borough Council Area

| Year    | Number who Benefited from LPA Award | Amount   |
|---------|-------------------------------------|----------|
| 2009/10 | 1,726                               | £341,095 |
| 2010/11 | 1,802                               | £357,624 |
| 2011/12 | 1,880                               | £387,798 |

### Ards Borough Council Area

| Year    | Number who Benefited from LPA Award | Amount   |
|---------|-------------------------------------|----------|
| 2009/10 | 1,072                               | £192,666 |
| 2010/11 | 1,137                               | £204,041 |
| 2011/12 | 1,213                               | £222,595 |

For future reference, LPS publishes up-to-date statistics on a variety of benefits, including Lone Pensioner Allowance awards, on its Agency website – Reference ‘Latest News’ section at [www.dfpni.gov.uk/lps](http://www.dfpni.gov.uk/lps)

## Sustainable Energy Programme

**Mr Copeland** asked the Minister of Finance and Personnel, in relation to the Northern Ireland Sustainable Energy Programme, whether there is a conflict of interest in an individual being appointed to the Utility Regulator Board as well as holding a Director position at Carillion Energy Services. (AQW 12920/11-15)

**Mr Wilson:** Given its role as the economic regulator for energy and water, it is essential that individuals appointed to the board of the Utility Regulator have appropriate skills, experience, consumer perspective and knowledge of the industries which the organisation regulates. It is not therefore unusual that the board contains individuals that work, or have worked, in the energy and/or water industries.

The Utility Regulator has processes in place to identify and manage any potential conflicts of interest. In relation to the Utility Regulator Board member in question, he registered an interest in the Northern Ireland Sustainable Energy Programme (NISEP) following his appointment to the Board. His interest was also declared at all meetings where there was any NISEP related discussion that could have led to any decision or change to the programme, and he absented himself from any such discussions. In these circumstances, no conflict of interest could have arisen.

## Bank Lending

**Mr McGlone** asked the Minister of Finance and Personnel what action his Department intends to take with Treasury following the announcement that the Chancellor of the Exchequer and the Governor of the Bank of England will take action on liquidity and funding for new bank lending, which will include measures to ensure increased lending to business by banks. (AQW 12970/11-15)

**Mr Wilson:** The Chancellor and the Governor of the Bank of England announced that they were working together on a “funding for lending” scheme that would provide funding to banks, at rates below current market rates, linked to the performance of banks in sustaining or expanding their lending. They said they hoped it could be in place “within a few weeks” but I have yet to see further details. As Finance Minister I clearly welcome any initiatives by the Government that will help stimulate bank lending and improve access to finance. However, I have been concerned for some time now that our unique banking structure (where three out of our four main banks are foreign owned) has limited our ability to benefit from previous national initiatives.

Northern Ireland should therefore have the same opportunities as other regions around the UK and I will be asking Mark Hoban, Financial Secretary to the Treasury, to ensure that this is the case when I meet him at the beginning of July.

## Comprehensive Spending Review

**Mr Lunn** asked the Minister of Finance and Personnel what further proposals, for raising finance or creating additional efficiencies, he intends to bring in advance of the Assembly before the next Comprehensive Spending Review.

**(AQW 12989/11-15)**

**Mr Wilson:** The Executive's 2010 Budget covered a 4 year period and included a wide range of revenue raising and efficiency measures. The Executive's main priority in this respect now is to ensure that these measures are delivered within this Budget period. The Ministerial Budget Review Group also continues to monitor delivery of these measures and consider on an ongoing basis any further initiatives that may be introduced.

Any changes to the existing revenue raising and efficiency plans are reflected in my monitoring round Statements and announced in the Assembly. For example, as part of my 2012-13 June Monitoring Statement to the Assembly, I recently announced a £30 million "Invest to Save" Scheme which will reduce costs in future years.

## Comprehensive Spending Review

**Mr Lunn** asked the Minister of Finance and Personnel for his assessment of the potential outcome from the next UK-wide Comprehensive Spending Review, given the ongoing stagnation of the UK economy overall.

**(AQW 12990/11-15)**

**Mr Wilson:** The UK Government has not revised its economic forecasts since the Chancellor's Budget in March 2012, when the latest Office of Budget Responsibility forecasts were published.

At that time the forecast was that Total Managed Expenditure (TME) would fall in real terms across the forecast period (2011-12 to 2016-17). From 2014-15 onwards, the forecasts indicate that capital spending will be held constant in real terms. As a result, the real terms reduction in current spending is expected to be higher than experienced over the Spending Review 2010 period. Resource AME is projected to grow in real terms over the next Spending Review period. As a result, under current forecasts, Resource DEL is projected to bear the full impact of the real terms reduction in TME.

However, these forecasts are based on the overall UK position. The settlement for Northern Ireland will be dependent upon the Barnett consequentials arising from changes in the budgets of Whitehall departments. Therefore, any decisions to protect particular spending areas in England will have an impact on the overall outcome for Northern Ireland.

## Aggregates Levy

**Mr Wells** asked the Minister of Finance and Personnel what steps he is taking to prevent the avoidance of the Aggregates Levy through declarations that quarry products produced in Northern Ireland originated in the Republic of Ireland.

**(AQW 12997/11-15)**

**Mr Wilson:** As I am sure you are aware, taxation is a Reserved Matter for Treasury to determine and one over which the Executive has no control. This would include all undertakings to address tax avoidance/evasion. However, my officials and I have discussed the issue in your question with Treasury Officials on a number of occasions to ensure all measures are taken to prevent inaccurate declarations.

HMRC have indicated that their major tax Compliance and Enforcement Programme, made up of over 40 individual projects, delivered £4.32 billion of additional tax yield between 2006 and 2011. It is estimated this programme will generate an additional £8.87 billion of yield between 2011-12 and 2014-15.

## Rates: Vacant Properties

**Mr Weir** asked the Minister of Finance and Personnel for an estimate of the level of rates revenue that will be raised by the rating of vacant (i) domestic properties; and (ii) non-domestic properties.

**(AQW 13006/11-15)**

**Mr Wilson:** The level of gross rates revenue estimated to be raised during the 2012-13 financial year by the rating of vacant domestic and non-domestic properties, based on 30th April 2012 assessments is £29 million and £68.3 million respectively. Following the implementation of Rating of Empty Homes last year, vacant domestic properties now attract 100% rating liability, with the exception of a number of prescribed exclusions. Non-domestic vacant properties attract 50% rating liability, with the exception of an initial 3 month free period, and application based exclusions.

## Disabled People: Working Age

**Mr Durkan** asked the Minister of Finance and Personnel to detail the number of working-age individuals, registered as disabled, who are in (i) full-time education; and (ii) employment.

**(AQW 13034/11-15)**

**Mr Wilson:** It is not possible to detail the number of working-age individuals who are registered as disabled in the categories requested. However, the Labour Force Survey (LFS) provides information on those individuals who identify themselves as having a current long-term disability.



For the period January – March 2012, there were 5,000 working-age individuals who had a current long-term disability and who were in full-time education, and 79,000 working-age individuals who had a current long-term disability who were in employment, as estimated by the Labour Force Survey.

Please note as the LFS is a sample survey there is an associated degree of sampling error around the estimates provided. They are as follows:

- full-time education (+/- 3,000) and
- in employment (+/- 11,000).
- Working-age is defined as all those aged 16 - 64

### Creutzfeldt-Jakob Disease

**Mr Spratt** asked the Minister of Finance and Personnel to detail the number of deaths caused by Creutzfeldt-Jakob disease in each of the last three years, broken down by Health and Social Care Trust area.

**(AQW 13083/11-15)**

**Mr Wilson:** The attached table gives the number of deaths registered in Northern Ireland between 2009 and 2011P, where 'Creutzfeldt-Jakob disease'<sup>1</sup> was mentioned on the death certificate.

1 International Classification of Diseases, Tenth Revision code A.81.0

P 2011 data is provisional until publication of the Annual Report of the Registrar General

**Table: Number of registered deaths due to 'Creutzfeldt-Jakob disease', 2009-2011P**

| Health & Social Care Trust | Registration Year |          |          |
|----------------------------|-------------------|----------|----------|
|                            | 2009              | 2010     | 2011P    |
| Belfast                    | -                 | -        | 1        |
| Northern                   | -                 | 1        | -        |
| South Eastern              | 1                 | 1        | -        |
| Southern                   | 1                 | -        | 1        |
| Western                    | -                 | -        | -        |
| <b>Northern Ireland</b>    | <b>2</b>          | <b>2</b> | <b>2</b> |

### BME Network

**Ms Lo** asked the Minister of Finance and Personnel, in relation to the Black and Minority Ethnic Network 'BME Link' set up by the Department of Justice, what consideration he has given to introducing a similar network within his Department.

**(AQW 13095/11-15)**

**Mr Wilson:** There are no current plans to introduce a BME network within my Department.

There is already a network of Equality contacts throughout the Department who promulgate the Equality Agenda and who are available to discuss issues of concern with any member of staff.

### Peace III

**Mr Kinahan** asked the Minister of Finance and Personnel to detail (i) the proportion of cross-community engagement that is required by Peace III projects funded through the Special EU Programmes Body, under measures 1 and 2; (ii) if it is determined on a case by case basis, what is the average cross-community engagement required to be undertaken by the projects; and (iii) whether there is a provision for exceptional circumstances where cross-community engagement is not required.

**(AQW 13101/11-15)**

**Mr Wilson:** Projects funded under the PEACE III Programme are generally expected to be cross community in nature and to promote reconciliation. While projects are generally required to demonstrate that they are cross community, there is no requirement that they try to quantify their level of cross community engagement.

Single identity projects are eligible where there is a rationale (typically that the project is a step towards cross community engagement). All projects, including single identity projects, are required to demonstrate how they will address sectarian and / or racist behaviour to enable communities to work more effectively together and achieve outcomes in terms of good relations and understanding.

## Civil Service: E02

**Mr Gardiner** asked the Minister of Finance and Personnel what percentage of staff at Executive Officer II grade in the Civil Service receive a lower salary than staff at Administrative Officer grade.

**(AQW 13126/11-15)**

**Mr Wilson:** 46% of staff in the Executive Officer II grade are paid less than the highest paid staff in the Administrative Officer grade.

## Civil Service: Pay

**Mr Gardiner** asked the Minister of Finance and Personnel whether any Civil Service staff are paid less than the staff they manage.

**(AQW 13127/11-15)**

**Mr Wilson:** There are Civil Service staff who are paid less than the staff they manage due to overlap between some pay scales. I am however currently considering proposals which will look to address this issue.

## Civil Service: Salary Uplift

**Mr McGlone** asked the Minister of Finance and Personnel when Civil Servants who earn less than £21,000 per annum will receive their annual salary uplift of £250.

**(AQW 13138/11-15)**

**Mr Wilson:** There is no automatic entitlement for Civil Servants who earn less than £21,000 per annum to receive an annual salary uplift of £250 which formed part of the 2010/11 pay awards. I am currently considering proposals related to pay as part of the pay and grading review.

## Civil Service: E02

**Mr Agnew** asked the Minister of Finance and Personnel (i) what percentage of Civil Service staff at Executive Officer II grade are paid less per annum than the highest paid staff at Administrative Officer grade; and (ii) to detail the reasons why.

**(AQW 13157/11-15)**

**Mr Wilson:** 46% of staff in the Executive Officer II grade are paid less than the highest paid staff in the Administrative Officer grade. This is caused by overlapping pay scales at those grades.

## Green New Deal: Funding

**Mr Agnew** asked the Minister of Finance and Personnel, given that funding for the Energy Efficiency and Low Carbon Homes Schemes was originally reallocated to the Green New Deal, to detail (i) to where the funding has been reallocated; and (ii) whether he intends to reopen the schemes.

**(AQW 13161/11-15)**

**Mr Wilson:** The funding realised will provide funding towards the Green New Deal programme.

As determined by the business case, the option selected for the Green New Deal programme is the Northern Ireland Housing Executive Boiler Replacement Scheme, which is scheduled to run for the next three years.

The fine detail of the funding transfer is still being looked at by my Department.

I have no intention to reopen either the Energy Efficiency or the Low Carbon Homes Schemes.

# Department of Health, Social Services and Public Safety

## Paediatric Physiotherapists

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12202/11-15, to detail the number of (i) Band 6; and (ii) Band 7 paediatric physiotherapists, in each Health and Social Care Trust area.

**(AQW 12889/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Information on the number of Band 6 and Band 7 Paediatric Physiotherapists employed within Northern Ireland Health and Social Care is provided by Trust in the table below.

**Band 6 and Band 7 Paediatric Physiotherapists employed within Northern Ireland Health and Social Care by Trust as at June 2012**

| HSC Trust | Band 6 Paediatric Physiotherapists |       | Band 7 Paediatric Physiotherapists |       |
|-----------|------------------------------------|-------|------------------------------------|-------|
|           | Headcount                          | WTE   | Headcount                          | WTE   |
| Belfast   | 27                                 | 18.73 | 15                                 | 10.15 |

| HSC Trust     | Band 6 Paediatric Physiotherapists |      | Band 7 Paediatric Physiotherapists |       |
|---------------|------------------------------------|------|------------------------------------|-------|
|               | Headcount                          | WTE  | Headcount                          | WTE   |
| Northern      | 8                                  | 5.30 | 16                                 | 10.98 |
| South Eastern | 6                                  | 4.62 | 5                                  | 2.80  |
| Southern      | 1                                  | 0.80 | 15                                 | 10.37 |
| Western       | 7                                  | 5.78 | 1                                  | 1.00  |

**Source:** Northern Ireland Health and Social Care Trusts

**Notes:**

- 1 WTE = Whole-time equivalent.
- 2 In the Belfast Trust, one (0.50 WTE) Band 6 post has been included although the postholder is currently on secondment as the hours are covered by other staff.
- 3 In the Northern Trust, one (0.42 WTE) Band 7 post is vacant.
- 4 A full job evaluation of a number of Paediatric Physiotherapy posts within the Western Trust is ongoing.
- 5 The above staffing information has not been validated by the DHSSPS.

### Postural Orthostatic Tachycardia Syndrome

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety to detail the treatment available for patients with postural orthostatic tachycardia syndrome.

**(AQW 12944/11-15)**

**Mr Poots:** Postural orthostatic tachycardia syndrome (POTS) is an abnormal increase in heart rate on becoming upright. There are many causes, and in some cases no cause is found.

The main aim of treatment is to maintain blood supply to the heart and brain.

Treatment can include stopping medication and avoiding heat and alcohol that may be aggravating the condition. Self help treatments include improving fitness to help pump blood round the body, avoiding prolonged standing and monitoring fluid and salt intake.

Medication may also be used to alter blood volume, blood vessel dilatation and heart rate, although few scientific studies have been performed to evaluate which treatment is best for which patient.

No single treatment has been found to be effective for all sufferers. It is for clinicians working with the patient to determine the most appropriate treatment.

### Muscular Dystrophy: Care Adviser

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for an update on the recruitment of a Northern Ireland Care Adviser for Muscular Dystrophy by the Belfast Health and Social Care Trust.

**(AQW 12947/11-15)**

**Mr Poots:** This post, which was funded by the Muscular Dystrophy Campaign until the end of June 2010, was transferred into the staffing complement of the Belfast HSC Trust in February 2011. Unfortunately, the post holder left the position at short notice in November 2011 after an acute serious illness.

Following discussion with the clinicians involved with this service, the Belfast Trust decided that this post should be a Neuromuscular Nurse Specialist Post. This new post, which will cover both adults and children, will have a greater clinical focus with a nurse led service that has the potential to review patients in their own home as well as in a hospital environment.

The new post was advertised on 26 June 2012 and the Trust anticipates that, depending on applications, the post will be filled by the beginning of October 2012.

### Termination of Pregnancy: Guidance

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 5978/11-15, for an update on when the Guidance on the Termination of Pregnancy will be published.

**(AQW 12968/11-15)**

**Mr Poots:** The revised guidance is currently under consideration. I am unable to provide a date for publication at this time.

### Nursing/Residential Homes: Financial Support for Residents

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the total financial support given to residents of nursing and residential homes, in each of the last three years.

**(AQW 12979/11-15)**

**Mr Poots:** The total cost to my Department of providing statutory and independent sector nursing home and residential accommodation for adults, children and the elderly (net of client contributions) is summarised in the following table. It covers the Family and Child Care, Elderly Care, Mental Health, Learning Disability, Physical and Sensory Disability and Primary Health and Adult Community programmes of care.

| 2010/11<br>£m | 2009/10<br>£m | 2008/09<br>£m |
|---------------|---------------|---------------|
| £352          | £346          | £340          |

### 3fivetwo Healthcare

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety for his assessment of (i) the amount of money that is paid to external contractors by his Department and its arm's-length bodies; and (ii) the value for money of 3fivetwo Healthcare.  
**(AQW 13009/11-15)**

**Mr Poots:** Supplementing healthcare capacity through the use of the external contractors from the independent sector is typically used on a time-limited basis to assist in delivering improvements in waiting times for access to elective care services. Contracts for the procurement of services from the independent sector are secured through a competitive tendering process aimed at ensuring best value for money.

The Health and Social Care Board negotiates and manages contracts with the Independent Sector, including 3fivetwo Healthcare, on behalf of the HSC Trusts. These contracts, which provide for pre-contract quality assurance checks and post-contract performance review, require external providers to deliver minimum quality outcomes.

### 3fivetwo Healthcare

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety whether the amount of money being paid to 3fivetwo Healthcare will increase or decrease in each of the next three years.  
**(AQW 13010/11-15)**

**Mr Poots:** The HSC seeks additional capacity from independent sector providers on a time-limited basis to assist in delivering improvements in waiting times for access to elective care services. Contracts for the procurement of services from the independent sector are secured through a competitive tendering process aimed at ensuring best value for money.

It is not possible to predict how much additional service capacity will be required from the independent sector in each of the next three years or the outcome of any competitive tendering exercises/contract awards.

In this context, it is not possible to state whether the amount of money paid to 3fivetwo Healthcare will increase or decrease in each of the next three years.

### Health Service Constitution

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether he has any plans to introduce a Health Service constitution, as exists in Great Britain.  
**(AQW 13037/11-15)**

**Mr Poots:** As a Devolved Administration we have no plans to introduce a Health Service Constitution in Northern Ireland.

### Cancer Drugs: Parity of Access

**Mr Allister** asked the Minister of Health, Social Services and Public Safety what steps are being taken to provide parity of access to cancer drugs for patients similar to arrangements in the rest of the United Kingdom.  
**(AQW 13038/11-15)**

**Mr Poots:** In Northern Ireland approximately £100m is spent per annum on specialist medicines in hospitals of which the health services spends approximately £23.2 million recurrently on cancer medicines. The Health and Social Care Board has invested an additional £2m in 2012/13 to expand the range of cancer drugs available here.

I am aware that a Cancer Drugs Fund was established in England in 2011. However, I understand that this does not mean that all cancer drugs are uniformly available for patients. Access is determined by local Strategic Health Authorities who set local criteria.

Where there is evidence of effectiveness, access to cancer drugs and other specialist medicines is important for the population of Northern Ireland. I am determined to explore every available avenue open to me to deliver increased access to specialist medicines and other interventions, including those for cancer.

## Neonatal Units: Microbiological Standards

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 8805/11-15, given that the independent review has been published, to detail the microbiological standards for (i) water; and (ii) fixtures and fittings in each hospital's neonatal unit (a) prior to the pseudomonas outbreak; and (b) subsequent to the pseudomonas outbreak.

**(AQW 13039/11-15)**

**Mr Poots:** The acceptable levels of microbiological contamination for water in each hospital neonatal unit prior to and subsequent to the *Pseudomonas aeruginosa* outbreak are contained in the Water Supply (Water Quality) Regulations (Northern Ireland) for water intended for domestic purposes such as drinking, washing or cooking and the Health and Safety Executive Approved Code of Practice L8 together with Health Technical Memorandum 04-01 in respect to legionella.

Prior to the *Pseudomonas aeruginosa* outbreak, there were no established national acceptable levels of *Pseudomonas aeruginosa* in water sources in neonatal units. Subsequent to the outbreak, local interim standards were developed together with experts in this field and these have now been developed into national standards. These standards are contained in DHSSPS circular HSS (MD) 16/2012 issued on 30th April 2012.

For environmental surfaces such as fixtures and fittings in neonatal units, prior to and subsequent to the *Pseudomonas aeruginosa* outbreak, qualitative sampling of surfaces would indicate either the presence or absence of a pathogen rather than an acceptable level of microbiological contamination.

## Neonatal Units: Microbiological Testing

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 8803/11-15, given that the independent review has been published, to detail the bacteria which the environmental microbiological testing regime routinely tested for in each hospital's neonatal unit (i) prior to the pseudomonas outbreak; and (ii) subsequent to the pseudomonas outbreak.

**(AQW 13041/11-15)**

**Mr Poots:** Prior to and subsequent to the *Pseudomonas aeruginosa* outbreak, each HSC Trust tests water sources in neonatal units for legionella in accordance with the Health and Safety Executive Approved Code of Practice L8 and Health Technical Memorandum 04-01.

Subsequent to the *Pseudomonas aeruginosa* outbreak, HSC Trust test water sources in neonatal units for *Pseudomonas aeruginosa* in accordance with the guidance contained in DHSSPS circular HSS (MD) 16/2012 issued on 30th April 2012.

Prior to and subsequent to the *Pseudomonas aeruginosa* outbreak, environmental microbiological testing in neonatal units if undertaken would involve qualitative sampling of surfaces to indicate either the presence or absence of particular pathogens in order to identify an environmental source of infection/contamination or should there be an increase in incidents of infection. Further guidance to HSC Trusts in undertaking appropriate risk assessment to identify actions to mitigate risks and ensure appropriate sampling, monitoring and clinical surveillance arrangements are being implemented and adhered to in augmented care units including neonatal units caring for babies at levels 1, 2 and 3 is contained in DHSSPS circular HSS (MD) 16/2012 issued on 30th April 2012.

## Neonatal Units: Microbiological Results

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 8807/11-15, given that the independent review has been published, to detail how many microbiological results for (i) water testing; and (ii) environmental swabs in each hospital's neonatal unit were (a) a matter of concern; or (b) failed against prescribed standards, in each of the last three years.

**(AQW 13051/11-15)**

**Mr Poots:** The answer to this question is outlined in the attached table.

| HSC Trust     | (1) water testing <sup>1</sup>     |                         | (ii) environmental swabs <sup>4</sup> |            |
|---------------|------------------------------------|-------------------------|---------------------------------------|------------|
|               | (a) matter of concern <sup>2</sup> | (b) failed <sup>3</sup> | (a) matter of concern                 | (a) failed |
| South Eastern | 0                                  | 8                       | 0                                     | 0          |
| Southern      | 0                                  | 7                       | 0                                     | 0          |
| Belfast       | 0                                  | 6                       | 0                                     | 0          |
| Western       | 0                                  | 5                       | 1                                     | 0          |
| Northern      | 0                                  | 4                       | 0                                     | 0          |

**Notes:**

- 1 Water testing for legionella in neonatal units in each of the last three years gave no matter for concern or failed acceptable microbiological standards in accordance with the Health and Safety Executive Approved Code of Practice L8 and Health Technical Memorandum 04-01.
- 2 Prior to the *Pseudomonas aeruginosa* outbreak, there were no established national acceptable levels of *Pseudomonas aeruginosa* in water sources in neonatal units that would have provided a guide to an appropriate level of concern.
- 3 Subsequent to the *Pseudomonas aeruginosa* outbreak, DHSSPS guidance HSS(MD)4/2012 issued on 28th January 2012 established levels of *Pseudomonas aeruginosa* in pre and post flush water samples which would indicate that remedial action was required and the data provided relates to the number of taps tested in the Trust neonatal units in which the water sample test results proved positive. Although 30 taps were initially identified with high counts and are indicated as “failed” in the table for the purposes of this answer, HSC Trusts replaced 137 taps in total in the 7 neonatal units as a further precautionary measure. Once replaced, each tap was tested on a daily basis until 7 consecutive tests proved negative, moving to weekly testing for 4 weeks and then monthly testing (further guidance on this subsequent testing was provided in HSS (MD) 6/2012 issued on 9th February). This testing protocol has since been superseded by HSS(MD)16/2012. Given the scale of tap replacement, the testing regime has been extensive with pre and post flush samples required for both hot and cold tap supplies. HSC Trusts are currently
- 4 The data for the Western Trust indicates the single positive environmental sample taken from the tap at the neonatal unit following the *Pseudomonas aeruginosa* outbreak. Testing environmental surfaces in neonatal units involves qualitative sampling of surfaces to indicate either the presence or absence of a pathogen rather than an acceptable level of microbiological contamination therefore detection of a pathogen may “give concern” rather be designated as “fail”, depending on the pathogen under consideration. The other four HSC Trusts have indicated that when environmental samples have been taken for *Pseudomonas aeruginosa* following the outbreak, they have returned negative results.

**Pseudomonas: Water Filters**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11371/11-15, given that the independent review has been published, to detail (i) what consideration the Health and Social Care Trusts gave to the fitting of water filters to protect against waterborne micro-organisms (a) prior to; and (b) after the pseudomonas outbreak in December 2011; and (ii) if this action was not pursued, to detail the reasons why.

**(AQW 13052/11-15)**

**Mr Poots:** DHSSPS guidance in relation to *Pseudomonas* was provided to HSC Trusts in September 2010 (HSS(MD)34/2010) and December 2011 (HSS(MD)31/2011) which alerted Trusts to the importance of where contamination of taps exists in augmented care units, further precautions to protect the patient may be necessary, such as the installation of point of use filters.

During the incidents of *Pseudomonas* infection in neonatal units, further guidance was issued in January 2012 (HSS(MD) 4/2012) which included water testing protocols and recommended actions to take depending on results. Recommended actions include the use of point of use filters should testing suggest a systematic problem with water distribution systems and it was not possible to stop use of the outlet however point of use filters were not seen as a permanent solution.

Current guidance issued on 30th April 2012 (HSS (MD) 16/2012) includes the use of point of use filters however their use should primarily be regarded as a temporary measure until a permanent safe engineering solution is developed, although it does acknowledge in some circumstances that the long term use of such filters may be required in some cases.

HSC Trusts have indicated that assessment of their precautions following the issue of HSS(MD)34/2010 and HSS(MD)31/2011 did not identify that the installation of point of use filters was necessary.

Subsequent to the outbreaks, the Belfast, Northern and Western Trusts procured filters in case of need but did not fit any and the South Eastern Trust fitted a number of filters for a short period as an interim measure prior to remedial work.

The Southern Trust however fitted filters across an extensive range of taps in their neonatal units prior to any testing and tap replacement as an additional safeguard to actions outlined in the interim regional guidance issued on 28th January 2012. The Trust continues to use a number of filters due to ongoing investigations of water distribution systems in other augmented care areas.

**Prisons: Administration of Medication**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, in light of the death in custody of a prisoner from a mixture of prescribed drugs and illegal substances, which it is believed he obtained by trading his prescription drugs, whether he will instruct prison pharmacists and medical staff to revert from the current practice of allowing most prisoners to self medicate and instead have medication dispensed per dose, and introduce checks to ensure that the medication has been taken.

**(AQW 13059/11-15)**

**Mr Poots:** The South Eastern Health and Social Care Trust is responsible for the delivery of prison healthcare services. The Trust has no plans to alter the current approach of carrying out comprehensive risk assessments to determine whether prisoners are suitable to be in possession of medication. This is in line with national guidelines on pharmacy services for prisoners.

The SE HSC Trust is continuously reviewing its policies, procedures and guidelines in order to reflect patient need and to promote the delivery of evidence based care. Its “In-Possession Medication Policy” was reviewed in September 2011 and this revised



policy was referenced in the Prison Ombudsman's report. The SE HSC Trust is also developing a "Medicines Management Strategy for Prison Healthcare" to ensure safe, effective and efficient use of medicines and to formulate and review policy on the prescribing, supply, storage and administration of medicines with prison healthcare.

There is no evidence base or current guidelines to recommend the practice of administering all medications on a 'supervised swallow' basis. This would be contrary to all recommendations made by a number of bodies in relation to medicines management within the prison environment including the Department of Health, Her Majesty's Prison Service, Royal College of General Practitioners, Offender Health and the Secure Environment Pharmacists Group.

### **Antrim Area Hospital: Bank and Agency Staff**

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12658/11-15, to provide the information, that is readily available, on the number of hours worked by bank and agency staff at the Antrim Area Hospital in each of the last three years.

**(AQW 13060/11-15)**

**Mr Poots:** The Northern Health & Social Care Trust advised that it was not possible to provide information on the number of hours that bank and agency staff have worked at the Antrim Area Hospital in the last three years as this information is not readily available. It would require an extensive manual exercise to produce the information required which would incur disproportionate costs.

### **Defibrillators: North Down Sports Clubs**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many defibrillators are available to support clubs in the North Down area.

**(AQW 13075/11-15)**

**Mr Poots:** Any organisation or individual may purchase a defibrillator. There is no requirement to register the purchase, possession or location of a defibrillator. It is therefore not known how many defibrillators are available to support clubs in the North Down area.

A pilot programme to train people to use defibrillators, set up by my Department, has had the additional benefit of raising awareness, in some sporting organisations and District Councils, of the location and accessibility of defibrillators purchased by their organisation and also the need for maintenance of the defibrillator and maintaining the training of staff in their use.

### **Creutzfeldt-Jakob Disease**

**Mr Spratt** asked the Minister of Health, Social Services and Public Safety how many deaths caused by Creutzfeldt-Jakob disease to date were as a result of (i) the consumption of infected beef products; and (ii) transfusions of infected blood.

**(AQW 13086/11-15)**

**Mr Poots:** There have been 176 deaths in the United Kingdom from variant Creutzfeldt-Jakob disease (vCJD) since 1995. Three of these deaths were in Northern Ireland.

None of the three deaths in Northern Ireland was associated with blood transfusions. While there is good, although indirect, evidence that variant CJD originated from transmission of infection from Bovine Spongiform Encephalopathy in cattle to humans via infectivity in food, the source of infection in three cases in Northern Ireland is not known.

### **Travellers: Suicide**

**Ms Lo** asked the Minister of Health, Social Services and Public Safety what action his Department is taking to reduce suicide amongst the traveller community, given that suicide rates are six times higher amongst travellers than the rest of the population, and eleven percent of traveller deaths are due to suicide.

**(AQW 13092/11-15)**

**Mr Poots:** The All Ireland Traveller Health Study (AITHS 2010) states that males had a suicide rate which is 6.6 times that of men in the general population when measured over a twelve month period (2008). My Department estimates that this equated to 4 deaths in that year amongst the Traveller population in Northern Ireland.

In response to the study, and other evidence relating to the health needs of Travellers, the Public Health Agency facilitated the establishment of a regional Traveller Health and Wellbeing Forum in October 2010. Initiatives targeted at the Traveller community include; health improvement programmes; emotional health and wellbeing training; and parent and child support programmes. A wider review of service uptake by Travellers is due to commence in September 2012.

These initiatives are partly funded under the Protect Life strategy which contains actions to ensure support services are available for marginalised and disadvantaged groups such as Travellers.

### Winter Fuel Payments: Cancer Patients

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety whether winter fuel payments will be made available next year to patients with cancer.

**(AQW 13107/11-15)**

**Mr Poots:** During winter 2011/12, DHSSPS was designated by OFMDFM under the NI Executive's Social Protection Fund legislation to make a one-off fuel payment to cancer patients who met separate eligibility criteria. The Social Protection Fund is the responsibility of OFMDFM.

### Winter Fuel Payments: Cancer Patients

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety (i) to detail the criteria used to determine which patients with cancer are entitled to winter fuel payments; and (ii) whether they will consider widening the criteria in the future.

**(AQW 13108/11-15)**

**Mr Poots:** During winter 2011/12, DHSSPS was designated by OFMDFM under the NI Executive's Social Protection Fund legislation to make a one-off fuel payment to cancer patients who met separate eligibility criteria. The criteria for cancer patients were those who have received surgery, radiotherapy, chemotherapy, or palliative care within six months prior to and including the qualifying period, and included those patients where a decision is made during the qualifying week to provide surgery, radiotherapy, chemotherapy, or palliative care. The qualifying week was 12th to 18th December 2011. The scheme was a one-off payment for winter 2011/12 under the Social Protection Fund which is the responsibility of OFMDFM.

### Prostate Cancer: Abiraterone

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail (i) his Department's position on the use of Abiraterone for the treatment of prostate cancer as a way of prolonging life, relieving pain and other symptoms; and (ii) whether he intends to follow the National Institute for Health and Clinical Excellence recommendation, in England and Wales, that the drug should be made available via the Health Service.

**(AQW 13109/11-15)**

**Mr Poots:** My Department has formal links with the National Institute for Health and Clinical Excellence (NICE) and the NICE guidance on Abiraterone for the treatment of prostate cancer like all the Institute's Technology Appraisals will be reviewed locally for its applicability to Northern Ireland (NI). The local review does not challenge the robustness of the NICE guidance but rather its applicability in the legal and policy context of NI.

The guidance was published on Wednesday 27 June 2012 and my Department is currently completing its local review as described in circular HSC (SQSD) 04/11. Once a commissioning plan has been agreed with the HSC Board, it will represent my Department's formal policy position on implementation.

### Nurses: Temporary Contracts

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety how many nurses have been employed on temporary contracts in each Health and Social Care Trust area, in each of the last three years.

**(AQW 13116/11-15)**

**Mr Poots:** The information below was provided by HSC Trusts and relates to qualified nursing staff band 5 and above who are on temporary contracts, over the last three years:

| HSC Trust     | April 09-March 10 | April 10- March 11 | April 11-March 12 |
|---------------|-------------------|--------------------|-------------------|
| Northern      | 64                | 72                 | 94                |
| Belfast       | 64                | 72                 | 65                |
| South Eastern | 41                | 47                 | 40                |
| Southern      | 231               | 154                | 92                |
| Western       | 251               | 204                | 232               |
| NIAS          | nil               | nil                | nil               |
| <b>Total</b>  | <b>651</b>        | <b>549</b>         | <b>523</b>        |

Temporary headcount figures above include staff on maternity leave, secondments, long term sickness and vacancies.

## Sexual Health Improvement Network

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12486/11-15, (i) when the Sexual Health Improvement Network last met; and (ii) the date of the next meeting.

**(AQW 13162/11-15)**

**Mr Poots:** The Sexual Health Improvement Network last met on 17th April 2012. The next meeting is scheduled to take place on 25th September 2012.

## Stereotactic Body Radiotherapy

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 12842/11-15, to provide a breakdown by hospital for patients referred for Stereotactic Body Radiotherapy Treatment, for each year since 2009.

**(AQW 13163/11-15)**

**Mr Poots:** I have been advised by the Health and Social Care Board that all patients referred to Great Britain for stereotactic body radiotherapy were referred by the Belfast HSC Trust.

Information on the hospitals in Great Britain where patients have been referred for stereotactic body radiotherapy, in each of the calendar years since 2009, is detailed in the table below:

| Year    | Hospital of Treatment |       |        |  |                     |                                | Total Referred |
|---------|-----------------------|-------|--------|--|---------------------|--------------------------------|----------------|
|         | Sheffield Teaching    | Leeds | Queens | National Centre for Stereotactic Radio-surgery | Great Ormond Street | Birmingham Children's Hospital |                |
| 2009/10 | 10                    | 1     | 0      | 3  | 7                   | 0                              | 21             |
| 2010/11 | 25                    | 2     | 0      | 0  | 2                   | 1                              | 30             |
| 2011/12 | 24                    | 31    | 1      | 0  | 0                   | 0                              | 56             |

**Source:** Health and Social Care Board

## Construction Contracts

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for his assessment of (i) his Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

**(AQW 13166/11-15)**

**Mr Poots:** A pre-qualification process is used in connection with all new construction contracts within the health estate in order to allow the client to select a limited number of firms (usually six firms) which are best suited to deliver the particular project in an efficient and effective manner.

This pre-qualification process has been developed by DFP's Central Procurement Directorate (CPD) as part of Northern Ireland Public Procurement Policy (NIPPP).

When setting the criteria used for selection, there is a requirement on the part of Contracting Authorities (such as DHSSPS arm's length bodies) to comply with the Public Contracts Regulations (2006) as amended, NIPPP and best practice guidance.

The pre-qualification process assesses the firms' suitability to deliver the particular project using the following criteria: -

- General information as to the organisational structure and proposed administrative arrangements of consortia;
- Information as to economic and financial standing and compliance with EU/UK procurement legislation;
- Health and safety;
- Technical ability;

With respect to the information requested as to economic and financial standing, firms who wish to apply must meet the Constructionline work categories and financial notation required for a particular project. These criteria will be set to reflect the scope and nature of the works. (Constructionline is the UK's register of pre-qualified local and national construction and construction-related suppliers and its use in pre-qualification processes for public sector contracts in Northern Ireland is embedded in NIPPP).

With respect to the information requested as to technical ability, firms who wish to apply must either: -

- obtain registration on the DHSSPS Register of Contractors with facility and work categories that match the firms' experience for contracts of value below the EU threshold (£4,348,350.00) or;

- score sufficiently in project-specific selection criteria by demonstrating their suitability to deliver the particular project/previous experience/methodology for contracts of value above the EU threshold.

Accordingly, pre-qualification processes are open to any local small to medium sized enterprises (SMEs) which meet the project-specific requirements of each particular project.

In addition, CPD have published guidance assist SMEs in their knowledge and understanding of public sector procurement. (<http://www.dfpni.gov.uk/pgn-02-12-sme-guide.pdf> [http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/content\\_-\\_cpd\\_-\\_policy\\_-\\_procurement\\_guidance\\_notes/guidance-note-02-11/pgn-02-11-helping-small-and-medium-sized-enterprises-access-public---revised-august-2011.pdf](http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/content_-_cpd_-_policy_-_procurement_guidance_notes/guidance-note-02-11/pgn-02-11-helping-small-and-medium-sized-enterprises-access-public---revised-august-2011.pdf) )

### Ulster Hospital: Cardiac Catheterisation Service

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what progress has been made by his Department in relation to the provision of a cardiac cath laboratory at the Ulster Hospital, Dundonald.

**(AQW 13176/11-15)**

**Mr Poots:** The Health and Social Care Board in conjunction with Trusts, is currently reviewing regional requirements for cardiac catheterisation services across Northern Ireland.

The South Eastern Trust has submitted a Strategic Outline Business Case to the HSC Board for an interim cardiac catheterisation service based at the Ulster Hospital. However this will not be progressed until the outcome of the HSC Board's review is known.

### Detoxification: Available Beds

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many beds in the Health Service are available for drug and alcohol detoxification services, broken down by constituency.

**(AQW 13182/11-15)**

**Mr Poots:** The number of beds in the Health Service available for drug and alcohol detoxification services broken down by hospital at 1st June 2012, are given in the table below. The information requested is not available by constituency.

| Hospital   | Total number of available beds for drug and alcohol detoxification services at 1st June 2012 |
|------------|--|
| Downshire  | 14   |
| Holywell   | 10   |
| St Luke's* | 10   |

\* Beds in St.Luke's are open Monday – Friday only.

Patients with complex medical needs who require access to a range of hospital services or those requiring care and treatment for only acute detoxification will be admitted to acute inpatient medical beds.

Patients requiring care and treatment for mental health issues and substance misuse may be admitted to Mental Health Facilities.

### Prescription Drugs: Enforcement

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety (i) what action he is taking to ensure that prescription drugs are not prescribed to known or convicted drug dealers; and (ii) what information sharing provisions exist between the Health Service and the PSNI to stop prescription drugs being sold on our streets.

**(AQW 13184/11-15)**

**Mr Poots:** The decision as to whether or not a patient should be prescribed medication is a purely clinical one made by the prescriber who has assessed their medical needs.

The Medicines Regulatory Group have agreed information sharing protocols with regulatory and enforcement agencies locally, nationally and internationally for the receipt and sharing of information regarding regulatory and enforcement matters as they relate to medicines.

### Prescription Drugs: Online Purchase

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what action his Department is taking to stem the flow of prescription drugs being bought online and sold on the streets.

**(AQW 13185/11-15)**

**Mr Poots:** My Department, through its Medicines Regulatory Group (MRG), has a statutory responsibility to ensure compliance with national and international legislative requirements regarding sales of medicines. It works very closely with other regulatory

agencies including the Medicines and Healthcare products Regulatory Agency, the United Kingdom Border Agency and the Police Service of Northern Ireland to tackle the increase in the use of the internet to source unlicensed and illegal medicines from abroad.

We continue to undertake local, national and international collaborative enforcement and regulation work, an example of which was the seizure of 30,000 prescription only sleeping tablets at Belfast International Airport recently.

We also act to raise public awareness of the dangers of purchasing medicines from unregulated sources and recommending that patients obtain medicines from a legitimate source and will be conducting a further awareness campaign later this year.

Notably, we participate annually in Operation Pangea which specifically targets the on-line sales of illegal medicines destined for Northern Ireland and in 2011 this resulted in more than 12,000 illegal websites being closed down in the UK and over one million doses of unlicensed medicinal products being destroyed.

### **Shantallow Health Centre, Derry: Podiatry**

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety why podiatry treatment is no longer being offered at the Shantallow Health Centre, Derry.

**(AQW 13192/11-15)**

**Mr Poots:** The Western Trust currently offers the following podiatry treatment clinics in Shantallow Health Centre:

- Every Monday, Thursday and Friday
- Every second Wednesday in the afternoon
- Week beginning 25th June, the Trust will offer an additional Tuesday morning session in Shantallow Health Centre

### **Foyle Pride Festival 2012: DHSSPS Funding**

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail (i) the level of funding his Department has allocated to the Foyle Pride Festival 2012 in Derry; and (ii) if his Department has not allocated funds to the event, how much it is willing to provide towards the running costs of £15,000.

**(AQW 13203/11-15)**

**Mr Poots:** No funding has been allocated by my Department to the Foyle Pride Festival 2012 and no funding will be provided by my Department towards the running costs of £15,000.

### **Doctors: Industrial Action**

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety whether doctors who took industrial action on 21 June 2012 will receive pay for the period on strike.

**(AQW 13206/11-15)**

**Mr Poots:** The form of industrial action the British Medical Association (the Trade Union and Professional Association for doctors throughout the UK) agreed fell short of strike action and involved doctors reporting for duty but providing emergency and urgent care only to maintain patient safety with routine clinical care being postponed. This encompassed a greater range than purely emergency work and included any treatment that could not be safely postponed to another day. Emergency Departments and most inpatient work were delivered as normal and all urgent and red flag appointments to outpatient clinics were also unaffected.

Locally, the British Medical Association refused to discuss a regional arrangement regarding pay for those doctors employed by Health and Social Care organisations. It was made clear that doctors who took part in the industrial action should have no expectation of being paid. Health and Social Care organisations are currently collating information and making the necessary arrangements to ensure only appropriate amounts are paid.

### **South Tyrone Hospital: Minor Injuries Unit**

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail the rationale behind transferring staff from an increasingly busy Minor Injuries Unit at South Tyrone Hospital when a period of review is currently underway.

**(AQW 13235/11-15)**

**Mr Poots:** I gave an undertaking on 15 May 2012 that I would ask the Southern Health and Social Care Trust to defer implementing any change to the opening hours of the Minor Injuries Unit (MIU) at South Tyrone Hospital until the Population Plans have been completed. I am advised by the Trust that there has been no staff transfers out of the Minor Injuries Unit since that date. The Trust has also advised that there will be no change to the opening hours of the MIU until after the Local Commissioning Group completes its Population Plan.

### **Western Health and Social Care Trust: Ambulance Service Staff**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to detail the number of ambulance and emergency day crew staff in the Western Health and Social Care Trust area.

**(AQW 13262/11-15)**

**Mr Poots:** The Northern Ireland Ambulance Service (NIAS) has advised that the number of A&E ambulance staff in its Western Division, which is broadly coterminous with the Western Health and Social Care Trust area, is as follows.

**Western Division A&E Day Shift Staff Numbers**

| Station              | Mon       | Tue       | Wed       | Thur      | Fri       | Sat       | Sun       | Weekly Total |
|----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------------|
| Altnagelvin          | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 42           |
| Limavady             | 2         | 2         | 2         | 2         | 2         | 2         | 2         | 14           |
| Strabane             | 2         | 2         | 2         | 2         | 2         | 2         | 2         | 14           |
| Castlederg           | 2         | 2         | 2         | 2         | 2         | 2         | 2         | 14           |
| Enniskillen          | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 42           |
| Omagh                | 8         | 8         | 6         | 8         | 8         | 8         | 6         | 52           |
| <b>Overall Total</b> | <b>26</b> | <b>26</b> | <b>24</b> | <b>26</b> | <b>26</b> | <b>26</b> | <b>24</b> | <b>178</b>   |

**Source:** NIAS

**Omagh: New Enhanced Hospital**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to detail (i) the commencement date for the construction of the new enhanced local hospital in Omagh; and (ii) the profile of services which will be delivered at the hospital. **(AQW 13264/11-15)**

**Mr Poots:** Phase one of the business case for the new enhanced local hospital in Omagh has been approved and is expected to cost an estimated £80 million. Enabling works have already commenced at the site and construction of the main works for the new hospital is expected to begin in Summer 2013.

As advised in my response to your previous oral question (AQO 1466/11-1515), the facility will provide for the following services:

intermediate care ward and palliative care; urgent care and treatment centre; cardiac assessment; day surgery unit; imaging and diagnostics; outpatient services; clinical investigations; children's centre; women's health unit; renal services; allied health professionals (in a range of disciplines); GP practice accommodation; GP out of hours; a health and care centre and a range of support services such as medical records, pharmacy and pathology.

**Drumnakilly Road, Carrickmore: Ambulance Service Emergency Responses**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to detail the number of road traffic accidents that the Ambulance Service has been called to at a location known locally as 'The Gap' on the Drumnakilly Road, Carrickmore, Co Tyrone, in each of the last three years.

**(AQW 13265/11-15)**

**Mr Poots:** The number of emergency responses made by the Northern Ireland Ambulance Service to road traffic collisions on the Drumnakilly Road, Carrickmore, in each of the last 3 years, is detailed in the table below:

| Year    | No. of Emergency Responses |
|---------|----------------------------|
| 2009/10 | 5                          |
| 2010/11 | 4                          |
| 2011/12 | 2                          |

**Source:** Northern Ireland Ambulance Service (NIAS)

**Haemophilia: Donated Blood**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety for the Health Service's assessment of whether it is possible to contract haemophilia as a result of receiving donated blood.

**(AQW 13268/11-15)**

**Mr Poots:** Haemophilia is a group of hereditary genetic disorders. It cannot be acquired. There exists a condition called 'acquired haemophilia', affecting one person per million, which has some similarities with congenital haemophilia but is a separate condition. It is not associated with donated blood.



### Haemophilia: Donated Blood

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether any individual has ever contracted haemophilia as a result of receiving donated blood.

**(AQW 13269/11-15)**

**Mr Poots:** Haemophilia is a group of hereditary genetic disorders. It cannot be acquired. There exists a condition called 'acquired haemophilia', affecting one person per million, which has some similarities with congenital haemophilia but is a separate condition. It is not associated with donated blood.

### Haemophilia: Donated Blood

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the number of people who have contracted haemophilia as a result of receiving donated blood in each of the last ten years.

**(AQW 13271/11-15)**

**Mr Poots:** Haemophilia is a group of hereditary genetic disorders. It cannot be acquired. There exists a condition called 'acquired haemophilia', affecting one person per million, which has some similarities with congenital haemophilia but is a separate condition. It is not associated with donated blood.

## Department of Justice

### Police: Part-time Reserve Gratuity Scheme

**Mr Hussey** asked the Minister of Justice (i) whether all claims made to the Police Part-Time Reserve Gratuity Scheme have been paid; (ii) whether all funding has been awarded or whether there is an outstanding balance; (iii) what discussions he has had with the RUC GC Association Part Time Officers Welfare Group in relation to any outstanding balance; and (iv) whether all the relevant P60s have been issued.

**(AQW 11854/11-15)**

**Mr Ford (The Minister of Justice):** All applications to the Gratuity Scheme received before the deadline have been processed, including the consideration of any appeals, and payments made.

Of the £20m budget set aside for the scheme over £19.6m was drawn down by the Scheme administrators for payment and the cost of administration.

Options in respect of the outstanding balance are under consideration within the Department. No discussion has yet taken place with external stakeholders. Any final view will be taken once the Department has confidence that all costs associated with the Scheme have been paid.

HMRC has advised that as applicants to the PTR Gratuity Scheme were not employees of the Scheme at the end of the Financial Year it would not be necessary to issue P60s.

### Prison Service: Disciplinary Proceedings

**Lord Morrow** asked the Minister of Justice how many disciplinary proceedings have been conducted by the Northern Ireland Prison Service, in each year since 1995, in the absence of the formerly missing Code of Conduct and Discipline, or the signed version by, or on behalf of, the Secretary of State.

**(AQW 12780/11-15)**

**Mr Ford:** It is not possible to provide details of the number of disciplinary proceedings conducted since 1995. This information could only be obtained at disproportionate cost.

However, no disciplinary proceedings have ever been conducted in the absence of the current Code of Conduct and Discipline.

Furthermore, I would refer the member to my replies to AQW's 11188/11-15 and 12644/11-15 when I provided a copy of the current Code of Conduct and Discipline (COCD) and the redacted formal authorisation minute from the Secretary of State's Office.

### Prison Governors Association

**Lord Morrow** asked the Minister of Justice (i) to detail the role of the Prison Governors Association (PGA) in cases where members of staff are recommended for dismissal in accordance with the Code of Conduct and Discipline; (ii) the number of cases, in the last five years, in which the PGA has had an input; and (iii) to provide a copy of the relevant legislation.

**(AQW 12782/11-15)**

**Mr Ford:** The PGA have no formal role in the decision making process when a member of staff is recommended for dismissal. However they may represent individual PGA members for whom a recommendation for dismissal has been made. During the last five years there have been no dismissal cases that have required input from the PGA.

There is no relevant legislation as the Code of Conduct and Discipline (COCOD) governs disciplinary processes for operational staff in NIPS. I would also refer the member to the reply I provided to AQW 12648/11-15.

### **Prison Service: Staff Recruitment and Dismissal**

**Lord Morrow** asked the Minister of Justice who is responsible for hiring and dismissing Northern Ireland Prison Service staff; and whether any new statutes or measures, in relation to this, have been introduced since May 2010.

**(AQW 12821/11-15)**

**Mr Ford:** There is delegated authority from the Department of Justice to the Northern Ireland Prison Service to recruit all permanent and period-appointed staff below Senior Civil Service level through existing Northern Ireland Civil Service arrangement. In addition the delegated authority relates to discipline and inefficiency, including dismissal procedures.

### **Prisons: Republican Separated Prisoners**

**Lord Morrow** asked the Minister of Justice whether the 29 republican separated prisoners who are on protest, or their representatives, have given a commitment that they will end their protest when the new searching mechanisms, over which they are in dispute, are implemented.

**(AQW 12860/11-15)**

**Mr Ford:** Republican separated prisoners who are currently participating in protest action in Roe House have not given any commitment that they will end their protest if the new searching mechanisms are implemented.

### **Prison Service: Staff under Investigation**

**Lord Morrow** asked the Minister of Justice to detail the (i) number of Northern Ireland Prison Service (NIPS) staff, in each prison, young offenders or youth justice facility, who are currently being investigated by NIPS or an outside agency; (ii) rank of each person under investigation; and (iii) number of staff under investigation who have been suspended whilst being investigated.

**(AQW 12863/11-15)**

**Mr Ford:** Three members of staff are currently being investigated under disciplinary procedures and are suspended from duty.

Whilst other investigations may be initiated by outside agencies, NIPS does not hold centralised records relating to these investigations unless the appropriate agency recommends disciplinary action.

### **Prisoner Assessment Unit**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12157/11-15, why the report into the closure of the Prisoner Assessment Unit was shown to the Criminal Justice Inspection prior to its official publication; and what other individuals or bodies were afforded this opportunity.

**(AQW 12878/11-15)**

**Mr Ford:** As stated in my answer to AQW/12157/11-15, a copy of the report of the investigation into the Prisoner Assessment Unit was shared with Criminal Justice Inspection Northern Ireland (CJINI) for information purposes in relation to the ongoing CJINI thematic inspection into the management of life sentence prisoners. The report has not been shown to any other individuals or bodies outside of senior managers within the Northern Ireland Prison Service.

### **Desertcreat Training College**

**Mr McGlone** asked the Minister of Justice what plans there are to provide advice and information, for local contractors and suppliers, on the opportunities for contracts and sub-contracts for the construction of the Desertcreat Training College.

**(AQW 12896/11-15)**

**Mr Ford:** The Desertcreat Programme Team will provide advice and information on the opportunities for contracts for the construction of the Desertcreat Training College by publishing all procurement opportunities via the website [www.desertcreatcollege.org](http://www.desertcreatcollege.org) and its facebook page <http://www.facebook.com/desertcreatcollege> as well as the normal statutory channels, such as the ISNI portal on [www.isni.gov.uk/contracts](http://www.isni.gov.uk/contracts).

Any enquiring contractor or supplier can obtain up to date information on any aspect of the new college's development, by contacting the Programme Team on [info@desertcreatcollege.org](mailto:info@desertcreatcollege.org) or through the website [www.desertcreatcollege.org](http://www.desertcreatcollege.org).

**Legal Aid: Caroline Barnes**

**Lord Morrow** asked the Minister of Justice to detail the cost of the case involving Caroline Barnes and her pit bull-terrier type dog, Lennox, broken down by (i) the Public Prosecution Service; (ii) the PSNI; (iii) expert witnesses; (iv) Legal Aid and expenses. (AQW 12905/11-15)

**Mr Ford:** To date, a total of £4,572.47 for criminal legal aid (including VAT and disbursements) has been paid to solicitors and one counsel who represented the defendant in the Magistrates' Court and on appeal against conviction to the County Court. The disbursements paid (£2054.61) were in relation to fees for a veterinary expert.

Miss Barnes also had the benefit of civil legal aid to make an application to the Court of Appeal although the Northern Ireland Legal Services Commission has not received a claim for payment in relation to this application.

As this prosecution was taken forward by Belfast City Council there are no Public Prosecution Service or PSNI costs in relation to this case.

**Legal Aid: Karen Walsh**

**Lord Morrow** asked the Minister of Justice what steps have been taken to recoup from convicted murderer Karen Walsh a percentage of the Legal Aid that was paid. (AQW 12913/11-15)

**Mr Ford:** I will be making new Rules, the Criminal Legal Aid (Recovery of Defence Costs Orders) Rules (Northern Ireland) 2012, to enable the Northern Ireland Legal Services Commission to recover some or all of the costs of legal aid from convicted defendants in the Crown Court, where it appears that defendants have the means to pay for these costs. The Rules will be laid before the Summer recess and will come into force after the start of the new legal term in September.

This legislation will not apply retrospectively and cannot be used in the case of Karen Walsh.

**Suspended Sentence: Thomas Ward**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 11674/11-15, whether the relevant suspended sentence was activated following the conviction in 2011. (AQW 12955/11-15)

**Mr Ford:** Thomas Ward was convicted of common assault in February 2011 for an offence which took place in November 2009. The suspended sentence imposed for breaching his Sexual Offences Prevention Order in May 2010 was therefore not activated as the offence pre-dated the imposition of the suspended sentence in November 2010.

**Magistrates' Court: Attendance of Defendants**

**Lord Morrow** asked the Minister of Justice (i) who requested that the defendants in cases (a) 12/039039; (b) 11/130871, 11/130870, 11/131371 and 12/019153; (c) 12/024907; and (d) 12/040581 be presented at Dungannon Magistrates' Court on 13 June 2012; (ii) the reasons for the requests; and (iii) what was the cost of transporting each defendant to court. (AQW 12956/11-15)

**Mr Ford:** The decision to have a defendant produced in court or to appear via video link is a matter for the individual District Judge (Magistrates' Court).

The defendants in cases (a) and (b) had been remanded on bail to attend Dungannon Magistrates' Court on 13 June 2012. However both defendants subsequently had their bail revoked and were remanded in custody.

The defendant in case (c) was produced on the direction of the District Judge (Magistrates' Court).

The defendant in case (d) had been remanded on bail to attend court on 13 June but was subsequently imprisoned on a separate charge.

Defendants in custody are normally brought to court where bail issues or arrangements need to be considered by the court.

The Northern Ireland Prison Service incurred costs of £156.64 transporting all these defendants to and from court.

**Policing and Community Safety Partnerships: Membership**

**Mr Weir** asked the Minister of Justice which Police Community Safety Partnerships have had to re-advertise for members because of a lack of suitable applicants. (AQW 12977/11-15)

**Mr Ford:** The process of appointing independent members to Policing and Community Safety Partnerships (PCSPs) and District Policing and Community Safety Partnerships (DPCSPs) is a restricted function of the Northern Ireland Policing Board.

However, the Board has confirmed that in the case of four Council areas – Castlereagh, Coleraine, Dungannon and South Tyrone, and North Down it was unable to complete the appointment process. In the case of Castlereagh Council area this was due to a lack of suitable applicants. In the case of the other Council areas the Policing Board came to the decision that it was not

possible to ensure appointments were compatible with the Policing Board's statutory duty to ensure the PCSP is representative of the community in the Council area.

The Policing Board has now re-advertised for PCSP members in the four Council areas and hopes to make the final appointments in the coming weeks.

### **Child Sex Offender Disclosure Scheme**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12208/11-15, when he will put this matter out for consultation. (AQW 13091/11-15)

**Mr Ford:** I intend to consult as soon as possible after the summer recess.

### **HMP Magilligan: 2008 Inspection**

**Mr G Robinson** asked the Minister of Justice whether the 2008 inspection of HMP Magilligan by the Inspector of Prisons resulted in the prison scoring higher than some private prisons with Grade 3 Ratings. (AQW 13273/11-15)

**Mr Ford:** When carrying out the inspection in 2008, HM Inspector of Prisons assessed the prison against four benchmark tests of a healthy prison. These are Safety, Respect, Purposeful Activity and Resettlement.

I can confirm that Magilligan Prison attained a three (out of four) in all four areas. A three rating is defined as: The outcomes for prisoners are reasonably good against this test.

To attempt to compare two prisons on the basis of having attained a 'three' rating would not necessarily be meaningful. There are a significant number of contributing factors within each test which would make it difficult to compare Magilligan Prison's performance against a privately run prison.

### **Tobacco: Counterfeit**

**Mr Ross** asked the Minister of Justice what steps his Department is taking, in conjunction with the PSNI and HMRC, to tackle the issue of counterfeit tobacco. (AQO 2233/11-15)

**Mr Ford:** Tackling the issue of counterfeit tobacco is primarily a matter for HMRC and UK Border Force. In 2011/12 reporting year 23 million counterfeit and smuggled cigarettes were seized in Northern Ireland. HMRC officers seized 2 million counterfeit and smuggled cigarettes and 350 kg of hand rolling tobacco with a value of £828,000, and UK Border Agency officers seized 21 million cigarettes and 500 kg of hand rolling tobacco.

Intellectual Property Crime, including the sale of counterfeit tobacco has been identified by the Organised Crime Taskforce (OCTF) as a key threat. The Organised Crime Task Force has a dedicated Intellectual Property Crime Subgroup which acts as a forum for law enforcement agencies and a number of business partners to develop strategies to deal with a range of issues associated with intellectual property crime including the sale of counterfeit tobacco.

The OCTF is also tackling the demand side in terms of the support given by the public, knowingly or otherwise, that allows tobacco fraudsters to operate. The OCTF is embarking on a new communications initiative entitled "Changing the Mindset" which will seek to engage better with the public to inform individuals about the impact of all types of organised crime, including counterfeiting and seek their support to reduce the demand for the products and services provided by organised crime.

### **Police Service: Managed Services**

**Mr McKay** asked the Minister of Justice why he has not met NIPSA, the trade union representing police support staff, to discuss his Department's role in the development of a business case for PSNI managed services. (AQO 2234/11-15)

**Mr Ford:** The awarding and management of contracts by the Police Service is an operational matter for the Chief Constable, for which he is accountable to the Policing Board. The Department has had no role in respect of developing the business case for PSNI managed services.

My officials approved the PSNI business case in February 2012, as it met the value for money criteria and other requirements, not least because a new contract was needed to replace existing outsourced arrangements.

On 20 April 2012 a NIPSA trade union representative for PSNI civilian staff requested a meeting with me to discuss PSNI Managed Services. I set out the position in respect of the Department's role.

As there was nothing further to add, I declined the trade union request for a meeting.

## Police Service: Managed Services

**Ms Gildernew** asked the Minister of Justice when his Department first began discussions with the PSNI on the development of a business case for the tendering of a new PSNI contract for managed services.

**(AQO 2235/11-15)**

**Mr Ford:** The awarding and management of contracts by the Police Service is an operational matter for the Chief Constable, for which he is accountable to the Policing Board. The Department has had no role in the development of the PSNI business case for contracting out of managed services.

PSNI submitted a business case for the supply of support services to my Department for approval in December 2011.

My officials reviewed the business case and granted initial approval for PSNI to advertise in OJEU on 2 February, whilst finalising conditions of approval.

Business case approval was granted on 24 February 2012, subject to certain conditions, linking this project to the PSNI's efficiency saving programme.

The Department approved the business case as it met the value for money criteria and other requirements, not least because a new contract was needed to replace existing outsourced arrangements.

## Criminal Justice: Witness Care Unit

**Mr D McIlveen** asked the Minister of Justice what consideration his Department has given to the future of the Witness Care Unit, particularly with regard to outreach and accessibility for victims living in rural or more remote areas.

**(AQO 2236/11-15)**

**Mr Ford:** I am pleased to confirm that plans are in place to introduce a Witness Care Unit in Northern Ireland, and that this work is being taken forward by the Public Prosecution Service and the Police Service of Northern Ireland.

The purpose of the Unit will be to manage the care of victims and witnesses from the date the defendant is charged or reported to PPS, and it will encompass both the Crown and Magistrates' Courts.

It is anticipated that the service will include:

- a single point of contact for victims and witnesses, communicating by their preferred means where possible;
- a full needs assessment for all victims and witnesses in cases where defendants have pleaded not guilty - for example, to identify specific support requirements;
- dedicated witness care officers to guide and support individuals through the criminal justice process and to co-ordinate support and services;
- continuous review of victim and witness needs throughout the case; and
- greater communication and contact with witnesses about their cases throughout the prosecution process.

The Witness Care Unit will include both PPS and police staff and it will improve access to information for all victims and witnesses, including those living in rural or more remote areas.

## Coroners Service: Weekends and Bank Holidays

**Mrs Overend** asked the Minister of Justice whether he will review the current access arrangements to the Coroner's Office, at weekends and bank holidays, to ensure that bodies of deceased persons are released to families as soon as possible.

**(AQO 2237/11-15)**

**Mr Ford:** I am satisfied that the current access arrangements for the Coroners Service at weekends and bank holidays provide an appropriate level of service to the public and I have no plans to review them.

The Coroners Service is open from 9.30am to 12.30pm on Saturdays, Sundays and public holidays (save for Christmas Day). At all other times a telephone answering service is provided. A duty Coroner can also be contacted by telephone outside normal office hours.

The Coroner's decision to release bodies to families requires communication with a number of agencies and individuals – not all of whom are available at weekends or bank holidays.

In particular, general practitioners and paediatric pathology services are not available on Friday evenings, weekends and public holidays. In a small number of cases this may cause delay but these cases are given priority once services are available. The working patterns associated with general practitioners and paediatric pathology services are not something I am responsible for and are instead matters for the Department of Health, Social Services and Public Safety and the Minister of Health.

## Criminal Assets

**Mr Lyttle** asked the Minister of Justice for an update on his Department's scheme for distributing assets recovered from criminals. (AQO 2238/11-15)

**Mr Ford:** My Department had access to the Assets Recovery Incentivisation Scheme (ARIS) monies for the first time last year. Previously all the recovered funds were collected centrally by Treasury. Last year was run as a pilot exercise and provided us with an opportunity to gain a great deal of insight into the potential benefits as well as the challenges in accessing this funding.

I have just approved proposals to launch a call in the coming weeks, seeking bids from projects wishing to access funding from this fund. Bids will be considered against a list of identified Departmental priorities. The aim is to include a mix of internally identified projects along with a list of those from external community group bids.

It is worth noting that the receipts surrendered are highly unpredictable from month to month. In the first 2 months the amount available to my Department is approximately £35K and there are residual commitments from last year where projects were awarded money over a 2 year period.

I am delighted to have seen the success at first hand of some of the community projects such as cage soccer and the e-Hoops programmes have provided a diversion for young people at risk.

I am aware of some restrictions which exist and my officials are currently engaged in considering these to see how the scheme could be further enhanced for the future. I am also considering speaking with the Home Office in due course regarding the possible devolution of recovered civil assets.

## Department for Regional Development

### Roads Service: Minor Road Surface Repairs

**Mr Allister** asked the Minister for Regional Development, pursuant to AQW 12103/11-15, why the Northern Division of Roads Service is the only division which is spending less on minor road surface repairs than it was spending under Direct Rule; and what steps are proposed to redress the imbalance. (AQW 12838/11-15)

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that, in distributing the resources available for minor road surface repairs, allocations are made to the four Roads Service Divisions on the basis of need, as the demand for this work is dependent on the number of defects that appear in each area.

As this approach ensures an equitable distribution of funds across the whole of Northern Ireland, there are no plans at present to revise the method by which this maintenance funding is distributed.

### West Belfast: DRD Work 2012-13

**Ms S Ramsey** asked the Minister for Regional Development to list the works his Department is due to carry out in West Belfast in 2012/13. (AQW 12884/11-15)

**Mr Kennedy:** My Department's Roads Service has advised that scheme preparation is carried out on a council area basis not by parliamentary constituency. Roads Service attends each local council twice yearly to present programmes of work and provide progress updates on those programmes.

I am further advised that the Belfast City Council Report containing the 2012/13 programmes of works, which was published following the council meeting of 28 May 2012, can be accessed at the following web address:

<http://minutes.belfastcity.gov.uk/documents/s63569/Belfast%20Spring%202012.pdf>

I understand that work is ongoing on the preparation of the Lisburn City Council Spring Report in advance of the council meeting on 2 July 2012, and it will be published shortly after the meeting.

Northern Ireland Water advises that, during 2012/13, it proposes to carry out the following work in West Belfast:

| Location                                       | Project  |
|--|--|
| Glenmachan Street Wastewater Pumping Station.  | Strategic Investigations & Interim Improvements. |
| Ladybrook Estate.                              | Foul and Storm Sewer Structural Investigation.   |
| St. James Road, Falls Road, Ardmonagh Gardens. | Sewer Improvements.                              |
| Andersonstown Road / Stockmans Way.            | M1 Crossing Water Main Replacement.              |
| Devonshire Street.                             | Storm Sewer Extension.                           |



| Location                                 | Project                   |
|--|---------------------------|
| Beechmount Avenue, Gortfin Street.       | Foul Sewer Upgrade.       |
| Distillery Street Storm Pumping Station. | Preparation for Disposal. |

In addition, Translink has also advised that it has planned two specific pieces of work at the Falls Depot during 2012/13, namely:

- Bus Underseal Facility; and
- Water Main Renewal.

### North Down: Traffic-calming Measures

**Mr Weir** asked the Minister for Regional Development how much has been spent on traffic calming measures in the North Down area, in each of the last three years.

**(AQW 12904/11-15)**

**Mr Kennedy:** Details of expenditure by my Department's Roads Service on traffic calming measures in the North Down constituency area, in each of the last three financial years, are provided in the table below:

| Year    | Spend on traffic calming in the North Down Constituency area |
|---------|--|
| 2009/10 | £4,000   |
| 2010/11 | £106,000   |
| 2011/12 | £122,000   |

### Car Parking: Overpayments

**Mr Anderson** asked the Minister for Regional Development to detail the legal rights of a motorist who overpays for car parking, for a desired period time at a pay and display machine, to claim back the amount of overpayment.

**(AQW 12932/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that a motorist, who does not use the full amount of time for which they have paid to park at a pay and display machine, has no right to claim back part of the payment.

Officials further advise that all pay and display tariffs are scheduled in the on-street and off-street parking orders and the tariff appropriate to any particular area, is clearly listed on every pay and display machine in that area. These tariffs list the amounts payable for a specific maximum time period; e.g., up to 15 mins, up to 30 mins, up to 1 hour and so on. Therefore, the motorist should only pay for the maximum time that they intend to park.

I can advise the Member that one development that will greatly benefit drivers is the introduction of electronic parking payment across the whole of Northern Ireland. This service will mean that drivers do not need to have the correct change. They can start and stop their parking using a mobile phone and only pay for the time used. This will mean that parking penalties will not be issued for overstaying the Pay and Display time, as long as time restrictions are adhered to. This facility currently exists in Belfast and Londonderry as well as Lisburn, Newry and Omagh, and I hope to extend this scheme to other towns across Northern Ireland over the coming months.

### Translink: 60+ SmartPass

**Mr McNarry** asked the Minister for Regional Development how much his Department paid Translink for the 2.5 million passenger trips on buses and the 0.5 million on trains undertaken by holders of a 60+ SmartPass.

**(AQW 12933/11-15)**

**Mr Kennedy:** The relevant figures for 2011/12 are £4.093m for bus and £2.654m for rail.

### Upper Lisburn Road, Belfast: Traffic Volume

**Mr Spratt** asked the Minister for Regional Development to detail the daily traffic volume on the Upper Lisburn Road, Belfast, over the last twelve months.

**(AQW 12975/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it collects data from approx 300 automatic traffic census sites located throughout Northern Ireland's road network. The most recent Annual Average Daily Traffic (AADT) flow information for the Upper Lisburn Road is set out in the table below:

| Location                                  | AADT 7 Day (year) |
|---|-------------------|
| Lisburn Road at Kings Hall (two way flow) | 20,647 (2011)     |

### Sicily Park, Belfast: Flooding

**Mr Spratt** asked the Minister for Regional Development to outline the measures his Department intends to take to resolve the flooding problems at Sicily Park and in the wider Finaghy area of Belfast.

**(AQW 12976/11-15)**

**Mr Kennedy:** My Department's Roads Service is responsible for the maintenance of the storm water gullies within the public road network and aims to clean all gullies in urban areas twice a year. This policy ensures that a reasonable level of maintenance is carried out to the drainage system, whilst taking account of the Department's finite funding and staff resource levels.

The most recent scheduled cleaning of the gullies in Sicily Park was carried out in December 2011. The next scheduled cleaning operation is due to be completed by mid-July 2012.

In response to the heavy rainfall on 8 June 2012, Roads Service staff attended and carried out gully emptying operations in Sicily Park. A subsequent inspection of the gullies was carried out on 11 June 2012 and all were found to be operating normally.

Following further heavy rainfall on 11 June 2012, Roads Service staff returned to the vicinity to deliver sandbags in Sicily Park and the wider Finaghy area.

I have also been advised by Northern Ireland Water that Sicily Park and the wider Finaghy area are included as part of a proposed sewer upgrade project which will cover a large drainage catchment area extending from Broadway to Finaghy and Balmoral as well as a small area on the North side of the M1. The project, known as the Glenmachan Sewer Project, aims to upgrade the network to improve the drainage in the area and to reduce the risk of out of sewer flooding and pollution to existing waterways. This is a substantial project with significant costs. As the project is currently at Feasibility Study stage and is not scheduled to commence before 2015, NIW is investigating the possibility of undertaking work in advance of the main project relating to specific recommendations from the Study for the Sicily Park and wider Finaghy area. This project, estimated to cost around £3 million, could commence in 2014 subject to statutory approvals and the availability of funding.

Decisions on what investments will be made in 2013/14 and 2014/15 will be taken as part of the Utility Regulator's Price Control 2013 process. Decisions on what investments will be made from 2015/16 to 2020/21 will be taken as part of the Utility Regulator's Price Control 2015 process. The total level of investment in water and sewerage services is, of course, currently set by the Executive through the Budget.

### Car Parking: Pay and Display

**Mr Anderson** asked the Minister for Regional Development, pursuant to AQW 12403/11-15, whether he can confirm that Pay and Display car park ticket machines that dispense change are available in other parts of the UK; and if so, why this information was not included in his answer.

**(AQW 12985/11-15)**

**Mr Kennedy:** My Department's Roads Service is not aware of the use of Pay and Display machines that offer change in other regions of the UK. In the event that such machines were available, it is likely their cost would be much greater than those currently used by Roads Service, and the potential benefits of purchasing such machines would need to be carefully assessed, especially at a time when the Department is striving to identify further efficiencies in the provision of its parking enforcement and car park management services.

I can advise the Member that one development that will greatly benefit drivers is the introduction of electronic parking payment across the whole of Northern Ireland. This service will mean that drivers do not need to have the correct change. They can start and stop their parking using a mobile phone and only pay for the time used. This will mean that parking penalties will not be issued for overstaying the Pay and Display time, as long as time restrictions are adhered to. This facility currently exists in Belfast and Londonderry as well as Lisburn, Newry and Omagh, and I hope to extend this scheme to other towns across Northern Ireland over the coming months.

### A2: Carney Hill Junction, Holywood

**Mr Weir** asked the Minister for Regional Development what works, aimed at increasing road safety, are planned for the junction of Carney Hill and the A2 road in Holywood.

**(AQW 13000/11-15)**

**Mr Kennedy:** As the Member may be aware, the Belfast Metropolitan Transport Plan (BMTP) proposed a route management study to identify individual schemes to improve road safety along all key routes into Belfast and increase the capacity of existing junctions, where localised widening would be feasible.

My Department's Roads Service has advised that it has completed a route management study for A2 Belfast to Bangor Road which looked in detail at all of the junctions along the A2, taking account of the collision history, traffic volumes and speed.

Officials further advise that the study identified a proposal for the provision of a right turn pocket from the Belfast direction. However, this is considered to be a lower priority for Roads Service compared to other potential junction improvements on this route.

I would advise the Member that due to funding constraints, Roads Service currently has no plans to make improvements to this junction in the foreseeable future.

## NI Water: Finance

**Mr McGlone** asked the Minister for Regional Development to detail the current NI Water sewage and water schemes which have had work stopped or remain incomplete due to the lack of continuing finance.

**(AQW 13014/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that no water or sewerage schemes have had work stopped or remain incomplete due to lack of continuing finance and all schemes currently at construction stage will be completed within planned funding levels.

As a result of revised Public Expenditure (PE) funding a number of schemes that were planned for delivery during the three year Price Control period ending March 2013 have been deferred to the following Price Control period which covers the two years ending March 2015. However, NIW has not altered the funding level allocated to water infrastructure as a result of the revised PE funding.

## A7, A2/A24 and A25: Traffic Volume

**Mr Hazzard** asked the Minister for Regional Development to detail the daily traffic volume on the (i) A7 Downpatrick to Belfast road; (ii) A2/A24 Newcastle to Belfast road; and (iii) A25 Downpatrick to Newry road, over the last twelve months.

**(AQW 13017/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that traffic volumes are recorded at a number of permanent sites located throughout the Northern Ireland road network.

The most recent Annual Average Daily Traffic (AADT) traffic flow information, recorded on the A7, A24 and A25 roads is provided in the table below:

| Route                    | Location                                    | AADT   |
|--------------------------|---|--------|
| A7 Downpatrick – Belfast | Belfast Road at Quoile                      | 11,214 |
| A24 Newcastle - Belfast  | Belfast Road, Ballynahinch                  | 8,698  |
| A25 Downpatrick - Newry  | Castlewellan Road, at Aughlisnafin junction | 6,319  |

## Roads: South Down

**Mr Hazzard** asked the Minister for Regional Development whether his Department has carried out an assessment of the roads infrastructure in South Down or whether it has any plans to carry out such an assessment.

**(AQW 13018/11-15)**

**Mr Kennedy:** My Department's current plans for further improving the inter-urban and local road networks, based on the funding envisaged under the Investment Strategy for Northern Ireland (ISNI) 2008-2018, are described in the Investment Delivery Plan for Roads (IDP for Roads), which was published in 2008.

This plan reflects the Regional Strategic Transport Network Transport Plan (RSTNTP), the Belfast Metropolitan Transport Plan (BMP) and the Sub Regional Transport Plan (S RTP) which are informed by both the Regional Transportation Strategy (RTS) 2002-2012 and the Regional Development Strategy (RDS) – 2025.

My Department's Roads Service has advised that several of the Strategic Road Improvements listed in the IDP for Roads extend into the South Down constituency area. These include:

- the northern section of A1 Beech Hill to Cloghogue dual carriageway scheme on the outskirts of Newry, completed in 2010;
- the proposal for further junction improvements on the A1 dual carriageway, including the provision of a continuous central safety barrier between Hillsborough and Loughbrickland (in particular, the proposal for a flyover type junction at Waringsford Road on the outskirts of Banbridge); and
- the southern section of the proposed A24 Ballynahinch Bypass.

Officials further advise that they are continuing to investigate the feasibility of a Southern Relief Road for Newry, which would link from the A1 dual carriageway onto the A2 Warrenpoint dual carriageway.

The IDP for Roads also indicated significant resources for the completion of Non Strategic Major Improvements, incorporating the schemes identified in the S RTP, and for Local Transport and Safety Measures (LTSM). Officials continue to progress programmes of LTSM schemes in each District Council area, including Newry and Mourne, Down, and Banbridge, in addition to undertaking a range of assessments and inspections, to prioritise the structural and maintenance work Roads Service carries out on the road network.

However, the Member will understand that future expenditure on road improvement and maintenance will be subject to the funding provided following the outcome of the current review of the ISNI and future budget settlements. The ISNI document is produced by the Strategic Investment Board (SIB) and, while a draft ISNI document was published in November 2011, the final ISNI 2011-2021 has yet to be approved by the Executive.

I should add that when my Department was provided with an indicative allocation for the period 2015-2021, as set out in the draft ISNI, I highlighted a number of concerns, such as the level of funding proposed for roads. Once projected allocations are finalised, I will review the roads programme against the level of funding that is approved.

### **Ballynahinch Bypass**

**Mr Hazzard** asked the Minister for Regional Development what steps his Department is taking to progress the Ballynahinch Bypass project so that it is deemed 'shovel ready'.

**(AQW 13019/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that following completion of the necessary range of assessments required for a project of this nature and scale, it confirmed a Preferred Line for the A24 Ballynahinch Bypass proposal in January 2012. Roads Service is currently continuing with the range of more detailed environmental, engineering and economic assessments that are now required to progress this scheme through the statutory procedures. These procedures require the publication of an Environmental Statement, along with a Notice of Intention to Make a Direction Order and a Notice of Intention to Make a Vesting Order. Depending on the response to the publication of these documents, it may then be necessary to hold a Public Inquiry to determine if the scheme should proceed as planned.

### **Ballyhornan, County Down: NIEA Enforcement Notice**

**Mr Hazzard** asked the Minister for Regional Development, pursuant to AQW 11760/11-15, what steps his Department is currently taking to comply with the forthcoming Water Order Enforcement Notice.

**(AQW 13020/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the Northern Ireland Environment Agency issued an Enforcement Notice on 21 May 2012 requiring it to provide a discharge consisting only of fine screened wastewater at Ballyhornan by 31 March 2013. In order to achieve this, NIW is in the process of purchasing a plot of land to house new screening facilities and is continuing to negotiate on the access permissions to the site across a private road. NIW is confident that, provided the road negotiations are successful, the target date of 31 March 2013 will be met.

NIW will continue to manage the existing system pending completion of the upgrade.

### **Translink: Company Cars**

**Mr Allister** asked the Minister for Regional Development how many company cars are available for use by Translink staff.

**(AQW 13040/11-15)**

**Mr Kennedy:** Translink's have advised that there are a total of 52 company cars available to their staff. These are made up as follows:

- 36 leased company cars (for use by each of the 36 essential car users within Translink Operational Management Group);
- 7 company 'pool' cars owned by Translink which are primarily used by operational staff to move between various depots/locations; and
- 9 cars used primarily by the Northern Ireland Transport Holding Company Property Management Section and some of the Senior Executive Team.

### **Maze/RUAS Site: Roads Infrastructure**

**Mr Craig** asked the Minister for Regional Development whether he has any plans to introduce new road infrastructure for the relocation of the Royal Ulster Agricultural Society to the Maze site.

**(AQW 13044/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it has no plans to introduce new road infrastructure for the relocation of the Royal Ulster Agricultural Society (RUAS) to the Maze site. I understand that this proposal is linked to the development of the Maze site and may be delivered and funded by the new Development Corporation being established by the Office of the First Minister and Deputy First Minister (OFMDFM).

The RUAS has arranged a workshop for 5 July 2012, which Roads Service and DOE Planning officials are to attend to discuss the details of the Society's proposed move from King's Hall. Any measures to upgrade the existing road network will be dependent on the information provided by the RUAS. Roads Service is not aware when a planning application will be submitted.

### Cycling: Advanced Stop Lines

**Mr Craig** asked the Minister for Regional Development to detail (i) the cost associated with the introduction of green box markings for cyclists at road junctions; and (ii) from where the funding originated.

**(AQW 13045/11-15)**

**Mr Kennedy:** My Department's Roads Service has confirmed that it recently provided some 380 Advanced Stop Lines within the greater Belfast area, at a cost of approximately £232,000, as part of an established programme of measures aimed at promoting and encouraging cycling.

The work was funded from the budget for its Local Transport and Safety Projects programme which seeks to improve road safety and help 'local' transport. This programme includes network development, traffic management, traffic calming, bus priority measures, provision of park and share facilities, travel information schemes and schemes to encourage people to walk and cycle more frequently.

### Street Lighting: Alleyways

**Mr Clarke** asked the Minister for Regional Development to outline his Department's policy on street lighting in alleyways that have been considered for alley-gating.

**(AQW 13046/11-15)**

**Mr Kennedy:** My Department's Roads Service does not generally provide street lighting on footpaths or back entries which only give rear access to properties, or are alternative routes to already lighted roads or footpaths. Exceptions to this general rule include, locations where a footpath or back entry serves as a through link to another street, or services a significant local amenity, such as, a community hall or school.

### Translink: Wi-Fi Connectivity on Buses

**Mr Hazzard** asked the Minister for Regional Development what percentage of Translink bus services offer WiFi connectivity for passengers.

**(AQW 13049/11-15)**

**Mr Kennedy:** Currently WiFi is only available on Translink's Cross Channel services. However from October 2012 WiFi will be operational on all Goldline Services within Northern Ireland and also Cross Border services. This will represent approximately 21% of Ulsterbus scheduled services.

### Translink: Publicly Funded Trips

**Mr Allister** asked the Minister for Regional Development to detail (i) the cost of publicly funded trips by Translink staff, in each of the last five years; (ii) the destinations; and (iii) the purpose of the trips.

**(AQW 13058/11-15)**

**Mr Kennedy:** As a Public Corporation established under statute the Northern Ireland Transport Holding Company receives substantial public funding, as evidenced by the annual accounts, but is also charged to act commercially and to generate revenue. Trips for commercial purposes are therefore an integral component of the organisation's business requirements. For that reason it is difficult to definitively assess the cost of trips by Translink staff from exclusively public sources.

Translink has confirmed that it has in place a Travel Policy which covers work related trips such as the routine business requirements to meet with suppliers as those necessitated by the purchase of new trains and buses etc; the need to attend trade/industry bodies with whom Translink are members/associated i.e. Association of Train Operating Companies (ATOC), Confederation of Passenger Transport (CPT), the International Association of Public Transport (UITP), the Rail Safety and Standards Board (RSSB).

In addition, many of their Managers are required to attend or make presentations at conferences and events as part of their wider stakeholder engagement and or continuous professional development.

The meetings and destinations vary given the broad spectrum of business from trips to the Republic of Ireland in connection with Cross Border services which Translink operate in conjunction with other Partners to meetings with suppliers in Europe in connection with new the New Trains Two contract. The table below sets out the number of trips undertaken at a senior management level for the last five years. This information has been collated from the diaries of senior management.

Actual number of trips by Translink senior management

| Year    | Number of trips | Number of days |
|---------|-----------------|----------------|
| 2007/08 | 479             | 678            |
| 2008/09 | 358             | 569            |
| 2009/10 | 432             | 693            |

| Year    | Number of trips | Number of days |
|---------|-----------------|----------------|
| 2010/11 | 443             | 965            |
| 2011/12 | 469             | 1278           |

The incremental yearly increase is attributable to the New Trains Two Contract.

Translink has advised it is not in a position to provide costs for these trips without incurring disproportionate cost.

### **Belfast International/George Best Belfast City Airports: Flight Schedules**

**Mr Campbell** asked the Minister for Regional Development whether any assessment has been made of the changes to flight schedules at both Belfast International Airport and George Best Belfast City Airport, and the relevance of the roads infrastructure leading to and from each airport, in any of these decisions.

**(AQW 13076/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that an assessment of the changes to flight schedules at both Belfast International Airport and George Best Belfast City Airport has not been made, as it has not been advised of any request to have the overall approved capacity of both airports increased.

### **Jubilee Garden Party: DRD Ticket Allocation**

**Mr Allister** asked the Minister for Regional Development how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) his Department; and (iii) its arm's-length bodies.

**(AQW 13090/11-15)**

**Mr Kennedy:**

- (i) I was allocated four tickets for the Jubilee Garden Party on 27 June 2012.
- (ii) My Department was allocated 150 tickets by the Northern Ireland Office for use by staff and their families.
- (iii) No tickets were allocated to the Department's arm's length bodies.

### **Rural Borewells Scheme**

**Mr Ó hÓisín** asked the Minister for Regional Development what consideration was given to people on means-tested benefits, when deciding upon the criteria used to assess applicants for the Rural Borewells Scheme.

**(AQW 13150/11-15)**

**Mr Kennedy:** The principle aim of the Rural Borewells Scheme is to provide a wholesome water supply for existing properties that, on a longstanding basis, have never been served by a public water main.

The scheme is an extension of the DRD's policy of providing a Reasonable Cost Allowance (RCA) of up to £10,000 per property towards the costs of obtaining a water main. Householders only become eligible for consideration for a borewell grant if the requisition route has proved uneconomical. Following extensive consultation with the public and elected representatives, the scheme criteria was developed with a view to maintaining parity with RCA policy.

All aspects of the scheme including eligibility criteria will be reviewed at the end of the first year.

### **Islandmagee: NI Water Sewerage Assets**

**Mr Beggs** asked the Minister for Regional Development to list all sewerage assets owned by NI Water in the Islandmagee electoral ward, including details on the extent of the main sewerage system.

**(AQW 13205/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that the sewerage assets in the Islandmagee electoral ward are as detailed below. These sewerage assets serve communities at Ferris Bay, Ballylumford Cottages, Millbay, Mullaghboy, and Ballystrudder.

20 kilometres of public sewers

Ferris Bay Septic Tank,

Ballylumford Cottages Septic Tank,

Ballystrudder Wastewater Treatment Works,

Mullaghboy Wastewater Treatment Works including pumped flows from the Millbay Wastewater Pumping Station.



## A2: Greenisland

**Mr Beggs** asked the Minister for Regional Development for an update on the A2 road widening scheme at Greenisland.  
(AQO 2247/11-15)

**Mr Kennedy:** As the Member will be aware, following a series of meetings with Executive colleagues and a review of spending priorities across my Department for the budget period, I issued a statement on 14 February 2012, announcing that funding had been secured for delivery of this scheme within the 2011-15 budget period.

Following my announcement, my Department's Roads Service commenced the procurement process for the scheme which included a pre-qualification competition to select suitable tenderers followed by the tendering procedure for the Design and Build contract. This process is ongoing.

Subject to successful completion of the procurement process, it is anticipated that the construction stage will commence in early 2013 and will take approximately 2 years to complete.

## NI Water: Legal Fees

**Mr Dallat** asked the Minister for Regional Development for a breakdown of the legal fees incurred by Northern Ireland Water over the last five years.  
(AQW 13309/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that a breakdown of its legal fees for the last five years is as shown out in the table below. The figures are exclusive of VAT. The breakdown includes legal fees incurred by NIW in dealing with a range of issues and acting under Limited Company status, such as regulation and compliance, procurement, capital investment and litigation. It also details legal fees for public liability claims which include third party fees for which NIW has accepted liability.

|  | 2007/08<br>£000s | 2008/09<br>£000s | 2009/10<br>£000s | 2010/11<br>£000s | 2011/12<br>£000s |
|--|------------------|------------------|------------------|------------------|------------------|
| Legal Fees incurred by NIW             | 600              | 718              | 1,295            | 1,778            | 561              |
| Legal Fees for Public Liability Claims | 255              | 521              | 609              | 296              | 254              |

## Killyhevlin Water Treatment Works

**Mr Boylan** asked the Minister for Regional Development what infractions have been incurred at Killyhevlin Water Treatment Works due to the water quality levels not reaching European standards.  
(AQO 2243/11-15)

**Mr Kennedy:** No EU infractions have occurred to date due to water quality levels at Killyhevlin or any of NI Water's water treatment works. There have, however, been occasions over the last two years where routine monitoring of Killyhevlin has detected that full compliance with the drinking water quality standards has not been met. An increased number of customer complaints regarding the taste and odour of water supplied by Killyhevlin occurred on two occasions. This was partly due to natural seasonal changes in the quality of untreated water taken from Upper Lough Erne. In addition, low levels of pesticide above the regulatory standard were also detected. On all these occasions, there was no significant health risk. As part of the routine regulatory process, the Drinking Water Inspectorate was notified and appropriate corrective action was taken.

Part of the regulatory process involved a Consideration of Provisional Enforcement Order being issued to NI Water on 28 October 2011. This required NI Water to put in place a number of corrective actions including the enhancement of the treatment processes to address these issues. Compliance with the actions to be taken is monitored by the Drinking Water Inspectorate. NI Water is cooperating fully in addressing this issue and all actions are on target to be delivered.

NI Water achieved its highest compliance figure for water quality at customers' taps in 2010. This is on a par with the rest of the UK. NI Water continues to make use of the investment provided by the Executive to maintain overall compliance and address localised issues.

## A5: Public Inquiry

**Lord Morrow** asked the Minister for Regional Development when he will publish the findings of the Public Inquiry into the A5.  
(AQO 2246/11-15)

**Mr Kennedy:** My Department's Roads Service received the Inspector's Report on the A5 Western Transport Corridor Public Inquiry on 24 February 2012 and officials are currently reviewing the issues arising out of this Report.

It is anticipated that the Departmental Statement, which is the Department's response to the Inspector's Report, will be published in July. The Inspector's Report will also be made available to the public at that time.

## M1: Maze Site

**Mr Allister** asked the Minister for Regional Development what budgetary commitment exists to construct access from the M1 motorway to the Maze site.

**(AQO 2248/11-15)**

**Mr Kennedy:** I can advise the Member that my Department currently has no budgetary commitment to construct an access road from the M1 motorway to the Maze site. I understand that this proposal is linked to the development of the Maze site and may be delivered and funded by the new Development Corporation being established by the Office of the First Minister and Deputy First Minister (OFMDFM).

Officials in my Department's Roads Service have been involved in early advisory meetings with OFMDFM and DFP officials. At this stage, Roads Service has not received any firm proposals in relation to any infrastructure for the Maze site.

Roads Service, as a consultee to DOE Planning, is required to consider the design of any infrastructure that is to be formally adopted by it.

## Translink: Contractual Arrangements

**Mr McNarry** asked the Minister for Regional Development what contractual arrangements exist between his Department and Translink in exchange for the support that Translink receives from public funding.

**(AQO 2249/11-15)**

**Mr Kennedy:** Current oversight of Translink by the Department is through the Management Statement and Financial Memorandum, which includes a Corporate Planning Process. Translink receive a range of grants and subsidies for delivering public transport services including:

- Public Service Obligation (or subsidy) for NI Railways;
- Concessionary Fares Schemes (reimbursed); and
- Fuel Duty Rebate (or subsidy).

In return the Department requires Translink (or any other operator in receipt of the particular scheme) to meet the terms and conditions of the scheme and to prove that the service has been delivered in line with the specified requirements. Primarily this involves independent audit assurance but the specific controls will vary depending on the individual grant or subsidy.

All other grants to Translink including capital funding are also subject to independent audit assurance.

I would also advise that the Transport Act (Northern Ireland) 2011, which has not yet been fully commenced, requires that the Department secures the provision of most public passenger transport services from the Northern Ireland Transport Holding Company (Translink). In order to comply with this legislation and EU Regulation 1370/2007, the Department is currently preparing for the development of a contract for the delivery of public transport services for both bus and rail, which will be directly awarded to Translink by April 2014. These new arrangements include the development of a permit system, which will sit alongside the contracting arrangements and will allow private operators to run public passenger transport services which are complimentary to the contracted network.

## Trans-European Transport Network

**Mr P Maskey** asked the Minister for Regional Development for his assessment of suitable projects under the Ten-T European funding round, particularly in relation to road, rail and ferry infrastructure.

**(AQO 2250/11-15)**

**Mr Kennedy:** The TEN-T Executive Agency announced an Annual Call for funding applications in January 2011 and my Department submitted applications for funding for the following projects:

- (i) Coleraine to Londonderry Track Relay - funding support of approximately £4 million; and
- (ii) Study on developing the design of the York Street Inter-change - funding support of approximately £1 million.

In addition, I can advise that my Department has also submitted a joint bid for funding within the current Annual Call with the Republic of Ireland's Electricity Supply Board. The bid is for funding for the installation of rapid charge points for electric vehicles, and a supporting IT system, on the TEN-T road network in Northern Ireland and the Republic of Ireland.

The TEN-T Executive Agency is currently considering the above applications.

During the current EU Programme Period (2007-13) my Department has secured funding from the Easyway TEN-T funded European project for the installation of traffic control and traffic information measures. Going forward, my Department will continue to take every opportunity to secure funding from the Easyway project and to identify opportunities within future TEN-T funding calls.

## Water Supply: Fluoridation

**Mrs Overend** asked the Minister for Regional Development whether he has been consulted by the Minister of Health, Social Services and Public Safety in relation to the fluoridation of water.

**(AQO 2251/11-15)**

**Mr Kennedy:** The decision to require NI Water to add fluoride to the drinking water supply is a decision for the Minister of Health. As I understand it, before the Health Minister could ask NI Water to introduce fluoridation, it would be necessary for him to bring forward regulations to the Assembly and consult with NI Water and the Utility Regulator. I have not been consulted by the Minister of Health in regard to this matter.

## Cyclists: Road Safety

**Mr Lunn** asked the Minister for Regional Development whether he has any plans to work with the Department of the Environment to improve road safety for cyclists.

**(AQO 2252/11-15)**

**Mr Kennedy:** I can advise the member that we already work closely with the Department of the Environment in seeking to ensure that safety on our roads is a priority for cyclists. This includes road safety education and engineering, traffic calming and enhancement of the pedestrian and cycling network.

The member will be aware that I have actively participated in a range of cycle events hosted by my Department during Bike Week 2012 which runs between 16 and 24 June. These events were supported by all parties at the Assembly and included the Assembly Cycle race as well as Bike To Work Day.

## Bonds: Unfinished Housing Schemes and Roads

**Ms Gildernew** asked the Minister for Regional Development for an update on the review of bonds on unfinished housing schemes and roads.

**(AQO 2253/11-15)**

**Mr Kennedy:** I would advise the Member that my Department is not undertaking a review of the bonds on unfinished housing schemes and roads.

However, the Member may be referring to the Committee for Regional Development Inquiry into unadopted roads in Northern Ireland, to which my Department has provided a considerable amount of written and verbal evidence.

# Department for Social Development

## Welfare Reform Bill

**Mr Copeland** asked the Minister for Social Development for his assessment of the measures in the proposed Welfare Reform Bill which are (i) part of the Coalition Government's drive to control public finance; and (ii) policy based and intended to reduce benefit dependency and worklessness.

**(AQW 12245/11-15)**

**Mr McCausland (The Minister for Social Development):**

- (i) The proposed Welfare Reform Bill contains measures which will reform the system to make it fair, affordable and sustainable for the taxpayer, targeting support at those who need it most, promoting work as the clearest way out of poverty. I am convinced that this is as crucial in Northern Ireland as any other region within the United Kingdom.

The Chancellor's March 2012 budget confirmed that the Coalition Government is committed to restoring the United Kingdom's public finances and are managing these on a total basis including spending on social security benefits and spending on other public services such as health and education.

Social security benefit spending for Northern Ireland is funded directly from Her Majesty's Treasury in line with actual demand outside of the funding controlled and managed by the Northern Ireland Executive, as long as Northern Ireland maintains parity with Great Britain. However, social security is still a devolved matter, and therefore it is incumbent on me to ensure that the reform proposals are appropriate for the people of Northern Ireland.

Early work to understand the impact of welfare reform on benefit related spending on Northern Ireland indicates that it will continue to increase above 2010-11 levels, with welfare reform measures reducing and controlling the level of the increase. Universal credit is expected to increase benefit related spending as it seeks to ensure that for customers capable of work, work is more financially advantageous than benefits

- (ii) There can be little doubt that much of the current system is geared towards maintaining people on benefits rather than helping them into work, consequently, the creation of universal credit will simplify the system of benefit payments and tax credits into a single payment for those who are out of work or on low pay. A key aim of the reform is to bridge the gap that has opened up between unemployment and work by improving support and incentives so that anyone on benefits who starts work will be better off as a result, with financial support focused on making work pay. It is anticipated that

the combined effect of the proposed measures in the Welfare Reform Bill will help to reduce benefit dependency and worklessness. I am on record as stating that while I have concerns about the need to protect and support the vulnerable in our society, I am equally convinced of the need to tackle inter-generational benefit dependency and worklessness.

### Internships

**Mr Weir** asked the Minister for Social Development how many internships are available in his Department; and if none, what plans he has to introduce an internship scheme.

**(AQW 12553/11-15)**

**Mr McCausland:** My department participates in the internship scheme run by the School of Politics, International Studies and Philosophy at Queens University Belfast. Northern Ireland Civil Service participation in this scheme is coordinated centrally by the Department of Finance and Personnel. Business areas in my department are currently considering opportunities which might be appropriate for this scheme in the 2012/13 academic year and so the number of internships available through this scheme in the coming year is not yet available. In the 2011/12 academic year my Department was not allocated an intern through the scheme, though in each of the previous two years DSD supported a posting.

My department also supports a range of other work experience placements and schemes.

### Welfare Reform Bill

**Mr Durkan** asked the Minister for Social Development whether the Welfare Reform Bill will be introduced to the Assembly in June 2012

**(AQW 12668/11-15)**

**Mr McCausland:** At this stage no date has been arranged for introduction of the Welfare Reform Bill to the Assembly as I am awaiting the Executive's consideration of the final policy proposals of the Bill and for its agreement to the introduction of the Bill to the Assembly.

### Social Security Agency Offices: Strabane

**Ms Boyle** asked the Minister for Social Development to outline the purpose of the recently completed refurbishment of the Social Security Agency offices in Strabane, given that it has been earmarked as a front-office only service from September 2012, and to detail the total costs involved in the refurbishment.

**(AQW 12713/11-15)**

**Mr McCausland:** A survey completed of the Social Security Agency offices in Strabane by the Department of Finance and Personnel in 2010/ 11 identified a number of health and safety, Disability Discrimination Act and maintenance requirements that required urgent attention.

The total costs involved to address these issues were £220,000

### Social Security Agency Office: Foyle

**Ms Boyle** asked the Minister for Social Development to provide an estimate of the cost of bringing the Social Security Agency Office in Foyle up to a 'fit for purpose' standard, to accommodate the planned centralisation of Customer First functions within the Western District.

**(AQW 12714/11-15)**

**Mr McCausland:** The Department of Finance and Personnel routinely survey the Northern Ireland Civil Service office estate to ensure that the buildings are maintained to a 'fit for purpose' standard.

The Social Security Agency Office in Foyle is deemed 'fit for purpose' to accommodate the planned centralisation of Customer First and consequently there are no anticipated additional costs.

### Housing Executive: Homelessness Duty

**Mr Hamilton** asked the Minister for Social Development what steps the Northern Ireland Housing Executive has taken to identify and secure long-term accommodation in the private rented sector for full duty applicants, under homelessness legislation.

**(AQW 12755/11-15)**

**Mr McCausland:** The Housing Executive has advised me that it discharges its homelessness duty through offers of accommodation in the social rented sector and, in conjunction with my Department, they are currently developing a specification for the introduction of a rent deposit guarantee scheme for Northern Ireland, which will aim to provide a viable alternative to the social rented sector for both homeless and waiting list applicants.

I am disappointed with the Housing Executive's lack of action in relation to ensuring that private rented sector accommodation is utilised to lessen the dependency on the social rented sector and ultimately ensure alternative ranges of accommodation are available to benefit those most in need.

## Warm Homes Scheme

**Mr Campbell** asked the Minister for Social Development what measures he will put in place to help promote the Warm Homes Scheme during this financial year.

**(AQW 12827/11-15)**

**Mr McCausland:** The two Warm Homes Managers are contractually responsible for the marketing of the Warm Homes Scheme. They work together to:

- prepare annual marketing plans for the approval of the Contract Administrator(Housing Executive);
- target eligible households in the private sector and in rural areas; and
- market the scheme to local politicians, community groups, employers, local councils, citizens' advice bureaux and any other groups who might be able to introduce eligible applicants.

The Scheme Managers also market the scheme in many local facilities such as Doctors' surgeries and church halls. The success of the Warm Homes Scheme Managers' marketing activities can be gauged from the fact that they achieve their annual intervention targets and they also achieve the annual target to find 40% of their interventions in rural areas.

## Jobs and Benefits Offices: Staff Relocation

**Mr Weir** asked the Minister for Social Development what plans his Department has to relocate staff from any Jobs and Benefits offices.

**(AQW 12831/11-15)**

**Mr McCausland:** On the 1 June, the Social Security Agency announced the continued roll-out of the Customer First initiative across the rest of the Social Security Working Age Network.

Customer First has previously been rolled-out in what was formerly North District and Belfast West and Lisburn and has proven to deliver significant service improvements. The continued roll-out of Customer First will ensure that all customers of the Agency can benefit from these service improvements.

Customer First will see the establishment of further Benefit Processing Centres at Royston House and the Jobs and Benefits Offices in Falls Road, Foyle, Knockbreda, Holywood Road, Armagh, Enniskillen, Lurgan and Newry. The detailed planning to support this has commenced, with the first offices due to go-live in Mid September 2012.

Whilst officials are continuing to finalise the staffing numbers for each of the Benefit Processing Centres and support functions, the recently announced plans propose organisational arrangements that provide a viable and sustainable service delivery for customers. To ensure the continuation of services whilst implementing Customer First, staff will be relocated with their discipline to the relevant Benefit Processing Centre.

There will be no loss of jobs for staff as a result of Customer First. No offices will be closing and customers who prefer to see staff face-to-face will continue to do so. As I have said on previous occasions I am committed to maintaining a robust front-line service for our benefit customers.

Officials will continue to work with staff and Trade Union side to consider measures which may militate against any adverse impact such as reasonable daily travelling distances. Agency officials will continue to work with local representatives to ensure they are kept informed as Customer First is rolled out.

## Employment and Support Allowance: Appeals

**Lord Morrow** asked the Minister for Social Development (i) how much Employment and Support Allowance appeals have costs since the introduction of the new welfare reforms, broken down by (a) panel members fees and expenses; and (b) all other associated costs; and (ii) for an estimate of the total cost once the current list of appeals have been heard.

**(AQW 12908/11-15)**

**Mr McCausland:** The Appeals Services does not distinguish administration costs between individual benefits, so it is not possible to provide the average cost of Employment Support Allowance (ESA) appeal hearings.

However, the annual expenditure of TAS, including expenses, room hire, payment of panel members and other associated costs for each financial year up to and including 2011/12, is provided.

An ESA tribunal panel consists of a legally qualified chairperson and a registered medical practitioner who may be a general practitioner. The attached table sets out:

- fees for each member per session (a session contains 3 appeal hearings);
- the number of hearings listed; and
- the proportion of ESA hearings listed

for each year from April 2009 to 31 March 2012.

The table also provides the projected hearings, proportion of ESA appeal hearings and planned expenditure for 12/13.

| Financial Year | Number of appeal hearings listed | Number of ESA appeal hearings listed | Legally Qualified Member Session Fee | Medically Qualified Member Session Fee | Enhanced Medically Qualified Member Session Fee | Total Spend for The Appeal Service |
|----------------|----------------------------------|--------------------------------------|--------------------------------------|--|---|------------------------------------|
| 2009/10        | 18,181                           | 2,256                                | £206.00                              | £151.00                                | N/A   | £5.2m                              |
| 2010/11        | 20,787                           | 7,859                                | £212.00                              | £155.00                                | £185.50   | £5.1m                              |
| 2011/12        | 22,108                           | 10,299                               | £218.00                              | £155.00                                | £185.50   | £5.9m <sup>1</sup>                 |
| 2012/13        | 24,804 <sup>2</sup>              | 12,996 <sup>3</sup>                  | £224.00                              | £155.00                                | £185.50   | £5.7m <sup>4</sup>                 |

#### Notes

No ESA appeals were determined until the 2009/10 financial year therefore there is no data relating to 2008/09.

The fee for a medical member increases when the member has attended over 40 sessions in the year.

- 1 Provisional at 18 June 2012
- 2 Estimated number of hearings to be listed in 2012/13 (projections based on actuals for April and May 2012)
- 3 Estimated number of ESA hearings to be listed in 2012/13 (projections based on actuals for April and May 2012)
- 3 Represents initial budget allocation from DSD for 2012/13 that is subject to in-year re-profiling.

#### Social Security Agency Office: Coleraine

**Mr McClarty** asked the Minister for Social Development what plans he has to make the Coleraine Social Security Office a Universal Credit Centre.

**(AQW 12914/11-15)**

**Mr McCausland:** The introduction of Universal Credit will replace existing in and out of work benefits including social security benefits, housing benefits and tax credits from October 2013 onwards.

The Social Security Agency recently announced that the Castle Court complex in Belfast has been selected as the launch site for Universal Credit in Northern Ireland. At this stage there remains a significant amount of work to be done to better understand the organisational and staffing impacts associated with the introduction of Universal Credit in Northern Ireland. My officials are working closely with their counterparts in the Department for Work and Pensions in Great Britain, as well as the other impacted organisations in Northern Ireland to prepare for the implementation of and subsequent migration of existing social security benefits and tax credits claims to Universal Credit.

Until this work has been completed no decisions can be taken as to the location of further Universal Credit service centres.

#### Children: Absolute Poverty

**Mr D McIlveen** asked the Minister for Social Development to outline his Department's strategy to reduce further the proportion of children who are in absolute poverty.

**(AQW 12939/11-15)**

**Mr McCausland:** The latest figures show a slight decrease in absolute child poverty figures however there is still much work to be done if we are to meet our targets within the Child Poverty Act and help those in the most need. My Department will therefore continue to focus its resources on those who are most socially disadvantaged through delivering initiatives which target both the causes and consequences of poverty. This includes the delivery of the Neighbourhood Renewal Strategy, urban regeneration in towns and cities across Northern Ireland, decent and affordable housing, action to address fuel poverty, improved child maintenance arrangements and the delivery of the comprehensive social security provisions together with major welfare reform agenda.

However, in recognition of our changed and difficult times and to ensure that all my policies are complementary and results orientated, I have also established four policy principles to underpin my Department's anti poverty agenda. These principles require that our social policies must complement the Executive's economic policies, they must recognise the responsibilities of government, communities, families and individuals, they must tackle intergenerational problems and they must make the best possible use of increasingly limited resources and be focused on outcomes that are shared across Government. These principles also form the basis of the work that my Department is taking forward with the Office of the First and deputy First Minister and other executive departments to put in place an cross cutting policy approach supported by effective interventions to deliver a sustained reduction in poverty across all ages and produce improvements in the life chances of children and young people.

I consider that this collaborative and outcomes focused approach provides my Department and the wider Executive with the most realistic prospect of further reducing absolute child poverty rates over the coming years.



### Social Housing: Strathfoyle, Derry

**Mr P Ramsey** asked the Minister for Social Development to detail (i) the number of applicants on the housing waiting list in the Strathfoyle area of Derry; (ii) the number of these applicants who are deemed to be homeless or in housing stress; and (iii) whether the Housing Executive has considered any proposals to build new social houses in the Strathfoyle area.

**(AQW 12960/11-15)**

**Mr McCausland:** The Housing Executive has advised that in relation to (i) there are 67 applicants on the waiting list for the Strathfoyle Common Landlord Area of Londonderry; (ii) of which there are 29 registered as homeless, Full Duty Applicant Status and 37 in Housing Stress. In relation to (iii) the Housing Executive has advised that the most recent housing need assessment projected a need for five units over the five year period to 2016. At present there are no schemes listed on the Social Housing Development Programme for this area. Strathfoyle is listed on the Housing Executive's unmet need prospectus with an unmet need of five units. This prospectus is published to assist Housing Associations concentrate their search for sites in areas where housing need remains unmet.

### Social Housing: Strathfoyle, Derry

**Mr P Ramsey** asked the Minister for Social Development how many properties were allocated for social housing in the Strathfoyle area of Derry in (i) 2009; (ii) 2010; (iii) 2011; and (iv) 2012 to date.

**(AQW 12961/11-15)**

**Mr McCausland:** The table below details the number of social housing allocations in the Strathfoyle area of Londonderry from April 2008 to June 2012.

|                         | Total |
|-------------------------|-------|
| April 2008 – March 2009 | 29    |
| April 2009 – March 2010 | 27    |
| April 2010 – March 2011 | 43    |
| April 2011 – March 2012 | 15    |
| April 2012 – June 2012  | 10    |

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Social Housing: Strathfoyle, Derry

**Mr P Ramsey** asked the Minister for Social Development to detail the number of new social houses built in the Strathfoyle area of Derry in (i) 2009; (ii) 2010; (iii) 2011; and (iv) 2012 to date.

**(AQW 12962/11-15)**

**Mr McCausland:** The information can not be provided in the format requested as the Social Housing Development Programme (SHDP) is managed on a financial year basis and schemes delivered are recorded by Council Area, Parliamentary Constituency, Housing Executive Area and Housing Executive District Office. Strathfoyle falls within the Housing Executive's Waterside District Office area. The table below details the new social housing starts for the financial years 2009/10, 2010/11, and 2011/12 for the Waterside District Office area. As yet no new social housing units have gone on site in the Waterside District Office area in 2012/13.

| Year    | Housing Association | Scheme/Location                     | Units     |
|---------|---------------------|-------------------------------------|-----------|
| 2009/10 | Apex Housing        | Derry Acquisitions Phase 1          | 1         |
|         |                     |                                     | <b>1</b>  |
| 2010/11 | Apex Housing        | Apex Housing Rural Cottages Phase 8 | 1         |
|         | Apex Housing        | Derry Acquisitions                  | 3         |
|         | Apex Housing        | Derry Acquisitions Phase 2          | 1         |
|         | Apex Housing        | Derry Acquisitions                  | 5         |
|         | Apex Housing        | Ballycanice Close, Eglinton         | 4         |
|         | Apex Housing        | Ashleywood House                    | 9         |
|         |                     |                                     | <b>23</b> |

| Year    | Housing Association | Scheme/Location          | Units    |
|---------|---------------------|--------------------------|----------|
| 2011/12 | Fold                | Carmoney Court, Eglinton | 6        |
|         |                     |                          | <b>6</b> |

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### Social Housing: Strathfoyle, Derry

**Mr P Ramsey** asked the Minister for Social Development what plans there are for new build social housing in the Strathfoyle area of Derry. (AQW 12963/11-15)

**Mr McCausland:** The Housing Executive has advised me that the current Social Housing Development Programme has been approved for 2012/13 to 2014/15. Strathfoyle falls within the Housing Executive's Waterside District Office area. The table below details the planned new social housing for the financial years 2012/13, 2013/14, and 2014/15 for the Waterside District Office area.

| Year         | Housing Association | Scheme/Location          | Units     |
|--------------|---------------------|--------------------------|-----------|
| 2012/13      | Apex Housing        | Ashleywood House Phase 2 | 3         |
|              | Apex Housing        | Ashleywood House Phase 3 | 3         |
|              | Apex Housing        | Bonds Hill               | 6         |
|              | Trinity             | Nelson Drive Phase 1     | 13        |
|              | TBC                 | Cedar Villa Replacement  | 14        |
| 2013/14      | Clanmil             | Foxhill Phase 1          | 7         |
| 2014/15      | Clanmil             | Foxhill Phase 2          | 9         |
|              | To be confirmed     | Nelson Drive Phase 2 (T) | 13        |
| <b>Total</b> |                     |                          | <b>68</b> |

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### Town Centre Regeneration: Action Plans

**Mr Weir** asked the Minister for Social Development to outline the timescale for the implementation of the action plans on town centre regeneration, which will include input from Mary Portas. (AQW 12973/11-15)

**Mr McCausland:** The action plans, including input from Mary Portas, are being implemented in England under an initiative launched by the Department for Communities and Local Government. The taskforce which I established to review my Department's provision for town centres in Northern Ireland will report to me shortly and I intend to make a statement on the outcome of the review once I have considered the report.

### Expenditure: Departmental Increase

**Mr Copeland** asked the Minister for Social Development to provide a breakdown of the expenditure of the additional resource excess of £10.2 million that was awarded to his Department. (AQW 13016/11-15)

**Mr McCausland:** The Executive gave its approval to an increase in expenditure of up to £11.15 million for the Housing Programme in the 2010/11 year following the February Monitoring Round.

The breakdown of the additional £11.15 million was:

£5 million for Northern Ireland Housing Executive maintenance grant

£3 million for Co-ownership (NICH)

£3.15 million for Social Housing Development Programme (New Build)

However underspends on other programmes at year end reduced the resource excess to £10.2 million.

## South Belfast: Houses in Multiple Occupation

**Mr A Maskey** asked the Minister for Social Development to detail the progress of Houses in Multiple Occupation registration in the South Belfast area.

**(AQW 13030/11-15)**

**Mr McCausland:** The table below details the progress to date on HMO registrations in the South Belfast area.

### HMO activity in the South Belfast Constituency from 1 April 2004 to date

| Number of confirmed HMOs | Total registrations          | Registration renewals | Management inspections | Initial full inspections | Notices issued |
|--------------------------|------------------------------|-----------------------|------------------------|--------------------------|----------------|
| 3356                     | 2247 (67% of confirmed HMOs) | 198                   | 2519                   | 3915                     | 4212           |

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## Unemployment: Young People

**Mr Durkan** asked the Minister for Social Development to detail the number of young people, aged 16-25, who are currently unemployed (i) in total; and (ii) in the Foyle area.

**(AQW 13031/11-15)**

**Mr McCausland:** At April 2012 (latest available figures), there were 20,046<sup>2</sup> people aged 16 to 25 claiming Jobseekers Allowance<sup>3</sup>. Of these 20,046, there were 1,849 in the Foyle assembly area.

## Foyle: Homelessness

**Mr Durkan** asked the Minister for Social Development to detail the number of people in the Foyle area who are (i) in housing stress; and (ii) registered as homeless.

**(AQW 13033/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive collates social housing waiting list information by district office area. Therefore, the table below gives details of the number of people in housing stress and those registered as homeless for their Waterside, Waterloo and Collon Terrace district offices which cover the areas contained within the Derry City Council boundary.

| District Office | Housing Stress | Registered as Homeless<br>(Full Duty Applicant Status) |
|-----------------|----------------|--|
| Waterside       | 503            | 322  |
| Waterloo        | 742            | 398  |
| Collon Terrace  | 778            | 482  |

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## Housing Executive: Double Glazing

**Mr Durkan** asked the Minister for Social Development to detail (i) when the review of the Northern Ireland Housing Executive's double-glazing scheme will be completed; and (ii) when work will recommence.

**(AQW 13130/11-15)**

**Mr McCausland:** I have been informed by the Housing Executive that the review has been completed. However, I want to consider this and have asked Professional staff in the Department to look at these revised specifications to ensure that value for money is achieved without compromising tenant safety. Work did not stop on all double glazing schemes. As part of the review I agreed what category groups and schemes could proceed and a number of double glazing schemes are in progress.

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- 2 The information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.
  - 3 Unemployed has been interpreted as a person actively engaged in seeking work, therefore the figures supplied relate to 16 to 25 year olds who are claiming Jobseeker's Allowance. (Persons who are not currently working because they are unfit for work due to incapacity or unavailable because of caring responsibilities are not generally referred to as unemployed as they are not part of the labour market.)
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## Construction Contracts

**Ms Maeve McLaughlin** asked the Minister for Social Development for his assessment of (i) his Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

**(AQW 13165/11-15)**

**Mr McCausland:** All of my Department's construction contracts are awarded through the Department of Finance and Personnel's Central Procurement Directorate. We rely on their advice to ensure that appropriate criteria and financial thresholds are adopted and that small and medium sized businesses are not disadvantaged.

## Foyle Pride Festival 2012: DSD Funding

**Mr Eastwood** asked the Minister for Social Development to detail (i) the level of funding his Department has allocated to the Foyle Pride Festival 2012 in Derry; and (ii) if his Department has not allocated funds to the event, how much it is willing to provide towards the running costs of £15,000.

**(AQW 13200/11-15)**

**Mr McCausland:**

- (i) The Department, through its North West Development Office, has not allocated any Neighbourhood Renewal funding to the Foyle Pride Festival 2012 in Londonderry. The Department has not received a request to fund this event.
- (ii) Where priority needs are identified by Neighbourhood Renewal Partnerships in local action plans the Department will consider, where resources allow, funding for interventions through the Neighbourhood Renewal Investment fund to address the underlying causes of deprivation.

## Social Housing: Glen Court/Cedar Court, Derry

**Mr Durkan** asked the Minister for Social Development for an update on the proposed housing schemes for Glen Court and Cedar Court, in the Foyle constituency.

**(AQO 2259/11-15)**

**Mr McCausland:** The proposed scheme at Glen Court and Cedar Court is included in the Social Housing Development Programme for an onsite start in 2013/14. The Housing Executive is currently working towards the appointment of a housing association to progress the development of this site.

There is funding available to deliver this scheme, however, in common with all schemes in the programme, deliverability is dependent upon a number of factors including land acquisition and achieving scheme approval from the Housing Executive.

I understand that there is already outline planning permission for 59 units on this site; but, this figure may change when a detailed planning application is worked up. However, I understand it would be necessary to re locate a community centre in order to fully build out this scheme, so clearly both the community and the City Council of Londonderry, who own most of the land, will have to be actively involved in the planning and feasibility of this scheme before any work can be started on site.

## Housing Executive: Community Cohesion Unit

**Mr D Bradley** asked the Minister for Social Development for an update on the work of the Northern Ireland Housing Executive's Community Cohesion Unit.

**(AQO 2260/11-15)**

**Mr McCausland:** There is no doubt that community division exerts a high price which, in terms of housing, can prevent the best use being made of existing housing and land.

There is good work being taken forward at community level by the Housing Executive's Community Cohesion Unit and through the Department's regeneration and Neighbourhood Renewal initiatives. However, I believe that increased value could be added by adopting a more joined-up approach to ensure that the benefits derived from such community interventions are maximised.

As part of the fundamental review of the Housing Executive, I have asked officials to review the remit of the Community Cohesion Unit to ensure that it concentrates its efforts within its landlord areas and to ensure there is no duplication of effort with the work of my Department's Voluntary & Community and Neighbourhood Renewal initiatives which are more appropriately delivered at a strategic level within central government.

The promotion of equality and good relations is a consideration in the development of all my Department's policies and spending decisions and, going forward, I wish to ensure that community development initiatives are delivered in a more joined-up way by those with the statutory responsibility to do so.

## Town Centre Regeneration: Local Authorities

**Mr I McCrea** asked the Minister for Social Development what resources and support his Department offers to Councils to enable them to progress development opportunity sites in town centres, as outlined in town centre master plans.

**(AQO 2261/11-15)**

**Mr McCausland:** My Department aims to work in full partnership with District Councils to deliver the recommendations in town centre masterplans. As part of our contribution to progressing development opportunity sites, my Department can provide practical support from the Town Centre Regeneration teams based in Ballymena, Omagh, Portadown and Newry and financial support to commission consultants to assist with the preparation of development briefs and selection of preferred developers for development opportunity sites. My Department can also engage the Central Procurement Directorate, Land and Property Services and Departmental Solicitor's Office to provide professional advice on technical aspects of development proposals.

## Licensing: Pavement Cafes

**Mrs McKeivitt** asked the Minister for Social Development for an update on the proposed licensing scheme for the regulation of pavement cafés.

**(AQO 2262/11-15)**

**Mr McCausland:** A Bill to licence pavement cafes is currently in the process of being drafted. Subject to Executive agreement, I plan to introduce the Bill into the Assembly during autumn 2012.

The proposed Bill will enable district councils to licence suitable premises - such as cafes, restaurants, bars etc - to place tables, chairs and other apparatus in a public place. Powers will be included for councils to impose conditions, vary, suspend or revoke a licence and charge a reasonable fee. To ensure compliance with the new law, Councils will be given powers of enforcement and may remove pavement café facilities in certain circumstances.

## Housing Executive: Double Glazing

**Mr Byrne** asked the Minister for Social Development to outline the basis on which he decided that windows being installed, as part of the Northern Ireland Housing Executive's double-glazing scheme, did not represent value for money.

**(AQO 2263/11-15)**

**Mr McCausland:** Since coming into office, I quickly recognised the need for Housing Executive maintenance work to be carried out. I was astounded to learn that some 48,000 of the Housing Executive's dwellings required double glazing and even more concerned about the apparent lack of haste in dealing with this, as the Housing Executive planned to have this work completed by 2021.

That's why I ensured that in the Programme for Government the Northern Ireland Executive gave a commitment that the thermal efficiency of all Housing Executive properties would be improved by 2014/15 through the provision of double glazing.

I was also shocked when the Housing Executive originally advised that the costs of the double glazing programme for 48,000 homes would be around £120m. Though it is now estimated that 30,000 homes requires this work at an estimated cost of £69m, this is still a significant amount of tax payers' money. I therefore needed to ensure that this programme delivers best value for money and the work is in line with industry standards. I believed that there were further significant savings to be made around the Housing Executive's specification and bespoke procurement process.

I therefore asked my officials to research the specifications used as I have been concerned for some time that the Housing Executive's specification for the supply and fitting of double glazing did not offer best value for money. I was particularly concerned about the requirement to remove and replaster around frames, which destroys the decoration in a tenants home necessitating the payment of redecoration grants and causing inconvenience to tenants and also the specification for hinges and handles, as these are much higher than industry standards for domestic properties. As I was advised that there is potential for significant savings to be made I therefore wrote to the Housing Executive's Chief Executive asking him to rigorously and urgently review this specification. I said at the time the review would not have an impact on the target date of 2015, and although there may be slight delays while it was carried out, all homes would remain in the programme and no tenant who was promised double glazing will lose out. The review has now been completed and a number of revisions considered and approved by the Housing Executive Board including the removal of a payment for redecoration grants in the majority of cases.

## Queen's Quay, Belfast: Regeneration

**Mrs Cochrane** asked the Minister for Social Development for an update on the regeneration plan for Queen's Quay, Belfast.

**(AQO 2264/11-15)**

**Mr McCausland:** the proposals in the Queen's Quay draft masterplan will enhance cross-river links from the north side of the city centre through to Titanic Quarter creating an attractive route for those living, working and visiting the area. My department is considering the representations from the public consultation on the draft masterplan and carrying out an equality impact assessment. We intend to publish the final masterplan by September 2012.

## Housing Associations

**Mr McMullan** asked the Minister for Social Development what further consideration he has given to the future role of housing associations.

**(AQO 2265/11-15)**

**Mr McCausland:** As landlords of around 30,000 homes and developers of all new social homes, housing associations make a significant contribution here in Northern Ireland. Following decisions on the fundamental review of the Northern Ireland Housing Executive, I will consider if the present Housing Association structures are fit for purpose. It is likely that I will make an announcement in the Autumn. The current regulation and inspection regime will continue to provide assurance to me and the Department until the review is complete. My Department's Inspection Team has highlighted a number of underperforming Housing Associations and these are being managed through a range of measures. These range from the development of comprehensive action plans to address the shortcomings, to Associations being required to enter into full merger/group structures.

## Ballymena: Town Centre Regeneration

**Mr D McIlveen** asked the Minister for Social Development for an update on the implementation of the revitalisation programme for Ballymena town centre, including the involvement of his departmental officials.

**(AQO 2266/11-15)**

**Mr McCausland:** The current position is that my Department has made good progress with the revitalisation programme for Ballymena town centre. The Church Street area in the town centre has been identified for assistance from the programme. An action plan has been agreed with the local traders to help improve the external appearance of properties to the front and gable ends of buildings, dressing of derelict sites and to assist in marketing and promoting the area.

The programme is worth £150,000 is being administered through Ballymena Town Centre Development Ltd which is a public-private partnership involving Ballymena Borough Council and representatives from local independent traders, national retailers and other private sector businesses. My Department is represented on the Board of the company and attends project management meetings to help deliver the revitalisation programme in the town.

Work on property improvements is due to commence in early summer and the programme is expected to be completed by March 2013.

## Housing: Single People under 35

**Mr Campbell** asked the Minister for Social Development, following the changes to Housing Benefit, how the Northern Ireland Housing Executive and the housing associations are addressing the accommodation needs of single people who are under 35 years of age.

**(AQO 2267/11-15)**

**Mr McCausland:** In the private rented sector it is expected that changes will result in a rental shortfall for around 5,000 people aged under 35. Many of these people have already availed of Discretionary Housing Payments to help in the short term. However, the budget for this is limited. Up until now the needs of singles have not been adequately addressed by the Housing Executive. The last Social Housing Development Programme was inadequate in this respect and I rejected it. The social housing waiting list could well face additional challenges from the effects of welfare reform.

I have therefore made it clear to the Housing Executive that future programmes coming forward for my approval must take account of and be more responsive to the needs of this specific group.

## St Patrick's Barracks, Ballymena: Sale of Assets

**Mr Swann** asked the Minister for Social Development for an update on the sale of assets at the St Patrick's Barracks site, Ballymena, to his Department.

**(AQO 2268/11-15)**

**Mr McCausland:** Legal processes for the conveyance of the former military housing at St Patrick's Barracks in Ballymena from OFMDFM to my Department are underway. This will be completed as soon as possible taking account of the normal conveyance period. In the meantime Fold Housing Association is being facilitated with access to the site for planning purposes.

The remainder of the site is owned by OFMDFM. My Department has been engaged since the site was declared surplus in 2008 with other public sector stakeholders who are interested in acquiring portions of the sites for new facilities. There has been no decision by OFMDFM on the next steps in releasing this part of the site.



## Northern Ireland Assembly Commission

### **Childcare Voucher Scheme**

**Mr Beggs** asked the Assembly Commission when the payroll system, through which Members are obliged to pay their staff, will be able to facilitate those Members who wish to enable their staff to avail of the tax efficient Childcare Voucher Scheme.

**(AQW 12670/11-15)**

**Mr Weir (The Representative of the Assembly Commission):** Unfortunately, the current payroll system used to process salary payments for Members and their staff does not support the operation of a fully integrated Childcare Voucher Scheme. An exercise to procure a new payroll system, which will facilitate the administration of such a scheme, is at an advanced stage and it is anticipated that this system will be fully tested and operational before the end of this financial year.

# Northern Ireland Assembly

Friday 6 July 2012

## Written Answers to Questions

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

#### Quangos

**Mr Gardiner** asked the First Minister and deputy First Minister how many QUANGOS, that are attached to their Department, have been created as a result of legislation passed by the Northern Ireland Assembly since 2007.

(AQW 12602/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Two public bodies sponsored by our Department have been created as a result of legislation passed by the Assembly since 2007, they are:

- a) the Commission for Victims and Survivors; and
- b) the Commissioner for Older People.

Since 2007, our Department has withdrawn funding from one public body – the Economic Research Institute for NI. The funding our Department provides for the NI Memorial Fund will be withdrawn once the functions it undertakes are transferred to the Victims and Survivors Service. Neither of these public bodies was created by legislation.

#### Equality Commission

**Mr D McIlveen** asked the First Minister and deputy First Minister what outreach work the Equality Commission undertakes with migrant workers and ethnic minorities who may not be aware of their services.

(AQW 12621/11-15)

**Mr P Robinson and Mr M McGuinness:** The Equality Commission is an executive non-departmental public body sponsored by the Office of the First Minister and deputy First Minister. As this question relates directly to the work of the Equality Commission, Evelyn Collins, Chief Executive of the Commission, will write to you about this matter.

#### Forum for Victims and Survivors

**Mr Allister** asked the First Minister and deputy First Minister for their assessment of Evelyn Glenholmes as a member of the Forum for Victims and Survivors.

(AQW 12636/11-15)

**Mr P Robinson and Mr M McGuinness:** We welcome the establishment of a new Victims and Survivors Forum which met for the first time on 21 June 2012 in Belfast. The establishment of the Forum is a statutory responsibility of the Commission for Victims and Survivors and neither Ministers nor officials were involved in the selection process.

#### Children and Young People's Unit: Staff

**Mr Agnew** asked the First Minister and deputy First Minister to detail (i) how many staff are in the Children and Young People's Unit; and (ii) the team's remit.

(AQW 13029/11-15)

**Mr P Robinson and Mr M McGuinness:** There are currently five staff in the Children and Young People's Unit in OFMDFM. The Unit is responsible for taking forward implementation of the Ten Year Children and Young People's Strategy in the context of Delivering Social Change and for monitoring of compliance with the UN Convention on the Rights of the Child. In addition, it drives forward work on OFMDFM responsibilities in the Play and Leisure Implementation Plan.

#### Minority Ethnic Development Fund

**Mr Weir** asked the First Minister and deputy First Minister to detail the development and project grants allocated to each group to date, under the Minority Ethnic Development Fund, broken down by constituency.

(AQW 13079/11-15)

**Mr P Robinson and Mr M McGuinness:** The information is not available in the format requested. However, the table below details information requested for the year 2011-12 which is the most recent figures available.

Although the majority of the groups are located in Belfast, the groups often operate across the region to support the largest number of minority ethnic people.

| Group  | Area Based        | Project (£) | Development (£) |
|--|-------------------|-------------|-----------------|
| Barnardo's Tuar Ceatha   | Belfast           | 15,000      | 45,000          |
| South Belfast Partnership  | Belfast           | n/a         | 45,000          |
| Embrace  | Belfast           | n/a         | 45,000          |
| Omagh Ethnic Communities Support Group                                   | Tyrone            | n/a         | 45,000          |
| Ballymena Inter-Ethnic Forum   | Antrim            | 6,500       | 45,000          |
| Homeplus NI  | Belfast           | n/a         | 45,000          |
| Wah Hep Chinese Community  | Armagh            | n/a         | 45,000          |
| The Welcome Project  | Antrim            | n/a         | 45,000          |
| ArtsEkta   | Belfast           | 15,000      | 45,000          |
| Cookstown & Western Shores Area Network                                  | Tyrone            | n/a         | 43,597          |
| Northern Ireland Council for Ethnic Minorities                           | Belfast           | n/a         | 45,000          |
| Ballymoney Community Resource Centre                                     | Antrim            | n/a         | 43,895          |
| Foyle Multi-Cultural Forum   | Derry/Londonderry | n/a         | 27,750          |
| Community Foundation for Northern Ireland                                | Belfast           | n/a         | 45,000          |
| Craigavon Intercultural Programme  | Armagh            | n/a         | 45,000          |
| African and Caribbean Community Support Organisation in Northern Ireland | Belfast           | n/a         | 30,433          |
| Belfast Islamic Centre   | Belfast           | n/a         | 45,000          |
| An Munia Tober   | Belfast           | n/a         | 45,000          |
| Chinese Welfare Association  | Belfast           | n/a         | 45,000          |
| Multi-Cultural Resource Centre   | Belfast           | 15,000      | 45,000          |
| Northern Ireland Community of Refugees and Asylum Seekers                | Belfast           | 15,000      | 45,000          |
| South Tyrone Empowerment Programme                                       | Tyrone            | 15,000      | 45,000          |
| Derry Travellers Support Group   | Derry/Londonderry | n/a         | 45,000          |
| SEEDS  | Derry/Londonderry | n/a         | 45,000          |
| North Down YMCA  | Down              | 14,903      | n/a             |

A six-month extension to funding for groups already receiving development funding for 2011/12 under the Minority Ethnic Development Fund was announced in April this year.

Officials are currently working on a revised Minority Ethnic Development Fund that will be open to new applications from the Sector in the early autumn.

### **Belfast Metropolitan Area Plan: Public Inquiry**

**Mr Weir** asked the First Minister and deputy First Minister what is the total cost to date of the Belfast Metropolitan Area Plan Public Inquiry.

**(AQW 13277/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its independent tribunal status, its Chief Commissioner has been asked to provide a response directly to you, and we understand that she has written to you in the following terms:

"The Belfast Metropolitan Area Plan was published by the Department of the Environment in November 2004 and is the most comprehensive Plan ever produced by the Department extending to six local government districts. It generated almost 4,300 objections which were categorised by the Department into more than 7,200 elements. The Commission conducted a Public Inquiry to consider the objections to the Plan between April 2007 and the beginning of May 2008. This Inquiry was the most lengthy and complex in the history of the Commission. In addition, the Commission considered many written objections which were not heard at the Inquiry.

The Inquiry report has been provided to the Department in stages. The report on strategic Retail matters was provided in January 2009 and the remainder of the Strategic Plan Framework in March 2011. The reports into site specific issues in Belfast, Lisburn and Castlereagh Districts were provided in July 2011, Lagan Valley Regional Park and North Down District in September 2011 and Newtownabbey and Carrickfergus Districts January 2012.

The total cost of the Commission's report is estimated to be approximately £750,000.

I would be happy to provide any further information you require arising out of this response or to meet you to discuss the matter if you would find that more suitable".

### **Maze/Long Kesh: Royal Ulster Agricultural Society**

**Mr Givan** asked the First Minister and deputy First Minister, in light of the decision by the Royal Ulster Agricultural Society to relocate to the Maze/Long Kesh site, what actions are required to facilitate this move and to develop the whole site.  
**(AQO 2288/11-15)**

**Mr P Robinson and Mr M McGuinness:** We welcome the decision of the members of the Royal Ulster Agricultural Society to relocate to Maze/Long Kesh.

The Maze/Long Kesh Development Corporation will be established shortly. However, work is progressing in the interim. The Maze/Long Kesh Programme Delivery Unit is preparing a spatial framework that sets out how the overall site will be developed.

The spatial framework will detail plans for the initial provision of utilities and the related infrastructure that will help facilitate the Royal Ulster Agriculture Society in their relocation to the site and support their plans to develop a Centre of Rural Excellence at Maze/Long Kesh.

The spatial framework identifies initial developments including the construction of the Peace Building and Conflict Resolution Centre at the site by 2015.

On 15 March we accepted £18.1m EU funding to help with this project which will include plans to ensure we maintain the listed buildings located alongside the new facility.

We are hopeful of securing Heritage Lottery Funding and are through to the second stage of the HLF assessment process. If obtained, this funding will assist in the development of the Peace Building and Conflict Resolution Centre.

Proposals are also being developed for the World War II aircraft hangars with the Ulster Aviation Society, and plans are to be developed for a community zone near the Halftown Road.

### **European Year for Active Ageing and Solidarity between Generations**

**Mr A Maskey** asked the First Minister and deputy First Minister for an update on the work being taken forward regarding intergenerational initiatives in this the European year of active ageing and solidarity between generations.  
**(AQO 2289/11-15)**

**Mr P Robinson and Mr M McGuinness:** In this European Year of Active Ageing and Solidarity between Generations we are continuing to drive forward a range of key measures, including a small grants scheme, proposals for legislation to help tackle age discrimination, and a revised Older People's Strategy. These will improve older people's quality of life and help tackle the inequalities they face.

We have committed at least £100,000 to a small grant scheme for projects to promote active ageing and solidarity between generations. The closing date has now passed and applications are being considered by the selection panel. In total, 76 individual applications have been received requesting almost £900,000 in grant funding, which highlights the demand to promote intergenerational and active ageing work in the local communities.

Our AGE Goods Facilities and Services legislation and revised Older People's Strategy will be progressed within our Delivering Social Change framework.

In the autumn we will consult on our revised Older People Strategy. This will be followed by a consultation on proposals for legislation to outlaw unfair discrimination on the grounds of age in the provision of goods, facilities and services.

We will continue to take account of the views of the Commissioner for Older People and the Older People's Advisory Panel as we finalise our proposals.

We are also taking their advice in ensuring that our consultations are appropriately timed, targeted and designed to facilitate the participation of older people, especially those hard to reach groups.

Third sector organisations, the Equality Commission, the Commissioner for Older People and the Older People's Advisory Panel have been involved in developing a programme of events which showcase the principles of the year.

The calendar of these events that include an event to mark Older People's Day in October is on the OMIFDEM website. It is regularly updated with information from stakeholder organisations. We are pleased that Junior Ministers have been able to attend and speak at some of these events.

## Department of Agriculture and Rural Development

### Fishing Fleet

**Mr Agnew** asked the Minister of Agriculture and Rural Development to detail the capacity of the fishing fleet, in each year since 1995.  
(AQW 12872/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Fleet Capacity is expressed in terms of the Gross Tonnage (GT) and Engine Power, measured in Kilowatts (Kw) of vessels.

The table below sets out GT and Kw for the fishing fleet from 1995 to 2010 which are the latest figures available.

#### Northern Ireland Fleet Capacity from 1995 to 2010

|                       | 1995     | 1996  | 1997  | 1998  | 1999  | 2000  | 2001  | 2002  | 2003  | 2004  | 2005  | 2006  | 2007   | 2008   | 2009   | 2010   |
|-----------------------|----------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|
| 10m and under vessels | No. 280  | 224   | 214   | 161   | 163   | 165   | 167   | 167   | 167   | 195   | 195   | 194   | 192    | 204    | 221    | 232    |
|                       | GT 993   | 805   | 744   | 608   | 632   | 703   | 715   | 731   | 727   | 836   | 814   | 758   | 757    | 864    | 936    | 946    |
|                       | kW 11724 | 9993  | 8660  | 7348  | 7507  | 8226  | 8284  | 8576  | 8637  | 10962 | 10510 | 10226 | 10,369 | 11,924 | 12,710 | 12,896 |
| Over 10m vessels      | No. 209  | 187   | 188   | 190   | 181   | 181   | 175   | 156   | 145   | 137   | 138   | 137   | 144    | 147    | 149    | 147    |
|                       | GT 11059 | 9935  | 12143 | 11770 | 13702 | 15133 | 15223 | 15732 | 14520 | 13720 | 13646 | 13755 | 13,860 | 11,870 | 11,761 | 15,238 |
|                       | kW 53346 | 48048 | 52451 | 51079 | 51245 | 55024 | 54304 | 51938 | 44669 | 45277 | 44158 | 44858 | 46,449 | 40,904 | 41,157 | 49,635 |
| Total                 | No. 489  | 411   | 402   | 351   | 344   | 346   | 342   | 323   | 312   | 332   | 333   | 331   | 336    | 351    | 370    | 379    |
|                       | GT 12052 | 10740 | 12887 | 12378 | 14334 | 15836 | 15938 | 16463 | 15247 | 14556 | 14460 | 14513 | 14,617 | 12,734 | 12,698 | 16,184 |

|  | 1995 | 1996  | 1997  | 1998  | 1999  | 2000  | 2001  | 2002  | 2003  | 2004  | 2005  | 2006  | 2007  | 2008   | 2009   | 2010   |        |
|--|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|
|  |      |       |       |       |       |       |       |       |       |       |       |       |       |        |        |        |        |
|  | kW   | 65070 | 58041 | 61111 | 58427 | 58752 | 63250 | 62588 | 60514 | 53306 | 56239 | 54668 | 55084 | 56,818 | 52,828 | 53,867 | 62,531 |

### Monthly Shellfish Returns: Catches

**Mr McMullan** asked the Minister of Agriculture and Rural Development to detail the total recorded catches, under the monthly shellfish returns, in each month of (i) 2008; (ii) 2009; (iii) 2010; (iv) 2011; and (v) 2012 to date.

(AQW 12922/11-15)

**Mrs O'Neill:** Attached table details total quantities of "pot caught" shellfish by vessels administered by my Department for the period requested.

### Monthly shellfish records from NI vessels for 2008

Pot Catches by LW (tonnes)

| Species                 | Jan   | Feb   | Mar   | Apr   | May   | June   | July   | Aug    | Sept   | Oct    | Nov    | Dec   | Annual total |
|-------------------------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|-------|--------------|
| Crabs (C.P Mixed Sexes) | 17.32 | 19.38 | 17.73 | 23.38 | 37.61 | 61.31  | 80.38  | 139.52 | 148.54 | 124.80 | 107.80 | 41.46 | 819.23       |
| Green Crab              |       |       |       |       |       |        | 20.91  | 21.07  | 1.86   |        |        |       | 43.84        |
| Brown Shrimps           | 0.08  | 0.01  | 0.02  |       | 0.11  |        |        |        |        |        | 0.35   | 0.27  | 0.83         |
| Lobsters                | 1.16  | 1.61  | 1.23  | 2.51  | 4.65  | 5.85   | 8.48   | 7.94   | 4.22   | 3.57   | 2.90   | 2.11  | 46.23        |
| Velvet Crabs            | 4.42  | 7.31  | 5.86  | 7.27  | 12.09 | 33.92  | 18.04  | 23.88  | 25.08  | 34.00  | 18.53  | 19.96 | 210.36       |
| Nephrops                | 0.40  | 0.96  | 1.02  | 0.92  | 1.07  | 2.17   | 1.58   | 0.39   | 0.41   | 0.10   |        |       | 9.01         |
| Spider Crabs            | 0.24  | 0.29  | 0.17  | 0.17  | 0.23  | 0.11   |        | 0.02   | 0.30   | 1.82   | 0.36   | 0.26  | 3.98         |
| Whelks                  | 9.34  | 11.15 | 14.33 | 13.21 | 15.59 | 8.75   |        |        |        |        |        |       | 72.37        |
| Mixed Shrimps           |       |       |       |       |       |        |        |        |        |        | 0.00   | 0.11  | 0.12         |
| Totals                  | 32.96 | 40.71 | 40.37 | 47.44 | 71.34 | 112.11 | 129.38 | 192.82 | 180.41 | 164.29 | 129.95 | 64.18 | 1205.96      |



**Monthly shellfish records from NI vessels for 2009**  
**Pot Catches by LW (tonnes)**

|                         | Jan   | Feb   | Mar   | Apr   | May   | June  | July   | Aug    | Sept   | Oct    | Nov    | Dec   | Annual total |
|-------------------------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|-------|--------------|
| Crabs (C.P Mixed Sexes) | 10.63 | 13.78 | 20.14 | 27.70 | 25.57 | 32.62 | 67.40  | 128.97 | 139.51 | 135.83 | 72.64  | 45.88 | 720.66       |
| Green Crab              |       |       |       |       |       | 0.28  | 9.50   | 18.49  | 16.94  | 17.40  | 17.99  | 4.56  | 85.16        |
| Crabs (C.PFemale)       |       |       |       | 0.60  | 0.12  | 0.53  | 0.31   | 0.33   |        |        |        |       | 1.88         |
| Brown Shrimps           | 0.38  | 0.16  | 0.46  | 0.54  | 0.22  | 0.01  |        |        | 0.43   | 0.82   | 2.34   | 2.34  | 7.69         |
| Lobsters                | 1.13  | 1.49  | 2.00  | 3.54  | 3.60  | 5.18  | 10.23  | 8.06   | 6.48   | 4.12   | 2.33   | 2.36  | 50.54        |
| Velvet Crabs            | 5.32  | 7.12  | 8.36  | 17.35 | 12.89 | 15.21 | 21.58  | 24.44  | 26.97  | 23.64  | 23.44  | 25.42 | 211.73       |
| Nephrops                | 0.11  | 0.91  | 1.23  | 0.81  | 1.35  | 1.22  | 0.88   | 0.02   | 0.12   | 0.88   | 0.18   | 0.15  | 7.84         |
| Periwinkles             |       |       |       |       |       |       |        |        |        |        |        | 0.01  | 0.01         |
| Spider Crabs            |       |       | 1.75  | 2.19  | 1.46  | 1.19  | 1.00   | 0.04   |        |        |        | 0.04  | 7.66         |
| Whelks                  | 25.02 | 16.95 | 7.35  | 0.76  | 0.58  |       | 0.04   |        |        |        |        |       | 50.70        |
| Totals                  | 42.59 | 40.41 | 41.29 | 53.48 | 45.78 | 56.22 | 110.95 | 180.35 | 190.45 | 182.67 | 118.92 | 80.76 | 1143.87      |

**Monthly shellfish records from NI vessels for 2010**  
**Pot Catches by LW (tonnes)**

|                         | Jan   | Feb   | Mar   | Apr   | May   | June  | July   | Aug    | Sept   | Oct    | Nov    | Dec   | Annual total |
|-------------------------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|-------|--------------|
| Crabs (C.P Mixed Sexes) | 21.54 | 21.22 | 32.16 | 44.09 | 38.31 | 51.01 | 108.25 | 159.49 | 149.58 | 125.74 | 116.89 | 52.28 | 920.55       |
| Green Crab              |       |       |       | 3.96  | 5.91  | 26.96 | 28.25  | 18.10  | 32.07  | 18.49  | 2.81   |       | 136.55       |
| Brown Shrimps           | 3.92  | 0.67  | 0.33  | 0.84  | 0.09  | 0.06  | 0.06   | 0.13   | 0.03   | 0.24   | 0.39   | 0.70  | 7.46         |
| Lobsters                | 1.68  | 1.33  | 2.05  | 3.87  | 3.97  | 5.64  | 9.89   | 8.71   | 5.60   | 3.70   | 2.13   | 2.04  | 50.61        |
| Velvet Crabs            | 7.80  | 7.20  | 6.26  | 9.26  | 13.88 | 12.44 | 13.94  | 23.30  | 25.08  | 17.13  | 15.29  | 16.64 | 168.22       |

|          | Jan   | Feb   | Mar   | Apr   | May   | June   | July   | Aug    | Sept   | Oct    | Nov    | Dec   | Annual total |
|----------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|-------|--------------|
| Nephrops | 0.08  | 0.92  | 0.99  | 2.16  | 2.18  | 3.14   | 4.12   | 0.28   | 0.30   |        |        | 0.01  | 14.17        |
| Whelks   |       | 7.41  | 10.42 | 1.60  | 5.05  | 2.43   | 1.83   | 0.04   |        |        |        |       | 28.79        |
| Totals   | 35.02 | 38.75 | 52.21 | 65.79 | 69.39 | 101.68 | 166.34 | 210.05 | 212.64 | 165.31 | 137.50 | 71.67 | 1326.35      |

**Monthly shellfish records from NI vessels for 2011**  
**Pot Catches by LW (tonnes)**

|                          | Jan   | Feb   | Mar   | Apr   | May   | June   | July   | Aug    | Sept   | Oct    | Nov   | Dec   | Annual total |
|--------------------------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|-------|-------|--------------|
| Crabs (C.P. Mixed Sexes) | 36.94 | 23.02 | 23.01 | 16.56 | 26.08 | 75.62  | 116.05 | 122.52 | 73.01  | 108.84 | 60.51 | 25.33 | 707.48       |
| Green Crab               |       | 13.13 | 24.02 | 18.77 | 22.43 | 28.48  | 35.13  | 40.90  | 37.66  | 19.60  | 1.80  | 4.69  | 246.60       |
| Brown Shrimps            | 0.56  | 0.66  | 0.23  | 0.24  | 0.01  |        |        | 0.00   | 0.06   | 0.35   | 0.39  | 0.76  | 3.26         |
| Lobsters                 | 2.42  | 1.54  | 2.74  | 2.73  | 4.05  | 7.62   | 10.11  | 8.32   | 3.92   | 3.19   | 1.88  | 1.96  | 50.48        |
| Velvet Crabs             | 9.21  | 5.69  | 7.03  | 9.54  | 5.61  | 15.73  | 16.87  | 21.10  | 13.39  | 17.91  | 14.09 | 22.25 | 158.43       |
| Nephrops                 | 0.35  | 0.74  | 1.35  | 1.07  | 0.60  | 1.89   | 1.98   | 0.24   |        | 0.15   | 0.05  | 0.05  | 8.45         |
| Whelks                   | 15.77 | 14.15 | 17.45 | 13.66 | 11.85 | 2.08   |        |        |        |        |       |       | 74.95        |
| Totals                   | 65.25 | 58.93 | 75.83 | 62.55 | 70.62 | 131.41 | 180.14 | 193.08 | 128.04 | 150.04 | 78.73 | 55.03 | 1249.65      |

**Monthly shellfish records from NI vessels for 2012  
Pot Catches by LW (tonnes)**

|                          | Jan   | Feb   | Mar   | Apr   | May  | June | July | Aug | Sept | Oct | Nov | Dec | Annual total |
|--------------------------|-------|-------|-------|-------|------|------|------|-----|------|-----|-----|-----|--------------|
| Crabs (C.P. Mixed Sexes) | 6.45  | 5.94  | 12.03 | 2.73  | 0.98 |      |      |     |      |     |     |     | 28.13        |
| Green Crab               | 14.48 | 18.30 | 29.71 | 21.93 |      |      |      |     |      |     |     |     | 84.41        |
| Brown Shrimps            | 0.23  | 0.20  | 0.07  |       |      |      |      |     |      |     |     |     | 0.50         |
| Lobsters                 | 1.23  | 2.40  | 0.39  | 0.29  | 0.03 |      |      |     |      |     |     |     | 4.34         |
| Velvet Crabs             | 9.48  | 6.16  | 6.04  | 2.63  | 0.11 |      |      |     |      |     |     |     | 24.42        |
| Nephrops                 | 0.14  | 0.40  | 0.50  | 0.47  |      |      |      |     |      |     |     |     | 1.51         |
| Whelks                   | 19.27 | 28.89 | 25.25 | 8.28  |      |      |      |     |      |     |     |     | 81.69        |
| Totals                   | 51.28 | 62.28 | 74.00 | 36.32 | 1.12 |      |      |     |      |     |     |     | 224.99       |

**Fish Buyers and Sellers Legislation: Catches Under**

**Mr McMullan** asked the Minister of Agriculture and Rural Development to detail the total recorded catches, under the Fish Buyers and Sellers legislation, in each month of (i) 2008; (ii) 2009; (iii) 2010; (iv) 2011; and (v) 2012 to date.  
(AQW 12923/11-15)

**Mrs O'Neill:** The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations (NI) 2005, require that buyers or sellers of first sale fish are registered. The Regulations were primarily introduced to improve compliance and enforcement with regard to the reporting of fish landings. The attached tables detail monthly landings by all vessels into local ports for the period requested.

**Landings into N.I. Ports 2008  
LW (tonnes)**

| Species       | Jan  | Feb  | Mar  | Apr  | May  | June | July | Aug  | Sep  | Oct  | Nov  | Dec  | Total |
|---------------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
| Bass          |      |      |      | 0.00 | 0.02 | 0.01 | 0.01 | 0.00 |      | 0.00 | 0.03 | 2.23 | 2.30  |
| Blonde Ray    |      | 0.04 |      | 1.52 |      |      |      |      |      |      |      |      | 1.56  |
| Brill         | 1.81 | 1.97 | 1.47 |      | 1.22 | 0.57 | 1.02 | 1.31 | 1.91 | 0.94 | 1.75 |      | 13.95 |
| Brown Shrimps | 0.08 | 0.07 | 0.04 | 0.08 | 0.15 | 0.04 | 0.03 | 0.04 | 0.03 | 0.12 | 0.68 | 0.52 | 1.85  |

| Species                  | Jan    | Feb    | Mar   | Apr   | May   | June  | July  | Aug    | Sep   | Oct   | Nov    | Dec   | Total  |
|--------------------------|--------|--------|-------|-------|-------|-------|-------|--------|-------|-------|--------|-------|--------|
| Cockles                  |        |        |       |       |       |       |       |        | 19.72 | 95.42 | 7.54   |       | 122.68 |
| Cod                      | 17.84  | 39.86  | 75.78 | 32.37 | 54.07 | 56.51 | 64.92 | 64.09  | 44.53 | 21.15 | 36.43  | 25.04 | 532.58 |
| Conger Eels              | 5.82   | 1.95   | 2.35  | 2.02  | 5.83  | 1.92  | 3.76  | 7.71   | 8.58  | 4.35  | 9.74   | 9.94  | 63.98  |
| Crabs - Velvet (Swim)    | 5.06   | 5.37   | 6.24  | 8.14  | 13.87 | 36.25 | 19.27 | 25.48  | 28.98 | 36.44 | 20.65  | 21.47 | 227.21 |
| Crabs (C.P Mixed Sexes)  | 33.17  | 25.38  | 16.39 | 22.14 | 35.89 | 61.81 | 76.56 | 124.53 | 181.7 | 140.2 | 115.68 | 49.21 | 882.60 |
| Dogfish (Scyllorhinidae) | 0.01   |        | 0.06  | 0.04  | 0.05  | 0.01  | 0.01  |        |       |       |        |       | 0.18   |
| Eels                     |        |        |       |       |       |       | 0.17  |        |       |       |        |       | 0.17   |
| Flounder                 |        |        | 0.02  |       |       |       |       |        |       |       |        |       | 0.02   |
| Green Crab               |        |        |       |       |       |       | 20.91 | 21.07  | 1.86  |       |        | 0.60  | 44.43  |
| Gurnard and Latchet      | 6.88   | 3.67   | 1.04  | 2.74  | 3.57  | 0.23  | 0.37  | 0.64   | 3.75  | 0.69  | 5.36   | 4.71  | 33.65  |
| Haddock                  | 34.98  | 53.90  | 68.53 | 19.63 | 81.44 | 44.81 | 74.27 | 61.48  | 37.13 | 10.46 | 8.69   | 8.19  | 503.53 |
| Hake                     | 13.36  | 15.03  | 13.00 | 11.09 | 45.88 | 43.78 | 14.93 | 10.83  | 21.32 | 6.76  | 17.95  | 20.46 | 234.39 |
| Halibut                  |        |        |       |       |       | 0.00  | 0.02  | 0.00   | 0.00  |       |        |       | 0.03   |
| Herring                  | 95.14  |        |       |       |       |       |       | 1443.6 | 3054  | 1209. | 14.93  | 124.2 | 5940.8 |
| Horse Mackerel           |        |        |       |       |       |       |       |        |       |       | 348.37 |       | 348.37 |
| John Dory                | 0.28   | 0.05   | 0.01  | 0.02  | 0.09  | 0.09  | 0.03  | 0.01   | 0.16  | 0.15  | 0.53   | 0.40  | 1.82   |
| Lemon Sole               | 0.24   | 0.41   | 0.21  | 0.13  | 0.60  | 0.57  | 0.04  | 0.17   | 0.05  |       | 0.01   |       | 2.44   |
| Lesser Spotted Dog       | 0.35   | 0.36   |       |       | 0.15  |       |       |        | 4.15  | 0.84  | 1.08   | 0.85  | 7.77   |
| Ling                     | 1.13   | 2.72   | 3.80  | 3.25  | 1.24  | 1.35  | 0.97  | 2.15   | 4.17  | 1.47  | 2.52   | 2.47  | 27.24  |
| Lobsters                 | 1.65   | 1.94   | 1.74  | 3.02  | 4.16  | 6.93  | 10.80 | 9.60   | 6.88  | 3.62  | 2.84   | 3.09  | 56.28  |
| Mackerel                 | 1530.7 | 720.35 |       | 0.06  | 0.55  | 0.76  | 3.87  | 2.94   | 1.90  | 0.01  | 2.08   |       | 2263.2 |
| Megrim                   | 0.01   |        |       |       | 0.09  | 0.25  | 0.41  |        |       | 0.38  | 0.79   | 0.01  | 1.94   |

| Species                   | Jan    | Feb    | Mar   | Apr   | May    | June   | July | Aug    | Sep   | Oct   | Nov    | Dec   | Total   |
|---------------------------|--------|--------|-------|-------|--------|--------|------|--------|-------|-------|--------|-------|---------|
| Monks or Anglers          | 6.58   | 14.94  | 11.87 | 9.97  | 7.52   | 10.07  | 8.58 | 13.36  | 13.05 | 4.22  | 6.45   | 3.45  | 110.06  |
| Mullet Other              |        |        |       |       | 0.01   | 0.01   |      |        |       |       | 0.00   |       | 0.03    |
| Mussels                   | 301.24 | 165.63 | 113.2 | 34.25 |        |        |      |        | 68.91 | 128.0 | 131.58 | 50.50 | 993.32  |
| Native Oysters            |        |        |       |       |        |        |      |        | 0.75  |       |        |       | 0.75    |
| Nephrops (Norway Lobster) | 334.26 | 545.43 | 612.7 | 720.6 | 788.05 | 1097.1 | 1009 | 1294.3 | 671.5 | 319.8 | 324.21 | 309.1 | 8025.87 |
| Other Crustaceans         |        |        |       |       |        |        |      |        |       |       | 0.00   | 0.11  | 0.12    |
| Other or mixed Demersal   | 3.08   | 3.48   | 5.07  | 4.72  | 3.40   | 2.86   | 2.29 | 2.98   | 3.60  | 1.75  | 2.70   | 2.76  | 38.70   |
| Periwinkles               |        |        | 0.09  |       |        |        |      |        |       |       |        |       | 0.09    |
| Pilchards                 |        |        |       |       |        |        | 0.01 |        |       |       | 13.25  |       | 13.26   |
| Plaice                    | 4.71   | 6.15   | 2.71  | 1.26  | 13.93  | 10.78  | 5.75 | 1.42   | 3.18  | 0.21  | 4.23   | 3.33  | 57.66   |
| Pollack                   | 2.27   | 1.93   | 7.59  | 2.33  | 11.48  | 7.55   | 2.62 | 3.19   | 4.34  | 1.08  | 2.83   | 2.90  | 50.10   |
| Porbeagle                 | 0.04   |        |       |       |        |        |      |        |       |       |        |       | 0.04    |
| Razor Clam                |        |        |       |       | 0.14   |        |      |        |       |       |        |       | 0.14    |
| Roes                      | 0.00   | 0.00   | 0.00  | 0.00  | 0.00   | 0.00   | 0.00 |        |       |       |        | 0.00  | 0.00    |
| Saithe                    | 0.16   |        | 0.14  | 0.01  | 1.35   | 0.35   | 0.39 | 1.56   | 3.77  | 0.29  | 0.61   | 0.73  | 9.37    |
| Scallops                  | 56.75  | 48.97  | 40.86 | 45.97 | 52.43  | 16.00  | 8.00 | 3.02   | 8.29  | 10.33 | 209.82 | 101.5 | 601.94  |
| Sharks                    | 0.07   | 0.01   | 0.15  | 0.01  | 0.11   | 0.04   | 0.44 | 0.44   | 0.17  | 0.06  |        |       | 1.51    |
| Skates and Rays           | 10.94  | 16.12  | 8.45  | 8.77  | 4.05   | 0.52   | 1.37 | 1.33   | 3.00  | 0.34  | 4.36   | 13.89 | 73.14   |
| Smoothhound               |        |        |       |       |        |        |      | 0.10   |       |       |        |       | 0.10    |
| Sole                      | 0.46   | 0.99   | 1.45  | 1.79  | 1.31   | 0.77   | 1.29 | 0.50   | 1.08  | 0.12  | 0.48   | 0.56  | 10.80   |
| Spurdog                   | 5.25   | 2.62   | 1.34  | 1.70  | 1.95   | 1.43   | 1.52 | 6.69   | 5.94  | 1.15  | 3.12   | 3.80  | 36.52   |
| Squid                     | 0.68   | 0.29   | 0.01  | 0.00  |        | 0.01   | 0.01 | 0.56   | 0.85  | 1.90  | 5.81   | 3.70  | 13.83   |

| Species             | Jan           | Feb           | Mar          | Apr          | May           | June          | July         | Aug         | Sep         | Oct          | Nov           | Dec          | Total          |
|---------------------|---------------|---------------|--------------|--------------|---------------|---------------|--------------|-------------|-------------|--------------|---------------|--------------|----------------|
| Tope                | 0.07          |               |              |              |               |               | 0.10         | 0.20        | 0.03        | 0.02         | 0.04          | 0.02         | 0.47           |
| Turbot              | 0.35          | 0.82          | 0.74         | 0.78         | 1.65          | 4.09          | 3.29         | 1.27        | 0.69        | 0.13         | 0.22          | 0.18         | 14.21          |
| Whelks              | 24.52         | 29.57         | 22.55        | 13.07        | 15.59         | 8.75          |              |             |             | 0.06         |               |              | 114.11         |
| Whiting             |               | 0.05          | 0.39         | 0.09         | 0.23          | 4.10          | 1.68         | 2.28        | 1.90        | 1.98         | 0.53          | 0.30         | 13.54          |
| Witch               | 2.27          | 6.02          | 5.24         | 6.74         | 4.15          | 5.07          | 5.52         | 5.92        | 6.88        | 2.96         | 2.79          | 2.34         | 55.90          |
| <b>Grand totals</b> | <b>2502.2</b> | <b>1716.0</b> | <b>1025.</b> | <b>958.3</b> | <b>1156.2</b> | <b>1425.3</b> | <b>1344.</b> | <b>3115</b> | <b>4219</b> | <b>2006.</b> | <b>1310.6</b> | <b>772.3</b> | <b>21550.5</b> |

## Landings into N.I.Ports 2009

| Species                  | Jan   | Feb   | March | April | May   | June  | July  | Aug   | Sep   | Oct   | Nov   | Dec   | Total  |
|--------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
| Bass                     |       |       | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |       |       | 0.01  |       | 0.00  | 0.02   |
| Blonde Ray               |       |       |       |       |       |       |       |       |       |       |       |       | 0.00   |
| Brill                    | 1.30  | 2.32  | 1.33  | 1.32  | 1.31  | 0.88  | 0.53  | 0.82  | 1.89  | 0.94  | 1.10  | 1.52  | 15.25  |
| Brown Shrimps            | 0.53  | 0.34  | 0.55  | 0.57  | 0.22  | 0.01  |       |       | 0.45  | 1.01  | 2.51  | 2.78  | 8.97   |
| Cockles                  |       |       |       |       |       |       |       |       |       | 66.06 |       |       | 66.06  |
| Cod                      | 19.76 | 44.85 | 43.92 | 18.74 | 47.61 | 39.95 | 24.88 | 37.72 | 42.85 | 46.99 | 14.51 | 17.81 | 399.59 |
| Conger Eels              | 4.85  | 2.84  | 0.99  | 1.94  | 2.09  | 2.64  | 1.10  | 3.79  | 7.13  | 13.70 | 2.65  | 3.21  | 46.94  |
| Crabs - Velvet (Swim)    | 5.63  | 7.80  | 8.66  | 9.84  | 10.26 | 16.39 | 22.03 | 25.14 | 30.00 | 27.45 | 24.63 | 25.97 | 213.80 |
| Crabs (C.P Mixed Sexes)  | 8.89  | 10.79 | 20.73 | 37.78 | 32.45 | 39.79 | 84.50 | 116.5 | 186.5 | 164.1 | 99.44 | 74.18 | 875.61 |
| Dabs                     |       | 0.17  |       |       |       |       |       |       |       |       |       |       | 0.17   |
| Dogfish (Scyllorhinidae) | 0.14  |       |       | 0.03  | 0.03  | 0.02  |       |       | 1.01  |       | 0.02  | 1.94  | 3.18   |
| Eels                     |       |       |       |       |       |       |       |       |       |       |       | 0.56  | 0.56   |
| Flounder                 | 0.00  |       |       |       |       |       |       |       |       |       |       |       | 0.00   |



| Species                   | Jan    | Feb    | March | April | May    | June   | July  | Aug   | Sep   | Oct   | Nov    | Dec   | Total   |
|---------------------------|--------|--------|-------|-------|--------|--------|-------|-------|-------|-------|--------|-------|---------|
| Green Crab                |        |        |       |       |        | 0.28   | 9.50  | 18.49 | 16.94 | 17.40 | 17.99  | 4.56  | 85.16   |
| Gurnard and Latchet       | 3.46   | 3.60   | 2.27  | 1.52  | 3.05   | 0.03   | 0.14  | 0.07  | 3.53  | 2.05  | 0.62   | 1.28  | 21.62   |
| Haddock                   | 9.00   | 26.19  | 16.33 | 9.17  | 47.66  | 48.45  | 27.61 | 54.31 | 43.31 | 38.26 | 3.95   | 8.21  | 332.45  |
| Hake                      | 15.43  | 13.21  | 6.78  | 16.33 | 33.67  | 39.11  | 5.76  | 15.81 | 20.07 | 11.82 | 2.93   | 17.10 | 198.02  |
| Halibut                   |        | 0.01   | 0.00  |       | 0.01   |        | 0.02  | 0.01  |       |       |        |       | 0.06    |
| Herring                   | 185.28 |        | 0.01  |       |        | 0.12   | 0.01  | 1308  | 2969. | 1055. |        |       | 5517.75 |
| Horse Mackerel            |        | 1343.9 | 127.4 |       |        |        |       |       |       |       |        |       | 1471.31 |
| John Dory                 | 0.39   | 0.14   | 0.32  | 0.86  | 0.29   | 0.05   | 0.01  |       | 0.27  | 0.46  | 0.14   | 0.43  | 3.36    |
| Lemon Sole                | 0.25   | 0.13   | 0.22  | 0.56  | 0.48   | 0.46   | 0.04  | 0.09  | 0.09  | 0.06  |        | 0.02  | 2.40    |
| Lesser Spotted Dog        | 0.90   |        | 0.50  |       | 0.04   | 0.01   |       |       |       |       |        |       | 1.45    |
| Ling                      | 4.23   | 2.94   | 3.65  | 8.06  | 1.67   | 2.04   | 1.48  | 3.43  | 7.14  | 4.56  | 0.65   | 1.23  | 41.08   |
| Lobsters                  | 1.74   | 1.71   | 2.07  | 2.83  | 3.73   | 5.57   | 11.36 | 9.43  | 7.42  | 4.78  | 2.70   | 2.58  | 55.94   |
| Long Rough Dabs           | 0.01   | 0.07   |       |       |        |        |       |       |       |       |        |       | 0.08    |
| Mackerel                  | 1899.4 | 1021.0 | 7.51  |       | 2.08   | 5.63   | 2.26  | 1.21  | 0.82  |       | 101.00 |       | 3040.84 |
| Megrim                    | 0.04   | 0.11   | 0.18  | 0.39  | 0.18   | 0.46   | 0.04  | 0.10  | 0.17  |       |        | 0.01  | 1.67    |
| Mixed Crabs               |        |        |       |       |        | 0.02   |       |       |       |       |        |       | 0.02    |
| Mixed Squid and Octopi    |        |        |       |       |        |        |       |       |       |       | 0.05   |       | 0.05    |
| Monks or Anglers          | 7.64   | 12.97  | 10.28 | 8.47  | 9.76   | 9.72   | 6.58  | 9.50  | 14.46 | 5.29  | 0.63   | 1.23  | 96.54   |
| Mullet Other              |        |        |       |       |        | 0.03   |       |       |       | 0.00  |        |       | 0.03    |
| Mussels                   |        | 3.28   |       |       |        |        |       |       |       | 8.60  | 7.12   | 19.58 | 38.59   |
| Native Oysters            |        |        |       |       |        |        |       |       |       |       | 0.17   | 0.15  | 0.32    |
| Nephrops (Norway Lobster) | 317.77 | 550.75 | 554.0 | 596.2 | 630.82 | 1214.4 | 926.1 | 947.6 | 785.7 | 321.9 | 174.03 | 291.7 | 7310.94 |

| Species                 | Jan   | Feb   | March | April | May   | June   | July  | Aug   | Sep   | Oct   | Nov    | Dec   | Total  |
|-------------------------|-------|-------|-------|-------|-------|--------|-------|-------|-------|-------|--------|-------|--------|
| Other Crustaceans       |       |       | 4.43  |       |       |        |       |       |       |       |        |       | 4.43   |
| Other or mixed Demersal | 2.16  | 4.65  |       | 0.04  |       |        |       |       |       |       |        |       | 6.86   |
| Periwinkles             |       |       |       |       |       |        |       |       |       |       | 0.24   | 0.01  | 0.24   |
| Pilchards               |       |       |       |       |       |        |       |       |       |       |        |       | 0.00   |
| Plaice                  | 2.86  | 5.53  | 1.24  | 1.26  | 3.87  | 2.00   | 1.34  | 0.94  | 2.96  | 0.60  | 2.28   | 3.08  | 27.96  |
| Pollack                 | 1.23  | 2.12  | 5.91  | 2.25  | 6.76  | 4.83   | 2.18  | 2.72  | 5.67  | 2.55  | 0.67   | 1.02  | 37.92  |
| Porbeagle               |       |       |       |       |       |        |       |       |       |       |        |       | 0.00   |
| Portuguese Oysters      |       |       |       |       |       |        |       |       | 1.48  | 0.88  |        |       | 2.35   |
| Queen Scallops          |       |       |       |       |       |        | 24.20 | 189.6 | 254.1 | 219.3 | 109.51 | 103.6 | 900.35 |
| Razor Clam              |       |       |       |       |       |        |       |       |       |       |        |       | 0.00   |
| Roes                    | 0.00  | 0.00  | 0.00  |       |       |        |       |       |       |       |        |       | 0.00   |
| Saithe                  | 0.10  | 0.24  | 0.13  | 0.01  | 1.60  | 0.92   | 0.70  | 4.72  | 4.12  | 0.90  | 0.17   | 0.61  | 14.21  |
| Scallops                | 78.16 | 84.65 | 54.92 | 45.35 | 65.75 | 105.38 | 24.44 | 15.00 | 6.97  | 7.65  | 202.44 | 124.3 | 814.99 |
| Sharks                  |       |       |       |       | 0.01  |        | 0.05  | 0.16  |       |       |        | 0.01  | 0.24   |
| Skates and Rays         | 9.32  | 13.31 | 4.85  | 6.52  | 3.91  | 0.70   | 0.65  | 0.76  | 4.79  | 1.12  | 1.87   | 2.88  | 50.68  |
| Smoothhound             |       |       |       |       |       |        |       |       |       |       |        |       | 0.00   |
| Sole                    | 0.26  | 1.39  | 1.35  | 1.11  | 0.79  | 1.30   | 0.64  | 0.47  | 0.96  | 0.25  | 0.29   | 0.29  | 9.09   |
| Spurdog                 | 7.32  | 1.16  | 0.98  | 2.77  | 2.19  | 1.22   | 1.28  | 17.62 | 12.15 | 2.82  | 1.61   | 3.56  | 54.69  |
| Squid                   | 0.37  | 0.24  | 0.01  | 0.00  |       | 0.01   | 0.10  | 0.70  | 2.55  | 4.20  | 3.83   | 5.25  | 17.26  |
| Thornback Ray           |       |       |       |       |       |        |       |       |       |       | 0.33   | 1.51  | 1.84   |
| Thrasher Shark          |       |       |       |       |       |        |       | 0.10  |       |       |        |       | 0.10   |
| Tope                    | 0.03  |       |       |       |       |        |       |       |       | 0.01  |        | 0.06  | 0.10   |

| Species              | Jan    | Feb    | March | April | May    | June   | July | Aug   | Sep   | Oct   | Nov    | Dec   | Total   |
|----------------------|--------|--------|-------|-------|--------|--------|------|-------|-------|-------|--------|-------|---------|
| Turbot               | 0.32   | 0.76   | 0.56  | 0.57  | 1.50   | 5.02   | 2.13 | 0.50  | 0.86  | 0.35  | 0.13   | 0.19  | 12.90   |
| Unidentified Dogfish |        |        |       |       |        |        |      |       | 1.11  |       | 0.80   |       | 1.91    |
| Whelks               | 38.45  | 27.20  | 11.49 | 0.04  |        |        |      |       |       | 0.06  | 5.49   | 11.99 | 94.71   |
| Whiting              | 0.02   | 0.03   | 0.11  | 0.30  | 0.06   | 6.45   | 0.03 | 2.61  | 5.40  | 2.07  | 0.11   | 0.37  | 17.56   |
| Witch                | 2.79   | 4.00   | 3.79  | 5.04  | 4.74   | 7.52   | 5.90 | 6.46  | 11.35 | 3.24  | 0.36   | 0.58  | 55.77   |
| Grand totals         | 2630.0 | 3194.4 | 897.5 | 779.9 | 918.59 | 1561.3 | 1188 | 2794. | 4454  | 2036. | 786.98 | 735.2 | 21976.0 |

**Landings into N.I. Ports 2010  
LW (tonnes)**

| Species                 | Jan   | Feb   | March | April | May   | June  | July  | Aug    | Sep   | Oct   | Nov    | Dec   | Total   |
|-------------------------|-------|-------|-------|-------|-------|-------|-------|--------|-------|-------|--------|-------|---------|
| Bass                    | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  | 0.00  |        |       | 0.00  | 0.00   | 0.20  | 0.21    |
| Black Seabream          |       |       |       |       |       | 0.00  |       |        |       |       |        |       | 0.00    |
| Blonde Ray              |       |       | 0.04  | 0.34  | 0.20  | 0.13  | 0.02  | 2.23   | 1.40  | 0.43  | 0.82   | 1.29  | 6.91    |
| Brill                   | 2.36  | 4.85  | 1.58  | 1.04  | 1.00  | 0.70  | 0.71  | 1.06   | 1.30  | 0.32  | 0.45   | 1.48  | 16.85   |
| Brown Shrimps           | 4.39  | 1.08  | 0.76  | 0.94  | 0.15  | 0.06  | 0.06  | 0.13   | 0.03  | 0.26  | 0.42   | 0.92  | 9.20    |
| Cockles                 |       |       |       |       |       |       |       |        |       |       |        |       | 0.00    |
| Cod                     | 20.74 | 21.28 | 23.49 | 17.87 | 21.92 | 28.34 | 20.56 | 14.11  | 21.16 | 35.49 | 29.80  | 37.53 | 292.29  |
| Conger Eels             | 4.19  | 3.22  | 0.51  | 1.28  | 1.79  | 0.81  | 0.76  | 1.65   | 3.81  | 8.23  | 6.44   | 5.27  | 37.96   |
| Crabs - Velvet (Swim)   | 9.25  | 8.38  | 7.06  | 10.72 | 16.05 | 14.23 | 14.59 | 24.27  | 26.91 | 18.34 | 16.07  | 17.15 | 183.01  |
| Crabs (C.P Mixed Sexes) | 47.32 | 55.38 | 39.13 | 46.37 | 43.90 | 59.62 | 123.6 | 193.83 | 172.2 | 151.7 | 168.94 | 78.83 | 1180.89 |
| Cuckoo Ray              |       |       | 0.05  | 0.11  | 0.09  | 0.04  | 0.02  | 0.01   | 0.02  | 0.22  | 0.34   | 0.07  | 0.98    |
| Dabs                    |       | 0.03  |       |       |       |       |       |        |       |       |        | 0.03  | 0.05    |
| Green Crab              |       |       |       | 3.96  | 5.91  | 26.96 | 28.25 | 18.10  | 32.07 | 18.49 | 2.81   |       | 136.55  |

| Species                   | Jan    | Feb    | March | April | May    | June   | July  | Aug   | Sep    | Oct   | Nov    | Dec    |         |
|---------------------------|--------|--------|-------|-------|--------|--------|-------|-------|--------|-------|--------|--------|---------|
| Gurnard and Latchet       | 3.46   | 1.48   | 0.98  | 2.39  | 2.46   | 0.09   | 0.03  | 0.35  | 1.60   | 0.67  | 1.84   | 1.94   | 17.28   |
| Haddock                   | 17.76  | 28.83  | 29.36 | 13.08 | 87.21  | 21.97  | 62.59 | 76.75 | 26.74  | 35.32 | 16.90  | 11.60  | 428.11  |
| Hake                      | 10.46  | 12.46  | 8.64  | 12.33 | 28.25  | 35.01  | 12.75 | 15.16 | 15.95  | 7.08  | 11.81  | 12.40  | 182.30  |
| Halibut                   |        |        | 0.02  |       |        | 0.02   |       |       |        |       |        |        | 0.04    |
| Herring                   |        | 85.97  |       |       |        |        | 0.01  | 1557. | 2071   | 1581. | 1028.6 |        | 6323.83 |
| Horse Mackerel            | 218.53 | 65.10  |       |       |        |        |       |       |        |       | 75.19  | 76.15  | 434.97  |
| John Dory                 | 0.27   | 0.19   | 0.26  | 0.11  | 0.17   | 0.05   | 0.01  | 0.01  | 0.04   | 0.19  | 0.15   | 0.16   | 1.63    |
| Lemon Sole                | 0.12   | 0.28   | 0.65  | 0.37  | 0.44   | 0.27   | 0.08  | 0.09  | 0.08   | 0.15  | 0.19   | 0.04   | 2.77    |
| Lesser Spotted Dog        |        |        | 1.62  | 0.13  |        |        |       | 0.25  |        |       |        |        | 2.00    |
| Ling                      | 2.38   | 4.35   | 8.61  | 6.58  | 4.44   | 3.33   | 2.54  | 3.80  | 4.96   | 1.81  | 1.87   | 2.29   | 46.98   |
| Lobsters                  | 2.13   | 1.95   | 2.16  | 3.87  | 4.78   | 6.70   | 11.96 | 10.27 | 6.25   | 4.62  | 2.66   | 2.58   | 59.92   |
| Long Rough Dabs           |        |        |       |       |        |        |       |       |        |       |        |        | 0.00    |
| Mackerel                  | 2653.5 | 345.61 |       |       |        | 0.22   | 6.53  | 9.80  | 4.37   | 0.02  | 289.47 |        | 3309.52 |
| Megrim                    | 0.37   | 0.07   | 0.22  | 0.01  | 0.19   | 1.02   | 0.14  | 0.01  | 0.01   | 0.19  | 0.21   | 0.17   | 2.60    |
| Mixed Squid and Octopi    |        |        |       |       |        |        |       |       |        |       | 0.01   | 0.00   | 0.01    |
| Monks or Anglers          | 6.35   | 11.36  | 8.37  | 4.31  | 4.54   | 6.53   | 7.40  | 9.56  | 7.17   | 3.32  | 1.31   | 2.73   | 72.95   |
| Mullet Other              |        |        | 0.02  |       | 0.01   | 0.02   | 0.02  |       |        | 0.02  | 0.06   |        | 0.15    |
| Mussels                   | 0.52   | 2.00   |       |       |        |        |       |       | 0.04   |       |        | 4.01   | 6.56    |
| Native Oysters            | 0.54   |        |       |       |        |        |       |       |        |       |        |        | 0.54    |
| Nephrops (Norway Lobster) | 384.63 | 528.22 | 542.2 | 697.1 | 441.85 | 1182.4 | 991.3 | 1189. | 534.65 | 173.1 | 239.44 | 230.29 | 7134.42 |
| Plaice                    | 4.48   | 6.96   | 2.47  | 0.75  | 4.13   | 2.50   | 0.85  | 0.76  | 2.04   | 1.03  | 1.15   | 5.77   | 32.90   |
| Pollack                   | 2.40   | 5.87   | 6.44  | 4.56  | 8.55   | 4.88   | 4.69  | 7.86  | 5.53   | 1.86  | 1.33   | 2.53   | 56.50   |

| Species                           | Jan   | Feb    | March | April | May    | June   | July  | Aug    | Sep    | Oct   | Nov    | Dec   |         |
|-----------------------------------|-------|--------|-------|-------|--------|--------|-------|--------|--------|-------|--------|-------|---------|
| Queen Scallops                    | 34.08 |        | 0.16  | 23.33 | 97.41  | 359.81 | 223.6 | 465.35 | 482.68 | 481.7 | 563.07 | 324.1 | 3055.19 |
| Razor Clam                        |       | 0.19   | 0.02  |       |        |        |       |        |        |       |        |       | 0.21    |
| Red Mullet                        |       | 0.00   |       |       |        | 0.01   |       |        |        |       |        |       | 0.01    |
| Roes                              | 0.00  | 0.00   | 0.00  |       |        |        |       |        |        |       |        |       | 0.00    |
| Saithe                            | 0.28  | 0.26   | 0.28  | 0.25  | 0.52   | 0.57   | 0.20  | 0.57   | 0.23   | 0.28  | 0.14   | 0.29  | 3.86    |
| Scallops                          | 76.69 | 107.02 | 74.62 | 81.97 | 101.62 | 39.88  |       |        | 0.01   | 0.94  | 224.67 | 149.7 | 857.13  |
| Sharks                            |       |        |       |       |        |        |       |        |        |       |        |       | 0.00    |
| Skates and Rays                   | 8.39  | 18.24  | 3.86  | 1.34  | 0.40   |        |       |        | 0.00   |       | 0.07   | 0.25  | 32.55   |
| Smoothhound                       |       |        | 0.04  |       |        |        |       |        |        |       |        |       | 0.04    |
| Sole                              | 0.98  | 0.82   | 0.57  | 0.45  | 0.55   | 0.59   | 0.31  | 0.44   | 0.50   | 0.16  | 0.06   | 0.43  | 5.85    |
| Spotted Ray                       |       |        | 0.01  | 0.16  | 0.01   |        |       | 0.02   | 0.17   |       |        | 0.05  | 0.42    |
| Spurdog                           | 0.69  | 0.16   | 0.07  | 0.01  |        |        |       |        |        |       |        |       | 0.93    |
| Squid                             | 1.89  | 0.67   | 0.06  | 0.00  | 0.00   |        |       | 0.09   | 0.92   | 3.02  | 4.01   | 4.78  | 15.45   |
| Starry Ray                        |       |        |       |       |        |        |       | 0.01   | 0.01   |       | 0.01   |       | 0.02    |
| Thornback Ray                     |       | 0.12   | 1.34  | 2.08  | 1.40   | 0.43   | 0.13  | 0.75   | 1.24   | 2.16  | 1.33   | 6.09  | 17.07   |
| Thrasher Shark                    |       |        |       |       |        |        |       |        |        |       |        |       | 0.00    |
| Tope                              | 0.02  | 0.02   |       |       | 0.02   |        |       |        | 0.01   |       |        |       | 0.07    |
| Turbot                            | 0.52  | 1.36   | 1.14  | 0.78  | 1.12   | 5.96   | 2.77  | 1.61   | 0.60   | 0.17  | 0.03   | 0.24  | 16.30   |
| Unid DS Squal<br>Sharks & Dogfish |       |        |       |       |        |        |       |        | 0.28   |       |        |       | 0.28    |
| Unidentified Dogfish              |       | 1.20   | 0.10  | 0.60  |        |        |       |        | 1.73   | 0.40  | 1.06   | 0.07  | 5.16    |
| Whelks                            | 6.53  | 9.45   | 11.64 | 2.13  | 5.81   | 2.68   | 1.83  | 0.09   | 0.02   |       |        |       | 40.18   |
| Whiting                           | 0.45  | 2.24   | 4.88  | 2.01  | 1.95   | 3.44   | 0.71  | 0.36   | 0.38   | 8.26  | 7.61   | 1.29  | 33.58   |

| Species     | Jan    | Feb    | March | April | May    | June   | July  | Aug  | Sept | Oct   | Nov    | Dec   |       |
|-------------|--------|--------|-------|-------|--------|--------|-------|------|------|-------|--------|-------|-------|
| Witch       | 2.89   | 5.04   | 4.45  | 4.02  | 2.27   | 3.89   | 5.06  | 8.74 | 5.16 | 1.43  | 0.40   | 1.03  | 44.39 |
| Grand total | 3529.6 | 1341.7 | 787.9 | 947.4 | 891.10 | 1813.1 | 1524. | 3615 | 3433 | 2542. | 2700.8 | 983.1 | 24110 |

## Landings into N.I. Ports 2011

|                                | Jan   | Feb   | Mar   | Apr   | May   | Jun   | Jul   | Aug    | Sept  | Oct   | Nov    | Dec   | Total  |
|--------------------------------|-------|-------|-------|-------|-------|-------|-------|--------|-------|-------|--------|-------|--------|
| Arctic Skate                   | 0.01  |       |       |       |       |       |       |        |       |       |        |       |        |
| Bass                           | 0.00  | 0.00  |       | 0.00  | 0.00  |       |       |        |       | 0.00  | 0.00   | 0.00  | 0.01   |
| Blonde Ray                     | 1.22  | 3.45  | 5.76  | 0.92  | 0.03  | 0.04  | 3.74  | 1.81   | 0.45  | 0.45  | 0.43   | 0.06  | 18.36  |
| Bluemouth (Blue Mouth Redfish) |       |       |       |       |       |       |       |        | 0.28  |       |        |       | 0.28   |
| Brill                          | 1.89  | 1.68  | 2.99  | 1.73  | 0.57  | 1.05  | 0.95  | 1.34   | 0.87  | 0.20  | 0.87   | 0.14  | 14.29  |
| Brown Shrimps                  | 0.87  | 0.69  | 0.26  | 0.27  | 0.01  |       |       | 0.00   | 0.06  | 0.38  | 0.41   | 0.87  | 3.81   |
| Cockles                        |       |       | 0.03  |       |       |       |       |        |       |       |        |       | 0.03   |
| Cod                            | 26.76 | 11.95 | 28.58 | 9.41  | 13.47 | 31.45 | 18.88 | 9.89   | 2.35  | 0.89  | 0.13   | 3.92  | 157.69 |
| Conger Eels                    | 3.51  | 3.02  | 1.15  | 0.50  | 0.93  | 1.41  | 1.38  | 0.93   | 0.30  | 0.15  | 0.01   | 0.50  | 13.79  |
| Crabs - Velvet (Swim)          | 9.39  | 5.89  | 7.84  | 11.08 | 6.44  | 16.94 | 17.92 | 22.90  | 14.59 | 18.56 | 14.34  | 23.80 | 169.68 |
| Crabs (C.P Mixed Sexes)        | 56.27 | 33.41 | 31.54 | 24.78 | 31.80 | 67.31 | 104.2 | 152.18 | 153.3 | 212.3 | 144.04 | 59.92 | 1071.1 |
| Cuckoo Ray                     | 0.49  | 0.96  | 1.08  | 0.23  | 0.09  | 0.01  | 0.03  | 0.30   | 0.28  | 0.30  | 0.55   | 0.01  | 4.33   |
| Dogfish (Scyllorhinidae)       | 1.10  |       |       |       |       |       |       | 0.15   |       |       |        |       | 1.25   |
| Greater Forked Beard           |       |       |       |       |       |       |       |        | 0.00  |       |        |       | 0.00   |
| Green Crab                     |       | 13.13 | 10.05 | 5.62  | 6.16  | 12.90 | 18.53 | 27.32  | 37.66 | 19.60 | 1.80   | 4.69  | 157.46 |
| Gurnard and Latchet            | 2.09  | 3.93  | 9.72  | 3.17  | 0.24  | 0.30  | 0.37  | 1.07   | 2.00  | 1.77  | 4.48   | 0.62  | 29.77  |



|                          | Jan    | Feb    | Mar   | Apr   | May    | Jun    | Jul   | Aug    | Sept  | Oct   | Nov    | Dec   | Total  |
|--------------------------|--------|--------|-------|-------|--------|--------|-------|--------|-------|-------|--------|-------|--------|
| Haddock                  | 14.55  | 17.83  | 31.49 | 20.53 | 29.26  | 75.66  | 27.34 | 21.11  | 37.25 | 30.29 | 4.06   | 1.14  | 310.50 |
| Hake                     | 6.89   | 3.42   | 9.48  | 2.64  | 13.70  | 38.97  | 12.27 | 2.91   | 1.78  | 0.21  | 0.68   | 2.49  | 95.45  |
| Halibut                  |        |        |       |       |        |        |       | 0.00   |       |       |        |       | 0.00   |
| Herring                  | 109.38 |        |       |       |        |        |       | 794.15 | 2572. | 1728. | 644.02 | 19.69 | 5867.7 |
| Horse Mackerel           | 975.61 | 1.00   |       |       |        |        |       |        |       |       | 102.25 |       | 1078.9 |
| John Dory                | 0.20   | 0.15   | 0.20  | 0.05  | 0.03   | 0.06   | 0.02  | 0.02   | 0.15  | 0.20  | 0.61   | 0.07  | 1.76   |
| Lemon Sole               | 0.40   | 0.23   | 0.70  | 0.38  | 0.08   | 0.53   | 0.26  | 0.26   | 0.32  | 0.00  | 0.13   | 0.00  | 3.28   |
| Lesser Spotted Dog       | 0.25   | 0.60   | 3.10  | 1.00  |        |        |       |        | 1.16  | 0.23  | 2.84   |       | 9.18   |
| Ling                     | 1.37   | 4.08   | 16.20 | 2.48  | 2.65   | 4.38   | 2.57  | 3.79   | 1.62  | 0.33  | 0.14   | 0.14  | 39.74  |
| Lobsters                 | 3.26   | 1.87   | 3.31  | 3.48  | 4.84   | 9.38   | 12.39 | 10.26  | 4.96  | 3.57  | 2.20   | 2.45  | 62.00  |
| Mackerel                 | 2831.6 | 325.86 |       |       | 0.22   | 1.59   | 4.01  | 10.01  | 4.39  | 0.88  |        | 153.1 | 3331.6 |
| Megrim                   |        |        | 0.05  | 0.03  | 0.02   | 0.26   | 0.03  | 0.03   | 2.40  | 0.01  | 0.02   |       | 2.86   |
| Mixed Squid and Octopi   |        |        |       |       |        |        |       |        | 0.01  |       |        |       | 0.01   |
| Monks or Anglers         | 4.20   | 8.00   | 22.68 | 5.28  | 4.67   | 12.20  | 9.22  | 15.28  | 7.84  | 2.86  | 3.74   | 1.30  | 97.27  |
| Mussels                  | 28.85  | 67.65  | 20.50 |       |        |        |       | 3.00   | 38.91 | 15.00 | 4.50   |       | 178.41 |
| Mullet - Other           |        |        |       |       | 0.00   | 0.09   | 0.01  |        |       |       |        |       | 0.11   |
| Native Oysters           |        |        |       |       |        |        |       |        | 0.13  |       |        |       | 0.13   |
| Nephrops (N'way Lobster) | 325.39 | 323.99 | 782.1 | 608.1 | 370.31 | 1362.5 | 1159. | 1360.0 | 375.4 | 177.1 | 247.49 | 273.9 | 7365.8 |
| Octopus                  |        |        |       |       |        |        | 0.21  | 0.16   | 0.14  | 0.12  | 0.12   | 0.13  | 0.87   |
| Plaice                   | 11.62  | 6.02   | 6.36  | 1.65  | 1.24   | 3.45   | 1.76  | 1.26   | 1.29  | 1.06  | 7.11   | 4.10  | 46.92  |
| Pollack                  | 3.54   | 4.44   | 7.06  | 6.17  | 6.17   | 10.20  | 3.57  | 1.20   | 0.02  | 0.02  | 0.07   | 0.28  | 42.73  |
| Queen Scallops           | 46.31  |        |       | 2.57  | 0.87   | 250.96 | 509.6 | 782.90 | 464.7 | 613.8 | 540.19 | 75.99 | 3287.8 |

|                                   | Jan    | Feb    | Mar   | Apr   | May    | Jun    | Jul   | Aug   | Sept  | Oct   | Nov    | Dec   | Total  |
|-----------------------------------|--------|--------|-------|-------|--------|--------|-------|-------|-------|-------|--------|-------|--------|
| Roes                              | 0.00   | 0.00   | 0.00  |       |        | 0.00   |       |       |       |       |        |       | 0.00   |
| Saithe                            | 0.18   | 0.01   | 0.29  | 0.16  | 0.21   | 0.50   | 0.11  | 0.17  | 2.44  |       |        | 0.02  | 4.09   |
| Scallops                          | 178.30 | 93.59  | 198.3 | 51.08 | 7.29   | 11.95  |       |       | 2.24  | 10.16 | 150.85 | 123.4 | 827.18 |
| Skates and Rays                   | 0.30   | 0.91   | 0.60  | 0.07  | 0.07   | 0.02   | 0.00  |       |       |       |        | 0.00  | 1.97   |
| Sole                              | 0.37   | 0.55   | 1.56  | 0.73  | 0.40   | 1.26   | 0.78  | 0.76  | 0.37  | 0.34  | 1.09   | 0.04  | 8.25   |
| Spotted Ray                       | 0.24   |        | 0.02  |       |        |        | 0.13  |       |       |       |        |       | 0.39   |
| Sprats                            |        |        |       |       |        |        |       |       |       |       | 247.64 |       | 247.64 |
| Squid                             | 0.73   | 0.17   | 0.07  |       |        | 0.00   | 0.04  | 0.56  | 1.79  | 7.95  | 19.56  | 9.74  | 40.61  |
| Starry Ray                        | 0.04   |        | 0.38  | 0.07  |        | 0.03   | 1.61  | 0.00  | 0.01  |       | 0.20   |       | 2.35   |
| Thornback Ray                     | 1.85   | 11.73  | 4.96  | 3.31  | 0.54   | 0.77   | 2.66  | 1.46  | 3.58  | 1.09  | 8.56   | 0.82  | 41.34  |
| Turbot                            | 0.34   | 0.64   | 1.75  | 0.90  | 1.00   | 4.82   |       | 1.23  | 0.40  | 0.09  | 0.42   | 0.09  | 11.67  |
| Unid DS Squal<br>Sharks & Dogfish |        |        |       |       |        |        |       |       |       | 4.75  | 35.47  | 9.05  | 49.27  |
| Unidentified Dogfish              | 3.52   | 13.52  | 0.40  |       |        | 1.00   |       | 0.40  | 0.05  | 9.72  | 1.26   |       | 29.87  |
| Whelks                            | 20.02  | 26.95  | 31.13 | 18.70 | 11.47  | 2.08   |       |       |       |       |        | 0.05  | 110.40 |
| Whiting                           | 0.41   | 0.34   | 2.51  | 0.56  | 0.05   | 1.85   | 0.09  | 0.38  | 8.99  | 1.59  | 0.20   | 0.03  | 17.01  |
| Witch                             | 3.34   | 4.11   | 10.16 | 4.70  | 4.26   | 11.11  | 7.83  | 10.04 | 4.24  | 1.94  | 0.78   | 0.35  | 62.86  |
| Grand total                       | 4676.7 | 995.76 | 1254. | 792.4 | 519.07 | 1937.0 | 1922. | 3239. | 3751. | 2866. | 2193.3 | 772.9 | 24919. |

**Landings into N.I. Ports 2012**

|              | Jan  | Feb  | Mar  | Apr  | May  | Jun | Jul | Aug | Sept | Oct | Nov | Dec | Total |
|--------------|------|------|------|------|------|-----|-----|-----|------|-----|-----|-----|-------|
| Arctic Skate |      |      |      |      |      |     |     |     |      |     |     |     |       |
| Bass         |      | 0.00 | 0.01 | 0.00 | 0.01 |     |     |     |      |     |     |     | 0.02  |
| Blonde Ray   | 0.57 | 3.24 | 4.12 | 0.44 | 0.14 |     |     |     |      |     |     |     | 8.50  |

|                                | Jan   | Feb    | Mar   | Apr   | May  | Jun  | Jul | Aug | Sept | Oct | Nov | Dec | Total  |
|--------------------------------|-------|--------|-------|-------|------|------|-----|-----|------|-----|-----|-----|--------|
| Bluemouth (Blue Mouth Redfish) |       |        |       |       |      |      |     |     |      |     |     |     | 0.00   |
| Brill                          | 1.42  | 1.48   | 0.94  | 1.19  | 0.76 | 0.02 |     |     |      |     |     |     | 5.80   |
| Brown Shrimps                  | 0.27  | 0.23   | 0.11  | 0.01  |      |      |     |     |      |     |     |     | 0.62   |
| Cockles                        |       |        |       |       |      |      |     |     |      |     |     |     | 0.00   |
| Cod                            | 4.94  | 7.60   | 20.21 | 6.39  | 5.33 | 2.17 |     |     |      |     |     |     | 46.64  |
| Conger Eels                    | 0.02  | 0.37   | 0.29  | 0.07  | 0.05 | 0.02 |     |     |      |     |     |     | 0.82   |
| Crabs - Velvet (Swim)          | 10.07 | 6.41   | 6.56  | 2.80  | 0.11 |      |     |     |      |     |     |     | 25.94  |
| Crabs (C.P. Mixed Sexes)       | 18.56 | 11.87  | 17.95 | 7.36  | 2.00 |      |     |     |      |     |     |     | 57.74  |
| Cuckoo Ray                     | 0.76  | 0.46   | 0.93  | 0.01  | 0.01 |      |     |     |      |     |     |     | 2.17   |
| Dabs                           |       |        | 0.04  |       |      |      |     |     |      |     |     |     | 0.04   |
| Eels                           |       |        | 0.02  |       |      |      |     |     |      |     |     |     | 0.02   |
| Dogfish (Scyliorhinidae)       |       |        |       |       |      |      |     |     |      |     |     |     | 0.00   |
| Greater Forked Beard           |       |        |       |       |      |      |     |     |      |     |     |     | 0.00   |
| Green Crab                     |       |        | 10.67 |       |      |      |     |     |      |     |     |     | 10.67  |
| Gurnard and Latchet            | 0.35  | 1.98   | 3.28  | 1.04  | 1.40 | 0.01 |     |     |      |     |     |     | 8.06   |
| Haddock                        | 2.65  | 14.94  | 54.78 | 28.69 | 2.40 | 0.26 |     |     |      |     |     |     | 103.72 |
| Hake                           | 5.87  | 8.75   | 12.21 | 2.85  | 7.22 | 0.63 |     |     |      |     |     |     | 37.53  |
| Halibut                        |       |        |       |       | 0.01 |      |     |     |      |     |     |     | 0.01   |
| Herring                        |       |        |       |       |      |      |     |     |      |     |     |     | 0.00   |
| Horse Mackerel                 |       | 260.18 |       |       |      |      |     |     |      |     |     |     | 260.18 |

|                           | Jan    | Feb    | Mar   | Apr   | May    | Jun    | Jul | Aug | Sept | Oct | Nov | Dec | Total  |
|---------------------------|--------|--------|-------|-------|--------|--------|-----|-----|------|-----|-----|-----|--------|
| John Dory                 | 0.09   | 0.36   | 0.31  | 0.12  | 0.29   | 0.01   |     |     |      |     |     |     | 1.19   |
| Lemon Sole                | 0.11   | 0.23   | 0.73  | 0.54  | 0.26   |        |     |     |      |     |     |     | 1.86   |
| Lesser Spotted Dog        | 0.75   | 4.55   | 14.86 | 0.30  |        |        |     |     |      |     |     |     | 20.46  |
| Ling                      | 1.58   | 4.40   | 9.54  | 2.51  | 0.97   | 0.28   |     |     |      |     |     |     | 19.28  |
| Lobsters                  | 1.52   | 2.70   | 0.85  | 0.82  | 0.14   |        |     |     |      |     |     |     | 6.04   |
| Mackerel                  | 2065.2 | 589.59 |       |       | 0.06   |        |     |     |      |     |     |     | 2654.8 |
| Megrim                    |        | 0.02   | 1.03  | 0.60  |        | 0.01   |     |     |      |     |     |     | 1.65   |
| Mixed Squid and Octopi    |        |        |       |       |        |        |     |     |      |     |     |     | 0.00   |
| Monks or Anglers          | 7.86   | 21.56  | 30.24 | 6.72  | 11.61  | 1.85   |     |     |      |     |     |     | 79.84  |
| Mussels                   |        |        |       |       |        |        |     |     |      |     |     |     | 0.00   |
| Mullet - Other            |        |        | 0.02  | 0.00  |        |        |     |     |      |     |     |     | 0.02   |
| Native Oysters            |        |        |       |       |        |        |     |     |      |     |     |     | 0.00   |
| Nephrops (Norway Lobster) | 445.10 | 616.40 | 803.0 | 455.9 | 1156.6 | 147.34 |     |     |      |     |     |     | 3624.4 |
| Octopus                   | 0.10   |        |       | 0.01  | 0.08   | 0.01   |     |     |      |     |     |     | 0.19   |
| Plaice                    | 14.85  | 13.92  | 3.64  | 0.58  | 0.56   | 0.03   |     |     |      |     |     |     | 33.59  |
| Pollack                   | 0.05   | 0.93   | 4.80  | 1.25  | 0.10   |        |     |     |      |     |     |     | 7.12   |
| Queen Scallops            |        | 17.62  |       |       |        |        |     |     |      |     |     |     | 17.62  |
| Roes                      | 0.00   | 0.00   | 0.00  |       |        |        |     |     |      |     |     |     | 0.00   |
| Saithe                    | 0.00   | 0.02   | 0.02  |       |        |        |     |     |      |     |     |     | 0.04   |
| Scallops                  | 159.38 | 124.52 | 140.9 | 39.41 | 31.18  | 0.01   |     |     |      |     |     |     | 495.47 |
| Skates and Rays           | 0.00   | 0.40   | 0.86  | 0.06  | 0.04   |        |     |     |      |     |     |     | 1.36   |
| Sole                      | 0.38   | 0.51   | 0.84  | 0.31  | 1.01   | 0.07   |     |     |      |     |     |     | 3.12   |

|                                   | Jan    | Feb    | Mar   | Apr   | May    | Jun    | Jul  | Aug  | Sept | Oct  | Nov  | Dec  | Total  |
|-----------------------------------|--------|--------|-------|-------|--------|--------|------|------|------|------|------|------|--------|
| Spotted Ray                       |        | 0.29   | 0.04  | 0.54  | 0.06   |        |      |      |      |      |      |      | 0.93   |
| Sprats                            |        |        |       |       |        |        |      |      |      |      |      |      | 0.00   |
| Squid                             | 2.86   | 0.90   | 0.14  | 0.00  | 0.02   | 0.00   |      |      |      |      |      |      | 3.92   |
| Starry Ray                        | 0.21   | 0.72   | 0.22  | 0.01  | 0.01   |        |      |      |      |      |      |      | 1.17   |
| Thornback Ray                     | 2.48   | 3.99   | 15.06 | 2.19  | 2.35   | 0.13   |      |      |      |      |      |      | 26.20  |
| Turbot                            | 0.46   | 0.37   | 1.35  | 0.67  | 1.93   | 0.22   |      |      |      |      |      |      | 5.00   |
| Unid DS Squal<br>Sharks & Dogfish | 2.47   |        |       |       |        |        |      |      |      |      |      |      | 2.47   |
| Unidentified Dogfish              |        | 7.17   | 0.22  |       |        |        |      |      |      |      |      |      | 7.39   |
| Whelks                            | 29.88  | 41.73  | 45.07 | 21.41 | 6.83   |        |      |      |      |      |      |      | 144.92 |
| Whiting                           | 0.01   | 0.18   | 7.16  | 3.76  | 0.04   |        |      |      |      |      |      |      | 11.16  |
| Witch                             | 4.91   | 10.17  | 12.05 | 2.46  | 4.14   | 0.77   |      |      |      |      |      |      | 34.51  |
| Grand total                       | 2785.7 | 1780.7 | 1225. | 591.0 | 1237.7 | 153.85 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 7774.1 |

## Re-tagging Animals

**Mr Buchanan** asked the Minister of Agriculture and Rural Development when plastic tags were first used, in place of steel tags, for re-tagging animals that had lost their original tag.

**(AQW 12936/11-15)**

**Mrs O'Neill:** Plastic Tags were first used, in place of steel tags for re-tagging animals that had lost their original tag from 1st January 1998.

## Re-tagging Animals

**Mr Buchanan** asked the Minister of Agriculture and Rural Development, in relation to the use of plastic tags for the re-tagging of animals, to detail the largest percentage of re-tags her Department has received from an individual farmer, and in what year this occurred.

**(AQW 12937/11-15)**

**Mrs O'Neill:** My Department uses the term “re-tag” to refer to the application of two new tags to an animal that has lost both of its original tags and therefore the animal is re-identified with a different number.

The largest percentage of re-tags was in 2010, when 522 animals were retagged and one particular farmer had 8.62% (45 animals) of the total number of animals retagged that year.

My Department uses the term “replacement tag” to refer to the situation where an animal has lost one tag and that tag is replaced with a single matching tag with the same identification number as that of the lost tag.

## Re-tagging Animals

**Mr Buchanan** asked the Minister of Agriculture and Rural Development when plastic tags were first used on bovine animals in place of steel tags.

**(AQW 12938/11-15)**

**Mrs O'Neill:** Plastic tags were introduced on 1st January 1998.

## Single Farm Payments

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to outline the process used by her Department when dealing with an error in a Single Farm Payment application when (i) the error has been made by an applicant; and (ii) the error has been made by a departmental official.

**(AQW 13069/11-15)**

**Mrs O'Neill:** As a general principle, if the Department finds there has been an error in a Single Farm Payment application, in line with EU Regulations, the application is adjusted to the correct position and recovery action and/or penalties applied, as appropriate. However, penalties are not applied if the applicant can demonstrate that the application was factually correct at the time it was submitted or can show that he/she was otherwise ‘not at fault’.

- (i) Errors made by applicants can be treated in a number of ways. In some instances, the Department can apply the ‘obvious error’ provisions as detailed in EU guidance. In the case of ‘obvious error’ an application is adjusted by the Department to the correct position. Such errors have to be detected by staff from the information given in the applications, for example, mistakes deleted in calculations or figures reversed in farm survey numbers. No penalties are applied in cases of obvious errors.

The EU regulations also allow an applicant to notify DARD of an error at any time. The Department can correct the error and not apply penalties provided that it has not already told the applicant about the error or has not given notification of an inspection. If an applicant wants to amend an application they can only do so up to the final deadline for applications and, in some cases, penalties may apply.

- (ii) If it is established that an error has been made by a Departmental official, the application is adjusted to the correct position. However, in these circumstances, as the applicant is not ‘at fault’, penalties are not applied.

## Single Farm Payments

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for a breakdown of the costs incurred by her Department caused by (i) fraud; and (ii) error in Single Farm Payments, in each of the last three years.

**(AQW 13070/11-15)**

**Mrs O'Neill:** While DARD does not hold information on the actual costs incurred in dealing with fraud and error in Single Farm Payment cases, it estimates that the cost of:

- 1 investigations of suspected SFP Fraud cases in 2009, 2010 and 2011 were £4,600, £5,300 and £4,100 respectively; and
- 2 the work associated with errors on Single Farm Payments arising through administrative checks, on farm inspections or farmer notified changes has cost my Department £169,921, £167,662 and £185,258 in the last three years.



## North Down: Designated Reservoirs

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the areas of water designated as reservoirs by her Department in the North Down area.

**(AQW 13072/11-15)**

**Mrs O'Neill:** The Reservoirs Bill will define the structures or areas that are to be regarded as controlled reservoirs and the recent consultation stated that "a controlled reservoir would be any structure or area which is capable of holding 10,000 cubic metres or more of water above the natural level of the surrounding land. This includes any structure designed for collecting or storing water as well as a lake or other area capable of storing water which was created or enlarged by artificial means. The term controlled reservoir will also refer to structures or areas that individually do not meet the volume threshold but where water does or can flow between them and there could be an uncontrolled release in excess of 10,000 cubic metres of water."

The reservoirs authority will not designate structures or areas as controlled reservoirs. The legislation will place a requirement on the reservoir manager to register the reservoir if it meets the criteria. The Department is however engaging with known reservoir managers/owners to involve them in the development of the reservoir safety policy proposals.

My Department has identified the following structures or areas within the North Down area which we consider may meet the criteria for a controlled reservoir:-

- Clandeboy Reservoir, Bangor
- Clandeboy Lake, Bangor
- Ballysallagh Upper Reservoir, Bangor
- Ballysallagh Lower Reservoir, Bangor
- Creightons Green, Holywood
- Church Road Upper, Holywood
- Church Road Lower, Holywood
- Conlig Upper, Bangor
- Conlig Lower, Bangor
- Portavoe, Groomsport
- The Warren Pond, Ballyleidy

## Reservoirs: Proposed Legislation

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the timescale for the proposed legislation on reservoirs.

**(AQW 13073/11-15)**

**Mrs O'Neill:** Indicative timetable for the Reservoirs Bill

|                          |  |
|--------------------------|--|
| <b>1 June 2012</b>       | <b>Public consultation ended</b>   |
| October 2012             | Policy Finalisation  |
| June- December 2012      | Drafting of Bill   |
| February – November 2013 | Bill Assembly Stage<br>Introduction<br>Committee Stage<br>Consideration Stage<br>Final Stage |
| December 2013            | Final Assent   |
| Early 2014               | Operative Date   |
| 2014                     | Make Regulations and develop implementation systems  |

## Jubilee Garden Party: Tickets

**Mr Allister** asked the Minister of Agriculture and Rural Development how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) her Department; and (iii) its arm's-length bodies.

**(AQW 13119/11-15)**

**Mrs O'Neill:** No tickets were allocated to me or to my Department's non -Departmental Public Bodies for the Jubilee Garden Party. An allocation of 150 tickets was made available to my Permanent Secretary for allocation in the Department.

## Lay Vaccinators

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she has any plans to bring forward legislation, similar to the Tuberculosis (Wales) Order 2010, which would allow the introduction of Lay Vaccinators.

**(AQW 13139/11-15)**

**Mrs O'Neill:** Under powers in the Veterinary Surgeons Act 1966 as amended, the Veterinary Surgery (Vaccination of Badgers Against Tuberculosis) Order 2010 was made to enable the vaccination of badgers to be carried out by non-veterinarians in England, Scotland and Wales. The 2010 Order does not currently apply here.

Should a policy of badger vaccination deploying trained lay vaccinators be advocated then an appropriate legislative enabling amendment would be brought forward to the Veterinary Surgeons Act.

My Department hosted an International Vaccination Experts' Scientific Symposium on badger vaccination during 14-16 May 2012 and the outcomes of the Symposium are still being written up.

## Construction: Public Contract Tenders

**Ms Maeve McLaughlin** asked the Minister of Agriculture and Rural Development for her assessment of (i) her Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

**(AQW 13152/11-15)**

**Mrs O'Neill:** All my departments construction contracts are currently awarded through DFP's Central Procurement Directorate. I will be keeping our procurement policy constantly under review to ensure that small and medium businesses are not disadvantaged.

## Dairy Industry

**Mrs Cochrane** asked the Minister of Agriculture and Rural Development, pursuant to AQO 2112/11-15, (i) given the price fluctuation of dried powdered milk in recent years owing to growth in demand, and that the majority of the demand is being offset by New Zealand dairy farmers, whether there are any plans to revise and develop a regional marketing strategy to enhance Northern Ireland's competitive capacity; and (ii) in light of the proposed plans to allocate greater funding to research initiatives, what consideration has been given to refocusing research on areas of natural advantage, such as Northern Ireland's capacity to grow grass which can lend itself to cheaper dairy production, as opposed to focusing research efforts and resources in other restricted areas, such as indoor containment systems.

**(AQW 13177/11-15)**

**Mrs O'Neill:** Price fluctuation for milk powders is a reality of trading in commodity products on global markets. So, while our dairy industry continues to trade heavily in the processing of milk powders it will continue to face such price volatility. However, I am pleased to note that with normal peak production season now past, the situation on dairy markets appears to have stabilised with some improvement in prices.

Whilst I agree that a strategy is needed to enhance the sector's competitive capacity, I also believe this is true for the whole agri-food sector. Furthermore in view of our dependence on external markets I consider that it needs in fact to be developed on a global scale, developing the home market as well as new markets, further afield.

That is why an industry-led Agri-Food Strategy Board has been established. I am pleased that the Board has recently commenced its work to develop a strategy with ambitious growth targets up to 2020. It will be important for the dairy sector to engage positively with the Board.

As regards research activities by my Department I wish to advise that the DARD Evidence and Innovation Strategy published in 2009, provides a high-level framework for DARD's evidence gathering and innovation support activities. The aim is to align research activities with the Department's Strategic Goals. In so doing I can assure you that I value highly the fact that industry views are taken into consideration in assessing priorities. In this respect the Evidence and Innovation Stakeholder Forum fulfils a very important role.

Research within my Department is already focused on fully utilising the available resources on projects aimed at producing a sustainable, competitive and innovative agri-food sector. With this in mind areas for research are reviewed annually and projects prioritised within budgetary constraints. As part of this process, there are normally a number of research projects which focus on areas of natural advantage, such as the north's capacity to grow grass.

The DARD funded Grassland Research Programme at AFBI is internationally recognised and grassland research is an important research priority for my Department. As a result, having worked in conjunction with industry through AgriSearch, DARD's current Research Work Programme at AFBI includes four grass-based research projects and I hope that the findings will be useful to dairy producers in their forward planning.

## Bees and Bee Products

**Mr Cree** asked the Minister of Agriculture and Rural Development, in light of the report by the Agricultural Development Advisory Services for the Department for Environment, Food and Rural Affairs that cited existing research which concludes that the

importation of bees and bee products generates the greatest risk to the health of bees, whether her Department plans to carry out any research in this area.

**(AQW 13301/11-15)**

**Mrs O'Neill:** There is no doubt that the importation of bees and bee products represents a serious risk to bee health. Whilst no specific research has been commissioned by DARD, beekeepers can, and will, have benefited from the outcome of research undertaken elsewhere. Through the implementation of the 'Strategy for the Sustainability of the Honey Bee' the Bee Science Sub-group has the opportunity to bring forward proposals under DARD's Evidence and Innovation call for bee research specific to the needs of beekeepers here, and I would encourage them in that consideration.

### **Honey Bee: Strategy for the Sustainability of**

**Mr Cree** asked the Minister of Agriculture and Rural Development, pursuant to AQW 12396/11-15, whether the action plan and timelines submitted by the Competency Development Sub-group have been agreed by the Implementation Group.

**(AQW 13302/11-15)**

**Mrs O'Neill:** The Competency Development Sub-group's Action Plan and timelines for its agreed priorities were considered and agreed by the Implementation Group at its recent meeting on 26 June 2012. The Sub-group has now been asked to prepare a work programme for actions that are being taken forward at this point.

### **Honey Bee: Strategy for the Sustainability of**

**Mr Cree** asked the Minister of Agriculture and Rural Development, pursuant to AQW 12396/11-15, when the Communications and Relationships Sub-group, the Risks from Pests, Diseases and Undesirable Species Sub-group and the Bee Science Sub-group will submit their action plans and timelines to the Implementation Group for consideration.

**(AQW 13303/11-15)**

**Mrs O'Neill:** It is the responsibility of each sector led Sub-group to develop action plans and timelines. Although each of these Sub-groups has met on several occasions, they have yet to finalise their action plans and timelines. The Sub-groups have been reminded to submit their action plans at the earliest opportunity.

### **Central Investigation Service**

**Mr Allister** asked the Minister of Agriculture and Rural Development, pursuant to AQW 12664/11-15, to clarify whether the figures given in respect of each year contain any element of carry-over of cases from one year to the next; and, if so, whether figures can be provided which exclude any such duplication.

**(AQW 13345/11-15)**

**Mrs O'Neill:** I can confirm that the figures given in response to AQW 12664/11-15 do not contain any element of carry-over of cases from one year to the next. The figures given relate to new cases referred to the CIS for investigation during a financial year.

## **Department of Culture, Arts and Leisure**

### **Photographic Exhibition of the 9/11 Terrorist Attacks in New York: Opening**

**Mr Allister** asked the Minister of Culture, Arts and Leisure, following her opening of a photographic exhibition of the 9/11 terrorist attacks in New York, what plans she has to encourage and promote such exhibitions to depict the aftermath of IRA terrorist attacks.

**(AQW 11373/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I will, as with this exhibition, consider any invitations to open or launch an event. I have no plans to encourage and promote photographic exhibitions as described by the Member.

### **Culture Company 2013 Limited**

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure to outline the role of the Culture Company 2013 Limited after 31 December 2013.

**(AQW 13055/11-15)**

**Ms Ní Chuilín:** The Culture Company is expected to wind up in June 2014.

A core complement of staff will remain after December 2013 to ensure an appropriate handover period for legacy actions and to undertake post project evaluation as well as the finalisation of funding claims, the annual reporting for 2013/14 and the administration around the dissolution of the company.

## Culture Company 2013 Limited

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure to detail the projected budget of the Culture Company 2013 Limited in each of the next three financial years.

**(AQW 13056/11-15)**

**Ms Ní Chuilín:** The Culture Company aim to attract sponsorship, receipts and allocations from funders totalling £23.3m to deliver the Cultural Programme of events. DCAL have committed to provide £12.6m in 2012/ 13 and 2013/ 14. Derry City Council funding for the City of Culture Project will be up to £4.1m, including the Clipper Festival which it is directly managing, and the Council has approved a contingency for unforeseen costs subject to approval in advance to utilise this contingency. Derry City Council has funded all running costs to date and has committed to funding the full running costs of the Company.

The Company's projected budget for the next three years is as follows:

|              | Operational      | Programming       | Marketing        |
|--------------|------------------|-------------------|------------------|
| 2012/13      | 980,000          | 7,605,000         | 1,400,000        |
| 2013/14      | 971,000          | 10,845,000        | 1,400,000        |
| 2014/15      | 257,000          | -                 | -                |
| <b>Total</b> | <b>2,208,000</b> | <b>18,450,000</b> | <b>2,800,000</b> |

## Culture Company 2013 Limited

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure to detail the projected staff complement within the Culture Company 2013 Limited for each of the next three years.

**(AQW 13057/11-15)**

**Ms Ní Chuilín:** The current core staff complement of the Culture Company is 18 people including the CEO and administrative, operational, finance, marketing and communication and programming staff. There are also 2 people on secondment into the organisation. There are no plans for the core complement to change during the next 3 years, however, Derry City Council will consider resource needs as the project progresses.

Derry City Council, as owner of the Culture Company and licensee of Derry~Londonderry City of Culture 2013 are responsible for funding the core staff complement of the Culture Company. Derry City Council have deployed a member of the Council's internal audit team to work with the Company on a part time basis. Any requirements for additional core staff will be met by Derry City Council.

In addition to the Culture Company's core complement, a number of personnel will be contracted to undertake events management, project management, production and technical roles in the run up to and during 2013. Costs associated with these roles will be met within the Cultural Programme budget to which DCAL has committed £12.6m in 2012/ 13 and 2013/ 14.

## Northern Ireland Events Company

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure what lessons have been learned from the demise of the Northern Ireland Events Company.

**(AQW 13131/11-15)**

**Ms Ní Chuilín:** Following the demise of the Northern Ireland Events Company in 2007 independent professional financial advisers KPMG were engaged to carry out a comprehensive and authoritative review of the financial affairs of the company, to advise on meeting the existing liabilities of the NIEC and the most appropriate method of winding-up the Company in an orderly manner; and to carry out a comprehensive review of all the circumstances surrounding the deficit accumulated by the NIEC. Furthermore, the Department commissioned the Chartered Institute of Public Finance and Accountancy, a professional accountancy body which specialises in the public sector to conduct an external review of the monitoring arrangements between the Department and the other arm's length bodies for which the Department is responsible. As a result of this review, a number of recommendations were made relating to identifiable areas of improvement required to address areas of weakness in DCAL's sponsorship of its Arms Length Bodies. The Department has taken extensive actions in recent years to strengthen its systems of internal control by identifying and incorporating lessons learned. Annex A provides a table of the recommendations and actions taken by the Department.

### Annex A

| Recommendations                       | Improvements/Actions   |
|---------------------------------------|--|
| Review Sponsor Organisation Structure | Establishment of Governance Support Unit (GSU) within DCAL who provide a central pool of expertise on the issues of finance, governance and accountability to ALBs and sponsor branches; centralisation of ALB drawdown process; development of sponsorship manual and training for sponsor staff; regular accountability meetings held with attendance at the appropriate senior level by the Department and ALB. |

| Recommendations                                       | Improvements/Actions  |
|---|---|
| Ensuring sound Corporate Governance in sponsored ALBs | Board skills considered in the public appointments process and skills audit completed; attendance at ALB Board and ALB Audit Committee by appropriate Department senior sponsor level; risk assessments completed on ALBs to inform the sponsorship arrangements; completion of quarterly assurance statements by ALBs. |
| Financial Planning                                    | Review and update of the Corporate plan and business planning procedures  |
| Financial Control and monitoring                      | Accountability meetings held and attended at appropriate senior level within ALB and Department; centralisation of ALB drawdowns managed by GSU; monthly monitoring of ALB expenditure by sponsor branch and finance and reported to Departmental Board   |
| Audit and Accounts                                    | Tracking system of ALB Internal and External Audit recommendations  |

### Northern Ireland Events Company

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure whether her Department has changed its procedures in relation to its arm's-length bodies, as a result of the lessons learned from the demise of the Northern Ireland Events Company.

**(AQW 13132/11-15)**

**Ms Ní Chuilín:** Following the demise of the Northern Ireland Events Company in 2007 independent professional financial advisers KPMG were engaged to carry out a comprehensive and authoritative review of the financial affairs of the company, to advise on meeting the existing liabilities of the NIEC and the most appropriate method of winding-up the Company in an orderly manner; and to carry out a comprehensive review of all the circumstances surrounding the deficit accumulated by the NIEC. Furthermore, the Department commissioned the Chartered Institute of Public Finance and Accountancy, a professional accountancy body which specialises in the public sector to conduct an external review of the monitoring arrangements between the Department and the other arm's length bodies for which the Department is responsible. As a result of this review, a number of recommendations were made relating to identifiable areas of improvement required to address areas of weakness in DCAL's sponsorship of its Arms Length Bodies (ALB). The Department has taken extensive actions in recent years to strengthen its systems of internal control by identifying and incorporating lessons learned from its experiences with the Northern Ireland Events Company. A Governance Support Unit (GSU) was established to increase the level of consistency with which the Department carries out its sponsorship activities in areas which are generic in nature and which requires a level of expertise in the fields of finance, governance and accountability. GSU provide advice and guidance to Sponsor branches who retain primary responsibilities for ALB oversight and are responsible for the ALB drawdown payments process which was centralised following the review. The Dept has also formalised regular accountability meetings with ALBs, attends audit committees and board meetings, and has introduced quarterly assurance statements. The Sponsorship responsibilities have been documented in a Sponsorship Manual which ensures rules and responsibilities are clearly documented and understood. The Dept also introduced a Risk Assessment of its ALBs, which informs the sponsorship arrangements.

### Northern Ireland Events Company: Investigation into

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure for a breakdown of the costs of reviewing, reporting on and investigating the Northern Ireland Events Company.

**(AQW 13133/11-15)**

**Ms Ní Chuilín:** The costs to my Department of reviewing, reporting on and investigating the Northern Ireland Events Company to date are as follows:

- £123,000.00 -Audit of the financial affairs of the Company and comprehensive review of all the circumstances surrounding the deficit accumulated by it.
- £37,029.20 - Interim support to the management of the NIEC and review of existing contracts and commitments.
- £6,055.00 – Review of financial transactions.

The ongoing Company Inspection is a matter for DETI. DETI have advised that it is not possible to provide a breakdown of the costs incurred by it for the Company Inspection to date as they fall under the Commercial in Confidence category and are therefore exempt under Section 43 of the Freedom of Information Act.

### Arts Organisations and Practitioners: Cross-departmental Access for

**Ms Lo** asked the Minister of Culture, Arts and Leisure to what extent she encourages cross-departmental access for arts organisations and practitioners, given the proven impact that the arts can have on areas such as literacy, mental health and skills development.

**(AQW 13214/11-15)**

**Ms Ní Chuilín:** The arts and cultural sector can indeed stimulate new ways of tackling social and economic problems and find innovative solutions to challenges in the economy, education, health, social inclusion and the environment. My Department contributes to cross-cutting government priorities such as sustainability, suicide prevention, commemorations and tourism and

advocates creative thinking and engagement by government and other stakeholders with the strengths, insights and social impact of the arts.

In particular, I am keen to see my Department's Arm Lengths Bodies make social interventions which:

- Promote equality;
- Tackle deprivation;
- Build communities;
- Provide youth services;
- Promote positive physical and mental health, in particular by delivering suicide prevention initiatives.

I recently met with the DARD Minister to discuss how the Departments can work together to promote suicide awareness and I am encouraging all parts of my Department including the Arms Length Bodies to become involved.

Another of my priorities is to promote the health benefits of the arts. For example the Arts Council funded ArtsCare Clown Doctors brighten up children's stays in hospital and Kids in Control is an arts programme for those with mental health care needs, including young people, referred by social services.

### Library Bonuses

**Mr Durkan** asked the Minister of Culture, Arts and Leisure when the approved library bonuses will be paid to staff.  
(AQW 13356/11-15)

**Ms Ní Chuilín:** Libraries NI has informed me that there are no approved bonuses for library staff. Staff within Libraries NI are paid in accordance with agreements reached nationally through negotiation at the National Joint Council (NJC) for Local Government Services. NJC has not agreed any pay rises in the 2010/11 and 2011/12 financial years due to the two year pay freeze which the Executive introduced to maintain parity with the Westminster Government.

You will be aware that, as part of the pay settlement, staff who earn less than £21,000 per annum are entitled to a one-off payment of £250 (pro-rata and non-consolidated).

Libraries NI has submitted its 2011/12 pay remit to the Department which includes this payment. Discussions between DCAL and Libraries NI are ongoing and are expected to conclude shortly.

### Craigavon House: Preservation of

**Mr Allister** asked the Minister of Culture, Arts and Leisure how much funding his Department has provided for the preservation of Craigavon House since 1998.  
(AQW 13402/11-15)

**Ms Ní Chuilín:** Responsibility for the preservation of Craigavon House rests with the Somme Association, who owns the property. My Department has not provided any funding.

### Downpatrick: Quoile Pondage

**Mr Hazzard** asked the Minister of Culture, Arts and Leisure to outline any measures her Department is taking to (i) assess how seals are accessing the Quoile Pondage, in Downpatrick above the tidal barrage, and (ii) modify the tidal barrage in light of the falling numbers of pike and rudd upriver.  
(AQW 13447/11-15)

**Ms Ní Chuilín:**

- (i) Seals are protected species under the Wildlife Order and the Quoile area is a designated Nature Reserve managed by the Northern Ireland Environment Agency (NIEA). The NIEA are currently undertaking an investigation to assess how seals are accessing the Quoile Pondage.
- (ii) DCAL officials have requested the Rivers Agency, as owner of the Quoile Barrier, to undertake a survey of the barrage and if necessary carry out remedial work.

### 2012 Olympics: Legacy Projects

**Mr Clarke** asked the Minister of Culture, Arts and Leisure whether her Department will support any Olympic Games legacy projects in South Antrim.  
(AQO 2314/11-15)

**Ms Ní Chuilín:** My Department is actively supporting Olympic legacy projects in South Antrim, and across the North, in a number of ways.

This includes provision of its Inspire programme which is an initiative that formally recognises exceptional non-commercial projects which have been genuinely inspired by the 2012 Olympic and Paralympic Games. A number of these legacy projects are working right across the North, including in South Antrim. DCAL funds two such projects; Disability Sport NI's 5 Star Disability Sports Challenge and Sport NI's Active8 initiative.



The visit of the Olympic Flame to the constituency on 7 June brought the whole community together in celebration and will inspire local people to get involved in Community events in the future. The area should also enjoy benefits from the 8 pre-games training camps, secured by my Department, to be based at the Antrim Forum.

In addition, my Department supports the 'Get Set' programme which is the official 2012 Games educational programme. Twenty Five schools from South Antrim are participating in the programme which supports local children in the enhancement of their learning and development.

All of these projects, events and initiatives are creating a local legacy through increasing participation in sporting and cultural activities; improving access in sports and the arts for people with disabilities; encouraging healthy lifestyles; facilitating skills development; promoting volunteering and creating good relations and community cohesion.

### 3G Pitches

**Mr Easton** asked the Minister of Culture, Arts and Leisure what funding opportunities are available for working class communities to develop 3G pitches in their local areas.

**(AQO 2318/11-15)**

**Ms Ní Chuilín:** District Councils are responsible for the provision of local leisure and recreational facilities, including pitches, within their own area. Belfast City Council, for example, has developed a playing pitches strategy which will help the Council to make informed planning decisions and to decide how it will target financial support and investment in facilities. Local communities seeking funding to develop a 3G pitch may therefore wish to contact their local Council to discuss funding opportunities, or visit the grant-tracker website.

In addition Sport NI which is responsible for the distribution of funding for sport in the north of Ireland, has awarded £16,795,911 towards the development of thirty seven 3G pitches in the last five financial years. Nine of these pitches are based within the top 25% of the most deprived wards in the north, using details from the NI Multiple Deprivation Measure 2010. Sport NI currently has no capital funding programmes currently open to which new applications to upgrade sports pitches can be made. It is, however, currently working through a call off list of applications to its Sport Matters: Community Capital Programme, a number of which are for the development of 3G pitches. Further awards will be made from this programme once indicative budgets for future years have been confirmed.

### DCAL Waters: Eutrophication

**Mr Lynch** asked the Minister of Culture, Arts and Leisure for an update on the closure of departmental waters due to eutrophication or other problems such as weed growth.

**(AQO 2322/11-15)**

**Ms Ní Chuilín:** In recent weeks two DCAL Public Angling Estate waters, Loughbrickland Lake in County Down and Moor Lough in County Tyrone, have been closed to anglers as a result of toxic blue green algal blooms. No waters have been closed this year as a result of excessive weed growth.

Algae are naturally occurring and under certain conditions particular species may produce toxins. Eutrophic lakes are especially vulnerable to algal growth as they contain very high levels of nutrients. This in combination with the other factors, such as very warm, still weather, causes a huge surge in algae growth known as a "bloom".

The presence of toxic blue green algae was detected by analysis of routine water samples by the NI Environment Agency. NIEA then alerted local Environmental Health Officers to the situation.

In light of any potential risk to public health, the Department closed the waters to anglers and as the toxins may accumulate in fish, and advised that fish from the affected waters should not be consumed until further notice.

The Department sought further guidance on how long the toxins may remain in fish and this indicates that the toxins dissipate within a short period of the decline of the algal bloom.

As weather conditions have since changed, the algal blooms have declined and the two waters concerned have been re-opened to anglers.

My officials are continuing to work with colleagues in NIEA and Environmental Health to formalise protocols for this type of incident.

### DCAL: Sports Policy

**Mr McNarry** asked the Minister of Culture, Arts and Leisure to outline her policy commitments to sports other than soccer, rugby and gaelic football.

**(AQO 2323/11-15)**

**Ms Ní Chuilín:** My policy commitments to all sports are set out in my Department's 10-year strategy for sport and physical recreation, Sport Matters. Through Sport Matters, DCAL is seeking to improve participation, performance and places for sport as a whole in the north of Ireland in order to realise the strategy's 10 year vision of '...a culture of lifelong enjoyment and success in sport...'. Under Sport Matters, Government is committed to promote sport in general, not just soccer, rugby and Gaelic football, and to support the governing bodies of all recognised sports. This is what I am seeking to do as part of the implementation of Sport Matters.

## Ministerial Appointments

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in relation to ministerial appointments, what the respective success rates have been for Protestant and Catholic applicants since May 2011.

**(AQO 2324/11-15)**

**Ms Ní Chuilín:** The table below sets out information on the appointments, including reappointments for a second term, I have made since May 2011.

|                 | Community Background<br>Catholic | Community Background<br>Protestant | Community Background<br>Neither/Not Known |
|-----------------|----------------------------------|------------------------------------|---|
| Applicants      | 71                               | 70                                 | 18  |
| 1st Appointment | 14                               | 6                                  | 8   |
| Reappointment   | 9                                | 12                                 | 2   |

## Sport NI: Review

**Mr Weir** asked the Minister of Culture, Arts and Leisure for her assessment of the findings of stage one of her Department's review of Sport NI.

**(AQO 2325/11-15)**

**Ms Ní Chuilín:** The review of Sport NI has identified opportunities for further improvement to the governance and accountability arrangements.

I welcome the commitment by Sport NI and my Department to continuous improvement of our processes and work in on-going between DCAL & Sport NI.

## Upper Bann: Sport

**Mr Moutray** asked the Minister of Culture, Arts and Leisure what was the total spend from her Department and its arms-length bodies in the last financial year on soccer, rugby, cricket and gaelic sports within the Upper Bann constituency.

**(AQO 2326/11-15)**

**Ms Ní Chuilín:** Sport NI is responsible for the distribution of funding for sport in the north. In 2011/12, Sport NI provided a total of £6,982 exchequer funding through its Awards for Sport Programme to Annagh United FC. This was the only award to soccer, rugby, cricket and Gaelic sports clubs within the Upper Bann constituency in the last financial year.

Sport NI is however currently considering 11 applications from clubs in the Upper Bann constituency to its Community Capital Programme which will be considered as and when funding becomes available.

Furthermore, Sport NI awarded Craigavon Borough Council £1,308,182 of Lottery funding through the Active Communities Programme over the period 2009 – 2014 to encourage greater participation in sport in the Upper Bann area including soccer, rugby, cricket and gaelic sports.

## Department of Education

### Education Facilities: Republic of Ireland Residents

**Mr Allister** asked the Minister of Education how his statement during Question Time on 11 June 2012 that all costs are covered in respect of cross-border provision of education can be reconciled with his response to AQW 11281/11-15, which states that, no funding is provided or sought from the respective Education Departments.

**(AQW 12847/11-15)**

**Mr O'Dowd (The Minister of Education):** There is an understanding with the Department in the South where we meet the costs of educating children from the South attending schools in the North, and they meet the costs of educating children from the North attending schools in the South.

### Redburn Primary School, Holywood

**Mr Weir** asked the Minister of Education what plans his Department has for the site of Redburn Primary School, Holywood.

**(AQW 12926/11-15)**

**Mr O'Dowd:** At the time that the original multi-schools project for Holywood was announced in 2006 it was envisaged that Priory Integrated College would relocate to a new build on the Redburn site. However, the enrolment figure for Priory College is currently

below the sustainable schools thresholds both in terms of 11-16 and post 16. Given the need to consider the size of the school within the wider area context this project cannot proceed at this time.

In the interim, the South Eastern Education and Library Board has applied to the Department for additional funding for the demolition of Redburn School.

### **Bunscoil Bheann Mhadagain, North Belfast: Land for Newbuild**

**Mr Rogers** asked the Minister of Education what progress has been made in acquiring land for the new build for Bunscoil Bheann Mhadagain, North Belfast.

**(AQW 12928/11-15)**

**Mr O'Dowd:** In May 2011 a Development Proposal for the establishment of a 26 place statutory nursery unit for Bunscoil Bheann Mhadagain, opening in September 2012, was approved. As a result, the Department has been working with the school and the Belfast City Council on securing and developing a site at the former Cliftonville Cricket Grounds, which is owned by the Belfast City Council. As part of this work, land alongside the nursery unit has been identified for a future new build for Bunscoil Bheann Mhadagain.

In my statement to the Assembly on 25 June which outlined my plans for capital investment in the schools' estate I was pleased to announce that the process for building a new school Bunscoil Bheann Mhadagain will be advanced. Funding of £2.5m is available to this project.

### **Area-based Planning Process**

**Mr Flanagan** asked the Minister of Education, pursuant to AQW 12546/11-15, when the Education and Library Boards will commence and complete the work.

**(AQW 12964/11-15)**

**Mr O'Dowd:** The Boards Area Plans went out to public consultation on 5 July 2012. I would encourage local communities to respond to that consultation. Where respondents feel that Boards either have or have not proposed cross border solutions then respondents should set that out in their response.

At the end of the public consultation process I will have to ratify the final plans from the Boards. At that stage I will determine compliance with the Terms of Reference.

### **Area-based Planning Process**

**Mr Flanagan** asked the Minister of Education, pursuant to AQW 12546/11-15, whether the Education and Library Boards have worked within the terms of reference; and what steps he intends to take to ensure that they comply fully with them.

**(AQW 12965/11-15)**

**Mr O'Dowd:** The Boards Area Plans went out to public consultation on 5 July 2012. I would encourage local communities to respond to that consultation. Where respondents feel that Boards either have or have not proposed cross border solutions then respondents should set that out in their response.

At the end of the public consultation process I will have to ratify the final plans from the Boards. At that stage I will determine compliance with the Terms of Reference.

### **Investment Delivery Plan**

**Mr Storey** asked the Minister of Education, pursuant to AQW 12032/11-15, why Devenish College, Enniskillen, was not mentioned in his response.

**(AQW 12992/11-15)**

**Mr O'Dowd:** Devenish College was not mentioned in my previous response because the school was not assessed as fully compliant in the Review of Major Capital Projects completed in June 2010.

The scheme for Devenish College is now subsumed within the Western Education and Library Board's area planning proposals for the reorganisation of post-primary provision in Fermanagh and no longer a stand alone project.

### **Area-based Planning**

**Mrs Dobson** asked the Minister of Education what discussions he has had with staff at primary and post-primary schools in Banbridge in relation to area-based planning.

**(AQW 13036/11-15)**

**Mr O'Dowd:** To date I have not officially met any staff or representatives from primary or post-primary schools in Banbridge to discuss area-based planning.

The Southern Education and Library Board, in conjunction with the Council for Catholic Maintained Schools and other sectors, has responsibility for developing the area plan for the Banbridge District Council area.

It is anticipated that area plans will be published for public consultation in early July 2012. This will afford all schools and the general public the opportunity to see the plans and provide their views on them to the relevant Education and Library Board.

### Teachers: Suspended or Dismissed

**Mr Dallat** asked the Minister of Education how many teachers were (i) suspended; and (ii) dismissed in each of the last five years. (AQW 13120/11-15)

**Mr O'Dowd:** The table below shows the number of teachers suspended in each of the last 5 years. Unfortunately information regarding the number of teachers dismissed cannot be provided as the small number involved could risk possible identification.

| Financial Year               | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|------------------------------|---------|---------|---------|---------|---------|
| Number of Teachers suspended | 17      | 29      | 42      | 47      | 38      |

### Ministerial Appointments

**Mr Campbell** asked the Minister of Education to detail the number and percentage of people (i) considered for inclusion; and (ii) successful, in all ministerial appointments since 2007, broken down by perceived community background. (AQW 13175/11-15)

**Mr O'Dowd:** Since May 2007, excluding Board of Governor appointments, 149 people have been considered for ministerial appointments and 109 appointments have been made.

The number and percentage of applications considered is detailed in the following table:

| Protestant | Roman Catholic | Other | Not Known |
|------------|----------------|-------|-----------|
| 75         | 69             | 2     | 3         |
| 50.3%      | 46.3%          | 1.3%  | 2%        |

(figures do not total to 100 due to rounding)

The number and percentage of applicants successful is detailed in the following table:

| Protestant | Roman Catholic | Other | Not Known |
|------------|----------------|-------|-----------|
| 53         | 53             | 2     | 1         |
| 48.6%      | 48.6%          | 1.8%  | 1%        |

These figures do not include the 135 Board of Governor appointments which included 65 successful Protestant applicants and 53 successful Catholic applicants. There were 8 successful applicants where the community background was 'other community background' and 9 where the community background was 'not known'.

The Department does not hold community background of new applicants for Board of Governor posts. This information is requested on behalf of the Office of the First Minister and deputy First Minister, for monitoring purposes, only after the successful applicants have been selected.

### Area-based Plans for Primary and Post-primary Schools: Consultation

**Mr Lyttle** asked the Minister of Education how the process of consultation on the area-based plans for primary and post-primary schools will be conducted; and how the process will abide by good practice guidelines on consultation, in particular in relation to Section 75 of the Northern Ireland Act 1998. (AQW 13178/11-15)

**Mr O'Dowd:** The public consultation on the area based plans will be taken forward by the five Education and Library Boards. Area plans for the post-primary sector will be published by each Board on 5 July 2012 with the consultation period lasting until 26 October 2012 – a period of 16 weeks.

This consultation will be taken forward in two phases. Phase one will allow interested parties the opportunity to read and reflect on the proposals. Phase two will be the availability of an online response facility which will run from the end of August 2012 until the closing date on 26 October 2012.

This proposed consultation process will comply with the Equality Commission good practice guidelines for public authorities in that the Boards will be consulting with those directly affected. The consultation process will also exceed the recommended minimum consultation period of 12 weeks.

The Area Planning process does not require a separate Section 75 screening as it is the delivery of Departmental policies that have already been subject to separate individual screening exercises.

The Area Planning Co-Ordination Group met on 8 June and again on 25 June 2012 and discussed the consultation process in the course of these meetings. This group is chaired by a senior Departmental official and includes the Chief Executives of each of the Boards and CCMS together with senior officers responsible for planning.

In addition, the Area Planning Working Group (a sub-group of the Area Planning Co-ordination Group), which is made up of officials from the Department, each of Education and Library Boards and CCMS, who are directly involved in the area planning process, met on 13 June 2012 to discuss the issue of the proposed public consultation. A member from the Boards' Communications Team and the DE Communications Team were also in attendance at this meeting.

Area Plans for the primary sector have only recently been submitted to my Department for initial consideration. Consequently, the process and the timeframe for the public consultation of the primary area plans have not yet been agreed. It is anticipated, however, that the process will be similar to that outlined for the post primary sector.

### **Area-based Plans: Public Consultations**

**Mr Lyttle** asked the Minister of Education to detail (i) who will be responsible for conducting the public consultations on the area-based plans; and (ii) when the consultations will commence and be completed.

**(AQW 13179/11-15)**

**Mr O'Dowd:** The public consultation on the area based plans will be taken forward by the five Education and Library Boards. Area plans for the post-primary sector will be published by each Board on 5 July 2012 with the consultation period lasting until 26 October 2012 – a period of 16 weeks.

This consultation will be taken forward in two phases. Phase one will allow interested parties the opportunity to read and reflect on the proposals. Phase two will be the availability of an online response facility which will run from the end of August 2012 until the closing date on 26 October 2012.

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### **Area-based Plans: Public Consultations**

**Mr Lyttle** asked the Minister of Education to detail (i) the number of meetings held by his Department with the Education and Library Boards, the Council for Catholic Maintained Schools, and other relevant stakeholders in relation to the forthcoming public consultation on the area-based plans; (ii) when the meetings were held; and (iii) who attended the meetings.

**(AQW 13180/11-15)**

**Mr O'Dowd:** The public consultation on the area based plans will be taken forward by the five Education and Library Boards. Area plans for the post-primary sector will be published by each Board on 5 July 2012 with the consultation period lasting until 26 October 2012 – a period of 16 weeks.

This consultation will be taken forward in two phases. Phase one will allow interested parties the opportunity to read and reflect on the proposals. Phase two will be the availability of an online response facility which will run from the end of August 2012 until the closing date on 26 October 2012.

This proposed consultation process will comply with the Equality Commission good practice guidelines for public authorities in that the Boards will be consulting with those directly affected. The consultation process will also exceed the recommended minimum consultation period of 12 weeks.

The Area Planning process does not require a separate Section 75 screening as it is the delivery of Departmental policies that have already been subject to separate individual screening exercises.

The Area Planning Co-Ordination Group met on 8 June and again on 25 June 2012 and discussed the consultation process in the course of these meetings. This group is chaired by a senior Departmental official and includes the Chief Executives of each of the Boards and CCMS together with senior officers responsible for planning.

In addition, the Area Planning Working Group (a sub-group of the Area Planning Co-ordination Group), which is made up of officials from the Department, each of Education and Library Boards and CCMS, who are directly involved in the area planning process, met on 13 June 2012 to discuss the issue of the proposed public consultation. A member from the Boards' Communications Team and the DE Communications Team were also in attendance at this meeting.

Area Plans for the primary sector have only recently been submitted to my Department for initial consideration. Consequently, the process and the timeframe for the public consultation of the primary area plans have not yet been agreed. It is anticipated, however, that the process will be similar to that outlined for the post primary sector.

### Scottish Government: Website

**Mr Lyttle** asked the Minister of Education for his assessment of the Scottish Government's (i) Career Management Skills Framework; and (ii) My World of Work website.

**(AQW 13191/11-15)**

**Mr O'Dowd:** I am pleased to note the clear correlation between the Scottish Government's Careers strategy and the joint DE DEL "Preparing for Success" careers strategy. I also note the broad consensus between the Scottish Government's Career Management Skills Framework and my Department's "Guide to Developing Effective Career Decision Makers" which is aimed at improving the quality of career learning opportunities in order to better prepare learners for the opportunities, responsibilities and experiences of adult and working life.

Both approaches recognise the importance of developing effective career decision makers leading to increased and appropriate participation in education, training and employment.

I understand the Scottish Government has identified the need for a wider blend of services offered including on-line telephone, face to face and partnership working and this has resulted in interactive web based services such as "My World of Work" which is designed to exploit the use of new technologies.

### Unfilled Nursery Places 2012/13

**Mr Weir** asked the Minister of Education to detail the number of unfilled nursery places for the 2012/13 academic year, following the initial allocation of nursery placements, broken down by constituency.

**(AQW 13195/11-15)**

**Mr O'Dowd:** The information requested is contained in the table below. It provides the number of unfilled places across all pre-school sectors as at the close of the formal pre-school admissions process on 1 June 2012. Please note that these figures are not final and may be subject to change.

| Constituency               | Number of unfilled pre-school places at 1 June 2012 |
|----------------------------|---|
| Belfast East               | 9   |
| Belfast North              | 33  |
| Belfast South              | 48  |
| Belfast West               | 20  |
| East Antrim                | 52  |
| East Derry                 | 44  |
| Fermanagh and South Tyrone | 29  |
| Foyle                      | 4   |
| Lagan Valley               | 43  |
| Mid Ulster                 | 31  |
| Newry and Armagh           | 58  |
| North Antrim               | 58  |
| North Down                 | 8   |
| South Antrim               | 17  |
| South Down                 | 43  |
| Strangford                 | 24  |



| Constituency | Number of unfilled pre-school places at 1 June 2012 |
|--------------|---|
| Upper Bann   | 20  |
| West Tyrone  | 23  |
| <b>Total</b> | <b>564</b>  |

### Education and Library Boards: Refused Requests for Land for Capital Projects

**Mr Storey** asked the Minister of Education to detail the requests made by Education and Library Boards to procure land for capital builds which were refused in each of the last three years.

**(AQW 13222/11-15)**

**Mr O'Dowd:** I have been advised by the Belfast, Western, Southern and South Eastern Education and Library Boards that each of them has not had any purchase of sites for capital builds refused in the last three years.

The North Eastern Education and Library Board had one request to purchase additional land at Camphill Primary School turned down by my Department as the existing site was already above the recommended area.

### Cross-border Models of Education: Potential

**Mr Flanagan** asked the Minister of Education, excluding the survey which is being undertaken by both Education Departments on the island of Ireland, what work the Western Education and Library Board and the Council for Catholic Maintained Schools have carried out to explore the potential for cross-border models of education when considering the future of St Mary's High School, Brollagh, as part of the area planning process.

**(AQW 13237/11-15)**

**Mr O'Dowd:** The WELB and CCMS have advised that they are considering all models of provision within the WELB Strategic Area Plan. The WELB Working Group is currently discussing border provision but has yet to investigate the advantages and desire for such a model.

CCMS have advised that in respect of the future provision in St Mary's Brollagh, CCMS is proposing to consider the potential of a cross-border solution to meet the needs of the pupils residing in the area of the school

### Employment Rights of Staff: School Mergers

**Mr Flanagan** asked the Minister of Education what steps his Department is taking to ensure that when two schools merge the employment rights of the staff in the smaller school are protected and that they are treated fairly.

**(AQW 13240/11-15)**

**Mr O'Dowd:** A proposal to amalgamate two or more schools originates with the relevant managing authorities and requires the publication of a supporting Development Proposal. This is a statutory process which facilitates extensive consultation both with those directly affected by the proposal and with the wider community.

The Collective Agreement was agreed by both the teacher unions and employers at the Teacher Negotiating Committee. A Collective Agreement is drawn up by the Boards of Governors of the schools to be amalgamated. The Collective Agreement seeks to ensure fair and equal treatment of all teachers transferring in the event of an amalgamation. It provides for all permanent teachers in the merging schools to be offered employment in the new school, provided they sign a declaration accepting the conditions of the Agreement.

A teacher may either accept the terms of the Agreement and take up a post at the new school or opt for voluntary redundancy, with compensation terms at the discretion of the employing authority (up to 90 weeks' salary for redundancies at 31 August 2012). There is no compulsory redundancy for those permanent teachers who transfer to the new school in the two years immediately following the date of the amalgamation.

Teachers who held posts of responsibility in the merging schools must apply for posts of responsibility in the new school which are at least equivalent to the level of the responsibility they held. If they suffer a reduction in salary as a result of the amalgamation, they are eligible to apply to the Department for a re-organisation allowance.

### St Aidan's High School, Derrylin

**Mr Flanagan** asked the Minister of Education, excluding the survey which is being undertaken by both Education Departments on the island of Ireland, what work the Western Education and Library Board and the Council for Catholic Maintained Schools have carried out to explore the potential for cross-border models of education when considering the future of St Aidan's High School, Derrylin, as part of the area planning process.

**(AQW 13243/11-15)**

**Mr O'Dowd:** The WELB and CCMS have advised that they are considering all models of provision within the WELB Strategic Area Plan. The WELB Working Group is currently discussing border provision but has yet to investigate the advantages and desire for such a model.

### Statement of Special Educational Needs

**Ms Lo** asked the Minister of Education how many Boards of Governors have refused a child's admission after the school has been named on the child's Statement of Special Educational Needs in each of the last three years.

**(AQW 13244/11-15)**

**Mr O'Dowd:** The Education and Library Boards have advised that no pupil has failed to gain admission to a school after that school has been named in the child's statement of special educational needs in the academic years 2008/09, 2009/10 and 2010/11.

### Statement of Special Educational Needs: Delay in Placing Children

**Ms Lo** asked the Minister of Education what action his Department can take to compel a school, which may be perceived as causing an undue delay in placing children with a Statement of Special Educational Needs, to proceed with the placement process.

**(AQW 13245/11-15)**

**Mr O'Dowd:** The Department of Education (DE) can inform the school in question that, under Article 16 (5) (b) of the Education (NI) Order 1996, where a school is named in a statement of special educational needs for a child or young person then the Board of Governors of the school must admit that child or young person.

Should the Board of Governors continue to refuse to admit the child or young person then DE can consider issuing a direction under Article 101(4) of the Education and Libraries (NI) Order 1986.

### Statements of Special Educational Needs: Children with

**Ms Lo** asked the Minister of Education what measures his Department has in place to ensure that schools and Boards of Governors are aware of their statutory duties in relation to children with Statements of Special Educational Needs.

**(AQW 13246/11-15)**

**Mr O'Dowd:** My Department has an online Board of Governor guide outlining their role and responsibilities in relation to pupils with special educational needs (SEN).

Education & Library Boards also offer training on an annual basis for principals and school governors regarding their statutory duties in relation to children with SEN including those with a statement of SEN.

The quality of the provision for pupils with SEN is evaluated and reported on by the Education and Training Inspectorate (ETI) on all school inspections, informed by the observation of the out-working of the requirements of statements in lessons.

ETI has produced the Together Towards Improvement (SEN) document which supports schools in the process of self evaluation.

### Selection Criterion: Distance from School

**Mr Swann** asked the Minister of Education to detail the number of schools which, when using the distance from the school as a criterion for selection when the school is oversubscribed, use (i) distance door to door; (ii) distance from gate to gate; (iii) straight line distance; (iv) google maps; (v) GPS; or (vi) other measurements.

**(AQW 13247/11-15)**

**Mr O'Dowd:** The Department does not hold this information as the drawing up and operation of a school's admissions criteria are entirely the responsibility of individual schools and their Boards of Governors.

### Pupil's Relative Distance from a School: Comparison System

**Mr Swann** asked the Minister of Education which system for comparing a pupil's relative distance from a school his Department considers (i) the most accurate; and (ii) the most appropriate.

**(AQW 13248/11-15)**

**Mr O'Dowd:** The drawing up and operation of a school's admissions criteria are entirely the responsibility of individual schools and their Boards of Governors. Accordingly, the Department does not provide advice to schools in relation to how distance should be measured when used as an admission criterion.

### Newly Qualified Teachers: Cost-effective Employment Scheme

**Mr Storey** asked the Minister of Education to outline the timescale for the introduction of a cost effective employment scheme for newly qualified teachers.

**(AQW 13295/11-15)**

**Mr O'Dowd:** My Department is finalising a draft strategy for Teacher Education which will include a proposal for the development of a cost effective employment scheme for newly qualified teachers (NQTs).

The draft strategy will also include an Implementation Plan/Timeframe for the various actions within the strategy. When the draft is finalised, the Minister for Employment and Learning and I will consider its content prior to submitting it to the Education and the Employment and Learning Committees for comment.

Whilst it is not yet possible to provide you with a timescale for the introduction of a cost effective employment scheme for NQTs, I can assure you that once the strategy is published, my Department will commence work on the key priorities within it in accordance with the agreed Implementation Plan.

I am of course mindful of the plight of NQTs in terms of employment opportunities, and I would therefore envisage that the development of such a scheme would be given a high priority in terms of the timescale for its development and implementation.

### **Maintenance of School Buildings: Funding**

**Mr Storey** asked the Minister of Education to detail the criteria used to allocate the recently announced £27 million funding for the maintenance of school buildings.

**(AQW 13297/11-15)**

**Mr O'Dowd:** The methodology used to apportion the £27million funding for the maintenance of school buildings was based on a weighted combination of the most recent data available for the following criteria:

- Floor areas (m2) for each Education and Library Board at December 2011.
- Maintenance backlog for each Education and Library Board at April 2012.

The weighting applied to each criterion was 50%.

### **Special Educational Needs and Inclusion: Review**

**Mr Storey** asked the Minister of Education to detail (i) what advice he has received from the Northern Ireland Commissioner for Children and Young People in relation to the Review of Special Educational Needs and Inclusion; and (ii) what account he has taken of the advice in the drafting of any policy memorandum.

**(AQW 13299/11-15)**

**Mr O'Dowd:** I have received valuable advice and comment from the Commissioner for Children and Young People (NICCY) in relation to the Review. NICCY responded to the original consultation and have written to me about the policy proposals on two occasions since the publication of the Summary report in January 2012. The content of the advice can be accessed on their website.

I and my officials have met with the Commissioner and her representatives during the development of the special educational needs & inclusion policy proposals. I have given careful consideration to the advice received from NICCY and from other statutory and non statutory stakeholders and have made revisions to the policy proposals taking this advice into account. These changes will be reflected in the policy memorandum.

### **Teachers: Redundancy Packages**

**Mr Storey** asked the Minister of Education to detail his Department's policy on offering redundancy packages to teachers who (i) have 40 years' service; or (ii) are over 60 years of age.

**(AQW 13300/11-15)**

**Mr O'Dowd:** It is the responsibility of the Board of Governors, as the employer, to determine which teaching posts to declare redundant, following the application of open and transparent redundancy criteria, based on the particular needs of the school concerned.

Regarding the compensation to be paid, it is the Employing Authorities' current policy to apply a multiplier of 3 to the statutory redundancy payment, which falls under the exception for provision of enhanced redundancy payments to employees provided by the Employment Equality (Age) Regulations (NI) 2006. This Policy is applied to all teachers irrespective of whether or not they (i) have 40 years' service; or (ii) are over 60 years of age.

### **Early Years (0-6) Strategy**

**Mr Storey** asked the Minister of Education to outline the timescale for the publication of an Early Years (0-6) Strategy.

**(AQW 13316/11-15)**

**Mr O'Dowd:** I have asked officials to engage with a range of key stakeholders including the Early Years Stakeholder Advisory Group and relevant departments over the coming months, after which I will aim to finalise my proposals by November 2012.

### **Common Funding Scheme: Review**

**Mr Storey** asked the Minister of Education, pursuant to AQW 12791/11-15, when commissioning the independent review of the Common Funding Scheme, whether he abandoned the project management methodologies outlined in his letter to the Committee for Education of 22 December 2011.

**(AQW 13317/11-15)**

**Mr O'Dowd:** The Review is being carried out by the independent panel. The panel will determine the most appropriate project management methodology to take forward the Review, in line with the Terms of Reference.

### Castle Tower School, Ballymena: Newbuild

**Mr Storey** asked the Minister of Education, in light of his statement to the Assembly on 25 June 2012 in relation to capital spend, how the allocation of £21.8 million for a new build for Castle Tower School, Ballymena, will be of benefit to Braidside Integrated Primary and Nursery School, Ballymena.

**(AQW 13318/11-15)**

**Mr O'Dowd:** My statement to the Assembly on capital investment on 25 June made it clear that the proposals announced in no way imply that other school projects will not be considered at a later stage. However I need assurance that that any project approved for capital investment, including Braidside Integrated Primary and Nursery School, is consistent with the overall provision in an area.

The department's strategy for capital investment remains area planning. Initial area plans for the primary sector were due with the Department at the end of June, and following scrutiny these will be subject to public consultation. I recognise that this will take time and investment in the school estate needs to be maintained.

My announcement on 25 June indicated that a process has been established to identify a number of projects for which funding would be provided to planning, and it is my intention to make a further announcement around these in the Autumn. Braidside will be included in the examination of potential projects to be brought forward. New options for the school build, including opportunities arising from the development of a new school for Castle Tower Special School, will be a matter for the economic appraisal.

### Preschool Places: Applicants

**Mr Beggs** asked the Minister of Education to detail, by the council area in which they live (i) the number of applicants for pre-school places in the 2012/13 academic year who were (a) successful; and (b) unsuccessful in obtaining their first choice location; and (ii) of those who were unsuccessful, how many accepted an alternative pre-school place.

**(AQW 13332/11-15)**

**Mr O'Dowd:** Education and Library Boards do not capture applications to pre-school settings broken down into council areas and this information could only be obtained at a disproportionate cost.

Overall, 22,799 applications for places for children in their final pre-school year were received by the closing date and considered during stage 1 of the 2012/13 admissions process. Of these, 84.4% were placed in their first preference setting and 93.65% were offered a place by a setting listed as a preference.

Of the 1,429 unplaced applicants at the end of the first stage of the admissions process, 689 stated further pre-school preferences at stage 2. Of these, all but 24 had received a place when the formal process concluded on 1 June. Fewer than 20 of these children are yet to secure a place.

At stage 2 of the admissions process a further 335 late applications were considered. Of these, 304 had obtained a place by the end of the formal process.

I expect more children to obtain a suitable pre-school place over the coming weeks.

### Enrolment Figures

**Mr Clarke** asked the Minister of Education to detail the enrolment figures for each primary school in the North Eastern Education and Library Board area in each of the last five years.

**(AQW 13337/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.

#### Pupils at primary schools in the North Eastern Education and Library Board area 2007/08 - 2011/12

| Name                            | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---------------------------------|---------|---------|---------|---------|---------|
| Abbots Cross Primary School     | 287     | 291     | 292     | 292     | 283     |
| Acorn Integrated Primary School | 229     | 229     | 230     | 228     | 227     |
| Altayeskey Primary School       | 33      | 33      | 35      | 34      | 33      |
| Ampertaine Primary School       | 86      | 89      | 100     | 107     | 119     |
| Anahorish Primary School        | 191     | 177     | 178     | 171     | 168     |
| Antrim Primary School           | 598     | 600     | 595     | 589     | 596     |
| Armoy Primary School            | 50      | 53      | 51      | 47      | 55      |

| Name  | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---|---------|---------|---------|---------|---------|
| Ashgrove Primary School                         | 361     | 348     | 352     | 355     | 353     |
| Ballee Primary school                           | 73      | 61      | 40      | n.a.    | n.a.    |
| Ballycarry Primary School                       | 107     | 102     | 92      | 84      | 82      |
| Ballycastle Integrated Primary School           | 125     | 129     | 138     | 154     | 160     |
| Ballyclare Primary School                       | 484     | 481     | 459     | 442     | 446     |
| Ballycraig Primary School                       | 98      | 97      | 102     | 118     | 119     |
| Ballyhackett Primary School                     | 51      | 55      | 51      | 46      | 47      |
| Ballyhenry Primary School                       | 186     | 181     | 165     | 151     | 141     |
| Ballykeel Primary School                        | 319     | 320     | 344     | 350     | 373     |
| Ballymena Primary School                        | 360     | 336     | 330     | 316     | 301     |
| Ballymoney Controlled Integrated Primary School | n.a.    | n.a.    | 283     | 267     | 284     |
| Ballymoney Primary School                       | 296     | 253     | n.a.    | n.a.    | n.a.    |
| Ballynure Primary School                        | 124     | 115     | 100     | 106     | 114     |
| Ballysally Primary School                       | 205     | 193     | 198     | 192     | 190     |
| Ballytober Primary School                       | 77      | 73      | 76      | 66      | 71      |
| Balnamore Primary School                        | 89      | 93      | 87      | 104     | 104     |
| Barnish Primary School                          | 91      | 85      | 80      | 76      | 70      |
| Bellaghy Primary School                         | 32      | 36      | 37      | 34      | 43      |
| Braidside Integrated Primary School             | 357     | 371     | 361     | 358     | 366     |
| Briad Primary School                            | 23      | 18      | 20      | 16      | n.a.    |
| Broughshane Primary School                      | 315     | 313     | 326     | 319     | 333     |
| Buick Memorial Primary School                   | 375     | 359     | 354     | 356     | 350     |
| Bushmills Primary School                        | 107     | 106     | 112     | 117     | 111     |
| Bushvalley Primary School                       | 156     | 154     | 152     | 149     | 143     |
| Cairncastle Primary School                      | 116     | 109     | 116     | 123     | 132     |
| Camphill Primary School                         | 352     | 357     | 360     | 375     | 378     |
| Carhill Integrated Primary School               | 52      | 40      | 32      | 26      | 32      |
| Carlane Primary School                          | 31      | 34      | 28      | 28      | 32      |
| Carnaghts Primary School                        | 106     | 92      | 97      | 102     | 102     |
| Carnalbanagh Primary School                     | 52      | 46      | 52      | 48      | 43      |
| Carnalridge Primary School                      | 205     | 192     | 187     | 170     | 184     |
| Carniny Primary School                          | 245     | 257     | 260     | 269     | 274     |
| Carnlough Controlled Integrated Primary School  | 47      | 45      | 44      | 47      | 40      |
| Carnmoney Primary School                        | 343     | 333     | 342     | 345     | 360     |
| Carrickfergus Central Primary School            | 160     | 150     | 138     | 121     | 108     |
| Carrickfergus Model Primary School              | 414     | 410     | 406     | 402     | 404     |

| Name  | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---|---------|---------|---------|---------|---------|
| Carrowreagh Primary School                    | 77      | 81      | 75      | 71      | 76      |
| Castledawson Primary School                   | 101     | 100     | 103     | 99      | 106     |
| Castleroe Primary School                      | 69      | 63      | 67      | 74      | 71      |
| Clough Primary School                         | 152     | 155     | 161     | 168     | 191     |
| Cloughmills Primary School                    | 44      | 40      | 42      | 33      | 39      |
| Corran Integrated Primary School              | 213     | 208     | 205     | 209     | 212     |
| Creavery Primary School                       | 56      | 55      | 62      | 66      | 63      |
| Creggan Primary School                        | 103     | 113     | 117     | 119     | 118     |
| Crossroads Primary School                     | 128     | 134     | 134     | 123     | 115     |
| Crumlin Controlled Intergrated Primary School | n.a.    | n.a.    | n.a.    | 171     | 163     |
| Crumlin Primary School                        | 202     | 208     | 194     | n.a.    | n.a.    |
| Culcrow Primary School                        | 48      | 54      | 57      | 60      | 66      |
| Cullycapple Primary School                    | 39      | 34      | 31      | 30      | 25      |
| Culnady Primary School                        | 46      | 41      | 36      | 40      | 37      |
| D H Christie Memorial Primary School          | 413     | 403     | 394     | 403     | 391     |
| Dalriada School Preparatory Department        | 146     | 144     | 125     | 79      | 67      |
| Damhead Primary School                        | 162     | 169     | 182     | 180     | 177     |
| Desertmartin Primary School                   | 36      | 32      | 33      | 31      | 28      |
| Doagh Primary School                          | 84      | 77      | 73      | 66      | 66      |
| Drumard Primary School                        | 57      | 48      | 40      | 31      | 26      |
| Dunclug Primary School                        | 120     | 108     | 90      | 86      | 89      |
| Duneane Primary School                        | 36      | 34      | 42      | 39      | 43      |
| Dunseverick Primary School                    | 140     | 141     | 137     | 131     | 123     |
| Earlview Primary School                       | 141     | 140     | 140     | 146     | 151     |
| Eden Primary School, Ballymoney               | 93      | 83      | 84      | 89      | 85      |
| Eden Primary School, Carrickfergus            | 200     | 205     | 209     | 210     | 211     |
| Fairview Primary School                       | 522     | 513     | 511     | 505     | 512     |
| Fourtowns Primary School                      | 227     | 219     | 218     | 219     | 231     |
| Gaelscoil an Chaistil                         | 75      | 77      | 82      | 80      | 80      |
| Gaelscoil an tSeanchaí                        | n.a.    | n.a.    | n.a.    | 20      | 29      |
| Gaelscoil Eanna                               | 12      | 26      | 34      | 50      | 70      |
| Gaelscoil Ghleann Darach                      | 19      | 30      | 54      | 64      | 66      |
| Gaelscoil na Spéiríní                         | 23      | 24      | 24      | 26      | 27      |
| Garryduff Primary School                      | 64      | 59      | 66      | 64      | 69      |
| Garvagh Primary School                        | 140     | 128     | 122     | 124     | 122     |
| Glenann Primary School                        | 52      | 45      | 44      | 45      | 44      |
| Glengormley Integrated Primary School         | 129     | 142     | 179     | 202     | 217     |



| Name                                  | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|---------------------------------------|---------|---------|---------|---------|---------|
| Glenravel Primary School              | 143     | 143     | 149     | 155     | 163     |
| Glynn Primary School                  | 56      | 60      | 73      | 71      | 80      |
| Gorran Primary School                 | 108     | 101     | 100     | 90      | 104     |
| Gracehill Primary School              | 439     | 434     | 431     | 436     | 427     |
| Greenisland Primary School            | 381     | 379     | 383     | 392     | 391     |
| Greenlough Primary School (St Mary's) | 142     | 149     | 132     | 144     | 156     |
| Greystone Primary School              | 212     | 209     | 203     | 173     | 178     |
| Groggan Primary School                | 95      | 92      | 87      | 87      | 87      |
| Harpurs Hill Primary School           | 189     | 186     | 197     | 203     | 219     |
| Harryville Primary School             | 129     | 113     | 101     | 122     | 116     |
| Hazelbank Primary School              | 100     | 96      | 95      | 96      | 113     |
| Hezlett Primary School                | 250     | 247     | 249     | 240     | 223     |
| Hollybank Primary School              | 174     | 181     | 166     | 160     | 157     |
| Holy Family Primary School            | 549     | 566     | 562     | 561     | 561     |
| Irish Society's Primary School        | 400     | 398     | 388     | 382     | 366     |
| Kells & Connor Primary School         | 186     | 177     | 181     | 177     | 176     |
| Kilbride Primary School               | 121     | 120     | 122     | 121     | 126     |
| Kilcoan Primary School                | 66      | 63      | 53      | 43      | 39      |
| Killowen Primary School               | 181     | 170     | 168     | 168     | 182     |
| Kilmoyle Primary School               | 132     | 126     | 118     | 121     | 125     |
| Kilrea Primary School                 | 89      | 82      | 80      | 75      | 73      |
| Kilross Primary School                | 67      | 57      | 56      | 54      | 48      |
| King's Park Primary School            | 356     | 327     | 326     | 349     | 336     |
| Kirkinriola Primary School            | 89      | 99      | 105     | 93      | 56      |
| Knockahollet Primary School           | 81      | 84      | 85      | 98      | 98      |
| Knockloughrim Primary School          | 63      | 67      | 71      | 76      | 90      |
| Knocknagin Primary School             | 36      | 29      | 26      | 30      | 30      |
| Landhead Primary School               | 48      | 46      | 51      | 59      | 53      |
| Larne and Inver Primary School        | 200     | 183     | 181     | 184     | 166     |
| Leaney Primary School                 | 321     | 318     | 314     | 292     | 303     |
| Linn Primary School                   | 426     | 401     | 390     | 393     | 403     |
| Lislagan Primary School               | 94      | 99      | 103     | 102     | 99      |
| Loanends Primary School               | 187     | 186     | 187     | 184     | 196     |
| Longstone Primary School              | 57      | 58      | 49      | 42      | 46      |
| Lourdes Primary School                | 42      | 45      | 33      | 20      | n.a.    |
| Macosquin Primary School              | 168     | 185     | 196     | 195     | 193     |
| Maghera Primary School                | 90      | 80      | 88      | 95      | 93      |

| <b>Name</b>                               | <b>2007/08</b> | <b>2008/09</b> | <b>2009/10</b> | <b>2010/11</b> | <b>2011/12</b> |
|---|----------------|----------------|----------------|----------------|----------------|
| Magherafelt Controlled Primary School     | 325            | 301            | 283            | 271            | 252            |
| Maine Integrated Primary School           | 88             | 100            | 108            | 109            | 109            |
| Mallusk Primary School                    | 86             | 85             | 80             | 76             | 69             |
| Millburn Primary School                   | 416            | 417            | 422            | 413            | 393            |
| Millquarter Primary School                | 115            | 124            | 139            | 143            | 138            |
| Millstrand Integrated Primary School      | 193            | 189            | 190            | 193            | 189            |
| Moneynick Primary School                  | 55             | 53             | 54             | 58             | 54             |
| Moorfields Primary School                 | 216            | 218            | 214            | 204            | 205            |
| Mossgrove Primary School                  | 259            | 232            | 235            | 237            | 235            |
| Mossley Primary School                    | 609            | 613            | 612            | 607            | 606            |
| Mount St Michael's Primary School         | 409            | 422            | 420            | 414            | 446            |
| Moyle Primary School                      | 308            | 310            | 322            | 327            | 345            |
| Mullaghduh Primary School                 | 45             | 44             | 45             | 58             | 64             |
| New Row Primary School                    | 165            | 164            | 169            | 170            | 177            |
| Oakfield Primary School                   | 357            | 359            | 369            | 364            | 368            |
| Olderfleet Primary School                 | 174            | 176            | 185            | 185            | 171            |
| Parkgate Primary School                   | 70             | 71             | 71             | 67             | 77             |
| Parkhall Primary School                   | 253            | 254            | 257            | 240            | 208            |
| Portglenone Primary School                | 151            | 144            | 125            | 119            | 101            |
| Portrush Primary School                   | 233            | 225            | 223            | 199            | 191            |
| Portstewart Primary School                | 279            | 262            | 243            | 254            | 245            |
| Randalstown Central Primary School        | 212            | 196            | 192            | 203            | 203            |
| Rasharkin Primary School                  | 62             | 63             | 65             | 66             | 64             |
| Rathcoole Primary School                  | 183            | 167            | 167            | 162            | 150            |
| Rathenraw Integrated Primary School       | 85             | 77             | 82             | 66             | 69             |
| Round Tower Integrated Primary School     | 195            | 221            | 242            | 268            | 272            |
| Seaview Primary School                    | 80             | 68             | 63             | 57             | 51             |
| Silverstream Primary School               | 128            | 117            | 119            | 124            | 124            |
| Spires Integrated Primary School          | 201            | 202            | 207            | 201            | 197            |
| St Anne's Primary School, Ballymena       | 75             | 70             | 75             | 69             | 71             |
| St Anthony's Primary School, Larne        | 105            | 93             | 94             | 90             | 82             |
| St Bernard's Primary School, Newtownabbey | 522            | 525            | 513            | 497            | 512            |
| St Brigid's Primary School Tirkane        | 133            | 145            | 155            | 145            | 161            |
| St Brigid's Primary School, Ballymena     | 308            | 311            | 321            | 326            | 331            |
| St Brigid's Primary School, Ballymoney    | 194            | 188            | 186            | 194            | 193            |
| St Brigid's Primary School, Cloughmills   | 88             | 74             | 73             | 79             | 73             |

| Name                                       | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--|---------|---------|---------|---------|---------|
| St Brigid's Primary School, Knockloughrim  | 187     | 188     | 187     | 195     | 211     |
| St Ciaran's Primary School, Cushendun      | 66      | 65      | 60      | 57      | 60      |
| St Colmcille's Primary School, Ballymena   | 327     | 321     | 313     | 316     | 300     |
| St Columba's Primary School, Draperstown   | 128     | 129     | 127     | 136     | 140     |
| St Columba's Primary School, Garvagh       | 99      | 104     | 98      | 100     | 94      |
| St Columba's Primary School, Kilrea        | 204     | 198     | 191     | 186     | 184     |
| St Columb's Primary School (Cullion)       | 84      | 94      | 88      | 84      | 93      |
| St Colum's Primary School, Portstewart     | 186     | 182     | 186     | 192     | 189     |
| St Comgall's Primary School, antrim        | 360     | 366     | 386     | 404     | 447     |
| St Eoghan's Primary School, Draperstown    | 76      | 86      | 96      | 102     | 109     |
| St James' Primary School, Newtownabbey     | 277     | 278     | 291     | 294     | 305     |
| St John Bosco Primary School Ballynease    | 90      | 96      | 99      | 105     | 103     |
| St John's Primary School, Carnlough        | 186     | 186     | 176     | 174     | 178     |
| St John's Primary School, Coleraine        | 184     | 178     | 172     | 159     | 166     |
| St John's Primary School, Swatragh         | 171     | 177     | 181     | 180     | 182     |
| St Joseph's Primary School, Ahoghill       | 18      | n.a.    | n.a.    | n.a.    | n.a.    |
| St Joseph's Primary School, Antrim         | 217     | 212     | 204     | 207     | 192     |
| St Joseph's Primary School, Crumlin        | 833     | 826     | 801     | 787     | 774     |
| St Joseph's Primary School, Dunloy         | 305     | 308     | 315     | 323     | 320     |
| St Macnisi's Primary School, Tannaghmore   | 73      | 58      | 47      | 37      | 36      |
| St Macnissi's Primary School, Larne        | 215     | 211     | 213     | 211     | 214     |
| St Macnissi's Primary School, Newtownabbey | 158     | 159     | 172     | 171     | 177     |
| St Malachy's Primary School, Coleraine     | 260     | 264     | 242     | 236     | 224     |
| St Mary's Primary School                   | 206     | 201     | 201     | 204     | 204     |
| St Mary's Primary School (Glenview)        | 304     | 293     | 269     | 251     | 231     |
| St Mary's Primary School Glenravel         | 78      | 75      | 74      | 72      | 66      |
| St Mary's Primary School, Cushendall       | 200     | 187     | 179     | 189     | 192     |
| St Mary's Primary School, Draperstown      | 218     | 207     | 196     | 199     | 206     |
| St Mary's Primary School, Portglenone      | 217     | 211     | 208     | 208     | 214     |
| St Mary's Primary School, Rathlin          | 4       | 4       | 6       | 7       | 7       |
| St Mary's-on-the-Hill Primary School       | 286     | 295     | 294     | 328     | 323     |
| St Nicholas' Primary school, Carrickfergus | 107     | 111     | 126     | 134     | 143     |
| St Olcan's Primary School, Armoy           | 53      | 49      | 50      | 53      | 53      |

| Name   | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--|---------|---------|---------|---------|---------|
| St Oliver Plunkett's Primary School, Toomebridge       | 165     | 167     | 178     | 175     | 169     |
| St Patrick's & St Brigid's Primary School, Ballycastle | 411     | 411     | 367     | 356     | 365     |
| St Patrick's & St Joseph's Primary School, Garvagh     | 145     | 150     | 158     | 172     | 172     |
| St Patrick's Primary School (Glen)                     | 160     | 158     | 162     | 170     | 170     |
| St Patrick's Primary School, Aughercloney              | 5       | n.a.    | n.a.    | n.a.    | n.a.    |
| St Patrick's Primary School, Loughguile                | 194     | 195     | 195     | 191     | 186     |
| St Patrick's Primary School, Portrush                  | 94      | 95      | 92      | 85      | 90      |
| St Patrick's Primary School, Rasharkin                 | 228     | 212     | 207     | 204     | 205     |
| St Patrick's Primary School, Waterfoot                 | 120     | 122     | 109     | 106     | 108     |
| St Paul's Primary School, Ahoghill                     | n.a.    | 27      | 30      | 32      | 27      |
| St Trea's Primary School, Ballyronan                   | 92      | 97      | 108     | 111     | 111     |
| Straid Primary School                                  | 91      | 97      | 102     | 91      | 88      |
| Straidbilly Primary School                             | 87      | 86      | 93      | 97      | 94      |
| Straidhavern Primary School                            | 56      | 71      | 64      | 47      | 52      |
| Sunnylands Primary School                              | 152     | 141     | 125     | 115     | 116     |
| Templepatrick Primary School                           | 415     | 424     | 437     | 430     | 436     |
| The Diamond Primary School                             | 116     | 119     | 130     | 130     | 133     |
| The Wm Pinkerton Memorial Primary School               | 73      | 72      | 73      | 68      | 73      |
| Thompson Primary School                                | 156     | 153     | 149     | 151     | 154     |
| Tildarg Primary School                                 | 67      | 73      | 69      | 74      | 76      |
| Tir-na-Nog Primary School                              | 31      | 35      | 33      | 28      | 28      |
| Tobermore Primary School                               | 83      | 87      | 89      | 89      | 84      |
| Toreagh Primary School                                 | 82      | 79      | 82      | 93      | 98      |
| Upper Ballyboley Primary School                        | 54      | 46      | 42      | 40      | 41      |
| Victoria Primary School                                | 549     | 512     | 519     | 493     | 498     |
| Whiteabbey Primary School                              | 412     | 409     | 414     | 419     | 417     |
| Whitehead Primary School                               | 395     | 400     | 414     | 436     | 430     |
| Whitehouse Primary School                              | 375     | 384     | 391     | 410     | 413     |
| Woodburn Primary School                                | 194     | 194     | 191     | 193     | 193     |
| Woodlawn Primary School                                | 281     | 281     | 269     | 275     | 257     |

**Source:** NI school census.

**Note:**

1 Figures include children in nursery, reception and Year 1 – 7 classes.

'n.a.' means the school was not open in that year.

### Schools: Administration of Medication

**Mr McKay** asked the Minister of Education what legal protections are in place for teachers who administer medication in schools. (AQW 13338/11-15)

**Mr O'Dowd:** The legal protections are outlined in paragraph 1.2.3 of the joint Department of Health and Social Services and Public Safety/Department of Education policy document "Supporting Pupils with Medication Needs" which states:-

If a member of staff administers medication to a pupil, or undertakes a medical procedure to support a pupil and, as a result, expenses, liability, loss,

claim or proceedings arise, the employer will indemnify the member of staff

provided all of the following conditions apply:

- a) The member of staff is a direct employee;
- b) The medication/procedure is administered by the member of staff in the course of, or ancillary to, their employment;
- c) The member of staff follows:
  - the procedures set out in this guidance;
  - the school's policy;
  - the procedures outlined in the individual pupil's Medication Plan, or written permission from parents and directions received through training in the appropriate procedures.
- d) Except as set out in the Note below, the expenses, liability, loss,

claim or proceedings are not directly or indirectly caused by and do not arise from fraud, dishonesty or a criminal offence committed by the member of staff.

Note: Condition d. does not apply in the case of a criminal offence under Health and Safety legislation.

A copy of the document has been placed in the Assembly Library or can be downloaded from my department's website.

### Schools: Administration of Medication

**Ms P Bradley** asked the Minister of Education what consideration his Department has given to the introduction of a statutory duty on schools to administer essential medication to pupils.

(AQW 13339/11-15)

**Mr O'Dowd:** The joint Department of Health and Social Services and Public Safety/Department of Education policy document "Supporting Pupils with Medication Needs" provides a robust framework for enabling all children with medication needs to access the necessary support. This policy is based around the voluntary principle that does not compel teachers to undertake a medical procedure and encourages schools and education and library boards to work closely with both health professionals and parents in a flexible way to support pupils with medication needs. I have, therefore, no current plans to introduce a statutory duty in this area.

A copy of the policy document has been placed in the Assembly Library or can be downloaded from my department's website.

### Schools: Administration of Medication

**Ms P Bradley** asked the Minister of Education what provision is in place for administering essential medication to children in full-time primary and secondary education.

(AQW 13340/11-15)

**Mr O'Dowd:** The Department's policy on the administration of medication in schools is contained within the document "Supporting pupils with medication needs". A copy has been placed in the Assembly Library or can be downloaded from my department's website.

### Schools: Newbuilds

**Mr McGlone** asked the Minister of Education for an update on the new builds for (i) Holy Trinity College, Cookstown; (ii) Rainey Endowed School, Magherafelt; and (iii) Edendork Primary School, Dungannon.

(AQW 13347/11-15)

**Mr O'Dowd:** Planning on new builds for Holy Trinity College, Cookstown and Rainey Endowed School, Magherafelt has not yet commenced. The project for Edendork Primary School is currently at RIBA Stage C (outline sketch plans).

In my statement to the Assembly on 25 June I announced a number of new build school projects which have been approved for investment. While Trinity College, Cookstown, Rainey Endowed School, Magherafelt and Edendork Primary School, Dungannon were not included in my announcement and will be disappointed, this in no way implies that they will not be considered for funding at a later stage within the area planning context.

## Edendork Primary School, Dungannon: Land Acquisition for Newbuild

**Mr McGlone** asked the Minister of Education what steps have been taken in relation to the land acquisition for the new build for Edendork Primary School, Dungannon.

**(AQW 13348/11-15)**

**Mr O'Dowd:** The proposed new build school for Edendork Primary School involves the purchase of five plots of land currently in the ownership of three different landowners. The Economic Appraisal for this project which dates back to 2005 will have to be updated to confirm that the five plots of land are still required for the new school building. Progression on site purchase will be subject to the approval of an updated Economic Appraisal.

In my announcement to the Assembly on 25 June regarding my capital investment strategy I stated that it is my intention to announce in the Autumn a number of projects to be advanced through the planning and approval processes. I can confirm that a process has been established to identify a number of projects for which funding will be provided for planning.

While Edendork Primary School was not part of my announcement to the Assembly on the 25 June it in no way implies that it will not be considered for funding at a later date.

## Capital Builds: Land

**Mr Storey** asked the Minister of Education, pursuant to AQW 12034/11-15, to detail the costs associated with each procurement.

**(AQW 13351/11-15)**

**Mr O'Dowd:** The costs associated with each approval to the procurement of lands for capital projects are detailed in the table below.

| Financial Year | School Name                                    | Cost        |
|----------------|--|-------------|
| 2009-10        | Carrick Primary School, Warrenpoint            | £96,000     |
|                | Foyle College Ebrington Primary School/, Derry | £14,500,000 |
|                | Magherafelt Primary School                     | £905,000    |
| 2010-11        | Colaiste Feirste, Belfast                      | £2,300,000  |
|                | Bangor Grammar School                          | £5,500,000  |
|                | Strathearn Grammar School , Belfast            | £350,000    |
|                | St Mary's Primary School, Newcastle            | £16,000     |
| 2011-12        | St Columba's Primary School, Straw             | £424,000    |

## Irish-medium Schools

**Mr Clarke** asked the Minister of Education to detail (i) the number of pupils currently attending each Irish-medium school; and (ii) the annual level of funding allocated to each school.

**(AQW 13360/11-15)**

**Mr O'Dowd:** Information on pupil enrolments and delegated budgets made available to Irish-medium schools under the Common Funding Formula arrangements in the current financial year, are shown on the table below.

### Pupil FTE Numbers & CFF delegated Funding in Irish-medium Schools 2012/13

| Irish-medium Primary Schools <sup>(4)</sup> |                             | Pupil FTE | Total CFF Funding £ |
|---|-----------------------------|-----------|---------------------|
| 101-6647                                    | Bunscoil Mhic Reachtain     | 61        | 257,444             |
| 104-6501                                    | Bunscoil Phobal Feirste     | 280       | 831,649             |
| 104-6571                                    | Gaelscoil na Bhfal          | 183       | 598,562             |
| 104-6593                                    | Bunscoil an Tsleibhe Dhuibh | 176       | 571,385             |
| 104-6596                                    | Bunscoil Bheann Mhadagain   | 114       | 405,038             |
| 104-6641                                    | Scoil an Droichid           | 143       | 498,199             |
| 104-6671                                    | Gaelscoil na Mona           | 83        | 318,502             |
| 104-6672                                    | Gaelscoil an Lonnain        | 41        | 198,381             |
| 203-6574                                    | Bunscoil Cholmcille Primary | 126       | 441,305             |



| Irish-medium Primary Schools <sup>(1)</sup> |                            | Pupil FTE    | Total CFF Funding £ |
|---|----------------------------|--------------|---------------------|
| 204-6638                                    | Gaelscoil Uí Dhochartaigh  | 152          | 508,893             |
| 204-6646                                    | Gaelscoil Eadain Mhoir     | 146          | 500,562             |
| 204-6669                                    | Gaelscoil an Traonaigh     | 31           | 154,949             |
| 204-6677                                    | Gaelscoil na gCrann        | 110          | 382,281             |
| 204-6687                                    | Gaelscoil na Daróige       | 54           | 231,854             |
| 204-6689                                    | Gaelscoil Léim an Mhadaidh | 18           | 121,891             |
| 304-6653                                    | Bunscoil an Chastil        | 80           | 294,372             |
| 304-6678                                    | Gaelscoil na Speirini      | 27           | 141,515             |
| 304-6684                                    | Gaelscoil Ghleann Darach   | 66           | 240,169             |
| 304-6685                                    | Gaelscoil Éanna            | 70           | 266,310             |
| 304-6691                                    | Gaelscoil an tSeanchai     | 29           | 146,900             |
| 404-6600                                    | Scoil na Faiseoige         | 107          | 397,077             |
| 404-6648                                    | Bunscoil Bheanna Boirche   | 75           | 278,606             |
| 504-6597                                    | Bunscoil an Iuir           | 92           | 323,822             |
| 504-6637                                    | Gaelscoil Uí Neill         | 172          | 559,062             |
| 504-6695                                    | Gaelscoil Aodha Rua        | 12           | 106,548             |
| <b>Total</b>                                |                            | <b>2,448</b> | <b>8,775,277</b>    |
| <b>Irish-medium Secondary Schools</b>       |                            |              |                     |
| 124-0291                                    | Colaiste Feirste           | 550          | 2,307,569           |
| <b>Total Irish-medium Schools</b>           |                            | <b>2,998</b> | <b>11,082,846</b>   |

**Source:** Common Funding Formula 2012-13

**Note:**

1 Figures for primary schools include children in nursery classes, reception and Year 1 – 7 classes.

### Belmont House Special School, Derry: Capital Funding

**Mr P Ramsey** asked the Minister of Education, in light of his statement to the Assembly on capital projects, whether the capital funding for Belmont House Special School, Derry, incorporates the Woodlands Language Unit.

**(AQW 13374/11-15)**

**Mr O'Dowd:** The Western Education and Library Board (WELB) has advised me that the capital planning process for Belmont House Special School is based on the current enrolment figures for Belmont House Special School and does not include Woodlands Language Unit.

I am advised that the proposed relocation of the speech and language classes will be managed through a pre-consultation process that has already been commenced by the Western Education and Library Board with the relevant stakeholders.

### Foyle Constituency: Funding Allocated to Schools

**Mr P Ramsey** asked the Minister of Education, in light of his statement to the Assembly on capital projects, to detail the funding allocated to schools in the Foyle constituency, including all aspects of proposed spending.

**(AQW 13375/11-15)**

**Mr O'Dowd:** In my capital announcement to the Assembly on the 25 June I have approved funding for four schools in the Foyle Constituency. The schools involved are:

| Foyle College | Ebrington Primary School | Eglinton Primary School | Belmont Special School |
|---------------|--------------------------|-------------------------|------------------------|
| £19.6m        | £4.5m                    | £2.5m                   | £7.4m                  |

At this current stage of the planning process it is not possible to give definitive details on proposed spending.

## Teachers from Northern Ireland Teaching in the Republic of Ireland

**Mrs Hale** asked the Minister of Education whether the objective of facilitating the mobility of teachers from Northern Ireland to teach in the Republic of Ireland will be inhibited if teachers do not hold an Irish language qualification.

**(AQW 13376/11-15)**

**Mr O'Dowd:** The possession of the Irish language requirement (SCG - An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge) or Adaptation Period (OCG – Oiriúnú le hAghaidh Cáilíochta sa Ghaeilge) is advantageous to some teachers from the north of Ireland seeking to teach in the south of Ireland.

In order to teach in the south of Ireland, primary teachers who have completed a programme of teacher education here (with the exception of the Post Graduate Certificate in Education through the medium of Irish or the four year Bachelor of Education Irish academic course at St. Mary's University College Belfast), must complete an Aptitude Test (SCG) or Adaptation Period (OCG), which confirms that the applicant is competent to teach the Irish language and to teach the range of primary school curricular subjects through the medium of Irish.

Conditional Teaching Council registration is granted and a maximum period of three years from date of registration is set for the completion of the Aptitude Test or the Adaptation Period. On attainment of the SCG or OCG, such teachers are then recognised as fully qualified in the south.

In the case of post-primary schools, the Irish language requirement only applies to teachers employed in Gaeltacht schools, in Irish-medium schools, and to teachers who teach any subject through the medium of Irish.

The North South Ministerial Council Teachers' Qualifications Working Group has been working to ensure that barriers to teacher mobility are removed where possible. This includes the possibility of the Irish language qualification requirement An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge (SCG) being delivered by one or more of the Higher Education Institutions in the north.

To this end, the University of Ulster (UU) has developed proposals to deliver the qualification within the framework of its Diploma in Irish Language, with assessments being administered by Marino College of Education in Dublin and the required Gaeltacht experience element being provided in the south. Discussions between the UU and Marino College of Education in Dublin, regarding the delivery of the Irish language requirement through the UU's Diploma in Irish, are at an advanced stage.

St Mary's University College (SMUC), Belfast has also expressed an interest in delivering the Irish Language requirement and my Department is currently liaising with St Mary's and Marino College to agree a mutually suitable date to explore the matter further.

## Press Leaks

**Mr Swann** asked the Minister of Education for his assessment of the impact of information leaks to the press on the future of the schools involved, and the security of jobs for current and prospective teachers at the schools.

**(AQW 13392/11-15)**

**Mr O'Dowd:** As I have previously said, I do not think that the leaking of documents to the press is helpful to the area planning process.

However, the draft area plans prepared by the five Education and Library Boards have now been published for public consultation on the Boards' websites. I would encourage parents, school staff, representative bodies and the wider public to read them, consider them fully and make their views known to the Boards. The consultation period has been extended to take account of the summer holidays, and will run until 26 October 2012.

## STEM Subjects: Promotion

**Mr Swann** asked the Minister of Education how his Department intends to promote Science, Technology, Engineering and Mathematics subjects to ensure that (i) sufficient teaching staff and facilities are available to educate students; and (ii) that there is a steady flow of prospective graduates for the UK research industry.

**(AQW 13393/11-15)**

**Mr O'Dowd:** The promotion of STEM subjects is important to our future economic growth and as Education Minister I am committed to playing my part.

The revised curriculum, which is now in place across all year groups in all grant-aided schools, provides much greater freedom for teachers to explore STEM-related learning with pupils. The full implementation of the Entitlement Framework by September 2015 will guarantee all young people at Key Stage 4 and at Sixth Form regardless of the school which a young person attends or where he/she lives, equality of access to a broad, balanced and more economically relevant pupil-centric curriculum. This increased choice is being supported with improved careers education, information, advice and guidance, with a particular focus on STEM-related career opportunities.

Since the publication of the STEM strategy, my Department has been undertaking a wide range of interventions to encourage an increase in the uptake of STEM subjects. For example; a programme of professional development for teachers has been commissioned, as well as improving the range and quality of STEM resources that are available to teachers and pupils; we are supporting the Institute of Physics in Ireland's establishment of a physics-teacher network here; a web-based resource 'STEMWorks' has been developed to enhance classroom practice and encourage pupils to study STEM related subjects; extensive use is being made of the STEM truck, a state-of-the-art £1.2 million mobile teaching laboratory and workshop; we continue to fund a range of STEM related events to ensure that STEM subjects are seen as exciting, stimulating and fulfilling

by our young people e.g. the BT Young Scientist Competition, the Stock Market Challenge, Maths Week and the Irish Science Olympiads.

My Department, when confirming approved annual intakes to initial teacher education (ITE) courses, also actively encourages the two Universities and the two University Colleges here to continue efforts to increase the number of student admissions to the STEM-related subject areas.

Through the delivery of the STEM Strategy my Department contributes to the steady flow of prospective graduates in order to strengthen the economy, including the UK research industry, and will continue to seek and deliver interventions, within available resources, with the aim of increasing uptake in STEM subjects.

### Post-primary Schools: Teaching Vacancies

**Mr Swann** asked the Minister of Education to detail the number of teaching vacancies in post-primary schools in each of the Science, Technology, Engineering and Mathematics subjects, broken down by (i) school; and (ii) Education and Library Board area. **(AQW 13395/11-15)**

**Mr O'Dowd:** The information requested is contained in the tables below.

#### POST-PRIMARY SCHOOLS WITH TEACHER VACANCIES IN THE 2011/12 ACADEMIC YEAR BY EDUCATION AND LIBRARY BOARD 1,2,3

##### Belfast Education & Library Board

|                            | Mathematics <sup>4</sup> | Information and Technology | Science <sup>5</sup> | Design and Technology <sup>6</sup> (including Engineering) | Total Vacancies |
|----------------------------|--------------------------|----------------------------|----------------------|--|-----------------|
| Ashfield Boys' High School | 0                        | 0                          | 0                    | 1  | 1               |
| Malone Integrated College  | 0                        | 0                          | 1                    | 0  | 1               |
| Grosvenor Grammar School   | 1                        | 0                          | 2                    | 0  | 3               |

##### Western Education & Library Board

|                    | Mathematics <sup>4</sup> | Information and Technology | Science <sup>5</sup> | Design and Technology <sup>6</sup> (including Engineering) | Total Vacancies |
|--------------------|--------------------------|----------------------------|----------------------|--|-----------------|
| Holy Cross College | 1                        | 0                          | 0                    | 0  | 1               |

##### North Eastern Education & Library Board

|                              | Mathematics <sup>4</sup> | Information and Technology | Science <sup>5</sup> | Design and Technology <sup>6</sup> (including Engineering) | Total Vacancies |
|------------------------------|--------------------------|----------------------------|----------------------|--|-----------------|
| Ballymoney High School       | 0                        | 0                          | 1                    | 0  | 1               |
| Ballee Community High School | 1                        | 0                          | 0                    | 0  | 1               |
| St Patrick's College         | 1                        | 1                          | 0                    | 0  | 2               |
| Cross and Passion College    | 0                        | 0                          | 1                    | 0  | 1               |

##### South Eastern Education & Library Board

|                              | Mathematics <sup>4</sup> | Information and Technology | Science <sup>5</sup> | Design and Technology <sup>6</sup> (including Engineering) | Total Vacancies |
|------------------------------|--------------------------|----------------------------|----------------------|--|-----------------|
| Laurelhill Community College | 0                        | 0                          | 1                    | 0  | 1               |
| St Patrick's Academy         | 0                        | 1                          | 0                    | 0  | 1               |

**Southern Education & Library Board**

|                        | <b>Mathematics<sup>4</sup></b> | <b>Information and Technology</b> | <b>Science<sup>5</sup></b> | <b>Design and Technology<sup>6</sup><br/>(including Engineering)</b> | <b>Total Vacancies</b> |
|------------------------|--------------------------------|-----------------------------------|----------------------------|--|------------------------|
| Drumglass High School  | 1                              | 0                                 | 0                          | 0  | 1                      |
| St Mark's High School  | 0                              | 1                                 | 0                          | 0  | 1                      |
| St Catherine's College | 0                              | 0                                 | 1                          | 0  | 1                      |

**Source:** Annual Teacher Vacancy Survey

**Notes:**

- 1 All figures refer to vacancies in schools on 7th November 2011.
- 2 Figures include full-time permanent/temporary and part-time permanent/temporary vacancies.
- 3 Number of vacancies is for classroom teachers only.
- 4 Mathematics includes Statistics but excludes special needs provision in Mathematics.
- 5 Science includes Chemistry, Physics, Biology, Integrated or combined science and other science.
- 6 Design and Technology includes woodwork, metalwork, technical drawing and other technical subjects such as building, engineering and motor mechanics.
- 7 Engineering is included within Design and Technology. A breakdown for Engineering and Technology is therefore not feasible.
- 8 The STEM subject classifications are based on those in Annex 2 of the 2009 Report of the STEM review for the Department of Education and the Department for Employment and Learning.

**Maghera High School: Former Site**

**Mr I McCrea** asked the Minister of Education to detail the proposals he has received from the North Eastern Education and Library Board in relation to the former Maghera High School site.

**(AQW 13406/11-15)**

**Mr O'Dowd:** The Department has not received any proposals from the North Eastern Education and Library Board in relation to the site of the former Maghera High School.

The Board has received expressions of interest in the site from Magherafelt Council, the Council for Catholic Maintained Schools, Comhairle na Gaelscolaíochta and Largantogher Enterprise Group. Magherafelt Council subsequently withdrew its interest in the site, however, I understand that their interest may be renewed and that the Board is awaiting correspondence to this effect.

All options for potential future education use of the site are being explored by the North Eastern Education and Library Board.

The former school building has suffered extensive vandalism and theft, which has created Health and Safety concerns due to the presence of asbestos containing materials in the buildings. The Department has recently endorsed a proposal from the North Eastern Education and Library Board to demolish the school following decontamination.

**Holy Family Primary School, Magherafelt**

**Mr McGlone** asked the Minister of Education why Holy Family Primary School, Magherafelt was not included in his recent new build announcement.

**(AQW 13434/11-15)**

**Mr O'Dowd:** I recognise a new school build at Holy Family Primary School, Magherafelt, remains a priority for investment. While I would like to be in the position to fund everything that needs doing now, I must work within the budget available.

The process for selecting projects for investment was internal to the Department. The key criteria in determining eligibility for capital investment were major projects, confirmed as viable and core to emerging area plans, which could ensure effective use of capital funds over the remainder of the budget period.

Projects were selected on the basis that they support unmet need; effect rationalisation of the schools estate; address serious accommodation inadequacies, substandard conditions or overcrowding; or address undue reliance on temporary accommodation.

The relative condition and suitability of the current accommodation was used to differentiate between projects. Also, in recognition of the need to utilise capital funds in the period 2013-2015, projects were assessed based on their stage of development and the potential to have the project on site by the final quarter of 2012-13 or the first quarter of 2013-14.

The protocol for selection is available on the Department's website at: [http://www.deni.gov.uk/major\\_works\\_protocol.pdf](http://www.deni.gov.uk/major_works_protocol.pdf).

My statement to the Assembly on capital investment on 25 June made it clear that the proposals announced in no way imply that other school projects will not be considered at a later stage.

My announcement also indicated that a process has been established to identify a number of projects for which funding would be provided to advance them in planning, and it is my intention to make a further announcement around these in the Autumn.

Holy Family Primary School will be included in the examination of potential projects to be brought forward.

### **Holy Family Primary School, Magherafelt**

**Mr McGlone** asked the Minister of Education (i) how the application for a new build for Holy Family Primary School, Magherafelt, was scored and placed on the Department's priority list; (ii) what representations were made for and against the new build; and (iii) what consideration was given to the representations from the Council for Catholic Maintained Schools on making the need for a new build a priority.

**(AQW 13435/11-15)**

**Mr O'Dowd:** I recognise a new school build at Holy Family Primary School, Magherafelt, remains a priority for investment. While I would like to be in the position to fund everything that needs doing now, I must work within the budget available.

The process for selecting projects for investment was internal to the Department. The key criteria in determining eligibility for capital investment were major projects, confirmed as viable and core to emerging area plans, which could ensure effective use of capital funds over the remainder of the budget period.

Projects were selected on the basis that they support unmet need; effect rationalisation of the schools estate; address serious accommodation inadequacies, substandard conditions or overcrowding; or address undue reliance on temporary accommodation.

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My announcement also indicated that a process has been established to identify a number of projects for which funding would be provided to advance them in planning, and it is my intention to make a further announcement around these in the Autumn.

Holy Family Primary School will be included in the examination of potential projects to be brought forward.

### **Capital Investment: Eighteen Projects**

**Mr Lyttle** asked the Minister of Education to outline the interim process his Department used to identify the 18 projects for capital investment, announced on 25 June 2012, and in particular the criteria that were used to determine eligibility.

**(AQW 13448/11-15)**

**Mr O'Dowd:** The key criteria in determining eligibility for capital investment were major projects, confirmed as viable and core to emerging area plans, which could ensure effective use of capital funds over the remainder of the budget period.

The major works were selected on the basis that they support unmet need; effect rationalisation of the schools estate; address serious accommodation inadequacies, substandard conditions or overcrowding; or address undue reliance on temporary accommodation.

The relative condition and suitability of the current accommodation was used to differentiate between projects. Also, in recognition of the need to utilise capital funds in the period 2013-2015, projects were assessed based on their stage of development and the potential to have the project on site by the final quarter of 2012-13 or the first quarter of 2013-14.

The protocol for selection is available on the Department's website at: [http://www.deni.gov.uk/major\\_works\\_protocol.pdf](http://www.deni.gov.uk/major_works_protocol.pdf).

In relation to the Special Schools announced, initial area plans for Special Schools, submitted by the Boards at the end of January, set out the accommodation priorities in this sector.

The Special Schools announced had particular priorities in meeting their area's need to accommodate pupils; tackling serious accommodation inadequacies; and addressing policy priorities for Education.

### **Teachers: Religious Background**

**Mr Swann** asked the Minister of Education what percentage of teachers in (i) controlled; (ii) maintained; (iii) integrated; and (iv) Irish-medium primary schools come from a (a) Catholic; (b) Protestant; or (c) other religious background.

**(AQW 13460/11-15)**

**Mr O'Dowd:** The Department does not hold this information.

### Primary Schools: Governor Vacancies

**Mr Weir** asked the Minister of Education to detail the current number of Governor vacancies in each post-primary school.  
(AQW 13464/11-15)

**Mr O'Dowd:** My Department does not hold the information requested. Much of it will have to be requested from schools via the Education & Library Boards and the Council for Catholic Maintained Schools. This will be done but I recognise that schools may not be in a position to respond during the holiday period so it may take some months before the full information is available. I will arrange for the information to be placed in the Assembly Library as soon as it is available.

### North Down: Capital Spend on Youth Services

**Mr Weir** asked the Minister of Education what is his Department's proposed capital spend on youth services in the North Down area in the next two financial years.

(AQW 13465/11-15)

**Mr O'Dowd:** The proposed capital spend on youth services in the North Down area in the 2012/13 financial year is £26,000. At this stage it is not possible to say what the proposed spend will be on youth services capital in the North Down area in the 2013/14 financial year.

### North Down: Capital Spend on Youth Services

**Mr Weir** asked the Minister of Education to detail his Department's capital spend on youth services in the North Down area in each of the last five years.

(AQW 13466/11-15)

**Mr O'Dowd:** The following table shows capital spend on youth services in the North Down area in each of the last five years relating to the controlled sector:

|   | 2007/08<br>(£000s) | 2008/09<br>(£000s) | 2009/10<br>(£000s) | 2010/11<br>(£000s) | 2011/12<br>(£000s) |
|---|--------------------|--------------------|--------------------|--------------------|--------------------|
| Controlled Sector Youth Capital Expenditure | 0                  | 121                | 30                 | 27                 | 0                  |

The Department has also allocated capital funding to some voluntary youth sector organisations in the North Down area during this period. However, this information is not held in the format required by this request and could only be obtained at disproportionate cost.

### Area-based Planning

**Mr Rogers** asked the Minister of Education whether he will consider extending the consultation period, in relation to Area Based Planning, beyond the end of October 2012 to facilitate meaningful consultation with parents and schools.

(AQW 13498/11-15)

**Mr O'Dowd:** The Education and Library Boards published the draft Post-primary Area Plans on their websites on 5 July. The consultation period will run for 16 full weeks from 5 July to 26 October. The consultation period has been set to take account of the school holidays.

I am confident that this timetable allows ample time for interested and affected parties to consider and respond to the plans. It is important to note that this is a public consultation which will attract comments, not just from schools but from a wider range of stakeholders. I do not believe that the timetable set needs to be extended.

### School Estate: Use after Closure

**Mr Rogers** asked the Minister of Education what plans are in place for the utilisation of School Estates after a school has closed.  
(AQW 13503/11-15)

**Mr O'Dowd:** Education and Library Boards have a responsibility, under Managing Public Money, to dispose of their surplus property. In doing this they adhere to the guidance on the disposal of public sector property issued by DFP's Land and Property Services. If surplus property is not required within the public sector it must be put on the open market.

Schools in other sectors are owned by Trustees. If such schools are declared as surplus, responsibility for their disposal or alternative use is the responsibility of those Trustees.



## Investment Delivery Plan

**Mr Lyttle** asked the Minister of Education to detail (i) why all the existing integrated schools in the Investment Delivery Plan did not meet the interim process criteria; and (ii) the specific criteria that each school did not meet.

**(AQW 13526/11-15)**

**Mr O'Dowd:** The key criteria in determining eligibility for capital investment as announced in my statement to the Assembly on 25 June were major projects, confirmed as viable and core to emerging area plans, which could ensure effective use of capital funds over the remainder of the budget period.

The protocol for selection is available on the Department's website at: [http://www.deni.gov.uk/major\\_works\\_protocol.pdf](http://www.deni.gov.uk/major_works_protocol.pdf).

The integrated schools within the Investment Development Plan are Omagh Integrated Primary School, Parkhall College and Priory College.

Omagh Integrated Primary School was considered for funding but because of issues concerning acquisition of land for the new school as well as the lead times around procurement processes, budget allocations for a new build could not be spent within the budget period.

Parkhall College is the subject of a recently announced consultation issued by NEELB on a plan for post-16 provision for the Antrim / Ballymena area, which considers expansion at the school. Clarity is needed by the Department on the scale and type of provision needed before investment can be made at Parkhall College.

Enrolment at Priory College is currently below the sustainable schools thresholds and the initial area plan from the SEELB indicates that consideration be given to increasing overall enrolment at the school and developing a shared sixth form centre. The school is being considered within a multi-schools capital build project which includes Redburn PS and Holywood PS.

## Homophobic Bullying

**Mrs Cochrane** asked the Minister of Education for his Department's assessment of the recent comments made by The UN Secretary General, Ban Ki-moon, that homophobic bullying is a moral outrage, a grave violation of human rights and a public health crisis.

**(AQW 13544/11-15)**

**Mr O'Dowd:** The Department's position on homophobic bullying is a matter of public record.

Bullying, in whatever form and for whatever reason, is unacceptable behaviour and this position is consistent with the views expressed by Ban Ki moon in December 2011.

Addressing the issue is a shared challenge which is why my Department funds and is a member of the local AntiBullying Forum. The Forum is developing a suite of guidance for schools, in consultation with children and young people, around the prevention of, and response to, various types of prejudice based bullying, including homophobic bullying.

## Lesbian, Gay and Bisexual Young People in Schools

**Mrs Cochrane** asked the Minister of Education what action his Department is taking to ensure that there is no violation of the human rights of lesbian, gay and bisexual young people in schools.

**(AQW 13545/11-15)**

**Mr O'Dowd:** All young people have a right to be educated in a safe environment and to be treated with respect and dignity, irrespective of their sexual orientation.

School Boards of Governors as well as principals and teachers have responsibilities to promote human rights, equality, good relations and diversity in schools and the wider community. These responsibilities are driven by the Department's education policies, education and employment legislation and anti-discrimination, human rights and equality legislation.

The teaching of Relationships and Sexuality Education (RSE) is an important element within the Personal Development and Mutual Understanding (in primary schools) and the Learning for Life and Work (in post-primary) areas of learning in the revised curriculum. Through RSE, the curriculum contains sufficient scope to deal with sexual orientation. Teachers have been trained in all requirements of the curriculum and guidance from the Council for the Curriculum, Examinations and Assessment makes schools aware of the wide range of RSE resources available. RSE is also inspected by the Education and Training Inspectorate.

The Department's Circular 2001/15 advises schools that they should have a policy setting out how they will address RSE within each pupil's curriculum. The policy should be the subject of consultation with parents, and should be endorsed by the school's Board of Governors. In developing or reviewing their RSE policies, schools have been advised by DE Circular 2010/01 to take account of guidance produced by the Equality Commission on Eliminating Sexual Orientation Discrimination.

I take my responsibilities with regard to equality and human rights very seriously and I will ensure that policy makers within the Department take account of the latest Equality Commission guidance on Section 75 responsibilities and the Human Rights Convention.

## Schools: Qualifications

**Mr Irwin** asked the Minister of Education for his assessment of the proposal, by the Education Secretary in England, to scrap GCSE examinations and replace them with re-vamped O level type examinations.

**(AQO 2304/11-15)**

**Mr O'Dowd:** I am very concerned that, despite recent meetings with English officials, my Department was not informed of the direction of travel for GCSEs in England.

Decisions on any changes to GCSEs here are a devolved matter and I will ensure that all short term and long term impacts are considered as well as issues of equality.

Only recently I agreed a different policy from England in respect of GCSEs, to emphasise choice for schools, by retaining both linear and unitised assessment here. My Department will remain in regular contact with the Department for Education and will consider any impact on pupils here of potential changes to GCSEs offered in England, should they be adopted. I will also be seeking the views of my Ministerial counterpart in Wales whom I am meeting on Wednesday 4th July and my Scottish counterpart who I plan to meet in the near future.

## Crumlin Integrated College

**Mr Mitchel McLaughlin** asked the Minister of Education for an update on the actions that the North Eastern Education and Library Board is taking to resolve the dispute between the parents and the principal of Crumlin Integrated College.

**(AQO 2305/11-15)**

**Mr O'Dowd:** Crumlin Integrated College was inspected in January 2010. In its' report the Education and Training Inspectorate identified unsatisfactory leadership and management. As a result, the Board of Governors, acting on advice from the North Eastern Education and Library Board, placed the Principal on precautionary suspension. This removed her from her normal duties, to enable her to undergo an intensive training programme, to address the performance issues highlighted in the inspection report.

Following the completion of the training programme, the Board of Governors agreed that the Principal should return to the school and resume her duties. This was to provide the Principal with the opportunity to demonstrate her effectiveness as a school leader. This is in line with the current "Procedures for dealing with Principals, teachers and Vice-Principals whose work is unsatisfactory".

The NEELB has advised me that they have engaged with parents on this matter as follows:

- Board Officers met with a group of parents on 14 June to address issues of concern;
- They have responded to parental concerns which came via the telephone; and
- They visited the school on 21 June to provide professional and pastoral support. During this visit the Principal was updated on issues which had developed during her suspension;

On the Principal's return, I understand that the Chair of the Board of Governors wrote to parents and also met with a representative group to discuss their issues and concerns.

The NEELB has advised me that the Principal will continue to receive training and support, as appropriate. Board officers will remain available, as required, to provide support to parents and the wider school community.

The NEELB has advised me that, to date, there have been no further requests from parents to meet. I also understand that there have been no further parental demonstrations following this initial period.

## Maghera High School

**Mr I McCrea** asked the Minister of Education for an update on the future use of the former Maghera High School.

**(AQO 2306/11-15)**

**Mr O'Dowd:** Expressions of interest in the former Maghera High School site were received from Magherafelt Council, the Council for Catholic Maintained Schools, Comhairle na Gaelscolaíochta and Largantogher Enterprise Group. Magherafelt Council subsequently withdrew its interest in the site, however, I understand that recently their interest may be renewed and that the Board is awaiting correspondence to this effect.

All options for potential future education use of the site are being explored by the North Eastern Education and Library Board in conjunction with my Department.

## Schools: Budgets

**Mr McGimpsey** asked the Minister of Education whether he would consider improving the engagement that the Education and Library Boards must have with school principals before allocating budgets to them.

**(AQO 2307/11-15)**

**Mr O'Dowd:** School Budgets are determined annually by the Department via the Common Funding Formula, a mechanism to distribute funding in a consistent and equitable way to schools using common measures of identified needs. The main

information required to run the formula is gathered from the annual school census, which necessitates considerable engagement between the Boards and their schools to validate the data.

After the funding formula has been run the Department notifies Education and Library Boards of the budgets available for each school within their area before the start of the new financial year. Education and Library Boards then engage with their schools to advise them of their school allocation and any further centre funding to be allocated to their delegated budget.

Regular engagement between schools and Education and Library Boards occurs not only in determining budgets, but in the monthly monitoring of school budgets and the setting of realistic, achievable three year financial plans.

The LMS/management accounts sections are always available to meet mainstream/special schools and provide any information that will assist them in their budget management responsibilities.

I actively encourage Education and Library Boards to work closely with school authorities at all stages of the process to ensure fairness and accountability.

### **Schools: Hollywood**

**Mr Dunne** asked the Minister of Education, in light of the decision to close Redburn Primary School, what progress has been made on funding the Hollywood Multi-Schools Project, involving Priory Integrated College, Holy Primary School and Hollywood Nursery School.

**(AQO 2308/11-15)**

**Mr O'Dowd:** In my statement to the Assembly on 25 June I announced a number of new build school projects which have been approved for investment.

While the Hollywood Schools will be disappointed that they were not included in my announcement, this in no way implies that they will not be considered for funding at a later stage within the area planning context.

### **Special Education: Speech-generating Devices**

**Mrs McKeivitt** asked the Minister of Education how many Special Educational Needs Schools use speech-generating devices as a form of communication for children with autism.

**(AQO 2309/11-15)**

**Mr O'Dowd:** The Education and Library Boards have informed me that 24 special schools use speech-generating devices to support children and young people with autism.

### **Primary Schools: Bangor**

**Mr Weir** asked the Minister of Education to outline his Department's strategy to address the over-subscription and under-provision of primary school places in eastern and central Bangor.

**(AQO 2310/11-15)**

**Mr O'Dowd:** You will be aware that I commissioned the 5 Education and Library Boards, and the Council for Catholic Maintained Schools working with NICIE and CnaG, to undertake strategic area planning based on each board area. This will align planned provision with the projected need for places in all sectors in all areas, including Bangor, through a network of educationally sustainable schools.

### **Integrated Schools: Area Planning**

**Mr Dickson** asked the Minister of Education whether he can give an assurance that Integrated Schools will not be discriminated against in the Area Planning Process.

**(AQO 2311/11-15)**

**Mr O'Dowd:** I have commissioned the Education and Library Boards to draw up plans for education provision in their areas. When doing so, they will work with the Council for Catholic Maintained Schools. The Boards and CCMS have statutory responsibility for planning in their sectors.

The Terms of Reference for area planning also require the Boards to engage with the NICIE and CnaG when drawing up their plans. This will include the integrated sector.

The Boards will launch their plans on 5 July for public consultation. The consultation period will run until the end of October. In November the Boards will examine the responses and submit final drafts to my Department. I aim to be able to approve the plans by the end of December.

During the planning and consultation periods all sectors and interests will have a chance to give their views.

## Academic Selection

**Mr McCartney** asked the Minister of Education for his assessment of the recent statement by the Catholic Bishops on academic selection.

**(AQO 2312/11-15)**

**Mr O'Dowd:** I welcome the recent statement by the Catholic Bishops on the future of academic selection.

Fear of change is understandable, and confidence building takes time, but we must never lose sight of the need to offer children the benefits of a non-selective education as quickly as possible.

## School: Transporting Pupils

**Mr Kinahan** asked the Minister of Education to detail the cost of transporting pupils to school by (i) bus; and (ii) taxi in each of the last five years, broken down by Education and Library Board.

**(AQW 13594/11-15)**

**Mr O'Dowd:** The costs for transporting pupils to school by bus and taxi for the last five years for which data are available are:

### (i) BUS

| Year    | BELB       | NEELB       | SEELB       | SELB        | WELB        |
|---------|------------|-------------|-------------|-------------|-------------|
| 2006/07 | £4,007,589 | £13,405,000 | £11,284,872 | £13,195,000 | £12,318,341 |
| 2007/08 | £3,904,115 | £13,871,000 | £11,559,968 | £14,261,000 | £12,543,684 |
| 2008/09 | £4,245,390 | £14,834,781 | £12,212,492 | £14,186,000 | £13,983,293 |
| 2009/10 | £4,450,467 | £15,239,501 | £12,989,351 | £14,649,932 | £13,847,581 |
| 2010/11 | £4,271,696 | £15,284,881 | £13,128,094 | £14,242,525 | £13,828,982 |

### (ii) TAXI

| Year    | BELB       | NEELB      | SEELB      | SELB       | WELB       |
|---------|------------|------------|------------|------------|------------|
| 2006/07 | £736,104   | £1,790,000 | £1,797,052 | £1,838,000 | £1,163,765 |
| 2007/08 | £853,290   | £1,615,000 | £1,425,854 | £1,917,000 | £1,147,641 |
| 2008/09 | £1,082,816 | £1,778,422 | £1,403,503 | £2,200,000 | £1,342,740 |
| 2009/10 | £908,075   | £1,757,306 | £1,124,064 | £1,998,832 | £1,516,725 |
| 2010/11 | £977,355   | £1,663,086 | £1,055,732 | £1,887,236 | £1,630,190 |

## Schools Sustainability

**Mr Kinahan** asked the Minister of Education to detail the six criteria against which schools will be judged on sustainability, including any minimum thresholds for each criterion which may apply.

**(AQW 13597/11-15)**

**Mr O'Dowd:** The six criteria and their associated quantitative and qualitative indicators are set out in detail in Annex A to the Sustainable Schools Policy. The criteria provide a framework for assessing the range of factors which may affect a school's sustainability.

The Policy document is accessible on the DE website at:

[http://www.deni.gov.uk/a\\_policy\\_for\\_sustainable\\_schools-2.pdf](http://www.deni.gov.uk/a_policy_for_sustainable_schools-2.pdf)

## Department for Employment and Learning

### Wolf Report

**Mr Storey** asked the Minister for Employment and Learning for his assessment of the Wolf Report and its implications for further and higher education in Northern Ireland.

**(AQW 12950/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The Wolf Report, entitled “Review of Vocational Education”, is a review of vocational education in England for 14 to 19 year olds. It is important to recognise that, as such, the report does not apply to Northern Ireland.

The report's findings are condensed into 27 recommendations which highlight a number of themes, including: the use of vocational qualifications, particularly for school pupils; the concern that schools in England were using vocational qualifications in inappropriate ways to improve their performance in school league tables; the importance of competence in English and mathematics; the need to support low achievers more effectively; funding the learner, rather than qualifications; and the processes for developing vocational qualifications, including the use of national occupational standards.

While the report does not apply to Northern Ireland, and while many of the recommendations have no direct impact here, some of the recommendations could potentially have an indirect impact here, and a small number of recommendations have a direct impact across the UK, and hence in Northern Ireland.

The areas of the report that are UK-wide in nature, and which, consequently, have a direct impact in Northern Ireland, relate to recommendations 24 and 27. Recommendation 24 concerns the use of national occupational standards in education and training for young people, and how national employer bodies (but not only Sector Skills Councils) and local employers can contribute to qualification design. Recommendation 27 concerns how employers can be involved in qualification assessment and awarding processes. It is important to get the right balance between ensuring that qualifications meet the needs of employers in local areas while being sufficiently generic to be recognised by employers across the UK and further afield; and to agree the part that national occupational standards should play as the basis for vocational qualifications development. These issues are currently under active consideration across the UK, and through a UK-wide VQ Forum on which my Department is represented.

Areas of the report that have the potential to have an indirect impact here relate, primarily, to how the vocational qualification system operates as a market across the UK. As most of the vocational qualifications used in Northern Ireland are developed by the large awarding organisations that are based in England, for example City and Guilds and EdExcel, we need to ensure that the qualifications market is not “skewed” commercially towards new types of vocational qualifications that could be developed by awarding organisations to meet the outcomes of the Wolf Report in England, to the possible detriment of learners in Northern Ireland. It is also worth noting that the Wolf Report makes a number of recommendations regarding apprenticeships in England, for example in the area of contracting. Again, this is an area where Wolf has no direct impact on Northern Ireland, as we have our own contracting arrangements, and arrangements for developing apprenticeship frameworks.

The implications of the Wolf Report for further and higher education in Northern Ireland focus, primarily, on the nature of the vocational qualifications that are produced through the commercial market that I have described briefly above. My Department will continue to fund further education colleges to deliver the bulk of their provision from qualifications that are on the regulated qualifications frameworks, in particular the Qualifications and Credit Framework. We, therefore, have a strong interest in ensuring that such qualifications continue to meet the needs of employers. It is worth noting that our colleges work closely with relevant awarding organisations, and that they, too, can have an impact on the qualifications development process. The implications of the Wolf Report for universities are less direct, although they will, clearly, have an interest in the nature of qualifications that applicants to their courses have acquired.

## Underspend in the 2011/12 Financial Year

**Mr Easton** asked the Minister for Employment and Learning to detail his Department's underspend in the 2011/12 financial year; and the areas in which the underspend occurred.  
**(AQW 13003/11-15)**

**Dr Farry:** The final Departmental Expenditure Limit (DEL) budget – including Administration, Programme and Capital expenditure - was £921.2m. The Provisional Outturn (PO) was £919.8m giving an underspend of £1.4m, or 0.15%.

The Department's four Units of Service (UoS) within DEL comprise the following Divisions:

| UoS | Title                  | Divisions  |
|-----|------------------------|--|
| AO1 | Employment and Skills  | Employment Service (ES)                          |
|     |                        | Skills and Industry (SID)                        |
|     |                        | Further Education (FE)                           |
| AO2 | Higher Education       | Higher Education (HE)                            |
| AO3 | Student Support        | Higher Education (HE)                            |
| AO4 | Labour Market Services | Human Resources and Corporate Services (HRCSD)   |
|     |                        | Strategy, European and Employment Rights (SEERD) |
|     |                        | Finance  |

Administration expenditure was underspent by £397k (1.63%) on a budget of £24.3m.

Programme expenditure was underspent by £977k (0.11%) on a budget of £855.7m. The more significant areas creating this underspend are detailed as follows:

- In A01, Employment and Skills, underspends in SID and ES were offset by increased expenditure in FE; and
- In A02/A03, HE and Student Support, there was an HE underspend of £1.2m which was offset by an overspend in Student Support.

Capital expenditure was underspent by £46k (0.11%) on a budget of £41.2m. In A01, Employment and Skills, an underspend occurred in SID which was offset by increased expenditure in FE.

### St Mary's University College, Belfast

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 12468/11-15, (i) whether his predecessor agreed to omit St Mary's University College, Belfast from any proposed merger; (ii) if so, what guarantee was given to St Mary's; and (iii) to provide a copy of the documents relating to the omission and guarantee.

**(AQW 13111/11-15)**

**Dr Farry:** I am not in a position to comment on the deliberations of my predecessor as Minister. I repeat that St. Mary's University College did not ask to be part of the proposed merger and was, therefore, not included in the development of the merger proposal nor in the consultation document thereon.

### Step Ahead Programme

**Mr P Ramsey** asked the Minister for Employment and Learning, pursuant to AQO 2141/11-15, why his Department did not bid for monies in relation to the Step Ahead Programme.

**(AQW 13124/11-15)**

**Dr Farry:** The Step Ahead initiative ceased in April and I currently have no plans to re-introduce this strand within the Steps to Work programme.

My primary focus at present is to ensure that sufficient resources are available to me in order to allow for the current level of Steps to Work provision to be maintained for an increasing number of participants.

Steps to Work itself is due to end in March 2013 and my Department is presently working on the development of a new programme of adult return to work assistance. This new employment programme will replace Steps to Work during 2013.

I also intend shortly to bring forward proposals on a youth employment initiative to assist young people aged between 18 and 24 to find work by equipping them with the skills required to compete for jobs and move into and progress through sustainable employment.

My Department is also currently assisting in the development of a strategy to address economic inactivity levels in Northern Ireland.

### Mid Ulster: Higher Education

**Mr Molloy** asked the Minister for Employment and Learning what proportion of Regional College Higher Education provision is located within the Mid-Ulster constituency.

**(AQO 2338/11-15)**

**Dr Farry:** Higher Education in Further Education provision in the Mid-Ulster catchment area is delivered by South West College at its Cookstown and Dungannon campuses and by Northern Regional College at its Magherafelt campus.

In academic year 2010/11, there were 112 full-time and 146 part-time higher education enrolments across these three college campuses which represented 2.5% of the total higher education enrolments across the six regional colleges.

Since 2007 my Department has increased South West College's allocation of full-time higher education places from 186 to 420 places while Northern Regional College's allocation has been increased from 249 to 266. South West College and Northern Regional College were the only colleges to receive an increased allocation of full-time higher education places for the forthcoming academic year. In addition, my Department does not place a cap on part-time higher education places and therefore expansion of part-time provision within existing budgets offers colleges a way to increase higher education provision.

However, it is the responsibility of each individual college to manage its delivery of higher education in line with local priorities, as well as the priorities set by my Department. Decisions relating to the location of courses, and the allocation of student places across the college's campuses, are matters for the senior management of the individual regional college and not for my Department.

The recently published higher education strategy for Northern Ireland, 'Graduating to Success', details my Department's plans to work with the higher and further education sectors to develop a pilot scheme for the creation of university bases at the further education colleges. The pilot scheme will provide the opportunity for higher education students to undertake distance learning at the further education colleges, with access to the university materials and resources they need on a planned basis, thus improving rural access to higher education across Northern Ireland.



## Construction Students: Employment

**Mr Wells** asked the Minister for Employment and Learning what proportion of students who have completed construction-related courses at Further Education Colleges have obtained employment in each of the last three years.

**(AQO 2330/11-15)**

**Dr Farry:** Currently, further education colleges do not hold information on the actual destination of students who have completed their courses in a consistent or comprehensive manner.

However, I agree that this would be valuable information, and I can confirm that I had already asked officials, as part of the Department's research agenda, to adopt a similar approach to the Higher Education Statistics Agency to develop a survey to collect comprehensive destination data for students in further education. The Department has had initial discussion with the sector on this issue.

The information that is available on the destinations of qualifiers from full-time professional and technical courses in 'Construction, Planning and the Built Environment' from the Northern Ireland Further Education Colleges shows that the majority progress into Higher Education, Further Education or training with 70% having chosen those routes in 2010/11.

Specifically in relation to employment, in 2010/11, 19% of full-time qualifiers from these courses who provided destination data were recorded as entering employment. The equivalent proportions in 2009/10 and 2008/09 were 25% and 31% respectively.

## North Belfast: NEETs

**Mr G Kelly** asked the Minister for Employment and Learning for his assessment of the groups and agencies in North Belfast which are trying to improve education and employment prospects for young people who are categorised as NEETs.

**(AQO 2327/11-15)**

**Dr Farry:** My Department has contracted with a number of organisations, including some in North Belfast, to cater for young unemployed people aged 16-18, through its Training for Success programme. These organisations currently meet the standards required to deliver high quality training, as assessed by the Education and Training Inspectorate.

In addition, for those young people aged 18-24 there are many opportunities funded through the Steps to Work programme in North Belfast and they too provide participants with access to quality accredited training and resources that will improve their skills and chances of a more sustainable future in employment. It focuses on training to match participants' skills with employers' requirements.

There are currently eight Community and Voluntary Sector providers involved in the delivery of the Department's Steps to Work programme in North Belfast.

Members will be aware that yesterday I made a further statement on "Pathways to Success", the Executive's strategy to address the issue of young people Not in Education, Employment or Training, which recognises the important role of voluntary and community sector organisations, and the sector will be represented on the NEET advisory group taking forward implementation of the strategy. The strategy proposes new programmes, including a community based access programme to engage and mentor young people and a Community Family Support Programme which will focus on the needs of the most disadvantaged families, to enable young people to re-engage with education, training or employment. The success of this strategy is dependent on all Departments playing their part.

## Belfast Metropolitan College: Shankill Students

**Mr Humphrey** asked the Minister for Employment and Learning what action the Belfast Metropolitan College is taking to attract students from the Greater Shankill area.

**(AQO 2333/11-15)**

**Dr Farry:** Belfast Metropolitan College has informed me that it has used a variety of methods to attract students from the Greater Shankill area. These include:

- Distributing its prospectus in the local area;
- leaflet drops;
- advertising in community centres and local newspapers;
- participation in the Shankill community convention; and liaison with schools, community centres, and the local partnership board.

The College has advised that it will continue to work with local community centres, rebranding the Community Learning Centre and through the opening of the brand new E3 campus at Springvale

- Classes are also provided on the basis of requests from organisations e.g. through schools as part of family learning courses, and extended schools provision.
- In recent years BMC has had classes running in Edenmore Primary School, Blackmountain Primary School, Malvern St Primary School, and Glenwood Primary School amongst others.

- In addition there are 54 Essential Skills and Community Education classes planned for the Greater Shankill area in September 2012. Additional classes are expected when the Learner Access and Engagement programme is mainstreamed in September.
- The New Directions/ Threshold courses, addressing NEETS and long term unemployed, will also increase the college presence in the area.

My Department aims to widen participation in higher education through initiatives such as the Step-Up and Discovering Queens programmes which are delivered through schools in areas with traditionally low levels of participation in higher education.

The Step-Up programme is delivered in the Belfast Model School for Girls and the Belfast Boys' Model, and caters for many of the pupils from the Greater Shankill catchment area.

### **Dundalk Institute of Technology**

**Mr Brady** asked the Minister for Employment and Learning whether the Careers Service is ensuring that students from Counties Armagh and Down are apprised of Higher and Further Education Course options at Dundalk Institute of Technology.  
(AQO 2335/11-15)

**Dr Farry:** Advice and guidance about local, national and international courses is provided to all clients and is dependent on their individual requirements and career goals.

Where the Dundalk Institute of Technology can meet requirements, my careers staff will provide course information and discuss the application process with the student.

In addition to this, careers staff from the Newry area attend open days in Dundalk Institute of Technology, at least once a year to keep abreast of developments.

During the academic year staff from the Dundalk Institute attend careers events in schools in the Newry area. This provides my Department's careers advisers with the opportunity to liaise with the Institute on an ongoing basis.

Earlier this year staff from Dundalk Institute attended the UCAS higher education convention in Belfast. This provided them with the opportunity to meet approximately 8,500 students.

### **Republic of Ireland: Tuition Fees**

**Mr McDevitt** asked the Minister for Employment and Learning whether he has considered exempting Northern Ireland students, who are planning to study STEM subjects in the Republic of Ireland, from paying fees under the new arrangements from September 2013.  
(AQO 2336/11-15)

**Dr Farry:** I have no plans to exempt Northern Ireland students who study Science, Technology, Engineering and Mathematics - STEM - subjects from the loan arrangement that will be introduced in September 2013 to cover the student contribution charge to study in the Republic of Ireland or in Northern Ireland.

The revised student finance arrangements are being introduced to create a more level playing field for all of our students in terms of entitlement to student support, irrespective of which course they study or whether they study in Northern Ireland, Great Britain or the Republic of Ireland.

I remain committed to ensuring an increase in the number of students undertaking higher education courses in economically relevant subjects. Indeed, in December 2011, I announced an increase in student places in Northern Ireland, over the Comprehensive Spending Review period, targeted at economically relevant STEM subjects.

However, incentivising or targeting funding for individuals studying specific courses, in Northern Ireland or any other jurisdiction, would require an appropriate evidence base to justify the intervention, along with additional resources that are not currently available under my existing budget.

### **Careers Service**

**Mr Buchanan** asked the Minister for Employment and Learning what work his Department is doing with the Department of Education to improve our Careers Service across all schools and colleges.  
(AQO 2337/11-15)

**Dr Farry:** My Department is responsible for the provision of impartial Careers information, advice and guidance. The Department of Education is responsible for the provision of Careers Education which enables young people to develop their knowledge, understanding, skills and experience, to manage their career development and make informed choices.

A joint Careers Strategy "Preparing for Success" has been in place between my Department and the Department of Education since January 2009. A Steering Group including officials from my department, the Department of Education, the Department of Enterprise Trade and Investment and the Education and Training Inspectorate, as well as representatives from business and education oversees and guides the implementation of the Strategy. The Steering Group also reviews the progress of the Implementation Plan.

Formal partnership agreements are in place between my Department's Careers Service and 99% of all post primary schools, to support the schools' careers education programmes. These agreements also extend to colleges of further education so that students can be referred to the Careers Service.

Work is ongoing between the two departments to ensure that all post primary schools are encouraged to provide pupils with access to impartial careers guidance from careers Advisers and to ensure effective and appropriate sharing of information.

## Corporation Tax

**Mr McGimpsey** asked the Minister for Employment and Learning for his assessment of the report 'Preparing for a Lower Corporation Tax Environment' commissioned by his Department.

**(AQO 2339/11-15)**

**Dr Farry:** The report shows that others have secured economic success in a low tax environment by having a clear understanding of the demand for skills, responding quickly to market changes and increasing the quantum, quality and relevance of skills available.

This report undoubtedly puts Northern Ireland in a stronger position to understand, plan for and take advantage of the full benefits of a lower Corporation Tax environment. The findings will help us build on our current skills development work and ensure we are continuing to support the region's future economic success.

The report sets out the importance of developing our skills base and the employability of our people. It highlights in particular the importance of strong skills in Science, Technology, Engineering and Mathematics; management and leadership; and literacy, numeracy and employability skills.

These are areas that my Department is already focused on and they are central to the overarching 'Success through Skills – Transforming Futures' strategy.

However, while we are on the right path, the research shows that we will need to go even further to address the quantum of skills required under a lower Corporation Tax scenario. As a consequence, I have asked my officials to identify the further actions that would be required to prepare for a lower corporation tax environment.

## Domestic Violence and Abuse

**Ms Brown** asked the Minister for Employment and Learning for his Department's assessment of the workplace policy on Domestic Violence and Abuse, including any steps taken to safeguard victims since its introduction.

**(AQO 2340/11-15)**

**Dr Farry:** The Department for Employment and Learning adheres to the NICS guidance on Domestic Violence and Abuse, which was issued in 2006 and is included in the NICS Human Resources Handbook. The policy applies to all staff and includes guidance for line managers in dealing with staff who may be victims of domestic violence as well as providing information on the help and support available to victims. In individual cases where additional Human Resources support is required, the Department takes appropriate action in line with the NICS guidance and within the parameters of its role as an employer. The Department of Finance and Personnel has an overarching responsibility for maintaining and, where appropriate, assessing the policy.

## Tuition Fees: Republic of Ireland

**Mr McElduff** asked the Minister for Employment and Learning why his Department has revised the financial arrangements for students commencing Higher Education in the Republic of Ireland from September 2013.

**(AQO 2341/11-15)**

**Dr Farry:** The changes being introduced for Northern Ireland students entering higher education in the Republic of Ireland from 2013/14 mean they will be entitled to a loan to cover the student contribution charge as well as an enhanced maintenance support package. The maximum maintenance grant will increase by more than 70% from £2,000 to £3,475.

The thresholds for entitlement to maintenance grant will also increase. The lower threshold at which there is entitlement to full grant will increase from £11,805 to £19,203, while the upper threshold at which entitlement to partial grant ends will increase from £23,605 to £41,065. Consequently, in 2013/14, a new entrant from a household with an income of £20,000 would be entitled to a maintenance grant of £3,300 compared with £675 under the current system.

The changes will align the levels of support and the thresholds with those that apply for Northern Ireland students throughout the United Kingdom. They are consistent with recommendations in the independent student finance review by Joanne Stuart and the report on undergraduate mobility by the Irish Business and Employers Confederation and the Confederation of British Industry.

The student contribution charge in the Republic of Ireland has increased significantly in recent years. In 2006, when variable tuition fees of £3,000 were introduced here, the student contribution charge was €800 - around £650. In September 2012, this charge will have almost tripled to €2,250 and is expected to increase in each of the next three years.

It is inconsistent to continue to provide a non-repayable grant to cover this charge when our students at home and in Great Britain are expected to cover the cost of their tuition fees, with the majority applying for student loans for this purpose.

Overall, the new arrangements will provide a more level playing field in terms of the student finance package for local students regardless of where they choose to study in Northern Ireland, Great Britain or Republic of Ireland.

## Department of Enterprise, Trade and Investment

### George Best Belfast City Airport

**Mr Weir** asked the Minister of Enterprise, Trade and Investment what assistance is being given to the George Best Belfast City Airport in sourcing new airlines to replace the routes vacated by BMI Baby.

**(AQW 12886/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Tourism Ireland works with airports, airlines, ferry operators and other tourism interests to drive demand for services from key markets to Northern Ireland and to help maintain our vital network of routes. Tourism Ireland is currently working with George Best Belfast City Airport on the introduction of potential new routes, however discussions with the airport, and with airlines, are of a commercial and confidential nature.

### Mainland UK: Visitors from

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment to detail the number of visitors from mainland UK on (i) day, weekend and short-stay trips; and (ii) holidays of more than a week, in each quarter of the last five years.

**(AQW 12958/11-15)**

**Mrs Foster:** There was no growth in the number of mainland UK visitors to Northern Ireland in 2011 compared with 2010 and prior to this there has been a general decline in visitors from this important market.

- I. The number of visitors from mainland United Kingdom (UK) on trips of 1-7 nights to Northern Ireland in each quarter of the last five years is presented in column (c) in Table 1. Figures presented relate to trips for any purpose (holiday, business, visiting friends/relatives and other). Data on day and weekend trips are not available.
- II. The number of visitors from mainland UK on trips of more than a week, visiting for any purpose, is presented for each quarter of the last five years in column (d) in Table 1. Data for the number of mainland UK visitors on holiday for more than a week, in each quarter of the last five years, cannot be disaggregated at this level.
- III. The mainland UK trips presented in Table 1 are based on mainland UK visitors who exited via a Northern Ireland air or sea port. Mainland UK visitors who exited via a port in the Republic of Ireland (ROI) but overnighted in Northern Ireland are not included.

**Table 1: Mainland UK visitors to Northern Ireland who exited via a Northern Ireland air or sea port\***

| (a)   | (b)     | (c)                     | (d)                           |
|-------|---------|-------------------------|-------------------------------|
| Year  | Quarter | 1-7 night trips (total) | 8 or more night trips (total) |
| 2011  | 1       | 149,500                 | 25,000                        |
| 2011  | 2       | 194,600                 | 23,200                        |
| 2011  | 3       | 208,100                 | 32,200                        |
| 2011  | 4       | 169,000                 | 14,500                        |
| 2010  | 1       | 146,500                 | 18,700                        |
| 2010  | 2       | 207,500                 | 26,200                        |
| 2010  | 3       | 220,800                 | 37,500                        |
| 2010† | 4       | 188,600                 | 19,400                        |
| 2009  | 1       | 175,100                 | 17,400                        |
| 2009  | 2       | 218,700                 | 17,700                        |
| 2009  | 3       | 254,800                 | 33,000                        |
| 2009  | 4       | 183,300                 | 12,000                        |
| 2008  | 1       | 219,300                 | 23,200                        |
| 2008  | 2       | 255,400                 | 21,000                        |
| 2008  | 3       | 295,600                 | 33,600                        |
| 2008  | 4       | 206,400                 | 11,100                        |
| 2007  | 1       | 225,200                 | 25,100                        |
| 2007  | 2       | 281,800                 | 18,700                        |

| (a)  | (b)     | (c)                     | (d)                           |
|------|---------|-------------------------|-------------------------------|
| Year | Quarter | 1-7 night trips (total) | 8 or more night trips (total) |
| 2007 | 3       | 305,700                 | 35,400                        |
| 2007 | 4       | 238,800                 | 18,800                        |

**Sources:** 2007-2009 Northern Ireland Passenger Survey (NITB) &

2010-2011 Northern Ireland Passenger Survey (NISRA)

\* The mainland UK trips presented in Table 1 are based on mainland UK visitors who exited via a Northern Ireland air or sea port. Mainland UK visitors who exited via a port in the ROI but overnighted in Northern Ireland are not included

† Due to methodological changes in 2010, data from 2010 onwards cannot be directly compared with data pre 2010

## Geothermal Energy

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether her Department has any plans to give geothermal energy its own dedicated tariff, under the Renewable Heat Incentive, as the Department of Energy and Climate Change has done in Britain.

**(AQW 12959/11-15)**

**Mrs Foster:** Under the Great Britain Renewable Heat Incentive, introduced by the Department of Energy and Climate Change, there is currently no dedicated tariff for deep geothermal energy. Those wishing to install deep geothermal applications can however avail of the tariff available to large commercial ground source heat pumps.

DETI consulted on a proposed Northern Ireland Renewable Heat Incentive in July 2011. As part of these proposals a similar position was outlined whereby from the outset of the scheme there would not be a dedicated tariff for deep geothermal but support would be available through the large ground source heat pump tariff. At that time my Department carried out a call for evidence into deep geothermal to help inform a future specific tariff for the technology.

My Department is currently finalising proposals for the Northern Ireland Renewable Heat Incentive and I hope to reveal details of the scheme shortly.

## Tourist Board: Surveys and Opinion Questionnaires

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment how many surveys and opinion questionnaires have been commissioned by the Tourist Board, in the last six years; and to detail the cost of each questionnaire.

**(AQW 12966/11-15)**

**Mrs Foster:** One of the Northern Ireland Tourist Board's (NITB's) key roles is to undertake research and evaluation to guide effective decision making and inform policy and strategy development. Research includes measuring tourism performance and monitoring visitor attitudes to better understand their needs. Evaluation includes the measurement of the Return on Investment for NITB's marketing in the Domestic and ROI markets.

The number of surveys commissioned by NITB in the last six years and the cost of each commissioned survey are detailed in Table 1 and Table 2 below

**Table 1: The number of surveys commissioned by NITB 2005/06 to 2011/12**

| Financial Year | Number of commissioned surveys |
|----------------|--------------------------------|
| 2011/12        | 18                             |
| 2010/11        | 15                             |
| 2009/10        | 16                             |
| 2008/09        | 10                             |
| 2007/08        | 6                              |
| 2006/07        | 5                              |

**Table 2: Cost of surveys commissioned by NITB 2005/06 to 2011/12**

| <b>Financial Year</b> | <b>Survey</b>  | <b>Cost (Inc.VAT)</b> |
|-----------------------|--|-----------------------|
| 2011/12               | NISRA Official Tourism Statistical Surveys to measure domestic tourism performance and GB and overseas visitor performance. Also conducted on behalf of NITB serviced accommodation occupancy survey, self-catering accommodation survey and Northern Ireland visitor attraction survey. Five surveys in total | £529,675              |
| 2011/12               | Evaluation of NITB Advertising Campaigns 2011  | £74,968               |
| 2011/12               | Northern Ireland Tourism Barometer 2011  | £19,782               |
| 2011/12               | Evaluation of 2011/12 Events Fund  | £69,000               |
| 2011/12               | Potential for Forest Related Tourism   | £36,900               |
| 2011/12               | ROI Perceptions Omnibus Survey   | £3,617                |
| 2011/12               | Northern Ireland Perceptions Omnibus Survey  | £3,360                |
| 2011/12               | Northern Ireland Titanic Baseline Survey   | £2,880                |
| 2011/12               | ROI Titanic Baseline Survey  | £2,753                |
| 2011/12               | ROI December 2011 Omnibus Survey   | £5,769                |
| 2011/12               | Value of Northern Ireland Built Heritage Study   | £12,000               |
| 2011/12               | Evaluation of Next Level Programme   | £25,170               |
| 2011/12               | Segmentation Survey  | £90,000               |
| 2011/12               | Consumer Research for Booking Engines  | £9,400                |
| 2011/12               | Political Audit for NITB   | £3,000                |
|                       | <b>Total</b>   | <b>£888,274</b>       |
| 2010/11               | NISRA Official Tourism Statistical Surveys to measure domestic tourism performance and GB and overseas visitor performance. Also conduct on behalf of NITB serviced accommodation occupancy survey, self-catering accommodation survey and Northern Ireland visitor attraction survey. Five surveys in total   | £495,931              |
| 2010/11               | ROI Business Tourism Potential Study   | £23,500               |
| 2010/11               | Business Tourism Barometer   | £23,426               |
| 2010/11               | United Kingdom Tourism Survey  | £73,629               |
| 2010/11               | Industry Stakeholder Attitude Survey 2011  | £19,200               |
| 2010/11               | Tourism Barometer 2010   | £19,290               |
| 2010/11               | Evaluation of NITB's Advertising Campaigns 2010  | £93,354               |
| 2010/11               | Impact of Volcanic Ash Cloud Survey  | £836                  |
| 2010/11               | Northern Ireland Accommodation Review  | £23,100               |
| 2010/11               | Organisational Cultural Inventory Survey   | £9,000                |



| Financial Year | Survey   | Cost (Inc.VAT)  |
|----------------|--|-----------------|
| 2010/11        | Tourist Information Centre Research                  | £5,075          |
|                | <b>Total</b>   | <b>£786,341</b> |
| 2009/10        | United Kingdom Tourism Survey                        | £80,989         |
| 2009/10        | Pilot NI Passenger Survey 2009                       | £161,000        |
| 2009/10        | Business Tourism Barometer 2009                      | £11,750         |
| 2009/10        | Business Visitor Attitude Survey 2009                | £23,000         |
| 2009/10        | Domestic Tourism Omnibus Survey                      | £38,775         |
| 2009/10        | Northern Ireland Spring Advertising Tracking Survey  | £6,314          |
| 2009/10        | ROI Spring Advertising Tracking Survey               | £10,125         |
| 2009/10        | Evaluation of NITB Advertising Campaigns 2009        | £67,275         |
| 2009/10        | Northern Ireland Brand Tracking Survey               | £12,075         |
| 2009/10        | Day Trips Omnibus Survey                             | £15,220         |
| 2009/10        | Visitor Attitude Survey 2009                         | £92,684         |
| 2009/10        | Visitor Experience Survey                            | £48,233         |
| 2009/10        | Tourism Barometer 2009                               | £19,306         |
| 2009/10        | Industry Stakeholder Attitudes Survey                | £20,000         |
| 2009/10        | Gateway Visitor Survey                               | £49,000         |
| 2009/10        | Visitor Information Plan Research                    | £15,000         |
|                | <b>Total</b>   | <b>£670,746</b> |
| 2008/09        | United Kingdom Tourism Survey                        | £80,220         |
| 2008/09        | Northern Ireland Brand Tracking Baseline Development | £37,249         |
| 2008/09        | Northern Ireland Brand Tracking                      | £32,470         |
| 2008/09        | Tourism Barometer                                    | £25,516         |
| 2008/09        | Northern Ireland Spring Advertising Tracking Survey  | £1,974          |
| 2008/09        | Northern Ireland Autumn Advertising Tracking Survey  | £4,208          |
| 2008/09        | ROI Spring Advertising Tracking Survey               | £8,371          |
| 2008/09        | ROI Autumn Advertising Tracking Survey               | £9,243          |
| 2008/09        | Destination Web Watch                                | £1,500          |
| 2008/09        | Northern Ireland and ROI market review               | £47,000         |
| 2008/09        | Political Audit for NITB                             | £2,940          |
|                | <b>Total</b>   | <b>£250,691</b> |
| 2007/08        | United Kingdom Tourism Survey                        | £80,220         |
| 2007/08        | Northern Ireland Brand Tracking                      | £36,678         |
| 2007/08        | Tourism Barometer                                    | £25,516         |
| 2007/08        | Northern Ireland Spring Advertising Tracking         | £2,857          |
| 2007/08        | Northern Ireland Autumn Advertising Tracking         | £4,208          |
| 2007/08        | ROI Spring Advertising Tracking                      | £8,371          |
|                | <b>Total</b>   | <b>£157,850</b> |

| Financial Year | Survey                          | Cost (Inc.VAT)  |
|----------------|---------------------------------|-----------------|
| 2006/07        | United Kingdom Tourism Survey   | £76,912         |
| 2006/07        | Visitor Attitude Survey 2007    | £49,377         |
| 2006/07        | Tourism Barometer               | £21,552         |
| 2006/07        | Windfarm Survey                 | £9,731          |
| 2006/07        | Northern Ireland Brand Tracking | £19,975         |
|                | <b>Total</b>                    | <b>£177,547</b> |

### Departmental Functions: Transfer to Local Government

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment which departmental functions she will seek to transfer to local government from 2015.

**(AQW 12986/11-15)**

**Mrs Foster:** I refer the Member to the reply given to AQW 12061 on 30 May 2012.

### Quarries: Tons of Shale

**Mr Wells** asked the Minister of Enterprise, Trade and Investment how many tonnes of shale have been produced by quarries in each of the last five years.

**(AQW 12999/11-15)**

**Mrs Foster:** Quarries in Northern Ireland are obliged to provide information concerning their output to my Department under the Quarries (Northern Ireland) Order 1983.

Shale is grouped with clay for reporting purposes and no further disaggregation is available.

The most recent information available relates to 2010. The following tonnage has been reported, based on the returns made:

| Year | Annual Tonnage Reported for Clay and Shale Combined |
|------|---|
| 2006 | 1,164,445 tonnes                                    |
| 2007 | 1,399,616 tonnes                                    |
| 2008 | 869,225 tonnes                                      |
| 2009 | 1,004,517 tonnes                                    |
| 2010 | 726,727 tonnes                                      |

### Quarries: Tons of Shale

**Mr Wells** asked the Minister of Enterprise, Trade and Investment how many tonnes of shale have been produced by quarries since the increase in the Aggregates Levy from 40 pence to £2.00 a tonne.

**(AQW 13001/11-15)**

**Mrs Foster:** The Aggregates Levy Scheme was withdrawn in December 2010 and since then, Northern Ireland quarries have been liable to pay £2.00 per tonne extracted.

Quarries in Northern Ireland are obliged to provide information concerning their output to my Department under the Quarries (Northern Ireland) Order 1983. However figures for shale are grouped with clay for reporting purposes and no further disaggregation is available.

The most recent information available relates to 2010 thus no information is available on the tonnage produced since the change in the Aggregates Levy occurred.

## Greenhouse Gas Emission and EU Climate Protection Targets

**Ms Ruane** asked the Minister of Enterprise, Trade and Investment what action her Department has taken through the North-South Ministerial Council in relation to Greenhouse Gas emission and EU climate protection targets.

**(AQW 13048/11-15)**

**Mrs Foster:** Overall policy responsibility for matters relating to Greenhouse Gas emissions and climate protection targets rest with the Department of the Environment and, as such, my Department has not taken anything through the North-South Ministerial Council in this regard.

## Arms Trade Treaty

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment, in light of the unanimous support in the Assembly on 12 June 2012 for an Arms Trade Treaty, whether she can give an assurance that no financial or other support will be provided to companies that are engaged in the trade of arms to countries where there are concerns over their human rights records.

**(AQW 13103/11-15)**

**Mrs Foster:** My Department would not wish to see arms sold into countries where there are concerns over their human rights records.

As a result of UK foreign policy commitments and the implementation of European Union (EU) and United Nations (UN) sanctions and embargoes, companies in the UK are prevented from selling arms to a number of countries where, for example, the supply of equipment could be used for human rights abuses. Northern Ireland companies active in the defense sector are therefore subject to these restrictions.

Neither the Department nor its agencies can prevent companies active in the defense sector from seeking the financial or other support that is available to industry in general.

## Shackleton Army Base, Ballykelly

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment what discussions her Department has had with the Office of the First Minister and deputy First Minister on the future use of the former Shackleton army base at Ballykelly.

**(AQW 13114/11-15)**

**Mrs Foster:** There has been no change to the answer given to AQW 7450/11-15.

## Financial Capability Strategy

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment for an update on the development of a Financial Capability Strategy.

**(AQW 13141/11-15)**

**Mrs Foster:** DETI has commenced a process of engagement with a range of stakeholders to identify the scope and potential requirements for the new Financial Capability Strategy, in line with its commitment to develop a Strategy by 31st March 2013.

## Construction: Public Contract Tenders

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment for her assessment of (i) her Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

**(AQW 13155/11-15)**

**Mrs Foster:** All my Department's construction contracts are awarded through DFP's Central Procurement Directorate. We rely on their advice to ensure that appropriate criteria and financial thresholds are adopted and that small and medium sized businesses are not disadvantaged.

## Proposed Bushmills Dunes Golf Resort

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to outline the targets for visitor numbers to the proposed Bushmills Dunes Golf Resort.

**(AQW 13158/11-15)**

**Mrs Foster:** As this is a private sector-led development visitor numbers are not available to my Department.

## Giant's Causeway Designation as a World Heritage Site

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment for her Department's assessment of the possible impact of losing the Giant's Causeway designation as a World Heritage Site on (i) tourist numbers; and (ii) tourism revenue.

**(AQW 13211/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board has not undertaken any research to assess the possible impact of losing the Giant's Causeway designation as a World Heritage Site.

### Minimum Depth Between a Petroleum Extraction Target Zone and Aquifers: Professor Richard Davis's Recommendation

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment why Professor Richard Davis' recommendation on the minimum depth between a petroleum extraction target zone and aquifers will not be followed by the Geological Survey of Northern Ireland. (AQW 13212/11-15)

**Mrs Foster:** The Geological Survey of Northern Ireland has not made any decision as to whether to recommend that a minimum vertical separation between a shale gas extraction zone and aquifer bodies should be specified and, if it were to be, what that distance should be. The answer to AQW10864/11-15 gives further explanation. Any recommendation by GSNi will be made after consideration of relevant available evidence and after consultation with other regulatory bodies and external experts.

### Belfast International Airport: Car Parks

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment what are the health and safety implications for car parks at Belfast International Airport that are operating without planning permission. (AQW 13250/11-15)

**Mrs Foster:** Operators of car parks at Belfast International Airport are subject to the full requirements of health and safety at work legislation whether the car park has planning permission or not.

### Presbyterian Mutual Society

**Mr Cree** asked the Minister of Enterprise, Trade and Investment for an update on the current position of former savers with the Presbyterian Mutual Society and the repayment of any monies which are outstanding. (AQW 13270/11-15)

**Mrs Foster:** Following the package of financial assistance made available to the Presbyterian Mutual Society (PMS) in July 2011, the Joint Supervisors have issued total payments in excess of £232 million in accordance with the terms of the approved Scheme of Arrangement to PMS members.

The Joint Supervisors are required to repay the DETI secured loan of £175 million, over a period of up to 10 years, and then to make repayments of any excess cash in the following order:

- (i) the repayment to the relevant members holding PMS Loan Capital in respect of the Voluntary Deferred Loans;
- (ii) the repayment to the relevant members holding PMS Loan Capital in respect of the Mandatory Deferred Loans
- (iii) the repayment of any amounts due and unpaid to any member of the Society holding PMS Share Capital; and
- (iv) the repayment of the Presbyterian Church in Ireland (PCI) Loan and the DETI Unsecured Loan.
- (v) Any surplus to be paid to DETINI

### Invest NI: Jobs Created by

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 11022/11-15, which company was responsible for creating the only job by a first time international investor in Foyle in 2011/12; and why only one job was created in Foyle out of the total of 601 jobs created by first time international investors. (AQW 13357/11-15)

**Mrs Foster:** In addition to the one job the member refers to in his question, the original response to AQW 11022 also highlighted an additional 24 jobs promoted in the Foyle constituency by first time international investors offered support through the Jobs Fund. The company that promoted both these 24 jobs and the 1 job referred to in this question was One Stop Data Ltd. In addition to these 25 jobs, there were 324 jobs promoted by both local businesses and follow-on projects by externally-owned businesses in the constituency during the year. Furthermore, Invest NI promoted more inward investment jobs per head of population in Foyle than the Northern Ireland average.

Invest NI has limited scope for 'directing' investment to specific Parliamentary Constituency Areas. Although it may be able to influence the location decisions of some inward-investment projects, assistance patterns are demand-led by businesses wishing to improve their competitiveness and gain a larger share of international markets. In the case of established businesses, reinvestment patterns will usually be determined by the existing location of the business.

It should also be noted that areas such as Parliamentary Constituency Areas (PCAs) are not self-contained labour markets. A project assisted in a particular location has the potential to create benefits across a much wider area. Northern Ireland is a relatively small place and evidence indicates that many investments draw their workforce from areas beyond constituency area boundaries.

## Gas Network

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what percentage of households in Greater Belfast and the 12 towns area are connected to the gas network.

**(AQW 13372/11-15)**

**Mrs Foster:** My Department does not hold the information requested, however Phoenix Natural Gas has advised the Department that by the end of 2011, some 51% of the properties the company had made gas available to within its Greater Belfast licensed area had connected to natural gas.

firmus energy has advised that of the properties which their gas networks pass in their 12 towns licensed area, some 28% are connected to natural gas.

## Department of Finance and Personnel

### Civil Service: Pay Anomalies

**Mr Gardiner** asked the Minister of Finance and Personnel when pay anomalies in the Civil Service will be resolved; and whether any settlement payments will be backdated.

**(AQW 13128/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** I am currently considering proposals submitted by officials relating to the pay and grading review which seek to address a number of anomalies in the current pay system. They concern a very significant issue which requires due consideration and it is not therefore possible to give an indication of the potential outcome at this stage. As a result, it would not be appropriate to comment on any potential element of the proposals.

### Construction: Public Contract Tenders

**Ms Maeve McLaughlin** asked the Minister of Finance and Personnel for his assessment of (i) his Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

**(AQW 13156/11-15)**

**Mr Wilson:** The tendering of construction contracts by my department is undertaken by Central Procurement Directorate (CPD). The process typically involves the selection of suitable contractors to be invited to tender, followed by the assessment of the tenders received and the award of the contract to the successful tenderer.

The criteria used at the selection stage include having adequate financial standing, which is proportionate and relevant to the contract in question. CPD sets financial thresholds, which are based on the annual expenditure on the contract. CPD relies on Constructionline for the financial assessment of individual firms. (Constructionline is the UK's register of construction related contractors and consultants pre-qualified to work for public sector clients.) The selection process has also been developed with Small and Medium sized Enterprises (SMEs) in mind. Where a firm does not have the financial standing to tender for a contract in its own right, the process allows the contractor or consultant to apply as part of a consortium of two or more firms.

Once selected, firms can be invited to tender on the basis of lowest price or a combination of quality and price. Many SMEs feel that the latter puts them at a disadvantage compared to larger contractors. In response to this, CPD has recently developed simplified procedures for contracts which are valued under the relevant European threshold for works, services or supplies. These procedures promote the use of lowest acceptable price for straightforward construction related contracts and have been approved by the Procurement Board. They are set out in a new Procurement Guidance Note which was published on 21 May 2012.

### Bangor Town Centre: Vacant Non-domestic Properties

**Mr Weir** asked the Minister of Finance and Personnel to detail the number of vacant non-domestic properties in Bangor Town Centre in each of the last five years.

**(AQW 13194/11-15)**

**Mr Wilson:** Information on the number of vacant non-domestic properties in the Bangor Town Centre area in each of the last five years is not available as data is collated at District Council and Ward level only.

The following table indicates the number of vacant non-domestic properties in each ward within the North Down District Council Area as at 24th June 2012 (the latest date for which information is available), 31st March 2012, 31st March 2011 and 31st March 2010 (the earliest date for which comparable information is available).

**Number of Vacant Non-Domestic Properties in Each Ward in the North Down District Council Area**

| <b>Ward/District Council</b> | <b>31st March 2010</b> | <b>31st March 2011</b> | <b>31st March 2012</b> | <b>24th June 2012</b> |
|------------------------------|------------------------|------------------------|------------------------|-----------------------|
| Ballycrochan                 | *                      | *                      | *                      | *                     |
| Ballyholme                   | 8                      | 7                      | *                      | *                     |
| Ballymacconnell              | *                      | *                      | *                      | *                     |
| Ballymagee                   | *                      | *                      | *                      | *                     |
| Bangor Castle                | 33                     | 40                     | 39                     | 41                    |
| Bloomfield                   | 14                     | 22                     | 28                     | 27                    |
| Broadway                     | 6                      | 7                      | *                      | *                     |
| Bryansburn                   | *                      | 10                     | 8                      | 8                     |
| Churchill                    | *                      | *                      | *                      | *                     |
| Clandeboyne                  | 9                      | 11                     | 14                     | 13                    |
| Conlig                       | 50                     | 75                     | 80                     | 72                    |
| Craigavad                    | *                      | *                      | *                      | *                     |
| Crawfordsburn                | *                      | 6                      | 6                      | 6                     |
| Cultra                       | *                      | 6                      | *                      | *                     |
| Dufferin                     | *                      | *                      | *                      | *                     |
| Groomsport                   | 10                     | 19                     | 19                     | 22                    |
| Harbour                      | 108                    | 124                    | 117                    | 108                   |
| Hollywood Demesne            | 44                     | 45                     | 41                     | 43                    |
| Hollywood Priory             | 26                     | 32                     | 29                     | 29                    |
| Loughview                    | *                      | 7                      | 7                      | 7                     |
| Princetown                   | *                      | 6                      | *                      | *                     |
| Rathgael                     | 14                     | 14                     | 15                     | 15                    |
| Silverstream                 | 9                      | 10                     | 8                      | 8                     |
| Spring Hill                  | *                      | *                      | *                      | *                     |
| Whitehill                    | *                      | *                      | *                      | *                     |
| Ward Not Known               | *                      | *                      | *                      | *                     |
| <b>North Down DC</b>         | <b>363</b>             | <b>453</b>             | <b>448</b>             | <b>433</b>            |

\* 5 properties or less

**Civil Service E02 Grade: Review**

**Mr P Maskey** asked the Minister of Finance and Personnel to detail (i) why 45.29 percent of Executive Officer II staff in the Civil Service are paid less than the highest paid Administrative Officer staff; and (ii) what action he intends to take to address this matter. **(AQW 13208/11-15)**

**Mr Wilson:** The situation of Executive Officer II staff earning less than the highest paid Administrative Officer is caused by overlapping payscales. This overlap was created as a result of the alignment of the Administrative Officer pay scale with the comparable Technical Grade scale, which was implemented as part of the equal pay settlement. The AA and AO pay scale maxima now exceed almost all comparable pay scales across various UK departments and devolved administrations surveyed. I am currently considering proposals which will address this position.



## Zero Carbon Homes Scheme

**Mr Agnew** asked the Minister of Finance and Personnel how many applications and inquiries his Department has received about the zero carbon homes scheme since it closed, given that it is still advertised on the departmental website and was originally intended to expire in 2015.

**(AQW 13266/11-15)**

**Mr Wilson:** Since the closure of the Low/Zero Carbon Homes (L/ZCH) scheme at 31st March 2012, Land & Property Services have received no applications for the scheme. There have been two enquiries from an MP/MLA and an MLA regarding a mutual constituent.

## Low Carbon Homes Scheme

**Mr Agnew** asked the Minister of Finance and Personnel whether there are any plans to compensate individuals who have built homes with the expectation of availing of the low carbon homes scheme, but are not yet registered, given that it is still advertised on the departmental website and was originally intended to expire in 2015.

**(AQW 13267/11-15)**

**Mr Wilson:** There is no basis to enable acceptance of application for Low/Zero Carbon Homes rate relief after the final closure date of 31st March 2012. The closure of the scheme, with all the relevant dates and procedures was widely publicised at the time. The existence of unedited historic literature on one webpage, contrary to all other available information, does not constitute the basis for compensation.

# Department of Health, Social Services and Public Safety

## Domiciliary Care Packages

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety whether Health and Social Care Trusts will be putting their domiciliary care packages out to tender in 2013/14.

**(AQW 12812/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Western trust had completed a retendering of domiciliary care contracts recently, but following a legal challenge, has decided to recommence that process. The Southern, South Eastern and Belfast Trusts are in the process of preparing to tender /retender their services working collaboratively with the Procurement and Logistics Service of the BSO, and the Northern Trust is also collaborating in that process.

We are already aware of the need for reform and modernization in our health and social care services due to much the publicized demographic situation. Transforming Your Care has given renewed impetus to this reform and my Department, in partnership with the HSC, will continue to develop and expand a range of flexible, responsive and person centred domiciliary care services.

## Domiciliary Care

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what plans there are for domiciliary care in each Health and Social Care Trust area beyond 2012/13.

**(AQW 12813/11-15)**

**Mr Poots:** The Western trust had completed a retendering of domiciliary care contracts recently, but following a legal challenge, has decided to recommence that process. The Southern, South Eastern and Belfast Trusts are in the process of preparing to tender /retender their services working collaboratively with the Procurement and Logistics Service of the BSO, and the Northern Trust is also collaborating in that process.

We are already aware of the need for reform and modernization in our health and social care services due to much the publicized demographic situation. Transforming Your Care has given renewed impetus to this reform and my Department, in partnership with the HSC, will continue to develop and expand a range of flexible, responsive and person centred domiciliary care services.

## Health Service Drug and Alcohol Detoxification Services

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the (i) capital; and (ii) resource funding allocated to Health Service drug and alcohol detoxification services in each of the last five years.

**(AQW 13181/11-15)**

**Mr Poots:** It is not possible to disaggregate capital funding specifically allocated for detoxification services.

Financial returns provided by Trusts to the Health and Social Care Board indicate that expenditure on addiction detoxification services in each of the last five years was as follows:

|         | £m    |
|---------|-------|
| 2006/07 | £2.49 |
| 2007/08 | £2.83 |
| 2008/09 | £3.30 |
| 2009/10 | £3.38 |
| 2010/11 | £3.29 |

The allocation of funding to detox services over the three years to 2014/15 is not known at this time but will take account of the outcome of the population planning process within the context of Transforming Your Care."

### Health Service Drug and Alcohol Detoxification Services

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the projected allocation of (i) capital; and (ii) resource funding for drug and alcohol detoxification services until the end of this Assembly mandate.

**(AQW 13183/11-15)**

**Mr Poots:** It is not possible to disaggregate capital funding specifically allocated for detoxification services.

Financial returns provided by Trusts to the Health and Social Care Board indicate that expenditure on addiction detoxification services in each of the last five years was as follows:

|         | £m    |
|---------|-------|
| 2006/07 | £2.49 |
| 2007/08 | £2.83 |
| 2008/09 | £3.30 |
| 2009/10 | £3.38 |
| 2010/11 | £3.29 |

The allocation of funding to detox services over the three years to 2014/15 is not known at this time but will take account of the outcome of the population planning process within the context of Transforming Your Care."

### Doctors: Industrial Action on 21 June

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety, in relation to the industrial action taken by doctors on 21 June 2012, to detail (i) how many individuals took part; and (ii) for his assessment of the effect on the public.

**(AQW 13207/11-15)**

**Mr Poots:** Health and Social Care (HSC) organisations are currently collating information on the numbers of doctors employed in the health service who took part in the industrial action.

For General Practitioners (GPs), the HSC Board, which manages the performers list of GPs entitled to provide services in N Ireland, received returns from all 353 GP practices of which 180(51%) advised they were supporting the industrial action while 173(49%) of practices were providing a normal service. For those patients whose GPs took industrial action and that required urgent appointments, they were seen on the day. Those patients that were considered non-urgent will receive rescheduled appointments.

In terms of the impact on services Trusts are also seeking to establish the full picture in terms of the cancellation of outpatient appointments, inpatient day cases, surgical procedures etc. but provisional estimates would indicate that the overall effect of the industrial action on the public was not the level of disruption expected and therefore the impact on the public was limited. All emergency and urgent work proceeded as normal. Trusts are working to establish the impact of postponed treatment but there was disruption to services through the cancellation of appointments and procedures that were considered non urgent. Trusts are now working to reschedule those patients who had treatment or care postponed through the BMA's industrial action.

### Fire and Rescue Service: Wildfires

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety (i) what engagement the Fire and Rescue Service has had, to date, with the stakeholder groups in relation to wildfires; and (ii) what steps he is taking to ensure that the Service commits to full co-operation with any future wildfires forum.

**(AQW 13209/11-15)**

**Mr Poots:** The Northern Ireland Fire and Rescue Service (NIFRS) has engaged with a wide range of organisations on the issue of wildfire prevention in the countryside, including, among others, the Belfast Hills Partnership, the Safer Mournes Partnership, Mourne Heritage Trust, the Forestry Service, PSNI and local Councils. It has worked with key stakeholders to develop site specific risk assessments and prepare annotated wildfire maps for all areas of risk.

I can confirm that NIFRS welcomes the development of, and would fully participate in, a Wildfire Forum. It has already engaged at a strategic level with Government Departments and stakeholder groups about the possible establishment of such a forum.

### Marian Price

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety given that Marian Price has been moved from Hydebank Wood Prison to hospital, whether an assessment has been made of any comparisons between her current medical condition and the medical condition she was suffering from prior to her release in 1980.

**(AQW 13242/11-15)**

**Mr Poots:** Ms Price was transferred from HMP Hydebank Wood to a hospital on 22 June. It is not the policy of the Belfast Health and Social Care Trust to disclose any information on a patient's past or present condition without the patient's consent.

### Western Health and Social Care Trust: Ambulance and Emergency Day Crew Staff

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety how many of the ambulance and emergency day crew staff in the Western Health and Social Care Trust area received (i) two meal breaks; and (ii) one meal break in each shift, in the last six months, broken down by ambulance service station.

**(AQW 13263/11-15)**

**Mr Poots:** Information in the form requested is not readily available and could only be provided at disproportionate cost.

### Agenda for Change: Classification

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety (i) how many staff are still awaiting classification, under Agenda for Change, broken down by the year their employment commenced; and (ii) when all classifications will be completed.

**(AQW 13310/11-15)**

**Mr Poots:**

- (i) There are 1,702 (of the 65,000 staff) that are subject to the Agenda for Change arrangement that have yet to receive an Agenda for Change grading. These staff are employed in one of the 257 job descriptions that require full job evaluation. Where Agenda for Change applies, all other staff have been job graded. Details of the year in which any member of HSC staff commenced employment is not held centrally by my Department and could only be obtained from individual HSC employers at a disproportionate cost.
- (ii) HSC employers are carrying out the Agenda for Change evaluation process in partnership with Trade Union representatives and are at varying stages in this process. There is no deadline for the completion of this job evaluation exercise.

### Umbilical Cord Blood Donation

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) how maternity units inform expectant mothers that blood from the umbilical cord may be donated; and (ii) what policies are in place to promote umbilical cord blood donation.

**(AQW 13311/11-15)**

**Mr Poots:** Cord Blood donation is licensed by the Human Tissue Authority. Umbilical cord blood donations for public cord banking are only collected at the Royal Jubilee Maternity Hospital or at the Mater Hospital.

The matter of public cord blood donation is discussed at the antenatal stage in the Belfast Trust. In the case of directed donations, the consultant of the relative who may benefit from being treated with the cord blood and the obstetric team will discuss the donation.

### Alcohol Abuse: Beds in Accident and Emergency Departments

**Mr Weir** asked the Minister of Health, Social Services and Public Safety for his Department's assessment of the percentage of beds in Accident and Emergency Departments that are used by patients as a result of alcohol abuse.

**(AQW 13334/11-15)**

**Mr Poots:** The information requested is not available.

### Southern Health and Social Care Trust Area: Occupational Therapists

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety (i) how many occupational therapists are employed in the Southern Health and Social Care Trust area; and (ii) what is the average waiting time to be seen by an occupational therapist.

**(AQW 13335/11-15)**

**Mr Poots:**

- (i) As at 31st March 2012, there were 1741 (152.78 Whole-time equivalent) occupational therapists employed within the Southern HSC Trust.

1 Source: Human Resource Management System

- (ii) Table 1 below details the number of people waiting from referral to treatment by an occupational therapist, by aggregate time band, in the Southern HSC Trust at 18th June 2012.

**Table 1**

|                          | Waiting time from referral to treatment for Occupational Therapy (by weeks waiting) <sup>2</sup> |         |         |          |     |       |
|--------------------------|--|---------|---------|----------|-----|-------|
|                          | 0 to 3   | >3 to 6 | >6 to 9 | >9 to 13 | >13 | Total |
| Number of people waiting | 371  | 259     | 175     | 138      | 157 | 1,100 |

- 2 Figures detailed in reply to this question were provided on request by the HSC Board and have not been validated by the DHSSPS.

The median waiting time from referral to treatment in the Southern HSC Trust was “>3 to 6” weeks.

### Newry Occupational Health Department

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety when the Newry Occupational Health department, which has been temporarily relocated to hospitals in Armagh and Craigavon due to staff shortages, will be returned to Daisy Hill Hospital, Newry.

**(AQW 13336/11-15)**

**Mr Poots:** I am advised that the Southern Trust Occupational Health (OH) Service normally operates from three locations; Daisy Hill, St Luke's and Craigavon Area hospitals.

After working closely with staff and trade unions at Daisy Hill Hospital, it was agreed that the OH Department would temporarily relocate for a period of nine months beginning at the end of April 2012. This relocation was deemed necessary due to difficulty in recruiting specialist OH staff to provide full time maternity leave cover.

A limited OH service is still offered at Daisy Hill and arrangements are in place to provide urgent OH attention if required.

### Foyle Search and Rescue: Funding

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail (i) the funding his Department currently provides to Foyle Search and Rescue; and (ii) what additional funding he can provide to cover the estimated running costs of £90,000 per annum.

**(AQW 13350/11-15)**

**Mr Poots:** My Department does not provide funding for the Foyle Search and Rescue.

### Antrim Area Hospital: Sexual Assault Referral Centre

**Mrs Hale** asked the Minister of Health, Social Services and Public Safety (i) for an update on the planned development of a sexual assault referral centre at the Antrim Area Hospital; and (ii) the timescale for its completion.

**(AQW 13377/11-15)**

**Mr Poots:** A key initiative in the effort to raise the standards of care for all victims of sexual violence in Northern Ireland is the establishment of a regional Sexual Assault Referral Centre (SARC) which is being built within the grounds of Antrim Area Hospital and will be managed by the Northern Health and Social Care Trust (NHSCT).

The building work is due to be completed by December 2012 and the SARC is expected to open in February 2013.

## Department of Justice

### Martin Corey: Temporary Release

**Lord Morrow** asked the Minister of Justice (i) whether he was approached by the Minister of Education, or any other MLA or Sinn Féin representative, requesting the release of Martin Corey for his brother's funeral; (ii) if so, on what dates; (iii) why he allowed the temporary release of Mr Corey; and (iv) what assurances were given that he would be accompanied throughout the service before being returned to HMP Maghaberry.

**(AQW 12407/11-15)**

**Mr Ford (The Minister of Justice ):** An MLA contacted me on Tuesday 22 May 2012 and the Minister of Education contacted me on Wednesday 23 May 2012 to state their support for Martin Corey's application for compassionate temporary release to attend his brother's funeral.

I took the decision to grant Mr. Corey compassionate temporary release after considering the particular individual circumstances of the case including the humanitarian aspects.

I sought and received assurances from the Minister of Education that he would collect Mr. Corey from HMP Maghaberry, accompany him to and throughout the funeral mass, and return him to the prison immediately after the conclusion of the service.

In addition, assurances were sought and received from Mr. Corey who agreed to remain in the company of the Minister of Education at all times, restrict contact to members of the immediate family circle and return to prison immediately after the conclusion of the funeral mass.

### Death in Custody

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12016/11-15, in relation to the two members of Prison Service staff involved in the investigation or disciplinary process following the death in custody of John Deery, for his assessment of whether this was (i) appropriate; and (ii) met the criteria of best practice and Labour Relations Agency guidelines.

**(AQW 12906/11-15)**

**Mr Ford:** I am content that it was appropriate for both members of staff to have been involved in the investigation or disciplinary process following the death of Mr Deery. They were carrying out their duties in accordance with the current Code of Conduct and Discipline, the content of which was agreed with relevant staff associations.

### Prostitution: Legislation

**Lord Morrow** asked the Minister of Justice whether he will amend legislation to upgrade the charge of knowingly engaging the services of a prostitute who has been coerced from a summary offence, to ensure more severe penalties on conviction and the removal of the current statutory time barring.

**(AQW 12907/11-15)**

**Mr Ford:** The current summary offence of paying for the services of a prostitute subjected to force is a strict liability offence, as it is in England and Wales. This means that the question of whether or not the individual knew that the prostitute was being subjected to force is irrelevant to that particular offence.

If a person knowingly paid for sex with a person who was not freely consenting, the charge would be for a non-consensual offence such as rape, which is indictable.

### Central Investigation Service

**Mr Allister** asked the Minister of Justice whether the Criminal Justice Inspectorate regulates the Central Investigation Service, attached to the Department of Agricultural and Rural Development, and, if not, to outline the reasons why.

**(AQW 12912/11-15)**

**Mr Ford:** Criminal Justice Inspection Northern Ireland (CJINI) does not regulate the Central Investigation Service, attached to the Department of Agriculture and Rural Development. CJINI is not a regulatory body. The list of organisations which CJINI has a statutory mandate to inspect can be found at Section 46 of the Justice (Northern Ireland) Act 2002.

### Owen Roe and James McDermott

**Lord Morrow** asked the Minister of Justice why a supervising officer, rather than a designated risk manager, was assigned to Owen Roe and James McDermott, given that they were subject to Sexual Offences Prevention Orders and were both regarded as a potential risk.

**(AQW 12984/11-15)**

**Mr Ford:** In this case, the court made a supervision and treatment order which requires the person in respect of whom it is made to be under the supervision of a social worker or probation officer for a period specified in the order. A social worker employed by the Western Health and Social Care Trust was nominated by the court to fulfil that role.

A sexual offences prevention order does not require the appointment of a designated risk manager. The police were, however, responsible for the enforcement of the conditions in the order and worked alongside the nominated social worker to manage risk.

### **Zoe Crowe**

**Lord Morrow** asked the Minister of Justice whether he will order an investigation into the Northern Ireland Prison Service's handling of the case of prison officer Zoe Crowe, including who was responsible for the action taken against her; and whether he has any plans to instigate disciplinary proceedings against those involved.

**(AQW 13005/11-15)**

**Mr Ford:** It would be inappropriate to comment on this individual case as it is the subject of a complaint to the Office of Industrial Tribunals and Fair Employment Tribunal (Northern Ireland).

### **Thomas Ward**

**Lord Morrow** asked the Minister of Justice, in light of his statement that the relevant agencies involved with Thomas Ward have examined the matter and do not believe that there are sufficient issues in the Public Protection Arrangements process which need to be addressed through the serious case review procedure, (i) why this stance has now been changed and reviews undertaken; (ii) whether he ordered the reviews; and (iii) whether the reviews will constitute a serious case review.

**(AQW 13008/11-15)**

**Mr Ford:** Despite the fact that the case does not fall within the current guidelines for a serious case review as defined in the current PPANI guidance, the PPANI Strategic Management Board, representing the relevant agencies, decided to undertake a review of this case.

I have asked to see the conclusions of the review.

### **Security Industry Authority Licence**

**Mr G Robinson** asked the Minister of Justice whether a Security Industry Authority (SIA) licence is required by a firm that has been hired to clamp vehicles on private property; and whether the SIA licence number should be displayed on the signage prohibiting parking on the private property.

**(AQW 13011/11-15)**

**Mr Ford:** There are two types of SIA licence currently used for vehicle immobilisation (wheel clamping) on private land in Northern Ireland.

- 1 A **front line** licence is required by individuals if they undertake wheel clamping.
- 2 A non-front line licence is required for those who manage, supervise and/or employ individuals who engage in this activity.

There is no requirement for an SIA licence number to be displayed on signage however, if an individual collects a release fee, they must provide a receipt which includes their unique licence number.

### **Prison Officers: Voluntary Early Retirement Scheme**

**Mr Wells** asked the Minister of Justice why prison officers included in Tranche One of the Voluntary Early Retirement Scheme had their requests to continue their employment refused, whilst those in Tranches Two and Three were permitted to withdraw from the scheme and remain in the Northern Ireland Prison Service.

**(AQW 13012/11-15)**

**Mr Ford:** There were no requests to withdraw from the scheme from staff in tranche one. However, there was a small number of verbal requests to defer dates of leaving, but this was not possible as staff were released on a least cost basis.

When staff are selected and given a leaving date, the terms of the Voluntary Early Retirement Scheme become binding and cannot be revoked.

As the Northern Ireland Prison Service was unable to provide staff who received letters two and three with a leaving date, they were not legally bound to leave and were given the option to withdraw from the Scheme. A decision to withdraw from the Scheme is final and staff cannot reverse this decision or reapply to this Scheme at a later date.

### **Roe House: Prison Population**

**Mr P Ramsey** asked the Minister of Justice, pursuant to AQW 12384/11-15, whether an extension of the built facilities is being considered as a means of addressing the growth of prisoner numbers.

**(AQW 13013/11-15)**

**Mr Ford:** As part of the ongoing NIPS Estate Strategy a new 120 bed residential unit and a 20 bed special protection unit are due to open in Maghaberry Prison at the end of August 2012. These new facilities will provide sufficient, modern accommodation for the general population and will be called Quoile and Shimna Houses.

The Estate Strategy also identifies plans to bring forward proposals for a further 240 bed residential block to be built at Maghaberry by 2012.



### Brian Brendan Lynch: Londonderry Magistrates' Court

**Lord Morrow** asked the Minister of Justice, in relation to the case of Brian Brendan Lynch at Londonderry Magistrates' Court, (i) the dates on which the offences were allegedly committed; (ii) the date of the first appearance at the Magistrates' Court; (iii) how many times the case has been listed at court and for what reasons; and (iv) the total cost of this case to date, including the cost of legal aid.

**(AQW 13022/11-15)**

**Mr Ford:** Brian Brendan Lynch first appeared in court on 22 September 2011 charged with a range of offences which were allegedly committed on 13 August 2011. His case has been listed at court on 24 occasions, the reasons for listing are predominantly for case management and the variation of bail.

The estimated cost of the case to date is outlined in the table below:

| Cost Type  | Estimated Cost |
|--|----------------|
| PPS Prosecution <sup>1</sup>                                 | N/A            |
| Defence (Legal Aid Costs) <sup>2</sup>                       | N/A            |
| Police <sup>3</sup>  | £0             |
| Court Costs - Judiciary and Staff Costs, Jury and Facilities | £1,133         |
| <b>Total</b>   | <b>£1,133</b>  |

- 1 It is not possible to provide details of internal costs for individual PPS cases. There are no external costs as yet.
- 2 As the case is on-going no legal aid fees have as yet been paid.
- 3 No additional costs have been incurred by PSNI. All court appearances attended by PSNI have been part of the Investigating Officers regular duties.

### Relocation of DARD Headquarters

**Mr Swann** asked the Minister of Justice what discussions he has had with the Minister of Agriculture and Rural Development in relation to the relocation of DARD headquarters from Dundonald House, given that 174 of his departmental staff are based in the building.

**(AQW 13043/11-15)**

**Mr Ford:** My officials keep in contact with their DARD colleagues about their plans. At this time, there are no plans to relocate Prison Service staff from Dundonald House.

### Compassionate Leave: Prisoner Request

**Lord Morrow** asked the Minister of Justice to detail the occasions when he has intervened in, or over-ruled, a decision to refuse a prisoner's request for compassionate leave.

**(AQW 13067/11-15)**

**Mr Ford:** I have intervened in one case relating to a prisoner's request for compassionate leave and refer the member to the details set out in my answer to AQW 12473/11-15.

### Northern Ireland Prison Service Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice, in relation to the Northern Ireland Prison Service Code of Conduct and Discipline, on how many occasions has accepted practice, rather than procedural or standard practice been used (i) as a defence against disciplinary charges by staff who were under investigation; and (ii) by investigating governors in disciplinary procedures; and for his assessment of whether policies and procedures need to be amended.

**(AQW 13068/11-15)**

**Mr Ford:** Information in the form requested is not readily available and could only be obtained at disproportionate cost.

I would however, refer the member to the replies I provided to AQWs 12222/11-15 and 12364/11-15 when the member was advised that the Northern Ireland Prison Service is currently developing a new Professional Code of Conduct to replace the current COCD; and that staff involved in the application of the current Code of Conduct and Discipline (COCD), do so in accordance with agreed guidelines.

### **Policing and Community Safety Partnerships: Recruiting Independent Members**

**Mr Weir** asked the Minister of Justice how the cost of recruiting independent members to the Policing and Safety Partnerships compares to the cost of recruiting such members to the previous District Policing Partnerships.

**(AQW 13071/11-15)**

**Mr Ford:** The process of appointing independent members to Policing and Community Safety Partnerships (PCSPs) and District Policing and Community Safety Partnerships (DPCSPs) is a restricted function of the Northern Ireland Policing Board. However I understand that, based on figures relating to the initial recruitment round, costs have been significantly reduced.

The Policing Board has advised that the cost stands at approximately £226,000; this does not include the cost of the further recruitment process, which is not yet complete. The cost of the last recruitment round for District Policing Partnerships, which took place in 2007/08, was approximately £510,000.

### **Speed Detection Cameras: Location and Timing**

**Mr Campbell** asked the Minister of Justice whether he has held any discussions with the Chief Constable regarding the current criteria that is used, and any potential changes to the criteria, for the location and timing of speed detection cameras.

**(AQW 13074/11-15)**

**Mr Ford:** I have not had any discussions with the Chief Constable on this matter. Enforcement of speed limits is an operational matter for the Chief Constable while lead responsibility for road safety policy rests with the Minister for the Environment.

### **Maghaberry Prison and Magilligan Prison: Prisoners**

**Mr Campbell** asked the Minister of Justice for an estimate of the total cost to the public purse of damage caused by deliberate actions on the part of prisoners detained in (i) Maghaberry Prison; and (ii) Magilligan Prison, over the last ten years.

**(AQW 13077/11-15)**

**Mr Ford:** Information in the form requested is not readily available and could only be obtained/compiled at disproportionate cost.

### **Offenders Levy: Revenue Raised**

**Miss M McIlveen** asked the Minister of Justice how the revenue which is raised through the Offenders Levy will be allocated.

**(AQW 13084/11-15)**

**Mr Ford:** Revenue collected from the Offender Levy will be used solely to resource a dedicated Victims of Crime Fund. The Fund will pay for projects which support victims and witnesses in the justice process, as well as for local initiatives taken forward by groups working with victims in the community.

It is expected that up to £500,000 per annum will be generated from the Levy once it has been rolled out in full across all relevant sentences and penalties.

However, during this first phase of the Levy's introduction, it is expected that up to £250,000 will be accrued annually.

### **Offenders Levy: Revenue Raised**

**Miss M McIlveen** asked the Minister of Justice how much revenue he anticipates will be raised through the Offenders Levy.

**(AQW 13085/11-15)**

**Mr Ford:** Revenue collected from the Offender Levy will be used solely to resource a dedicated Victims of Crime Fund. The Fund will pay for projects which support victims and witnesses in the justice process, as well as for local initiatives taken forward by groups working with victims in the community.

It is expected that up to £500,000 per annum will be generated from the Levy once it has been rolled out in full across all relevant sentences and penalties.

However, during this first phase of the Levy's introduction, it is expected that up to £250,000 will be accrued annually.

### **Serious Case Reviews**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12823/11-15, on what dates did each agency commence its review into the handling of the case of Thomas Ward; and if, and when, these reviews will be published.

**(AQW 13110/11-15)**

**Mr Ford:** The reviews were commenced in June 2012.

The reviews will be presented to the September meeting of the PPANI Strategic Management Board (SMB) and decisions on publication will be taken then, with due regard to data protection and other sensitivities.

## Prisons: Drugs Culture

**Lord Morrow** asked the Minister of Justice whether he plans to instigate additional measures to address the drugs culture within prisons, both in relation to illegal drugs and the misuse of prescription drugs.

**(AQW 13112/11-15)**

**Mr Ford:** I can confirm that Prison Service officials are in the process of initiating a review of the effectiveness of the range of measures currently in place to minimise the availability and use of illegal drugs in our prisons. In addition, the South Eastern Health and Social Care Trust and the Prison Service are committed to addressing recent concerns in relation to 'in possession' medication, in particular to consider 'supervised swallow' arrangements for certain categories of drugs.

## Dessie Grew and Martin McCaughey

**Mr Givan** asked the Minister of Justice to detail the total cost of the historical inquest into the 1990 deaths of Dessie Grew and Martin McCaughey.

**(AQW 13143/11-15)**

**Mr Ford:** The total costs associated with the Coroner's investigation into the deaths of Desmond Grew and Martin McCaughey would require a manual trawl of records which would incur disproportionate cost.

However estimated costs from September 2009 are set out in the table below.

| Cost Type                            | Amount (£)     |
|--------------------------------------|----------------|
| Preliminary & Inquest Hearing Costs  | 455,994        |
| Other Costs                          | 193,514        |
| <b>Total Current Estimated Costs</b> | <b>649,508</b> |

The preliminary and inquest hearing costs include:

- estimated legal costs incurred by the Coroner;
- estimated payments for legal aid under the Statutory Exceptional Grant Power;
- judicial, staff, IT and accommodation costs;
- estimated witness expenses; and
- estimated jury costs.

The other costs relate to legal challenges and satellite litigation which span a considerable timeframe and to identify all costs would require an extensive manual exercise. The estimates provided include:

- legal costs incurred by the Coroner between March 2009 and April 2012 and paid to date;
- estimated costs awarded against the Coroner in respect of a recent Supreme Court action; and
- interim civil legal aid payments in respect of the legal challenges however no bills have yet been received and will be subject to assessment when submitted.

There are currently 34 inquests relating to 51 deaths classified as 'legacy' or historical inquests (a list is attached at Annex A).

There is no statutory right of appeal in Coroners' cases.

Article 2 of the European Convention on Human Rights imposes a procedural obligation to carry out an effective investigation into the circumstances of any death which involves state agents. In its submission to the Council of Ministers, the UK Government stated that in the absence of a criminal investigation or public inquiry, the Coroner's inquest will play a central role in ensuring there is an Article 2 compliant investigation in relation to the historical inquest cases.

It is not possible to estimate the total cost of each inquest as this will depend on the individual circumstances of each case and factors such as:

- the legacy caseload;
- the volume of documentary evidence and number of witnesses;
- the duration of preparatory work and inquest hearings; and
- the nature and complexity of any satellite litigation.

My Department is currently reviewing the resource requirement for historical inquests. The costs of historical inquests are currently being met from the NI Courts and Tribunals Service (NICTS) budget, part of my total Departmental budget.

**Annex A****List of Legacy Cases at June 2012**

|    | <b>Name of Deceased</b>   | <b>Date of Death</b>                         |
|----|---|--|
| 1  | Bernard Watt  | 06/02/71                                     |
| 2  | Edward John Doherty   | 10/08/71                                     |
| 3  | Father Hugh Mullan & Francis Joseph Quinn   | 09/08/71                                     |
| 4  | John James McKerr   | 20/08/71                                     |
| 5  | Joseph Corr &<br>John Laverty   | 27/08/71<br>11/08/71                         |
| 6  | Joan Connolly,<br>Noel Phillips,<br>Daniel Teggart &<br>Joseph Murphy               | 09/08/71<br>10/08/71<br>09/08/71<br>22/08/71 |
| 7  | Francis Rowntree  | 20/04/72                                     |
| 8  | Manus Deery   | 19/05/72                                     |
| 9  | John Quinn, Allan McCloy, Paul Hamilton   | 27/10/82                                     |
| 10 | Michael Tighe   | 24/11/82                                     |
| 11 | Gervaise McKerr, Eugene Toman, John Frederick Burns                                 | 11/11/82                                     |
| 12 | Peter James Martin Grew, Roderick Carroll   | 12/12/82                                     |
| 13 | Daniel Eugene Doherty & William Fleming   | 06/12/84                                     |
| 14 | Francis Bradley   | 18/02/86                                     |
| 15 | Gerard Slane  | 23/09/88                                     |
| 16 | Gerard Casey  | 04/04/89                                     |
| 17 | Samuel James Marshall   | 07/03/90                                     |
| 18 | Michael James Ryan, Anthony Patrick Doris, Laurence McNally                         | 03/06/91                                     |
| 19 | Patrick Daniel Vincent, Sean O'Farrell, Peter Paul Clancy,<br>Kevin Barry McDonnell | 16/02/92                                     |
| 20 | John McKearney &<br>Kevin McKearney   | 04/04/92<br>03/01/92                         |
| 21 | Patrick Pearse Jordan   | 25/11/92                                     |
| 22 | Liam Paul Thompson  | 27/04/94                                     |
| 23 | Roseanne Mallon   | 08/05/94                                     |
| 24 | James Carlisle McDonnell  | 30/03/96                                     |
| 25 | Sean Patrick Brown  | 12/05/97                                     |
| 26 | Raymond McCord  | 09/11/97                                     |
| 27 | Seamus Dillon   | 28/12/97                                     |
| 28 | Patrick Joseph James Ward   | 18/10/99                                     |
| 29 | Richard Jameson   | 10/01/00                                     |
| 30 | Daniel Stephen Osvaldo McColgan   | 12/01/02                                     |
| 31 | Gerard Lawlor   | 22/07/02                                     |
| 32 | Neil John McConville  | 29/04/03                                     |

|    | <b>Name of Deceased</b> | <b>Date of Death</b> |
|----|-------------------------|----------------------|
| 33 | Kevin Anthony McAlorum  | 03/06/04             |
| 34 | Gareth Paul O'Connor    | 11/06/05             |

## Historical Inquests

**Mr Givan** asked the Minister of Justice to list the potential historical inquests that his Department, or the Coroner, have identified; and for an estimate of the total cost of hearing each inquest.

**(AQW 13146/11-15)**

**Mr Ford:** The total costs associated with the Coroner's investigation into the deaths of Desmond Grew and Martin McCaughey would require a manual trawl of records which would incur disproportionate cost.

However estimated costs from September 2009 are set out in the table below.

| <b>Cost Type</b>                     | <b>Amount (£)</b> |
|--------------------------------------|-------------------|
| Preliminary & Inquest Hearing Costs  | 455,994           |
| Other Costs                          | 193,514           |
| <b>Total Current Estimated Costs</b> | <b>649,508</b>    |

The preliminary and inquest hearing costs include:

- estimated legal costs incurred by the Coroner;
- estimated payments for legal aid under the Statutory Exceptional Grant Power;
- judicial, staff, IT and accommodation costs;
- estimated witness expenses; and
- estimated jury costs.

The other costs relate to legal challenges and satellite litigation which span a considerable timeframe and to identify all costs would require an extensive manual exercise. The estimates provided include:

- legal costs incurred by the Coroner between March 2009 and April 2012 and paid to date;
- estimated costs awarded against the Coroner in respect of a recent Supreme Court action; and
- interim civil legal aid payments in respect of the legal challenges however no bills have yet been received and will be subject to assessment when submitted.

There are currently 34 inquests relating to 51 deaths classified as 'legacy' or historical inquests (a list is attached at Annex A).

There is no statutory right of appeal in Coroners' cases.

Article 2 of the European Convention on Human Rights imposes a procedural obligation to carry out an effective investigation into the circumstances of any death which involves state agents. In its submission to the Council of Ministers, the UK Government stated that in the absence of a criminal investigation or public inquiry, the Coroner's inquest will play a central role in ensuring there is an Article 2 compliant investigation in relation to the historical inquest cases.

It is not possible to estimate the total cost of each inquest as this will depend on the individual circumstances of each case and factors such as:

- the legacy caseload;
- the volume of documentary evidence and number of witnesses;
- the duration of preparatory work and inquest hearings; and
- the nature and complexity of any satellite litigation.

My Department is currently reviewing the resource requirement for historical inquests. The costs of historical inquests are currently being met from the NI Courts and Tribunals Service (NICTS) budget, part of my total Departmental budget.

Annex A

List of Legacy Cases at June 2012

|   | <b>Name of Deceased</b>                   | <b>Date of Death</b> |
|---|---|----------------------|
| 1 | Bernard Watt                              | 06/02/71             |
| 2 | Edward John Doherty                       | 10/08/71             |
| 3 | Father Hugh Mullan & Francis Joseph Quinn | 09/08/71             |

|    | <b>Name of Deceased</b>   | <b>Date of Death</b>                         |
|----|---|--|
| 4  | John James McKerr   | 20/08/71                                     |
| 5  | Joseph Corr &<br>John Lavery  | 27/08/71<br>11/08/71                         |
| 6  | Joan Connolly,<br>Noel Phillips,<br>Daniel Teggart &<br>Joseph Murphy               | 09/08/71<br>10/08/71<br>09/08/71<br>22/08/71 |
| 7  | Francis Rowntree  | 20/04/72                                     |
| 8  | Manus Deery   | 19/05/72                                     |
| 9  | John Quinn, Allan McCloy, Paul Hamilton   | 27/10/82                                     |
| 10 | Michael Tighe   | 24/11/82                                     |
| 11 | Gervaise McKerr, Eugene Toman, John Frederick Burns                                 | 11/11/82                                     |
| 12 | Peter James Martin Grew, Roderick Carroll   | 12/12/82                                     |
| 13 | Daniel Eugene Doherty & William Fleming   | 06/12/84                                     |
| 14 | Francis Bradley   | 18/02/86                                     |
| 15 | Gerard Slane  | 23/09/88                                     |
| 16 | Gerard Casey  | 04/04/89                                     |
| 17 | Samuel James Marshall   | 07/03/90                                     |
| 18 | Michael James Ryan, Anthony Patrick Doris, Laurence McNally                         | 03/06/91                                     |
| 19 | Patrick Daniel Vincent, Sean O'Farrell, Peter Paul Clancy,<br>Kevin Barry McDonnell | 16/02/92                                     |
| 20 | John McKearney &<br>Kevin McKearney   | 04/04/92<br>03/01/92                         |
| 21 | Patrick Pearse Jordan   | 25/11/92                                     |
| 22 | Liam Paul Thompson  | 27/04/94                                     |
| 23 | Roseanne Mallon   | 08/05/94                                     |
| 24 | James Carlisle McDonnell  | 30/03/96                                     |
| 25 | Sean Patrick Brown  | 12/05/97                                     |
| 26 | Raymond McCord  | 09/11/97                                     |
| 27 | Seamus Dillon   | 28/12/97                                     |
| 28 | Patrick Joseph James Ward   | 18/10/99                                     |
| 29 | Richard Jameson   | 10/01/00                                     |
| 30 | Daniel Stephen Osvaldo McColgan   | 12/01/02                                     |
| 31 | Gerard Lawlor   | 22/07/02                                     |
| 32 | Neil John McConville  | 29/04/03                                     |
| 33 | Kevin Anthony McAlorum  | 03/06/04                                     |
| 34 | Gareth Paul O'Connor  | 11/06/05                                     |



## Dessie Grew and Martin McCaughey

**Mr Givan** asked the Minister of Justice, given the reported families' rejection of the verdict of the historical inquest into the deaths of Dessie Grew and Martin McCaughey, for his assessment of the decision to hold more historical inquests.

**(AQW 13147/11-15)**

**Mr Ford:** The total costs associated with the Coroner's investigation into the deaths of Desmond Grew and Martin McCaughey would require a manual trawl of records which would incur disproportionate cost.

However estimated costs from September 2009 are set out in the table below.

| Cost Type                            | Amount (£)     |
|--------------------------------------|----------------|
| Preliminary & Inquest Hearing Costs  | 455,994        |
| Other Costs                          | 193,514        |
| <b>Total Current Estimated Costs</b> | <b>649,508</b> |

The preliminary and inquest hearing costs include:

- estimated legal costs incurred by the Coroner;
- estimated payments for legal aid under the Statutory Exceptional Grant Power;
- judicial, staff, IT and accommodation costs;
- estimated witness expenses; and
- estimated jury costs.

The other costs relate to legal challenges and satellite litigation which span a considerable timeframe and to identify all costs would require an extensive manual exercise. The estimates provided include:

- legal costs incurred by the Coroner between March 2009 and April 2012 and paid to date;
- estimated costs awarded against the Coroner in respect of a recent Supreme Court action; and
- interim civil legal aid payments in respect of the legal challenges however no bills have yet been received and will be subject to assessment when submitted.

There are currently 34 inquests relating to 51 deaths classified as 'legacy' or historical inquests (a list is attached at Annex A).

There is no statutory right of appeal in Coroners' cases.

Article 2 of the European Convention on Human Rights imposes a procedural obligation to carry out an effective investigation into the circumstances of any death which involves state agents. In its submission to the Council of Ministers, the UK Government stated that in the absence of a criminal investigation or public inquiry, the Coroner's inquest will play a central role in ensuring there is an Article 2 compliant investigation in relation to the historical inquest cases.

It is not possible to estimate the total cost of each inquest as this will depend on the individual circumstances of each case and factors such as:

- the legacy caseload;
- the volume of documentary evidence and number of witnesses;
- the duration of preparatory work and inquest hearings; and
- the nature and complexity of any satellite litigation.

My Department is currently reviewing the resource requirement for historical inquests. The costs of historical inquests are currently being met from the NI Courts and Tribunals Service (NICTS) budget, part of my total Departmental budget.

### Annex A

#### List of Legacy Cases at June 2012

|   | Name of Deceased                          | Date of Death        |
|---|---|----------------------|
| 1 | Bernard Watt                              | 06/02/71             |
| 2 | Edward John Doherty                       | 10/08/71             |
| 3 | Father Hugh Mullan & Francis Joseph Quinn | 09/08/71             |
| 4 | John James McKerr                         | 20/08/71             |
| 5 | Joseph Corr &<br>John Lavery              | 27/08/71<br>11/08/71 |

|    | <b>Name of Deceased</b>   | <b>Date of Death</b>                         |
|----|---|--|
| 6  | Joan Connolly,<br>Noel Phillips,<br>Daniel Teggart &<br>Joseph Murphy               | 09/08/71<br>10/08/71<br>09/08/71<br>22/08/71 |
| 7  | Francis Rowntree  | 20/04/72                                     |
| 8  | Manus Deery   | 19/05/72                                     |
| 9  | John Quinn, Allan McCloy, Paul Hamilton   | 27/10/82                                     |
| 10 | Michael Tighe   | 24/11/82                                     |
| 11 | Gervaise McKerr, Eugene Toman, John Frederick Burns                                 | 11/11/82                                     |
| 12 | Peter James Martin Grew, Roderick Carroll   | 12/12/82                                     |
| 13 | Daniel Eugene Doherty & William Fleming   | 06/12/84                                     |
| 14 | Francis Bradley   | 18/02/86                                     |
| 15 | Gerard Slane  | 23/09/88                                     |
| 16 | Gerard Casey  | 04/04/89                                     |
| 17 | Samuel James Marshall   | 07/03/90                                     |
| 18 | Michael James Ryan, Anthony Patrick Doris, Laurence McNally                         | 03/06/91                                     |
| 19 | Patrick Daniel Vincent, Sean O'Farrell, Peter Paul Clancy,<br>Kevin Barry McDonnell | 16/02/92                                     |
| 20 | John McKearney &<br>Kevin McKearney   | 04/04/92<br>03/01/92                         |
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| 29 | Richard Jameson   | 10/01/00                                     |
| 30 | Daniel Stephen Osvaldo McColgan   | 12/01/02                                     |
| 31 | Gerard Lawlor   | 22/07/02                                     |
| 32 | Neil John McConville  | 29/04/03                                     |
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| 34 | Gareth Paul O'Connor  | 11/06/05                                     |

### Historical Inquests

**Mr Givan** asked the Minister of Justice what further judicial steps will be open to families of the deceased, should they not be satisfied with the outcome of an historical inquest.

**(AQW 13148/11-15)**

**Mr Ford:** The total costs associated with the Coroner's investigation into the deaths of Desmond Grew and Martin McCaughey would require a manual trawl of records which would incur disproportionate cost.

However estimated costs from September 2009 are set out in the table below.

| <b>Cost Type</b>                     | <b>Amount (£)</b> |
|--------------------------------------|-------------------|
| Preliminary & Inquest Hearing Costs  | 455,994           |
| Other Costs                          | 193,514           |
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The preliminary and inquest hearing costs include:

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- estimated jury costs.

The other costs relate to legal challenges and satellite litigation which span a considerable timeframe and to identify all costs would require an extensive manual exercise. The estimates provided include:

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There are currently 34 inquests relating to 51 deaths classified as 'legacy' or historical inquests (a list is attached at Annex A).

There is no statutory right of appeal in Coroners' cases.

Article 2 of the European Convention on Human Rights imposes a procedural obligation to carry out an effective investigation into the circumstances of any death which involves state agents. In its submission to the Council of Ministers, the UK Government stated that in the absence of a criminal investigation or public inquiry, the Coroner's inquest will play a central role in ensuring there is an Article 2 compliant investigation in relation to the historical inquest cases.

It is not possible to estimate the total cost of each inquest as this will depend on the individual circumstances of each case and factors such as:

- the legacy caseload;
- the volume of documentary evidence and number of witnesses;
- the duration of preparatory work and inquest hearings; and
- the nature and complexity of any satellite litigation.

My Department is currently reviewing the resource requirement for historical inquests. The costs of historical inquests are currently being met from the NI Courts and Tribunals Service (NICTS) budget, part of my total Departmental budget.

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| 7 | Francis Rowntree  | 20/04/72                                     |
| 8 | Manus Deery   | 19/05/72                                     |
| 9 | John Quinn, Allan McCloy, Paul Hamilton                               | 27/10/82                                     |

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| 10 | Michael Tighe  | 24/11/82             |
| 11 | Gervaise McKerr, Eugene Toman, John Frederick Burns                              | 11/11/82             |
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## Historical Inquests

**Mr Givan** asked the Minister of Justice how the cost of the historical inquests will be met, and from which budget this funding will be provided.

**(AQW 13149/11-15)**

**Mr Ford:** The total costs associated with the Coroner's investigation into the deaths of Desmond Grew and Martin McCaughey would require a manual trawl of records which would incur disproportionate cost.

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### Telecoms Network: Improper Use

**Lord Morrow** asked the Minister of Justice whether the improper use of a telecoms network to make nuisance, obscene or harassing phone calls or texts is a criminal offence; and what is the current penalty.

**(AQW 13188/11-15)**

**Mr Ford:** Under section 127 of the Communications Act 2003 it is an offence to send by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. The maximum penalty on summary conviction of this offence is six months' imprisonment and / or a Level 5 fine (currently £5,000).

### Human Trafficking: Crimes

**Mr Weir** asked the Minister of Justice what action his Department intends to take to combat crimes connected with human trafficking.

**(AQW 13197/11-15)**

**Mr Ford:** Amendments to the legislation on human trafficking, in relation to both sexual and labour exploitation, are included in the Criminal Justice Bill which I introduced in the Assembly on 25 June. These will ensure that Northern Ireland complies with the criminal aspects of the EU Directive on trafficking in human beings.

The first amendment will create an offence where a person has been trafficked outside the United Kingdom for sexual exploitation. The second will allow for the prosecution of a person who has trafficked someone anywhere outside the United Kingdom for labour or other exploitation. These amendments mean that an offence is committed where a United Kingdom resident (who has not previously been trafficked into the United Kingdom) is trafficked within the United Kingdom e.g. from London to Belfast, and will provide for the prosecution of a United Kingdom national who has trafficked someone anywhere outside the United Kingdom e.g. if a United Kingdom national trafficked a person from Mexico to Brazil. These offences will complement the legislation already in place to deal with human trafficking, with associated penalties of up to 14 years imprisonment.

I can also confirm that I intend adding trafficking for non-sexual exploitation to the schedule of offences referable to the Court of Appeal on the grounds of unduly lenient sentence.



In addition, I am also considering suggestions for further legislative change arising from the recent consultation on the EU Directive and from Lord Morrow's Private Members Bill.

In relation to prostitution, which can be a consequence of human trafficking, there is a strict liability offence of using the services of paying for sex with someone who has been forced into prostitution, with a penalty of up to £1000 fine.

The Public Prosecution Service is currently consulting on a draft policy on prosecuting cases of human trafficking. The Policy explains the role of the PPS and the way in which it deals with cases involving human trafficking and the wide range of other crimes associated with it.

It provides guidance about how decisions relating to prosecutions are taken and also outlines the services available to victims and witnesses of trafficking. The consultation was launched on Friday 8 June 2012 and ends on 3 September 2012.

### Emergency Services: Hoax Calls

**Mr Elliott** asked the Minister of Justice, in light of the figures showing that 26,000 hoax calls cost the emergency services £3.16m a year for the past three years, how many people have been (i) prosecuted; and (ii) convicted of making hoax calls in each of the last three years.

**(AQW 13215/11-15)**

**Mr Ford:** I understand that the figures quoted included hoax and possible hoax calls. There is no specific offence of making hoax calls, however related offences may be prosecuted under a range of statutes including Article 3(2) of the Criminal Law (Amendment) (Northern Ireland) Order 1977, Article 20 of the Fire Services (Northern Ireland) Order 1984, Article 9(1) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and Article 23(1) of the Fire and Rescue Services (Northern Ireland) Order 2006.

[It is important when a criminal offence may have been committed that any information is passed to police so the matter can be investigated.

The table below gives the number of prosecutions and convictions for hoax call related offences for the calendar year 2006 and the number of convictions for the calendar years 2007 to 2008 (the latest year for which figures are currently available). It is not possible to provide prosecution data for 2007 and 2008.

#### Number of people prosecuted and convicted for hoax call related offences 2006 to 2008

| Year | Prosecutions  | Convictions |
|------|---------------|-------------|
| 2006 | 7             | 5           |
| 2007 | Not available | 3           |
| 2008 | Not available | 5           |

Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

Data for 2006 should not be directly compared with data from 2007 to 2008 as the data sets are sourced from different systems.

### Separated Prisoners

**Lord Morrow** asked the Minister of Justice why prisoners, who refuse to sign the required compact, are permitted to enter, and be housed in, separate conditions.

**(AQW 13233/11-15)**

**Mr Ford:** All those prisoners held in separated conditions are expected to conform to the compact whether they have signed it or not. The Governor has determined that all those prisoners who meet the criteria and apply for separated conditions will be housed as such. This is for reasons of safety, control and discipline.

### HMP Magilligan: Education Services

**Mr G Robinson** asked the Minister of Justice whether the education services at HMP Magilligan were classed as outstanding by the Inspector of Prisons.

**(AQW 13275/11-15)**

**Mr Ford:** Criminal Justice Inspection Northern Ireland (CJINI) carried out an announced inspection of Magilligan prison in March 2010 and reported on the education services as follows:

Chapter 6, Activities, page 40, paragraph 6.3 stated that:

*"The quality of education, skills and work was satisfactory. There were positive working relationships between staff and prisoners and staff provided good support and encouragement. The quality of teaching and learning was good or better in most classes and in a few cases was outstanding..."*

Chapter 6, Activities, page 40, paragraph 6.8 stated:

*"There were good or excellent standards of work in the production workshops for furniture making, and metal fabrication and the printing workshops. The teaching, training and learning in the furniture making and metal fabrication workshops was particularly good..."*

The report also highlighted some areas for improvement in Learning and Skills and work activities which are contained in the Recommendations, Page 42, paragraphs 6.18 to 6.23.

This published report is available to view or download from the CJINI Website at [www.cjini.org](http://www.cjini.org)

### Aarhus Convention Provisions

**Mr Wells** asked the Minister of Justice what steps he has taken to implement the provisions of the Aarhus Convention, which deals with access to justice.

**(AQW 13282/11-15)**

**Mr Ford:** In respect of those aspects of the Aarhus Convention for which my Department is responsible, a number of steps are being taken. Firstly, my Department consulted on outline proposals for court rules for costs in environmental judicial reviews under the Convention. The responses to this consultation exercise are presently being considered. Secondly, we are reviewing the allocation of costs in judicial reviews within the scope of the Convention. This will be done as part of the programme of work (set out in my Department's Action Plan) being taken forward in response to the Access to Justice Review Report.

### Gerry McGeough: High Court Legal Action

**Lord Morrow** asked the Minister of Justice for an estimate of the total legal aid costs of Gerry McGeough's High Court legal action to challenge the ruling of the Judicial Review of the refusal to grant him a Royal Prerogative of Mercy, including his solicitor fees, QC fees and subsistence and travel expenses.

**(AQW 13285/11-15)**

**Mr Ford:** Total interim legal aid costs of £2,410 plus VAT of £300 have been paid in respect of Gerry McGeough's High Court legal action to challenge the ruling of the Judicial Review of the refusal to grant him a Royal Prerogative of Mercy. Legal aid paid to date is as follows:

- solicitor profit costs of £1,500 plus VAT of £300; and
- court fees of £910.

No legal aid costs have yet been claimed in respect of counsel.

### Drug Offences: Charges

**Lord Morrow** asked the Minister of Justice whether he has any plans to issue guidance on requests from Judges for anonymity for, or to have the press withhold the addresses of, people charged with drug offences, due the fear of attacks on those charged by Republican Action Against Drugs.

**(AQW 13294/11-15)**

**Mr Ford:** The decision to issue guidance to members of the Judiciary on any topic is a matter for the Lord Chief Justice and not something upon which I can comment.

### Closure of the Prisoner Assessment Unit: Report

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 11378/11-15, why his instruction on this matter has not been acted upon by the Northern Ireland Prison Service; and whether he plans to order an investigation or disciplinary proceedings over the non-compliance.

**(AQW 13452/11-15)**

**Mr Ford:** NIPS Headquarters had to decant from Dundonald House on early morning Thursday, 28 June, following severe flooding. Staff working on the publication of the report were diverted to manage document recovery and retention following the decant. Additionally, NIPS website was also affected.

I am satisfied that staff dealt correctly with priorities following the flood and any suggestion of an investigation or disciplinary proceedings would be completely inappropriate.

### Roe House: Prison Population

**Mr P Ramsey** asked the Minister of Justice, pursuant to AQW 13013/11-15, whether Quoile House or Shimna House will be used, at any time, to house separated prisoners, should further pressure be put on population accommodation in separated facilities.

**(AQW 13552/11-15)**

**Mr Ford:** There are currently no plans to use Shimna House or Quoile House to accommodate separated prisoners.

## Department for Regional Development

### Departmental Signage and Street Lighting

**Mr Hazzard** asked the Minister for Regional Development what percentage of departmental signage and street lighting is powered by on-site green energy generators.

**(AQW 13050/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that it does not hold or record the information you are seeking in the format requested. However, I can confirm that no street lighting is powered by on-site green energy generators.

Officials have further advised that in recent years, Roads Service has provided improved electronic signage in the vicinity of many schools, as well as vehicle-activated signs at key locations across the road network that are suitable for stand-alone green energy generators. I can advise the Member that 55% of such signs are presently powered by green energy.

### Glenmachan Street, South Belfast: Volume of Traffic

**Mr McGimpsey** asked the Minister for Regional Development for his assessment of the volume of traffic at Glenmachan Street, south Belfast.

**(AQW 13063/11-15)**

**Mr Kennedy:** My Department's Roads Service collects data from approximately 300 automatic traffic counting sites located throughout the Northern Ireland road network. Unfortunately, none of these counters are located in Glenmachan Street, Belfast. However, details of the Annual Average Daily Traffic (AADT) traffic flow on Boucher Road, collected from a permanent counter, recorded from 1 January to 26 October 2011 are provided in the table below:

| Census point No. | Location  | AADT (7 Day) | AADT (5 Day) |
|------------------|---|--------------|--------------|
| 369              | Boucher Road, at Balmoral Avenue (All Directions) | 25,065       | 22,698       |
| 369              | Boucher Road, at Balmoral Avenue ( to Broadway)   | 12,224       | 11,066       |

### Glenmachan Street to Tates Avenue and Boucher Road Mini-roundabout: Single-lane Traffic

**Mr McGimpsey** asked the Minister for Regional Development, given the volume of traffic, for his assessment of the adequacy of the single lane from Glenmachan Street to the Tates Avenue and Boucher Road mini-roundabout.

**(AQW 13064/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that Glenmachan Street is currently wide enough to accommodate three traffic lanes, the layout of which has been optimised to maximise traffic capacity. As the main constraints on traffic flow along Glenmachan Street occur at the junctions at either end, namely with Tate's Avenue/Boucher Road and at Broadway/ Donegall Road, this optimisation has been achieved by designating two of the three available lanes for traffic approaching these junctions. This means that a single lane of traffic in each direction develops into two lanes prior to both junctions. Officials in Roads Service consider this to be the most efficient arrangement available within a very confined site.

Roads Service currently has no plans to further increase the traffic capacity of Glenmachan Street. However, Roads Service will continue to monitor traffic flows across Belfast and adjust traffic signal timings, as appropriate.

### Glenmachan Street to the Westlink in South Belfast: Traffic Flow

**Mr McGimpsey** asked the Minister for Regional Development what priorities he attaches to supporting the traffic flow from Glenmachan Street to the Westlink in south Belfast.

**(AQW 13065/11-15)**

**Mr Kennedy:** My Department's Roads Service advises that the intersection of Broadway / Westlink / M1 / Glenmachan Street / Donegall Road junction is extremely complex in its operation.

The intersection comprises 5 junctions that are controlled by traffic signals. The traffic signals operate under an advanced adaptive form of control called SCOOT (Split, Cycle, Offset Optimisation Technique). This allows the green time at the Glenmachan Street Junction, and the relative green start times between all the junctions, to be automatically determined and amended in real-time to suit the prevailing traffic conditions and also to fulfil the objective of minimising queues on each approach.

The green times on all of the approaches to the intersection are constrained by the overall capacity of the central gyratory.

Traffic Control Operators in the Roads Service Traffic Information and Control Centre (TICC) also monitor the area using real-time CCTV and have the facility to override the SCOOT system, in response to significantly abnormal traffic flows, and ensure the continued efficiency of the junction without comprising road safety.

### Glenmachan Street Junction Broadway Roundabout

**Mr McGimpsey** asked the Minister for Regional Development whether he has any plans to improve the Glenmachan Street junction at the Broadway Roundabout, given the traffic congestion at the junction.

**(AQW 13066/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 13064/11-15.

### Residents Parking Schemes

**Miss M McIlveen** asked the Minister for Regional Development for an update on residents parking schemes; and what criteria are used when considering new applications for these schemes.

**(AQW 13082/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the proposed Residents' Parking Schemes will be the first for Northern Ireland, and as such, it is important that all the issues relating to the operation and enforcement of such schemes are fully addressed and accurately included in the legislation before moving to implementation.

While the underlying aim for each scheme is the same, with parking being controlled for the benefit of residents, there will be slight differences in the operation of each scheme to reflect local needs and consequently each scheme will need to be legislated for differently.

Schemes are intended to resolve parking difficulties in residential areas where parking generated by nearby businesses, sports facilities, hospitals, schools, universities, theatres, shopping areas, etc. penetrates the residential streets and prevents residents from parking in reasonably close proximity to their homes. Parking surveys are used to gauge the extent of the parking difficulties and the extent to which this is caused by non-resident vehicles. Residents also have to be in favour of a scheme and, based on a minimum return rate of one-third of all households to a scheme questionnaire, two-thirds of households must be in favour.

Finally, schemes will only be taken forward to implementation stage when sufficient funding is available.

Since residents' parking was first proposed by Roads Service, there have been a number of technological advancements, for example, the potential for the automation of permits and their enforcement, which will have an impact on how the schemes will operate and Roads Service is currently assessing the legislative requirements for these aspects.

Roads Service will continue to progress the Residents' Parking Schemes and the associated legislation required as quickly as possible, and envisages that schemes will be delivered mid-late 2013.

### Roads Service: Requests for Repair Works

**Mr A Maginness** asked the Minister for Regional Development how many requests for repair works Roads Service carried out in (i) North Belfast; (ii) South Belfast; (iii) West Belfast; and (iv) East Belfast, in each of the past three years.

**(AQW 13136/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it does not record the number of requests for repair works by constituency area. However, I can confirm that the number of defects identified for repair in the Belfast North, Belfast South and Lisburn Section Office areas, which encompass the Belfast area, are as follows:

#### Number of Defects Repaired by Section Office 2009-2012

| Section Office | 2009/10 | 2010/11 | 2011/12 |
|----------------|---------|---------|---------|
| Belfast North  | 22,105  | 25,820  | 24,767  |
| Belfast South  | 16,977  | 12,310  | 13,471  |
| Lisburn        | 16,676  | 16,286  | 15,605  |

### Roads Service: Requests for Repair Works

**Mr A Maginness** asked the Minister for Regional Development how many requests for repair works Roads Service received for (i) North Belfast; (ii) South Belfast; (iii) West Belfast; and (iv) East Belfast, in each of the past three years.

**(AQW 13137/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised me that it does not record the number of requests for repairs received separately. However, I can confirm that the number of defects identified for repair in the Belfast North, Belfast South and Lisburn Section Office areas, which encompass the Belfast area, are as follows:

#### Number of Defects Repaired by Section Office 2009-2012

| Section Office | 2009/10 | 2010/11 | 2011/12 |
|----------------|---------|---------|---------|
| Belfast North  | 22,105  | 25,820  | 24,767  |

| Section Office | 2009/10 | 2010/11 | 2011/12 |
|----------------|---------|---------|---------|
| Belfast South  | 16,977  | 12,310  | 13,471  |
| Lisburn        | 16,676  | 16,286  | 15,605  |

Officials have indicated that the vast majority of defects are identified through the routine inspection process.

### Construction: Public Contract Tenders

**Ms Maeve McLaughlin** asked the Minister for Regional Development for his assessment of (i) his Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,  
(AQW 13167/11-15)

**Mr Kennedy:** My Department's Roads Service has advised that it is satisfied that the criteria, including financial, used for assessment purposes, at both the prequalification and tender stages of procurement competitions for construction contracts, are justified and appropriate and do not prohibit small and medium size enterprises from making applications.

### Lennon-v-the Department for Regional Development: Fair Employment Tribunal

**Mr Allister** asked the Minister for Regional Development, in light of the findings by the Fair Employment Tribunal in Lennon-v-the Department for Regional Development, what steps have been taken to review appointments to ensure that there was no material bias against the appointment of applicants from a Protestant background.  
(AQW 13170/11-15)

**Mr Kennedy:** I have noted with concern the Tribunal's decision which relates to an appointment process before I assumed responsibility as Minister.

I want to take some time to examine the implications of the decision with my officials and legal advisers. Any issues for follow up action will be considered after that as appropriate.

### Lennon-v-the Department for Regional Development: Fair Employment Tribunal

**Mr Allister** asked the Minister for Regional Development for an estimate of the cost of defending the Fair Employment Tribunal proceedings in Lennon-v-the Department for Regional Development; and what steps will be taken to recover the costs from the then Minister.  
(AQW 13171/11-15)

**Mr Kennedy:** The Department is continuing to consult with its legal advisors following the Tribunal's decision. As the process has not been concluded it is too early for me to comment further or to provide estimates in relation to the costs associated with this case.

### Lennon-v-the Department for Regional Development: Fair Employment Tribunal

**Mr Allister** asked the Minister for Regional Development, in light of the findings by the Fair Employment Tribunal in Lennon-v-the Department of Regional Development, what steps have been taken to ensure that there is no longer a material bias against the appointment of applicants from a Protestant background.  
(AQW 13217/11-15)

**Mr Kennedy:** I have noted with concern the Tribunal's decision which relates to an appointment process before I assumed responsibility as Minister

I want to take some time to examine the implications of the decision with my officials and legal advisers.

As Minister for the Department for Regional Development, I am very conscious of the responsibilities under the Ministerial Code that "in carrying out public business, including making public appointments, holders of public office should make choices on merit".

### Lennon-v-the Department for Regional Development: Fair Employment Tribunal

**Mr Allister** asked the Minister for Regional Development what steps are being taken in light of the findings, by the Fair Employment Tribunal in Lennon-v-the Department of Regional Development, of religious discrimination and material bias against the appointment of applicants from a Protestant background.  
(AQW 13218/11-15)

**Mr Kennedy:** I have noted with concern the Tribunal's decision which relates to an appointment process before I assumed responsibility as Minister.

I want to take some time to examine the implications of the decision with my officials and legal advisers. Any issues for follow up action will be considered after that as appropriate.

## Ministerial Appointments

**Mr Allister** asked the Minister for Regional Development in respect of ministerial appointments made (i) by the Minister since coming into office; and (ii) between May 2007 and May 2011, what is the respective success rate of Protestant and Catholic applicants. **(AQW 13219/11-15)**

**Mr Kennedy:** Since coming into office I have made 17 ministerial appointments from a total candidate pool of 198. Six of these appointees were Protestant, six were Catholic and the community background of five of the appointees was either not known or neither Protestant or Catholic.

Between May 2007 and May 2011 17 ministerial appointments were made from a total candidate pool of 194. Seven of these appointees were Protestant and ten were Catholic; none of the appointees declared a community background of neither or not known.

The figures are based on first appointments of non-executive board members and board Chairs made during the periods specified. They do not include councillor appointments.

## 20 mph Zones

**Mr McDevitt** asked the Minister for Regional Development to detail the number of 20mph zones that have been enforced in the each of the last five years; and the average cost of each. **(AQW 13221/11-15)**

**Mr Kennedy:** I understand that your Question relates to the number of 20 mph zones implemented in the last five years, rather than enforced. In this regard, I can advise that from 2007/08, my Department's Roads Service has implemented the following number of 20 mph zones:

| Year    | No. of Zones Implemented |
|---------|--------------------------|
| 2007/08 | 2                        |
| 2008/09 | 6                        |
| 2009/10 | 3                        |
| 2010/11 | 14                       |
| 2011/12 | 0                        |

The average cost of the implementation of each zone was approximately £1,200.

In addition, my Department has also implemented three pilot part time speed limits at school schemes.

## Traffic Calming Measures: Spent on

**Mr A Maginness** asked the Minister for Regional Development to detail the total amount spent on traffic calming measures in (i) North Belfast; (ii) South Belfast; (iii) West Belfast; and (iv) East Belfast, in each of the last three years. **(AQW 13249/11-15)**

**Mr Kennedy:** My Department's Roads Service maintains details of traffic calming measures by council area rather than on a parliamentary constituency basis.

The approximate expenditure on traffic calming measures in the Belfast, Lisburn, Castlereagh and Newtownabbey Council areas, in the 2009/10, 2010/11 and 2011/12 financial years is provided in the table below:

| Year    | Traffic Calming Expenditure By Council Area |          |             |              |
|---------|---|----------|-------------|--------------|
|         | Belfast                                     | Lisburn  | Castlereagh | Newtownabbey |
| 2009/10 | £177,000                                    | £118,000 | £102,000    | £41,000      |
| 2010/11 | £81,000                                     | £61,000  | £45,000     | £36,000      |
| 2011/12 | £214,000                                    | £15,000  | £23,000     | £45,000      |

## SmartPasses

**Mr McGlone** asked the Minister for Regional Development whether Smartpasses can be used by passengers travelling on the Aircoach service from Belfast to Dublin Airport. **(AQW 13257/11-15)**

**Mr Kennedy:** Aircoach do not participate in the Northern Ireland Concessionary Fares Scheme (the scheme) and therefore SmartPasses cannot be used to obtain concessionary travel on the Belfast to Dublin Airport route.

Aircoach can make an application to join the scheme at any time.



### Chair of NI Water: Fair Employment Tribunal

**Mr McGlone** asked the Minister for Regional Development, in relation to the Fair Employment Tribunal findings on the appointment of the Chair of NI Water, (i) what review of the appointments process will take place to ensure that such discrimination does not occur in future appointments; and (ii) what discussions his Department has had with the Commissioner for Public Appointments in regard to the Tribunal findings.

**(AQW 13258/11-15)**

**Mr Kennedy:** I have noted with concern the Tribunal's decision which relates to an appointment process before I assumed responsibility as Minister.

I want to take some time to examine the implications of the decision with my officials and legal advisers. Any issues for follow up action will be considered after that as appropriate.

### Translink: 60+ SmartPass

**Mr McNarry** asked the Minister for Regional Development to detail the cost to Translink of the use of 60 plus SmartPasses on journeys from Belfast Central depot to (i) Ballymena; and (ii) Portrush, in each of the last three years.

**(AQW 13296/11-15)**

**Mr Kennedy:** There is no cost to Translink. The overriding, legislative principle is that operators should be reimbursed for delivering the public policy by providing concessionary travel, so that they are 'no better and no worse off' than they would have been if the policy did not exist. To try to calculate what the Department reimburses in respect of those two specific routes would only be possible at disproportionate cost.

The Northern Ireland Concessionary Fares scheme represents a subsidy to the passenger, not the Passenger Transport Undertaking.

### Pensioners: Concessionary Bus and Rail Passes

**Mr Dallat** asked the Minister for Regional Development to detail the average time taken by Translink to process Concessionary Bus and Rail Passes for pensioners; and what steps will be taken to reduce the time taken.

**(AQW 13306/11-15)**

**Mr Kennedy:** Translink have informed me that in the past year they have fully processed 97.18% of applications within 5 days of receipt of the application at the Card Bureau service. Remaining applications for SmartPasses may take up to 4 weeks to process due to information contained on the applications forms needing to be verified with the applicant. There are regular meetings between Translink and the card producers where processing times are monitored.

### Belfast to Dublin Rail Service

**Mr Dallat** asked the Minister for Regional Development what discussions have taken place between Translink and Irish Rail to address the issue of some passengers having to stand, whilst travelling on the Belfast to Dublin rail service.

**(AQW 13307/11-15)**

**Mr Kennedy:** Translink advise that, in conjunction with Iarnród Éireann, they continuously monitor passenger loadings on all Belfast-Dublin services to maintain quality of service. Standing on an Enterprise Service tends to occur when major events are happening in Dublin such as concerts or sports fixtures. On such occasions Translink liaises with Iarnród Éireann to plan for additional special charter trains and/or assist trains. This generally works effectively, ensuring that increased demand is catered for. Nevertheless, there will invariably be occasions when passenger demand does not exactly match capacity offered resulting in some passengers having to stand.

### Water Bills

**Mr Dallat** asked the Minister for Regional Development how many water bills generated by Northern Ireland Water over the last year are for water supplied (i) between five and nine years ago: (ii) between ten and fourteen years ago: (iii) between fifteen and nineteen years ago: (iv) twenty or more years ago.

**(AQW 13312/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that the issue of bills (either in terms of refund or recalculated charges) is limited by 'The Limitations (Northern Ireland) Order 1989' to a maximum of 6 years. On this basis, 126 water bills were issued to customers in the past year for water supplied between five and six years ago.

### Castlerock: Passing Loop

**Mr G Robinson** asked the Minister for Regional Development whether the passing loop at Castlerock will be retained as an integral part of the railway relaying project.

**(AQW 13324/11-15)**

**Mr Kennedy:** Translink advise that the passing loop at Castlerock will remain after the current works in Phase 1 are completed. It is planned to remove it as part of Phase 2 works in 2014/15 as it will no longer be required.

### North Down: 2012 Roadside Grass Cutting

**Mr Weir** asked the Minister for Regional Development when the 2012 roadside grass cutting in North Down is due for completion. (AQW 13326/11-15)

**Mr Kennedy:** My Department's Roads Service has advised that grass cutting in the North Down area is programmed for completion by the end of September 2012.

### North Down: 2012 Roadside Grass Cutting

**Mr Weir** asked the Minister for Regional Development what arrangements are place for roadside grass cutting in North Down in 2012. (AQW 13327/11-15)

**Mr Kennedy:** My Department's Roads Service has advised that, in line with its environmental maintenance policy, grass cutting in North Down area is carried out, 5 times per season in urban areas and 2 times per season in rural areas.

The 2012 grass cutting operations are being carried out by Roads Service Direct.

### West Tyrone: Road Improvement Schemes

**Mr McElduff** asked the Minister for Regional Development to detail the road improvement schemes which are planned for the West Tyrone constituency over the next two years.

(AQW 13328/11-15)

**Mr Kennedy:** My Department's Roads Service does not hold details of planned road improvement schemes on a constituency basis. However, schemes within Roads Service's Local Transport and Safety Measures Draft Programmes for the Omagh and Strabane council areas, which were presented to the councils in November 2011, cover the constituency area.

The reports can be viewed online via the following links: <http://applications.drdni.gov.uk/publications/document.asp?docid=23465> and <http://applications.drdni.gov.uk/publications/document.asp?docid=23468>

In addition, the Western Divisional Roads Manager's Annual Reports presented to both councils in June 2012, lists the programmes of work for the current 2012/2013 financial year.

The reports can be viewed online via the following links:

<http://applications.drdni.gov.uk/publications/document.asp?docid=24695>

<http://applications.drdni.gov.uk/publications/document.asp?docid=24689>

### Ballymena, Ballymoney and Ballycastle: Parking Tickets

**Mr D McIlveen** asked the Minister for Regional Development how many parking tickets were issued in (i) Ballymena; (ii) Ballymoney; and (iii) Ballycastle, in the last two financial years; and how the revenue raised was reinvested.

(AQW 13330/11-15)

**Mr Kennedy:** Details of the number of Penalty Charge Notices issued on behalf of my Department's Roads Service in Ballymena, Ballymoney and Ballycastle in the 2010/11 and 2011/12 financial years are set out in the table below:

| Year    | Ballymena | Ballymoney | Ballycastle |
|---------|-----------|------------|-------------|
| 2010/11 | 4,555     | 1,166      | 306         |
| 2011/12 | 6,557     | 1,341      | 230         |

The revenue raised from car park enforcement and car park management is used to supplement the overall financing of Roads Service by Central Government.

### Lagan Valley Rural Transport

**Mr Givan** asked the Minister for Regional Development why Lagan Valley Rural Transport has not yet received its funding allocation for 2012/2013 while it still provides a service to the community.

(AQW 13437/11-15)

**Mr Kennedy:** All of the Rural Transport Fund operational areas were advised on 10 May 2012 of the level of funding they would receive for 2012/13 to enable each of the Rural Community Transport organisations to plan for the year ahead based on the level of funding available.

Lagan Valley Rural Transport is working in partnership with South Antrim Community Transport to provide services in their joint operational area. As part of this 'partnership arrangement' the two organisations must decide which one is going to be the

'nominated partnership' that will receive the funding for the entire operational area and they must draw up and agree a document setting out how the funding will be allocated between them.

Agreement between the two organisations was only reached on 2 July 2012 and my Department immediately issued the formal Letter Of Offer and the process for issuing grant is progressing.

## Department for Social Development

### Housing Executive's Specification for the Supply and Fitting of Double Glazing: Review

**Mr Hazzard** asked the Minister for Social Development for an update on his Department's Review of the Housing Executive's specification for the supply and fitting of double-glazing.

**(AQW 13015/11-15)**

**Mr McCausland (The Minister for Social Development):** I have been informed by the Housing Executive that the review has been completed. However, I have asked Professional staff in the Department to look at these revised specifications to ensure that value for money is achieved without compromising tenant safety. When this is completed I will return to the Housing Executive with any queries.

### People in Housing Stress and Registered as Homeless

**Mr Durkan** asked the Minister for Social Development to detail the number of people who are (i) in housing stress; and (ii) registered as homeless.

**(AQW 13032/11-15)**

**Mr McCausland:** The number of applicants in housing stress and the number registered as homeless at 1 June 2012 were as follows:-

|  |        |
|--|--------|
| Applicants in housing stress                 | 20,839 |
| Registered as Homeless (Full Duty Applicant) | 10,656 |

### Disabled Facilities Grants: Funding

**Mr McMullan** asked the Minister for Social Development to detail the level of funding allocated to Disabled Facilities Grants, broken down by the electoral wards in (i) East Antrim; and (ii) North Antrim, in each of the last three years.

**(AQW 13061/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not maintain grants records by Parliamentary Constituency. However, the table below provides details of the level of Disabled Facilities Grants expenditure in the Council areas which are part of the North Antrim and East Antrim constituencies in each of the last three years. The expenditure pattern reflects applications and Occupational Therapist's approvals.

| Council             | 2009-10<br>£ | 2010-11<br>£ | 2011-12<br>£ | Totals<br>£ |
|---------------------|--------------|--------------|--------------|-------------|
| <b>North Antrim</b> |              |              |              |             |
| Ballymena           | 520,596      | 386,782      | 437,588      | 1,344,966   |
| Ballymoney          | 445,858      | 304,545      | 203,571      | 953,974     |
| Moyle               | 153,259      | 202,035      | 116,006      | 471,300     |
| Total               | 1,119,713    | 893,362      | 757,165      | 2,770,240   |

| <b>Council</b>     | <b>2009-10<br/>£</b> | <b>2010-11<br/>£</b> | <b>2011-12<br/>£</b> | <b>Totals<br/>£</b> |
|--------------------|----------------------|----------------------|----------------------|---------------------|
| <b>East Antrim</b> |                      |                      |                      |                     |
| Carrickfergus      | 317,433              | 253,018              | 123,541              | 693,992             |
| Larne              | 417,021              | 240,089              | 66,252               | 723,362             |
| Newtownabbey       | 1,230,027            | 448,727              | 300,523              | 1,979,277           |
| Total              | 1,964,481            | 941,834              | 490,316              | 3,396,631           |
| <b>Grand Total</b> | <b>£3,084,194</b>    | <b>£1,835,196</b>    | <b>£1,247,481</b>    | <b>£6,166,871</b>   |

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### **Black and Minority Ethnic Network ‘BME Link’**

**Ms Lo** asked the Minister for Social Development, in relation to the Black and Minority Ethnic Network ‘BME Link’ set up by the Department of Justice, what consideration he has given to introducing a similar network within his Department.

**(AQW 13096/11-15)**

**Mr McCausland:** My Department has a range of support services that are available to all staff. There are no plans to set up a similar network to the BME Link.

### **Employment and Support Allowance Claims**

**Mr Dallat** asked the Minister for Social Development, in relation to Employment and Support Allowance claims, to detail the number of (i) appeals; and (ii) appeals upheld, in each Social Security Agency district, in the last 12 months.

**(AQW 13113/11-15)**

**Mr McCausland:** Any appeal lodged with the Social Security Agency is subject to reconsideration and may therefore not progress to The Appeals Service (TAS). Appeals may not be dealt with in the same year that they are received.

The Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination.

The number of Employment Support Allowance (ESA) appeals received by TAS and the outcome of ESA appeals heard in the last twelve months is set out in the table below. The information cannot be provided in the format as sought. TAS arranges ESA appeals to be heard at locations throughout Northern Ireland. Statistical data is therefore provided based on where each case was heard.

#### **Employment & Support Allowance Appeals (June’11 to May’12)**

| <b>Appeal Hearing Location</b> | <b>Final Outcomes At Hearing</b> |                          |                          |                       |
|--------------------------------|----------------------------------|--------------------------|--------------------------|-----------------------|
|                                | <b>No. Appeals Received</b>      | <b>More Advantageous</b> | <b>Less Advantageous</b> | <b>Total Outcomes</b> |
| Armagh                         | 221                              | 47                       | 117                      | 164                   |
| Ballymena                      | 591                              | 124                      | 294                      | 418                   |
| Ballymoney                     | 98                               | 35                       | 46                       | 81                    |
| Banbridge                      | 161                              | 32                       | 79                       | 111                   |
| Belfast                        | 3054                             | 761                      | 1451                     | 2212                  |
| Coleraine                      | 378                              | 72                       | 207                      | 279                   |
| Cookstown                      | 108                              | 28                       | 59                       | 87                    |
| Craigavon                      | 647                              | 179                      | 334                      | 513                   |
| Downpatrick                    | 358                              | 73                       | 174                      | 247                   |
| Dungannon                      | 319                              | 96                       | 190                      | 286                   |
| Enniskillen                    | 357                              | 136                      | 185                      | 321                   |

|                         | Final Outcomes At Hearing |                   |                   |                |
|-------------------------|---------------------------|-------------------|-------------------|----------------|
| Appeal Hearing Location | No. Appeals Received      | More Advantageous | Less Advantageous | Total Outcomes |
| Limavady                | 157                       | 56                | 66                | 122            |
| Londonderry             | 667                       | 252               | 281               | 533            |
| Magherafelt             | 208                       | 59                | 130               | 189            |
| Newry                   | 518                       | 90                | 281               | 371            |
| Newtownards             | 505                       | 119               | 256               | 375            |
| Omagh                   | 322                       | 120               | 174               | 294            |
| Strabane                | 194                       | 73                | 84                | 157            |
| <b>Grand Total</b>      | <b>8863</b>               | <b>2352</b>       | <b>4408</b>       | <b>6760</b>    |

### Disability Living Allowance Claims

**Mr Dallat** asked the Minister for Social Development, in relation to Disability Living Allowance claims, to detail the number of (i) appeals; and (ii) appeals upheld, in each Social Security Agency district, in the last 12 months.

**(AQW 13115/11-15)**

**Mr McCausland:** Any appeal lodged with the Social Security Agency is subject to reconsideration and may therefore not progress to The Appeals Service (TAS). Appeals may not be dealt with in the same year that they are received.

The Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination.

The number of Disability Living Allowance (DLA) appeals received by TAS and the outcome of DLA appeals heard in the last twelve months is set out in the table below. The information cannot be provided in the format as sought. TAS arranges DLA appeals to be heard at locations throughout Northern Ireland. Statistical data is therefore provided based on where each case was heard.

### Disability Living Allowance Appeals (June'11 to May'12)

|                         | Final Outcomes At Hearing |                   |                   |                |
|-------------------------|---------------------------|-------------------|-------------------|----------------|
| Appeal Hearing Location | No. Appeals Received      | More Advantageous | Less Advantageous | Total Outcomes |
| Armagh                  | 107                       | 25                | 60                | 85             |
| Ballymena               | 250                       | 65                | 138               | 203            |
| Ballymoney              | 58                        | 14                | 37                | 51             |
| Banbridge               | 81                        | 19                | 37                | 56             |
| Belfast                 | 1607                      | 407               | 810               | 1217           |
| Coleraine               | 240                       | 70                | 108               | 178            |
| Cookstown               | 86                        | 30                | 45                | 75             |
| Craigavon               | 319                       | 93                | 145               | 238            |
| Downpatrick             | 186                       | 42                | 99                | 141            |
| Dungannon               | 149                       | 44                | 68                | 112            |
| Enniskillen             | 201                       | 65                | 79                | 144            |
| Limavady                | 114                       | 38                | 40                | 78             |
| Londonderry             | 459                       | 281               | 199               | 480            |
| Magherafelt             | 99                        | 43                | 48                | 91             |
| Newry                   | 233                       | 65                | 113               | 178            |

|                         | Final Outcomes At Hearing |                   |                   |                |
|-------------------------|---------------------------|-------------------|-------------------|----------------|
| Appeal Hearing Location | No. Appeals Received      | More Advantageous | Less Advantageous | Total Outcomes |
| Newtownards             | 319                       | 91                | 164               | 255            |
| Omagh                   | 100                       | 46                | 72                | 118            |
| Strabane                | 102                       | 48                | 62                | 110            |
| <b>Grand Total</b>      | <b>4710</b>               | <b>1486</b>       | <b>2324</b>       | <b>3810</b>    |

### Northern Ireland Housing Executive's Cohesion Unit

**Mr Durkan** asked the Minister for Social Development for an update on the work of the Northern Ireland Housing Executive's Cohesion unit.

**(AQW 13129/11-15)**

**Mr McCausland:** There is no doubt that community division exerts a high price which, in terms of housing, can prevent the best use being made of existing housing and land. There is undoubtedly good work being taken forward at community level by the Housing Executive's Community Cohesion Unit and through my Department's Regeneration and Neighbourhood Renewal initiatives. However, I believe that increased value could be added by adopting a more joined-up approach to ensure that the benefits derived from such community interventions are maximised.

As part of the fundamental review of the Housing Executive, I will be looking to ensure that the Community Cohesion Unit concentrates its efforts within its landlord areas to ensure there is no duplication of effort with the work of my Department's Voluntary & Community and Neighbourhood Renewal initiatives which are more appropriately and more effectively delivered at a strategic level within central government.

### Northern Ireland Housing Executive's Double-glazing Scheme

**Mr Durkan** asked the Minister for Social Development, in relation to the Northern Ireland Housing Executive's double-glazing scheme, to detail the number of restoration grants (i) applied for; and (ii) paid.

**(AQW 13134/11-15)**

**Mr McCausland:** I assume the Member is referring to redecoration grants. The Housing Executive's policy regarding the payment of redecoration allowances does not require tenants to make an application for payment. These payments are, where appropriate, automatically processed by the Housing Executive. An onsite inspection by a clerk of works determines the number of rooms that have been disrupted as a result of the works carried out. The number of redecoration allowances that have been paid since 12 March 2012 to date is 673. These payments have been processed where schemes have commenced on site from January to March 2012.

### Employment and Support Allowance: Work Capability Assessments

**Mr McGlone** asked the Minister for Social Development, in relation to the Work Capability Assessments for Employment and Support Allowance (i) what processes are in place to obtain additional medical evidence from a claimant's GP or other medical professional, when the existence of such evidence is identified by a claimant; (ii) whether the onus to obtain the information lies with ATOS Healthcare or the Social Security decision maker; (iii) what guidance is given on when further evidence should be sought; and (iv) what assessment has been made on the numbers appeal cases involving this situation.

**(AQW 13259/11-15)**

**Mr McCausland:**

- (i) Employment and Support Allowance customers are given a number of opportunities to supply medical evidence in support of their claim. At the initial claim stage customers are advised of the importance of supplying all relevant medical evidence in support of their claim. In completing a limited capability for work questionnaire, customers are again advised to submit all relevant medical evidence when returning the questionnaire. Customers can also supply medical evidence when attending a medical examination. As a result of Professor Harrington's ongoing review of the Work Capability Assessment process, Social Security Agency Decision Makers now contact customers before making a disallowance decision if the existing medical evidence does not support an award of Employment and Support Allowance, in order to give the customer the opportunity to supply additional medical evidence. The decision maker will take this new evidence into account before making a final decision. In addition, upon receipt of an appeal, the Social Security Agency will contact the customer to ask if they can supply any additional medical evidence to allow the disallowance to be reconsidered. The appeal will lapse if, as a result of the reconsideration, the decision can be revised to the customer's advantage.
- (ii) The responsibility remains with the customer to provide Employment and Support Allowance with all relevant medical evidence in support of their claim to the benefit. However, in some cases where there is conflicting medical information, the decision maker is at liberty to seek further clarification from Atos Healthcare who in turn may approach the customer's GP



- (iii) The requirement to seek GP and/or further medical evidence is dependant on the circumstances of each individual case. The Atos healthcare professional will seek further medical evidence where it is likely that the evidence may allow them to advise either that significant disability is likely or that Support Group criteria are likely to apply. It is also usual for the Atos healthcare professional to request further medical evidence in cases where the available evidence suggests the customer is particularly vulnerable (for example, where there is noted to be an appointee, or where there is a diagnosis of a severe and enduring mental health condition).
- (iv) According to the President of the Appeals Service most recent report into the standard of Decision Making in the Social Security Agency, 88% of Employment and Support Allowance appeals found in the customers favour are the result of evidence being made available to the Appeals Tribunal that was not previously available to the Social Security Agency Decision Maker.

### **Housing Associations: Granting Powers of Entry**

**Mr Hamilton** asked the Minister for Social Development whether any consideration has been given to granting powers of entry to housing associations.

**(AQW 13260/11-15)**

**Mr McCausland:** I assume that the Member is referring to Housing Association housing stock.

Article 41 of the Housing (NI) Order 1983 enables housing associations to enter houses let under secure tenancies which appear to have been abandoned and Article 19A of the Housing (NI) Order 2003 gives housing associations similar powers in respect of houses let under introductory tenancies. There are no plans at present to review the current powers of entry.

### **House in Multiple Occupation: Registration**

**Mr Hamilton** asked the Minister for Social Development whether he will consider the inclusion of student accommodation within the requirements for registration as a House in Multiple Occupation.

**(AQW 13261/11-15)**

**Mr McCausland:** The statutory definition of Houses in Multiple Occupation (HMO) is set out in Article 75 of the Housing (NI) Order 1992. This definition applies to all houses, which are occupied by more than 2 unrelated people, including those occupied by students. I will be commencing consultation proposals regarding the regulation of HMOs this month.

### **Boiler Replacement Scheme**

**Mr Weir** asked the Minister for Social Development to detail the number of successful applications to date for the Boiler Replacement Scheme in the North Down constituency,

**(AQW 13278/11-15)**

**Mr McCausland:** A total of 45 boilers were replaced under the pilot Boiler Replacement Scheme in North Down.

### **Housing Benefit to People Aged Under 25**

**Mr Agnew** asked the Minister for Social Development whether he can offer any assurance that proposals to stop paying housing benefit to people aged under 25 will not be introduced in Northern Ireland.

**(AQW 13305/11-15)**

**Mr McCausland:** In a speech by the Prime Minister on welfare reform on 25 June 2012, a number of potential ideas were floated for discussion. At present these are not firm government proposals and would be unlikely to be considered in advance of the next UK general election.

### **Boiler Replacement Scheme: Phoenix Gas**

**Mr Agnew** asked the Minister for Social Development to detail (i) how much his Department has agreed to pay Phoenix Gas to administer the Boiler Replacement Scheme; and (ii) for his Department's assessment of the total revenue value of the contract for Phoenix Gas.

**(AQW 13308/11-15)**

**Mr McCausland:** My department has not agreed to pay Phoenix Gas to administer the Boiler Replacement Scheme. The Boiler Replacement Scheme which I announced on the 25th May 2012 will be administered by the Northern Ireland Housing Executive

## Housing Benefit

**Mr Durkan** asked the Minister for Social Development how many people in the Foyle constituency, under the age of 25, are in receipt of Housing Benefit.

**(AQW 13359/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not collate Housing Benefit data by Parliamentary constituency. However, there are currently 1,538 Housing Benefit claimants under the age of 25 within the Housing Executive's Waterside, Waterloo Place and Collon Terrace District Office areas.

## Ballymagroarty, Derry: Former Dunluce Family Centre Site

**Mr Durkan** asked the Minister for Social Development for an update on the action his Department intends to take in relation to the former Dunluce Family Centre site in Ballymagroarty, Derry.

**(AQW 13380/11-15)**

**Mr McCausland:** An Appraisal which considers a number of potential uses for this site is currently being considered by the Housing Executive and the Department.

I shall be pleased to update the member when this exercise has been completed.

# Northern Ireland Assembly Commission

## Items of Art and Artefacts in Storage

**Mr Allister** asked the Assembly Commission whether it is possible for an MLA to view the items of art and artefacts which belong to the Assembly and which are currently in storage.

**(AQW 12974/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** I can confirm that the Assembly Commission would be content for an MLA to view the art and artefacts that are currently in storage. It should be noted that the works of art have been carefully wrapped to ensure that they are not damaged while in secure storage therefore making them difficult to view. Only in specific circumstances would the artwork be available for viewing due to these circumstances. Images of the paintings can, however be provided for MLAs to view all of the artwork.

I hope that the above information provides the detail that you sought, however should you require any supplementary information I would be very happy to assist with your enquiry.

## Youth Assembly

**Mr A Maginness** asked the Assembly Commission for an update on the Northern Ireland Youth Assembly.

**(AQO 2344/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** One of the key commitments of the Assembly's Engagement Strategy is to establish a youth forum to consider, debate and make recommendations on issues of particular importance to young people. A number of organisations have lobbied for the development of a youth assembly for the North.

Initial proposals for the development of a youth assembly were presented to stakeholders in October 2009. Informal discussions were also held with a range of stakeholders including officials from OFMDFM, Department of Education, the Northern Ireland Commissioner for Children and Young People (NICCY), the Youth Forum and Public Achievement. A youth-led approach to the development of proposals for a youth assembly was strongly advocated and this approach was endorsed by the Assembly Commission. As a result a Youth Panel was recruited to develop the proposals for a youth assembly.

The Youth Panel, comprising 30 young people aged 16-18, worked to develop the proposals between March 2010 and February 2011. It undertook a range of research and evidence gathering activities, with additional research also provided by the Assembly's Research and Library Service.

The Youth Panel developed draft proposals which were presented to the OFMDFM Junior Ministers and the Minister for Education in March 2011. The Ministers supported the establishment of a youth assembly. The proposals were then presented to the Assembly Commission which approved, in principle, the establishment of a youth assembly. A public consultation on the proposals took place from May - September 2011. The consultation responses overwhelmingly supported the Youth Panel's proposal to establish a youth assembly.

The results from the Youth Panel's proposals, the public consultation responses and organisational factors such as value for money and staffing capacity are now being considered and a set of options and proposals for the establishment of a pilot youth assembly are nearing completion and will be presented to the Commission for consideration by the end of the year.

**Ormiston House, Belfast**

**Mr Lyttle** asked the Assembly Commission for an update on the sale of Ormiston House.  
**(AQO 2353/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** Ormiston House has been for sale on the open market since January 2011 and there has been considerable interest in the property for a range of development opportunities. Although some offers were made, to date the Commission has been unable to agree a sale.

The Commission has now been successful in obtaining planning approval for a limited amount of residential development on the site and plans now to re-launch the sale on that basis.

**Stormont Estate**

**Mr McNarry** asked the Assembly Commission whether there has been any discussion about transferring responsibility for, and control of, the Stormont Estate to the Assembly.  
**(AQO 2355/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** The Assembly Commission has not been involved in any discussions in relation to transferring responsibility for, and control of, the Stormont Estate to the Assembly.

**Ormiston House, Belfast**

**Mr Hussey** asked the Assembly Commission for an update on the sale of Ormiston House, Belfast.  
**(AQO 2356/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** Ormiston House has been for sale on the open market since January 2011 and there has been considerable interest in the property for a range of development opportunities. Although some offers were made, to date the Commission has been unable to agree a sale.

The Commission has now been successful in obtaining planning approval for a limited amount of residential development on the site and plans now to re-launch the sale on that basis.

# Northern Ireland Assembly

Friday 20 July 2012

## Written Answers to Questions

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

#### Smithwick Tribunal

**Mr Allister** asked the First Minister and deputy First Minister, in light of recent evidence to the Smithwick Tribunal, whether consideration will be given to introducing measures to require Ministers to explain truthfully their past terrorist involvement. (AQW 10937/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** This is not a matter within the legislative competence of the Assembly.

#### Community Relations Council

**Mr Allister** asked the First Minister and deputy First Minister why a convicted IRA terrorist was permitted to adjudicate on a funding application to the Community Relations Council from a group representing victims of the IRA; and whether they will take steps to prevent this from happening in the future. (AQW 11451/11-15)

**Mr P Robinson and Mr M McGuinness:** The Community Relations Council's Strategic Support Fund allocates funding to groups providing services to victims and survivors. Applications to this fund for 2012-13 were adjudicated on by a committee of the Council on 26-27 March 2012. Some £6.2m of funding was allocated to 54 victims groups. The committee's decisions followed formal process and guidelines and OFMDFM officials were present at the meeting.

The Community Relations Council currently has seventeen members who were all appointed following public advertisement and using published criteria. The process was overseen by the Public Appointments Board. Each member is invited to sit on two of the Council's committees which oversee the various funding and other programmes of the Council.

#### Affordable Childcare

**Mr Copeland** asked the First Minister and deputy First Minister whether there is sufficient affordable childcare available to allow parents to receive maximum benefits arising from the changes to the funding arrangements for contributing to the costs of childcare following the introduction of Universal Credit. (AQW 12215/11-15)

**Mr P Robinson and Mr M McGuinness:** The Programme for Government contains a commitment to publish and implement a Childcare Strategy with key actions to promote the availability of good quality, integrated, accessible and affordable childcare. The Strategy will be an essential part of our work to tackle disadvantage and improve wellbeing, and it will also be relevant in the context of the proposed new demands of Universal Credit.

OFMDFM is commissioning research to support the development and implementation of the Childcare Strategy. This research will help to provide a more accurate assessment of the supply and the likely demand for childcare places now and in the future.

We intend to publish a consultation document in the near future which will enable all those with an interest to help shape the direction of the Strategy.

#### Galbally Pearses GAA Club

**Mr Allister** asked the First Minister and deputy First Minister for their assessment of the impact on community relations of the decision of Galbally Pearses GAA club to award medals featuring an IRA terrorist to children. (AQW 12635/11-15)

**Mr P Robinson and Mr M McGuinness:** There is no appropriate process to robustly measure impacts on community relations within the relevant timeframe.

## European Commissioner for Research, Innovation and Science

**Mr Dallat** asked the First Minister and deputy First Minister for an update on their recent meeting with Máire Geoghegan-Quinn, European Commissioner for Research, Innovation and Science.

**(AQO 2170/11-15)**

**Mr P Robinson and Mr M McGuinness:** We met with the EU Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn, on 7 June.

We last met with the Commissioner in Brussels in December 2010, when we joined with President Barroso in renewing our commitment to the work of the Barroso Task Force. We were pleased to show how we have delivered on that commitment, enhancing our European engagement including the appointment of four additional desk officers based in the Brussels Office.

One of these posts is dedicated to Innovation and Technology – with a particular focus on participation in EU Research and Innovation programmes. This is essential for promoting economic growth and crucial to the Programme for Government, our Economic Strategy and – most recently – our 2012-13 European Priorities.

We pointed to the successes which these efforts have already delivered. The last official figures for 2011 showed that we had secured a cumulative total of over €36 million from the current Seventh Framework Programme, FP7 – but during our discussions with the Commissioner she advised that this figure was now nearer a cumulative total of €43 million – which is excellent news.

We emphasised to the Commissioner the need for FP7's successor, Horizon 2020, to be more accessible to our Small Medium Enterprises with simplified applications, swifter approvals and less bureaucratic audit requirements. These concerns are understood within the Commission; however, the European Parliament is currently debating how far audit rules can be relaxed to facilitate simplification. The Commissioner suggested our MEPs could help to influence those discussions.

The Commissioner welcomed our progress – suggesting that more might still be achieved through greater collaboration between:

- Companies and our Further Education colleges – to ensure young people leaving education have the right skills for employment;
- industry and universities – to ensure graduates are equipped to drive growth in the private sector; and
- our universities – to ensure that their research builds on existing expertise, targets those areas of the economy likely to deliver the greatest growth and delivers real competitive advantage.

To this end, the Commissioner welcomed DETI and DEL proposals to provide additional funding support to our universities to support increased engagement in FP7 and Horizon 2020 – specifically to encourage increased local company/university collaboration.

She also welcomed the proposed appointment by DETI of a Horizon 2020 Manager for the region.

## Flags Protocol Working Group

**Mr Lyttle** asked the First Minister and deputy First Minister for an update on the work of the Flags Protocol Working Group.

**(AQO 2175/11-15)**

**Mr P Robinson and Mr M McGuinness:** In December 2011, the Flags Protocol Working Group was reconvened at our request. The Working Group has now met on three occasions with a view to bringing forward their views on a revised protocol.

A draft discussion paper has been produced by the Flags Protocol Working Group and this has now been shared with the Cross-Party Working Group on CSI to inform its continued discussions on flags and emblems.

## Child Poverty Strategy Annual Report

**Mr Nesbitt** asked the First Minister and deputy First Minister for their assessment of performance against the targets detailed in the Child Poverty Strategy Annual Report.

**(AQO 2176/11-15)**

**Mr P Robinson and Mr M McGuinness:** In its Child Poverty Annual Report, the Executive demonstrated improvements in education, health and other outcomes. These reflect our efforts both to reduce the numbers of children living in poverty now and to address the factors which give rise to inter-generational poverty.

Further statistical releases since the publication of the report demonstrate reductions in poverty levels here, including significant reductions in the percentage of children in relative poverty.

## Public Appointments

**Mr Allister** asked the First Minister and deputy First Minister, in light of the findings by the Fair Employment Tribunal in Lennon-v-the Department for Regional Development, whether the practice of Ministers being able to make appointments from an unranked list of candidates be reviewed.

**(AQW 13231/11-15)**

**Mr P Robinson and Mr M McGuinness:** The implications of the recent Fair Employment Tribunal decision in Lennon v the Department for Regional Development on public appointment procedures are being fully considered.

## Public Appointments

**Mr Allister** asked the First Minister and deputy First Minister, in light of the findings by the Fair Employment Tribunal in Lennon-v-the Department of Regional Development whether the Code of Practice for Ministerial Public Appointments and the Procedures for Handling Public Appointments will be reviewed.

**(AQW 13234/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Commissioner for Public Appointments is an independent office holder who has a statutory duty under the Commissioner for Public Appointments (NI) Order 1995 to prescribe and publish a Code of Practice on the interpretation and application by departments of the principle of selection on merit for public appointments. Any review of the Code of Practice is a matter for the Commissioner.

The implications of the recent Fair Employment Tribunal decision in Lennon v the Department for Regional Development on public appointment procedures will be fully considered.

## Department for Employment and Learning: Dissolution

**Mr Allister** asked the First Minister and deputy First Minister what is the timeframe for the dissolution of the Department for Employment and Learning; and when the legislation will be introduced.

**(AQW 13423/11-15)**

**Mr P Robinson and Mr M McGuinness:** These matters remain under consideration. The Assembly will be advised through the relevant Committees of our decision in due course.

## Public Appointments

**Mr Allister** asked the First Minister and deputy First Minister what steps are proposed for imposing sanctions in the event of adverse findings by the Commissioner for Public Appointments, as recommended by the Public Accounts Committee.

**(AQW 13424/11-15)**

**Mr P Robinson and Mr M McGuinness:** The functions and powers of the Commissioner for Public Appointments are set out in the Commissioner for Public Appointments (NI) Order 1995. We have no plans to change the current functions and powers of the Commissioner.

## Ministerial Code: Alleged Breaches

**Mr Allister** asked the First Minister and deputy First Minister what mechanisms exist to deal with alleged breaches of the Ministerial Code, including how they are investigated and by whom.

**(AQW 13425/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Ministerial Code does not specify any procedure to be followed in relation to the investigation or determination of breaches of the Ministerial Code, nor does it assign any role to us in the matter. Section 28A of the Northern Ireland Act 1998 requires Ministers to act in accordance with the provisions of the Ministerial Code and any alleged breach of the Code could be decided as a matter of law.

In addition, the Northern Ireland Act makes provision for failure by a Minister to observe the terms of the Pledge of Office to be the subject of a motion for a resolution of the Assembly. Such a motion can be moved jointly by us, or by an MLA with the support of 29 other Members.

## Ministerial Code: Alleged Breaches

**Mr Allister** asked the First Minister and deputy First Minister whether they have any plans to review the mechanisms that exist to deal with alleged breaches of the Ministerial Code.

**(AQW 13426/11-15)**

**Mr P Robinson and Mr M McGuinness:** We have no plans for such a review. Apart from the courts, the ultimate authority for breaches of the Ministerial Code resides with Members and the Assembly.

## Towards Understanding and Healing

**Mr Eastwood** asked the First Minister and deputy First Minister why the funding for Towards Understanding and Healing from SEUPB under 'Theme 1.2 Acknowledging and Dealing with the Past' has not been released, given that the funding has been approved by the Steering Committee and the Pre Contract Check has been completed.

**(AQW 13445/11-15)**

**Mr P Robinson and Mr M McGuinness:** The project application in respect of 'Towards Understanding and Healing' was submitted under Peace III Theme 1.2 Dealing with the past. SEUPB has delegated the administration of this theme to the Consortium comprising the Community Relations Council (CRC) and POBAL.

The Consortium carried out a Pre Contract Check on the project on 14 May 2012. As a result of this check, further clarification was sought regarding the requisite legal status for the group. This was raised with the Managing Authority (SEUPB) and final



clarification regarding the requisite legal status for the group was received by the Consortium on 27 June 2012. All other queries were addressed as part of the Pre Contact Check.

CRC is now in the process of drafting the Letter of Offer for Towards Understanding & Healing. Once the Letter of Offer has been approved and signed off by CRC, it will be forwarded to the Department of Environment Communities and Local Government (Accountable Department) for approval. As soon as this approval is given, the Letter of Offer will issue to the Project Promoter.

### **Sexual Orientation Strategy**

**Mr McCarthy** asked the First Minister and deputy First Minister for an update on the Sexual Orientation Strategy.  
(AQO 2290/11-15)

**Mr P Robinson and Mr M McGuinness:** We aim to publish the Sexual Orientation Strategy by December 2012.

### **Community Relations Council: Funding**

**Mr Lynch** asked the First Minister and deputy First Minister whether they can confirm that the Community Relations Council has had its budget approved and that groups awaiting funding from the Council should soon be in receipt of their funds.

(AQO 2291/11-15)

**Mr P Robinson and Mr M McGuinness:** The draft budget and operational plan for the Community Relations Council for 2012-13 has been approved.

A letter of offer will issue from the department shortly, which will allow funding to be released to those groups and organisations which have applied for support through the Community Relations Council.

### **Victims and Survivors Service**

**Mr Mitchel McLaughlin** asked the First Minister and deputy First Minister for an update of the work of the Victims and Survivors Service.

(AQO 2292/11-15)

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service went live on 2 April 2012 and was officially launched on 2 May by Junior Minister Bell and the former Junior Minister Anderson. This fulfilled a commitment made by both of us that the service would be established by April 2012.

The Service will deliver the new assessment and commission-based delivery model, bringing together some £11 million of funding into a single, unified service. The objective is to transform current services from being grants-led to needs-led.

The Service has had over 248 requests for information. To date, over 85 assessments have been carried out and the Service maintains advanced bookings of on average 20 appointments; the majority of people are seen within seven days. This is very encouraging news and is an early but hopeful sign that the Service is attracting those victims and survivors who, for whatever reason, may not have availed of Victims services in the past.

A proposed assessment model has been completed and staff from the Service have been meeting with various victims' groups and agencies to ensure the work they will carry out is what is needed.

Arrangements are almost complete for the relevant staff from both the Community Relations Council and the Memorial Fund to join the Service.

Arrangements for the recruitment of the Victims and Survivors Service Board and Chair, as well as the post of Chief Executive, are well advanced.

We are committed to continuing to work hard to ensure that the Victims Service provides the best service possible and that victims and survivors receive from it the support they expect and deserve.

### **Sexual Orientation Strategy**

**Mr McKay** asked the First Minister and deputy First Minister whether they can confirm that the Sexual Orientation Strategy will be published before the end of 2012.

(AQO 2294/11-15)

**Mr P Robinson and Mr M McGuinness:** We aim to publish the Sexual Orientation Strategy by December 2012.

### **Strategy for A Shared Future**

**Mr McClarty** asked the First Minister and deputy First Minister how they intend to continue updating the strategy for A Shared Future, following the withdrawal of the Alliance Party from the cross-party Cohesion, Sharing and Integration working group.

(AQO 2295/11-15)

**Mr P Robinson and Mr M McGuinness:** The withdrawal of the Alliance Party from the cross-party working group on CSI has not affected our determination, or that of the other political parties, who continue to work together to make progress on a new community relations strategy.

The CSI working group continues to meet on a weekly or bi-weekly basis, and each member of that group, led by the two Junior Ministers, is working hard to achieve political consensus on the range of issues required to underpin a finalised strategy.

### Summer Intervention Programmes

**Mr Boylan** asked the First Minister and deputy First Minister what funding their Department has committed to Summer Intervention Programmes for this year.

**(AQO 2296/11-15)**

**Mr P Robinson and Mr M McGuinness:** Our Department has committed £500,000 to the Summer Intervention Programmes for 2012.

This money is broken down into two tranches; £100,000 is transferred to Belfast City Council to administer, and £400,000 is transferred to the Department of Education (DE). The money transferred to DE is then administered by the Education and Library Boards.

Additional money is also spent on summer intervention work by the District Councils, through the District Councils Good Relations Programme.

Compositely, these resources have been utilised to support activities with our young people at those times of the year when tensions can be at their highest.

### Northern Ireland Memorial Fund

**Mrs Dobson** asked the First Minister and deputy First Minister if they are aware of the security and privacy concerns amongst relatives of ex-servicemen and women in relation to (i) the new means tested assessment criteria when applying to the Northern Ireland Memorial Fund; and (ii) their reluctance to provide personal and financial details previously not required to access funding, **(AQW 13712/11-15)**

**Mr P Robinson and Mr M McGuinness:** Any information given to the Northern Ireland Memorial Fund is held securely and treated with the utmost care and discretion. The requirement for means testing and provision of personal and financial details has been in place in the Memorial Fund since November 2010.

The Memorial Fund has had no contact from ex-servicemen or women raising concerns in relation to this issue.

## Department of Agriculture and Rural Development

### Rural Borewells Scheme

**Mr Ó hOisín** asked the Minister of Agriculture and Rural Development what consideration was given to people on means-tested benefits, when deciding upon the criteria used to assess applicants for the Rural Borewells Scheme.

**(AQW 13151/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Rural Borewells Scheme is an innovative scheme to help those living in isolated rural areas that do not have access to mains water and where accessing the public water mains is not technically or financially possible. Developed in collaboration with DRD the scheme will offer up to £10k towards access to a wholesome water supply through the installation of a Borewell or treatments works for domestic dwellings built prior to 2000.

This is a pilot scheme which will be reviewed at the end of Year 1 so that we can learn from any issues identified and evidence gathered. I will keep means testing under consideration.

### Forest Service: Funding

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the funding provided to the Forest Service in each of the last five years.

**(AQW 13287/11-15)**

**Mrs O'Neill:** The final Departmental Expenditure Limit (DEL) budget allocation provided by the Department to Forest Service and the Agency's reported outturn for each of the financial years 2007/08 to 2001/12 is provided at Appendix 1.

Generally Accepted Accounting Principles (GAAP) accounting standards applied for the 2007/08 and 2008/09 financial years and therefore these figures are not comparable with 2009 onwards. The accounts from 2009/10 onwards have been accounted for under International Financial Reporting Standards (IFRS) with the budgets allocated on that basis.

The net resource operating expenditure shows the cost of forestry operations excluding the grant payments, non-cash costs and capital. This cost was £1.1m in the 2011/12 year and represents the subsidy that is required to support the non-commercial recreation visitors to our forests, with entrance charges only levied for the nine Forest Parks (£1m).

The total budget allocation shows the final total departmental expenditure limit budget allocated to the Agency for each of the 5 years.

## Forest Service Final Budget Allocation and Outturn for the years 2007 - 2012

## Appendix 1

| Budget description  | 2007/08              |                 | 2008/09              |                 | 2009/10              |                 | 2010/11              |                 | 2011/12              |                 |
|---|----------------------|-----------------|----------------------|-----------------|----------------------|-----------------|----------------------|-----------------|----------------------|-----------------|
|   | Final Budget<br>£000 | Outturn<br>£000 | Final Budget<br>£000 | Outturn<br>£000 | Final Budget<br>£000 | Outturn<br>£000 | Final Budget<br>£000 | Outturn<br>£000 | Final Budget<br>£000 | Outturn<br>£000 |
|   | Note 1               |                 | Note 1               |                 | Note 2               |                 | Note 3               |                 |                      |                 |
| Resource Expenditure  | 11,432               | 11,457          | 11,237               | 10,602          | 10,188               | 10,024          | 10,326               | 10,264          | 10,884               | 10,733          |
| Resource Income   | (7,207)              | (8,301)         | (7,551)              | (8,754)         | (8,300)              | (8,685)         | (8,150)              | (8,573)         | (9,550)              | (9,634)         |
| <b>Net Resource Operating Expenditure<br/>(excluding non-cash and grants)</b>                 | <b>4,225</b>         | <b>3,156</b>    | <b>3,686</b>         | <b>1,848</b>    | <b>1,888</b>         | <b>1,339</b>    | <b>2,176</b>         | <b>1,691</b>    | <b>1,334</b>         | <b>1,099</b>    |
| Capital Expenditure   | 3,025                | 2,447           | 2,339                | 2,491           | 560                  | 530             | 539                  | 568             | 293                  | 340             |
| Capital Receipts  | (3,199)              | (3,233)         | (2,539)              | (2,121)         | (89)                 | (60)            | (50)                 | (17)            | (17)                 | (30)            |
| <b>Net Resource and Capital Operating<br/>Expenditure (excluding non-cash and<br/>grants)</b> | <b>4,051</b>         | <b>2,370</b>    | <b>3,486</b>         | <b>2,218</b>    | <b>2,359</b>         | <b>1,809</b>    | <b>2,665</b>         | <b>2,242</b>    | <b>1,610</b>         | <b>1,408</b>    |
| Non-Cash Expenditure  | 11,661               | 11,796          | 11,541               | 11,800          | 698                  | 804             | 803                  | 668             | 737                  | 1,711           |
| Grant Expenditure (Resource and Capital)  | 2,408                | 2,326           | 1,634                | 1,607           | 1,779                | 1,402           | 1,712                | 1,602           | 1,608                | 1,603           |
| EU Grant Income   | (1,289)              | (1,118)         | (997)                | (763)           | (790)                | (629)           | (747)                | (433)           | (640)                | (578)           |
| <b>Total DEL Budget Allocation</b>  | <b>16,831</b>        | <b>15,374</b>   | <b>15,664</b>        | <b>14,862</b>   | <b>4,046</b>         | <b>3,386</b>    | <b>4,433</b>         | <b>4,078</b>    | <b>3,315</b>         | <b>4,145</b>    |

Note 1: UK GAAP accounting standards applied for the 2007/08 and 2008/09 years therefore these figures are not comparable with 2009 onwards. The accounts from 2009/10 onwards have been accounted for under IFRS with the budgets allocated on that basis.

Note 2: The 2009/10 Non-Cash Expenditure figure has been adjusted to remove the cost of capital £7,830k to improve comparability with 2010/11 and 2011/12.

Note 3: The 2010/11 Resource Expenditure figure includes £395k in respect of the equal pay settlement.

## Bees Imported into Northern Ireland

**Mr Cree** asked the Minister of Agriculture and Rural Development how many bees have been (i) directly; or (ii) indirectly imported in each of the last three years.

**(AQW 13304/11-15)**

**Mrs O'Neill:**

- (i) In 2011 three consignments with 30 Queen Honey Bees and their attendants were notified to DARD prior to direct importation into the north of Ireland.  
In 2010 eighteen consignments with 37 Queen Honey Bees and their attendants were notified to DARD prior to direct importation into the north of Ireland.  
In 2009 thirteen consignments with 45 Queen Honey Bees and their attendants were notified to DARD prior to direct importation into the north of Ireland.
- (ii) Over each of the last three years no consignments of Queen Honey Bees and attendants were notified to DARD as being indirectly imported into the north of Ireland.

## Fraud Convictions

**Mr Allister** asked the Minister of Agriculture and Rural Development how many convictions for fraud offences have resulted from investigations carried out by the Central Investigation Service since its inception.

**(AQW 13343/11-15)**

**Mrs O'Neill:** In response to your question, the number of convictions for fraud offences from investigations carried out by the Central Investigation Service since its inception in 2002 is 7.

In addition, the CIS had 86 cases of successful regulatory/legislative convictions. 58 of these cases relate to false claims for subsidy and compensation. 28 cases relate to non compliance with legislation/regulation.

## National Arboretum at Castlewellan Forest Park

**Mr McCarthy** asked the Minister of Agriculture and Rural Development how much funding has been allocated to the feasibility study, economic appraisal and capital works required to upgrade the National Arboretum at Castlewellan Forest Park.

**(AQW 13346/11-15)**

**Mrs O'Neill:** There is currently no specific budget set aside for this purpose.

Forest Service has recently signed a memorandum of understanding (MoU) with Down District Council which creates a framework to increase opportunities for the recreational use and tourism potential of forests within the Down District Council area. The arboretum will be one of the areas considered jointly by both partners with the aim of securing a long term viable end use and to deliver the Executive commitment to set a good example in the care of its historic estate.

Forest Service is currently in the process of obtaining estimates for essential repairs to the glasshouses and built structures within the arboretum.

## College of Agriculture, Food and Rural Enterprise

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail, for each of the last five years (i) the courses which have been delivered by the College of Agriculture, Food and Rural Enterprise; (ii) the duration of each course; (iii) the award level of each course; (iv) the uptake of each course; and (v) the pass rate of each course.

**(AQW 13411/11-15)**

**Mrs O'Neill:** The annex table contains the information requested. Please note the following:

- Course names are the names currently being used;
- The award level is based on the Qualifications and Credit Framework descriptor;
- The uptake level is the number of people enrolling on year 1 of a course;
- The achievement rate is percentage of students in the final year of their course who, following assessment, achieved the qualification linked to the course;
- The pass rates for the 2011/12 academic year are not available because some students have to re-sit assessments; and
- The pass rates of part-time students who study units within full-time courses are accounted for in the pass rates of the full-time course.

### Annex

| Course                     | Duration | Level | 07/08<br>Intake | Pass<br>Rate | 08/09<br>Intake | Pass<br>Rate | 09/10<br>Intake | Pass<br>Rate | 10/11<br>Intake | Pass<br>Rate | 11/12<br>Intake |
|----------------------------|----------|-------|-----------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|
| FE Agriculture (Full-time) |          |       |                 |              |                 |              |                 |              |                 |              |                 |

| Course  | Duration  | Level | 07/08 Intake | Pass Rate | 08/09 Intake | Pass Rate | 09/10 Intake | Pass Rate | 10/11 Intake | Pass Rate | 11/12 Intake |
|---|-----------|-------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|
| Level 2 Diploma in Agriculture                            | 1 Year    | 2     | 29           | 79        | 39           | 89        | 38           | 91        | 45           | 98        | 43           |
| Level 3 Extended Diploma in Agriculture                   | 3 Years   | 3     | 28           | 95        | 39           | 95        | 42           | 100       | 42           | 97        | 40           |
| Level 2 Diploma in Land Based Technology                  | 1 Year    | 2     | 12           | 100       | 16           | 94        | 17           | 100       | 15           | 100       | 16           |
| National Certificate/<br>Diploma in Land Based Technology | 1-2 Years | 3     | 18           | 100       | 15           | 47        | 26           | 92        | 24           | 100       | 24           |
| HE Agriculture (Full-time)                                |           |       |              |           |              |           |              |           |              |           |              |
| HND/FdSc Agriculture and Rural Studies                    | 3 Years   | 5     | 15           | 86        | 21           | 93        | 34           | 94        | 41           | 95        | 42           |
| FdSc in Rural and Countryside Management                  | 2 Years   | 5     | 9            | 100       | 6            | 100       | 13           | 80        | 5            | 90        | 0            |
| FE Agriculture (Part-time)                                |           |       |              |           |              |           |              |           |              |           |              |
| Level 2 Work-based Diploma in Agriculture                 | 78 Weeks  | 2     | 19           | 83        | 19           | 100       | 21           | 100       | 21           | 91        | 42           |
| Level 3 Work-based Diploma in Agriculture                 | 78 Weeks  | 3     | 16           | 100       | 18           | 100       | 27           | 100       | 26           | 96        | 32           |
| Work-based Diploma in Agriculture (Poultry)               | 1-2 years | 3     | 34           | 100       | 9            | 100       | 8            | 100       | 48           | 100       | 37           |
| NVQ Level 2 Service Engineering                           | 2 years   | 2     | 0            | N/A       | 8            | 100       | 2            | 100       | 17           | 100       | 0            |
| NVQ Level 3 Service Engineering                           | 2 years   | 3     | 2            | 100       | 10           | 100       | 0            | N/A       | 0            | N/A       | 0            |
| NVQ Level 2 Environmental Conservation                    | 2 years   | 2     | 9            | 100       | 10           | 100       | 7            | 100       | 0            | N/A       | 0            |
| Multiskilling   | 78 Weeks  | 2     | 22           | 98        | 36           | 100       | 23           | 93        | 30           | 95        | 23           |
| Multiskilling   | 78 Weeks  | 3     | 27           |           | 0            | N/A       | 0            | N/A       | 0            | N/A       | 0            |
| Animal Nursing Assistant                                  | 1 Year    | 2     | 16           | 86        | 22           | 80        | 17           | 88        | 26           | 77        | 24           |
| NVQ Level 2 Veterinary Nursing                            | 2 years   | 2     | 12           | 83        | 13           | 85        | 9            | 95        | 0            | 89        | 0            |
| Level 3 workbased Diploma Veterinary Nursing              | 2 Years   | 3     | 5            | 100       | 13           | 85        | 16           | 100       | 16           | 100       | 15           |
| HE Agriculture (Part-time)                                |           |       |              |           |              |           |              |           |              |           |              |
| FdSc Agriculture and Rural Studies                        | 4 Years   | 5     | 1            | N/A       | 0            | N/A       | 0            | N/A       | 0            | N/A       | 8            |
| HND in Agriculture  | 4 Years   | 5     | 0            | N/A       | 1            | N/A       | 0            | N/A       | 0            | N/A       | 8            |
| HNC in Agriculture  | 4 Years   | 5     | 3            | N/A       | 9            | N/A       | 7            | N/A       | 7            | N/A       | 0            |
| FdSc Rural Countryside Management                         | 4 Years   | 5     | 7            | N/A       | 11           | N/A       | 2            | N/A       | 0            | N/A       | 0            |
| C He Rural Countryside Management                         | 2 Years   | 4     | 4            | N/A       | 12           | N/A       | 15           | N/A       | 18           | N/A       | 9            |

| Course                                   | Duration   | Level | 07/08 Intake | Pass Rate | 08/09 Intake | Pass Rate | 09/10 Intake | Pass Rate | 10/11 Intake | Pass Rate | 11/12 Intake |
|--|--|-------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|
| Course                                   | Duration   | Level | 07/08 Intake | Pass Rate | 08/09 Intake | Pass Rate | 09/10 Intake | Pass Rate | 10/11 Intake | Pass Rate | 11/12 Intake |
| FE Food (Full-time)                      |  |       |              |           |              |           |              |           |              |           |              |
| BTEC National Diploma in Food            | 2 Years  | 3     | 15           | 100       | 14           | 92        | 28           | 91        | 19           | 100       | 26           |
| HE Food (Full-time)                      |  |       |              |           |              |           |              |           |              |           |              |
| FdSc in Food                             | 2 Years  | 5     | 7            | 100       | 8            | 100       | 12           | 100       | 12           | 80        | 15           |
| BSc Food Technology                      | 3-4 Years  | 6     | 10           |           | 17           |           | 8            |           | 12           |           | 16           |
| BSc Food Design and Nutrition            | 3-4 Years  | 6     | 0            |           | 0            |           | 2            |           | 18           |           | 18           |
| BSc Food Management and Marketing        | 3-4 Years  | 6     | 0            |           | 100          |           | 0            |           | 88           |           | 18           |
| BSc Supply Management (Food)             | 3-4 Years  | 6     | 5            | 100       | 9            | 100       | 0            | N/A       | 0            | N/A       | 0            |
| Graduate Conversion Programme            | 1 Year   | 6     | 25           | 100       | 25           | 88        | 25           | 100       | 25           | 100       | 0            |
| FE Food (Part-time)                      |  |       |              |           |              |           |              |           |              |           |              |
| National Certificate in Food             | 2-5 Years  | 3     | 7            | N/A       | 5            | N/A       | 7            | N/A       | 4            | N/A       | 3            |
| HE Food (Part-time)                      |  |       |              |           |              |           |              |           |              |           |              |
| Graduate Certificate in Food             | 2 Years  | 6     | 0            | N/A       | 0            | N/A       | 0            | N/A       | 3            | 100       | 1            |
| BSc Food Technology                      | Dependent on entry qualifications and experience | 6     | 3            | N/A       | 5            | N/A       | 3            | N/A       | 9            | N/A       | 2            |
| BSc Food Design and Nutrition            |  | 6     | 0            | N/A       | 0            | N/A       | 5            | N/A       | 4            | N/A       | 1            |
| BSc Food Management and Marketing        |  | 6     | 0            | N/A       | 0            | N/A       | 2            | N/A       | 4            | N/A       | 3            |
| BSc Supply Management (Food)             |  | 6     | 6            | N/A       | 5            | N/A       | 0            | N/A       | 0            | N/A       | 0            |
| FE Horticulture (Full-time)              |  |       |              |           |              |           |              |           |              |           |              |
| Level 2 Diploma in Horticulture          | 1 Year   | 2     | 12           | 100       | 5            | 100       | 6            | 100       | 10           | 100       | 7            |
| Level 2/3 Floristry                      | 1 Year   | 2/3   | 14           | 86        | 14           | 92        | 15           | 100       | 13           | 92        | 16           |
| Level 3 Extended Diploma in Horticulture | 2 Years  | 3     | 12           | 100       | 14           | 100       | 18           | 100       | 18           | 100       | 12           |
| HE Horticulture (Full-time)              |  |       |              |           |              |           |              |           |              |           |              |
| FdSc in Horticulture                     | 2 Years  | 5     | 20           | 96        | 11           | 92        | 17           | 100       | 13           | 90        | 16           |
| FE Horticulture (Part-time)              |  |       |              |           |              |           |              |           |              |           |              |
| NVQ Level 2 Landscaping                  | 18 Months  | 2     | 16           | 82        | 15           | 47        | 7            | 70        | 15           | 76        | 8            |
| Level 3 Subsidiary Diploma Landscaping   | 2 Years  | 3     | 12           | 75        | 9            | 67        | 7            | 80        | 5            | 67        | 11           |
| NVQ Level 2 Sportsturf                   | 18 Months  | 2     | 27           | 62        | 23           | 72        | 23           | 70        | 14           | 100       | 16           |



| Course                                       | Duration | Level | 07/08 Intake | Pass Rate | 08/09 Intake | Pass Rate | 09/10 Intake | Pass Rate | 10/11 Intake | Pass Rate | 11/12 Intake |
|--|----------|-------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|
| ANCH/ Level 3 Subsidiary Diploma Sportsturf  | 2 Years  | 3     | 10           | 100       | 12           | 70        | 7            | 90        | 7            | 83        | 10           |
| Level 3 Diploma in Floristry                 | 2 Years  | 3     | 7            | N/A       | 0            | N/A       | 5            | N/A       | 8            | N/A       | 7            |
| Level 2 Certificate/ Diploma in Horticulture | 1 Year   | 2     | 8            | N/A       | 13           | N/A       | 16           | N/A       | 16           | N/A       | 12           |
| Level 3 Subsidiary Diploma in Horticulture   | 2 Years  | 3     | 34           | N/A       | 38           | N/A       | 30           | N/A       | 29           | N/A       | 13           |
| HE Horticulture (Part-time)                  |          |       |              |           |              |           |              |           |              |           |              |
| FdSc in Horticulture                         | 2 Years  | 5     | 30           | 96        | 59           | 92        | 46           | 100       | 54           | 90        | 47           |
| C He in Horticulture                         | 2 Years  | 4     | 8            | N/A       | 2            | N/A       | 2            | N/A       | 13           | N/A       | 24           |
| HNC Horticulture                             | 4 Years  | 5     | 17           | N/A       | 26           | N/A       | 9            | N/A       | 8            | N/A       | 3            |
| HND Horticulture                             | 4 Years  | 5     | 5            | N/A       | 1            | N/A       | 3            | N/A       | 2            | N/A       | 1            |
| FE Equine (Full-time)                        |          |       |              |           |              |           |              |           |              |           |              |
| Diploma in Horse Care                        | 1 Year   | 2     | 11           | 90        | 9            | 100       | 10           | 100       | 10           | 100       | 11           |
| Pre Farriery                                 | 1 Years  | 2     | 10           | 56        | 10           | 100       | 8            | 63        | 5            | 75        | 7            |
| Extended Diploma in Horse Management         | 2 Years  | 3     | 22           | 100       | 29           | 88        | 21           | 100       | 23           | 100       | 23           |
| HE Equine (Full-time)                        |          |       |              |           |              |           |              |           |              |           |              |
| FdSc in Equine Management                    | 2 Years  | 5     | 21           | 59        | 28           | 93        | 12           | 93        | 17           | 83        | 22           |
| BSc Equine Studies                           | 3 Years  | 6     | 10           | 100       | 12           | 100       | 20           | 82        | 16           | 94        | 16           |
| FE Equine (Part-time)                        |          |       |              |           |              |           |              |           |              |           |              |
| Farrier Upskilling                           | 2 Years  | 3     | 0            | N/A       | 14           | 91        | 0            | N/A       | 0            | N/A       | 14           |

**Background Note**

AQW 13411/11-15

- All courses offered by CAFRE provide participants with an opportunity to achieve a qualification from a national awarding body or a university. Over recent years several programmes have been updated to reflect awarding body changes as they bring their suite of qualifications into line with the Qualifications and Credit Framework (QCF). CAFRE currently offers programmes from level 2 to 7.
- Analysis of CAFRE's performance demonstrated a consistently high level of performance: overall almost 90% of students who enrol will complete, and over 93% of those who complete will achieve their target qualification. These figures are in the Education and Training Inspectorate's excellent category, and are at the top end of the figures for the Landex group of Colleges. Landex is a group of colleges in Britain who offer similar programmes to CAFRE.

FOR ANSWER ON: 18 July 2012

Drafted by Nigel Murphy on 11 July 2012

Cleared by Head of Division – Martin McKendry on 11 July 2012

Cleared by Special Adviser –

Copy distribution List:

Gerry Lavery

Mark Browne

Bert Houston

David Small

John Fay

James O'Boyle

## College of Agriculture, Food and Rural Enterprise

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the waiting lists for any courses or training that are currently delivered by the College of Agriculture, Food and Rural Enterprise.

**(AQW 13412/11-15)**

**Mrs O'Neill:** Further and Higher education courses have an annual recruitment cycle whereby potential students apply for courses and are allocated places as soon as examination results are available. As a result, there is no one on a waiting list.

For industry training programmes, on 5 July 2012, a total of 393 people were waiting to be allocated places on courses. The details are as follows:

| Course Name                                       | Numbers waiting |
|---|-----------------|
| All Terrain Vehicles - Adults                     | 5               |
| PA1 - Safe Use of Pesticides                      | 43              |
| PA2A - Field Crop Sprayer                         | 36              |
| PA3 – Air Assisted Sprayer                        | 6               |
| PA4 - Pesticide Granule Applicator                | 2               |
| PA4S - Pesticide Slug Pellet Applicator           | 5               |
| PA6A - Knapsack Sprayer                           | 27              |
| PA6AW – Application in or near water              | 4               |
| Safe Use of Sheep Dips                            | 2               |
| Sheep Dog Handling                                | 27              |
| Sheep Shearing                                    | 27              |
| Tractor Driving 13-15 yr olds                     | 32              |
| Tractor Driving 16-18 yr olds                     | 5               |
| BTDS Tractor Driving                              | 38              |
| Telescopic Handling                               | 11              |
| Welding   | 11              |
| Advanced Welding                                  | 13              |
| Pedestrian Cylinder Mowers                        | 2               |
| Pedestrian Rotary & Flail                         | 2               |
| Ride-On Cylinder Mowers                           | 3               |
| Ride-On Rotary & Flail                            | 3               |
| IPPC (Integrated Prevention of Pollution Control) | 54              |
| Manual Handling                                   | 23              |
| Power (Protection of Crops)                       | 2               |
| FAID (First Aid)                                  | 4               |
| Nominated Store Keepers                           | 1               |
| Equine AI programme                               | 5               |

Please note that an individual may have registered for more than one programme.

## College of Agriculture, Food and Rural Enterprise

**Mr Swann** asked the Minister of Agriculture and Rural Development which courses delivered by the College of Agriculture, Food and Rural Enterprise have been successful in achieving 100 percent subscription.

**(AQW 13413/11-15)**

**Mrs O'Neill:** The following CAFRE courses met or exceeded their target number of first year enrolments in 2011/12:

- Edexcel Level 2 BTEC Diploma in Land-based Technology;
- National Certificate in Land-based Technology;
- Level 2 Diploma in work-based Agriculture;
- Animal Nursing Assistant; Level 3 Diploma in work-based Agriculture;
- NVQ level 3 Poultry;
- Level 2 Diploma in Floristry;
- Foundation Degree in Horticulture (full-time and part-time routes);
- Level 3 Diploma in work-based Horticulture (Parks, Gardens and Green spaces);
- CHE Horticulture (part-time);
- Pre-farriery;
- Edexcel Level 2 BTEC Extended Diploma in Horse management; Foundation Degree Equine;
- Farriery Upskilling(part-time);
- National Diploma Food Technology;
- Foundation Degree – Food; BSc Food Technology;
- BSc Food Design and Nutrition;
- BSc Food Marketing and Nutrition;
- Advanced Certificate in Packaging; and
- Diploma in Packaging.

All industry training short courses are fully subscribed because courses are only arranged when there are sufficient applications.

## College of Agriculture, Food and Rural Enterprise

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the level of financial support that is available to students enrolled in (i) full time; and (ii) part time courses at the College of Agriculture, Food and Rural Enterprise.

**(AQW 13414/11-15)**

**Mrs O'Neill:**

### Full time Further Education support.

DARD provides a means tested living expenses grant to eligible full time students attending a Further Education course at the College of Agriculture, Food and Rural Enterprise (CAFRE). Eligibility is based on residency and previous study. A maximum grant of £2,362 is available for students living in campus halls of residency or in lodgings and £1,659 for students living in the parental home. The grant is based on an assessment of residual household income, which includes parents' income for students who depend on their parents financially. A household contribution is calculated for a residual household income of £23,660 and above. A Childcare grant is available for students with dependent children in approved childcare. Additional support is available for students assessed as having a specific learning difficulty or disability.

### Full time Higher Education support

Support for CAFRE higher education students is administered by Student Finance NI – a service delivery partnership between DEL, the five local Education and Library Boards (ELB) and the Student Loans Company (SLC). CAFRE students apply to their local ELB for financial support and they determines eligibility and entitlement. SLC sends financial notification of entitlement and payment schedule letters. Students are eligible to apply for a non means-tested tuition fee loan, to the maximum fee charged by CAFRE (£1,380 for academic year 2012). A maximum means tested maintenance grant of £3,475 and maximum means tested maintenance loan of £3,750 (home), £4,840 (lodgings) is available for academic year 2012/13. Additional support is available through a Parent's Learning Allowance (max £1,538), a Childcare Grant (max £148.75 per week for one child and £255 for two or more), an Adult Dependant's Grant (max £2,695) and a Special Support Grant. A Disabled Students' Allowance is a non means tested allowance to support students with disabilities or learning difficulties. An equipment allowance (max £5,266), non-medical helper's allowance (max £20,938) and general allowance of up to £1,759 per year are available.

### Hardship Fund

This fund is intended to provide support to students who are experiencing exceptional financial difficulty in meeting costs associated with learning. All full-time students are eligible to apply. Applicants must have taken out a student loan (if eligible) and should have exhausted all other sources of income. Awards are made primarily to students in severe financial hardship, mature

students, lone parents and those students with children who are not eligible for a childcare grant. Each case is considered on its own merit by a panel and the amount paid (if any) is based on basic needs being met such as travel, food and books.

#### **Part time Further and Higher Education students**

Current policy with regard to part-time study at either further or higher education level for CAFRE students is that the Department will not charge tuition fees for students who are employed in the agri-food industry. Part-time CAFRE students who have been accepted onto the Department of Employment and Learning's ApprenticeshipsNI programme are eligible for £100 payment in respect of the successful completion of each essential skill unit of Communication, Application of Number and ICT.

#### **College of Agriculture, Food and Rural Enterprise**

**Mr Swann** asked the Minister of Agriculture and Rural Development what percentage of (i) full-time; and (ii) part-time courses at the College of Agriculture, Food and Rural Enterprise are delivered by independent training providers.

**(AQW 13415/11-15)**

**Mrs O'Neill:** No full-time or part-time courses at CAFRE are delivered by independent training providers.

#### **Promotion of Northern Ireland Produce**

**Mr Hamilton** asked the Minister of Agriculture and Rural Development what action her Department is taking to assist in the promotion of Northern Ireland produce with the EU's Protected Geographical Indication status.

**(AQW 13467/11-15)**

**Mrs O'Neill:** From the outset, I want to make clear that EU State Aid regulations do not allow for the promotion of individual produce based on origin. However, as you are aware, my Department administers the EU Protected Food Names (PFN) Scheme on behalf of applicants. This provides a system for the protection of food names on a geographical or traditional basis and can be used as a valuable promotional tool. My Department's strategy is to raise awareness of this scheme and its benefits to producer groups who can then decide if the scheme would be of benefit to their marketing strategy. My officials can also help producer groups in making applications.

Achievement of a PFN Scheme has significant potential for products as exports are highly sought after with any of the three protected name markings. So, as well as protecting local produce in the expanding global market, it is also another tool to help with export-led growth.

The North has recently had three successful PGI applications: Lough Neagh Eels; Armagh Bramley Apples and Comber Earlies. I visited each of the groups involved in these three product applications and, while wider uptake of the scheme is still at a relatively early stage for the north, I am confident that the PGI status will bring a marketing advantage to each of the products. Indeed, this is already happening with the first crop of Comber Earlies having successfully secured a contract with a major retailer.

My Department managed very positive media coverage, not only of the achievement for each PGI produce but also to raise wider awareness of the scheme. We followed this up with a PFN exhibition stand in the Food Pavilion at the Balmoral Show. I visited this stand and was pleased to see a wide range of interest from the public as well as producers. My officials are now following-up contact with interested parties who visited the stand.

There has also been progress in developing new applications. A joint venture with colleagues in the south for 'Irish Salmon' is at an advanced stage, while meetings with other local producer groups are also ongoing, which will hopefully result in further new applications.

To help producer groups consider the benefits of the scheme, we are developing an Information Pack, as well as additional information for the DARD website. We are also planning a seminar for producers, to explain the scheme and its benefits. The Department's Supply Chain Development Programme is also available to provide support for farmers and growers to work together with others to help them improve the rewards from their supply chain.

At a recent Ards Borough Council meeting DARD Supply Chain explained to growers and packers of Comber Earlies how the PGI should be used to help promote Comber Earlies and explained how the Supply Chain Development Programme could be used to help the industry establish a group to use the PGI status to best advantage. Comber Earlies are now being harvested and packers are starting to use the Comber Earlies PGI labels on their potato bags.

In terms of promoting local quality food, you may be aware that my Department also supports the Regional Food Programme which aims to promote quality produce. Previous successful applications include the Taste of Ulster Guide, the Naturally North Coast Directory and the Food Pavilion at the Balmoral Show.

I am confident that with these actions being taken, our three current PGI products will continue to benefit from PGI status and we will have new successful applications, which in turn will help increased further take-up of this valuable scheme.

## Soil Quality

**Mr McNarry** asked the Minister of Agriculture and Rural Development what specific publicly funded research has been carried out on soil quality since 2007.

**(AQW 13487/11-15)**

**Mrs O'Neill:** My Department has been undertaking an extensive programme of research on soil quality over many years, through our research work programme at the AgriFood and Biosciences Institute (AFBI). AFBI is currently carrying out research on a DARD funded project titled: 'Monitoring Soil Quality in Northern Ireland'. The aim of this project is to improve our understanding of the extent, diversity and quality of our soil resource and how it is changing. AFBI is also undertaking long term research on the impact of slurry application on soil (since 1970), and established the Representative Soil Sampling Scheme (RSSS) which has been in place since winter 2004.

## Hogweed

**Ms Boyle** asked the Minister of Agriculture and Rural Development what responsibility her Department has in relation to the eradication of Hogweed around river banks.

**(AQW 13490/11-15)**

**Mrs O'Neill:** Giant Hogweed is a weed which has spread widely through the countryside in particular along river banks. Control of weeds in the wild including around river banks is the responsibility of the landowner. DARD is not responsible for the eradication of this weed which is classified as an Invasive Alien Species. The Wildlife Order (NI) 1985 makes it an offence to deliberately plant Giant Hogweed. Information on the control of Giant Hogweed by using an appropriate herbicide has been developed by DARD and is available for the general public and other government departments to download from the DARD Internet site on: [http://www.dardni.gov.uk/ruralni/giant\\_hogweed.pdf](http://www.dardni.gov.uk/ruralni/giant_hogweed.pdf)

## Single Farm Payment System

**Mr Elliott** asked the Minister of Agriculture and Rural Development whether she will consider changing the Single Farm Payment system to allow an interim payment to be made to farmers who are subject to farm inspections and other matters that result in the withholding of the payment for long periods.

**(AQW 13507/11-15)**

**Mrs O'Neill:** I do not intend to introduce interim payments at this time, but as part of my programme of work to tackle disallowance I am implementing plans to accelerate the processing of payments.

The Department has a programme of work in place to improve its mapping and on-the-spot controls. Payments, including interim payments, can only be made when controls have been applied and eligibility conditions have been satisfied. Where inspectors have identified breaches, it takes time to process these.

In order to accelerate future payments, I have commenced land eligibility inspections relating to the 2012 application year four weeks earlier than in 2011. This earlier start was made possible by development of IT and business systems, as well as earlier training and equipping of inspection staff. These inspectors have been deployed at this early stage to take advantage of the generally better weather and field conditions at this time of year and, importantly, to provide a longer window of opportunity for completion of inspections in order to make more payments to more inspected businesses earlier in the payment cycle.

I also previously announced my intention to introduce the use of satellite imagery for approximately 250 land eligibility inspections in the 2012 campaign. The use of remote sensing should also improve the prospects of early completion of inspections in future years.

I am working to increase the use of online applications and have increased this from 9% in 2010 to 21% on 2012. The use of online applications by farmers reduces the scope for error and accelerates the processing of claims. Farmers and their agents can assist in this by moving to online and away from the paper form in 2013 and I would exhort them to investigate this opportunity.

I have delivered a major investment in mapping and the use of ortho-photography and have made this available to farmers in 2012. The new maps will assist in due course in accelerating payment timetables once they have had time to bed in. In the meantime, farmers must be vigilant in ensuring the new maps are correct, because it is not possible for them to be correct in every case.

A major cause of delay in the processing of inspection cases is the need in many cases for retrospective re-calculation of entitlement value. This will continue to challenge payment targets in 2012, but it is intended that the other measures I have introduced or am introducing will offset this remaining cause of delay.

## Bovine TB

**Mr Agnew** asked the Minister of Agriculture and Rural Development to provide further details on her proposals for tackling bovine TB, which she announced on 3 July 2012 and, in particular, plans to remove badgers which test positive for TB.

**(AQW 13566/11-15)**

**Mrs O'Neill:** Following recent discussions with industry and wider stakeholders, and informed by the views of the external experts who attended the International Vaccination Symposium in Belfast in May 2012, I have asked my officials to design specific

wildlife intervention research. This approach would involve testing live badgers; vaccinating and releasing the test negative badgers; and removing the test positive ones.

This wildlife intervention research would focus on removing diseased badgers and protecting uninfected ones. This balanced approach would avoid killing healthy badgers and could lead in time to a healthier badger population incapable of transmitting TB to cattle. The aim of this research would be to test the effectiveness of this approach on the level of TB in badgers and in cattle in the north

I have therefore asked my officials to start work straightaway to design and cost this wildlife intervention research. This is a completely new approach. We expect the design for such a study will be complex and we want to make sure we get it right. There are a number of key steps to be completed.

The first step is to commission the necessary modelling using information from the north. This initial modelling will help to ensure that the subsequent design is scientifically robust. The modelling will help us identify the optimum location and size for the study, and how long it would need to run. It will also help to identify the costs of this wildlife intervention research more clearly.

When we have the results of the initial modelling, the next step will be to design the study proposal. There are a number of other preparatory actions that will be necessary. These include completing the necessary business case; obtaining the necessary licences; and securing the necessary funding. As the badger is a protected species, any direct interventions in the badger population here will be subject to the agreement of the Environment Minister and the issue of the necessary licences. Also, any interventions must be compliant with statutory powers and take into account any relevant legal rulings in Britain.

I have also asked my officials to maintain and develop stakeholder engagement with farming, veterinary and environmental representative organisations. Indeed such a meeting has already taken place on 3 July, which follows on from a TB industry and wider stakeholder workshop held last October at Greenmount College.

In addition, the Agri-Food and Biosciences Institute (AFBI) has recently been requested to put forward further research proposals across a range of aspects of TB, including the role of slurry in spreading TB; an investigation of the risk factors for herds with multiple reactors and / or chronic TB infection in order to further reduce disease in those herds; and an analysis of the existing molecular strain typing data to determine how this tool can be best applied practically in the TB eradication programme and to provide a better understanding of TB transmission in the north. An assessment has also been commissioned of farmers' understanding of and attitudes to applying biosecurity measures when dealing with diseases.

## Davagh Forest Park

**Mrs Overend** asked the Minister of Agriculture and Rural Development for an update on the work being done to transform Davagh Forest, Cookstown into a multi-purpose trail.

**(AQW 13602/11-15)**

**Mrs O'Neill:** When Forest Service launched the 'Recreation and Social Use of Forests Strategy' in July 2009 we were keen to realise the full potential that forests offer.

The proposed recreation trail network at Davagh Forest will provide a good example of how we can promote the recreational use of our forests for the benefit of all visitors in line with Forest Service's strategy. Working together with Cookstown District Council, this project will demonstrate my Department's commitment to working in partnership with organisations and local government to secure a more diverse range of facilities and attractions in our forests, for the benefit of our rural communities and for the enjoyment of present and future generations.

Work on the construction of the trail network has not yet commenced. My officials in Forest Service have been working closely with Cookstown District Council in developing a legal agreement for the Council to construct, maintain and manage the recreation product.

## EU School Milk Scheme

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 11186/11-15, what targets her Department has with regards to the EU School Milk Subsidy Scheme; and how the delivery of the Scheme can be improved.

**(AQW 13702/11-15)**

**Mrs O'Neill:** In my earlier reply I outlined the aims of the Scheme and advised that we have a high level of uptake by nursery, primary and special schools. I also welcome the fact that all of our Education and Library Boards (ELBs) participate in the delivery of the Scheme.

I would encourage every school and every parent of a child at school in the north to avail of the benefits of this Scheme. To this end the Dairy Council for the north of Ireland (DCNI) has undertaken valuable promotional work with assistance from both my Department and the European Community. I have also asked my officials to write to the Principals of all nursery, primary and special schools to encourage either their continued participation in the Scheme or to ask them to consider providing drinking milk under the Scheme for the benefit of their pupils.

Another important factor is the effective and efficient delivery of the Scheme through the ELBs. Each school participating in the Scheme liaises with the local ELB which collates a single claim at the end of each school term for all schools in its area and submits it to my Department for payment. In this way administration costs are kept to a minimum.

In conclusion, my aim is for the Scheme to continue to operate as efficiently as possible and to maximise uptake, however you will appreciate that ultimately this will be a personal choice for parents, particularly in the current difficult economic climate.



## EU School Milk Scheme

**Mr McCallister** asked the Minister of Agriculture and Rural Development to detail (i) her Department's EU School Milk Scheme targets; and (ii) whether any ways to improve delivery of the scheme have been identified.

**(AQW 13714/11-15)**

**Mrs O'Neill:** Please see my answer pursuant to AQW 13702/11-15.

## Department of Culture, Arts and Leisure

### Irish Language Act

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure to detail the benefits of an Irish Language Act.

**(AQW 11217/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** An Irish Language Act will protect the rights of Irish speakers and clarify the responsibilities of government and public bodies.

An Irish Act represents an opportunity for the Executive to use language and culture to develop programmes to recognise and support cultural expression, improve cognitive ability, create economic opportunity and contribute towards enhanced tolerance, respect and the positive promotion of equality.

### DCAL: Construction Contracts

**Ms Maeve McLaughlin** asked the Minister of Culture, Arts and Leisure for her assessment of (i) her Department's elements criteria used to determine public contract tenders for construction; and (ii) whether the criteria, such as turnover thresholds, might prohibit small-to-medium sized local businesses from making applications,

**(AQW 13153/11-15)**

**Ms Ní Chuilín:** All my Department's construction contracts are awarded based on the advice of the Department of Finance and Personnel's Central Procurement Directorate. The process typically involves the selection of suitable contractors to be invited to tender, followed by the assessment of the tenders received and the award of the contract to the successful tenderer.

The criteria used at the selection stage includes having adequate financial standing, which is proportionate and relevant to the contract in question. Should a company not meet the relevant financial requirements to qualify as a lead contractor, they may be able to apply either as part of a consortium or by being included in the supply chain of sub-contractors for a lead contractor.

My Department will continue to explore all opportunities for building the Executive's priority of sustainable socio-economic for small-to-medium sized local businesses.

### GAA Clubs: Funding

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 12619/11-15, (i) whether she intends to suspend or withdraw funding to Sport NI for distribution to the GAA; (ii) whether the distribution or presentation of medals commemorating a republican terrorist to children by Galbally Gaelic Athletic Club was deemed as acceptable under Sport NI's conditions for the awarding of funds and in compliance with good relations criteria; (iii) whether and where any evidence of such a decision exists; and (iv) whether she, or her departmental officials, met with GAA representatives to discuss this issue.

**(AQW 13319/11-15)**

**Ms Ní Chuilín:** The Department of Culture, Arts and Leisure provides grant-in-aid to Sport NI as a leading body for the development of sport in the north of Ireland. Sport NI, in turn, is responsible for administering the distributed of this grant-in-aid to sports generally. This is an on-going function of Sport NI and I have no intention of suspending or withdrawing the grant-in-aid Sport NI requires for this purpose.

Galbally Pearse's GAC is neither currently in receipt of nor in the process of being awarded funds by Sport NI. Neither I nor my officials have met with GAA representatives to discuss this matter.

### Sport NI Grants

**Mr Allister** asked the Minister of Culture, Arts and Leisure to detail the terms of the equity clause, which is a condition of Sport NI grants.

**(AQW 13344/11-15)**

**Ms Ní Chuilín:** Following a review of Sport NI's terms and conditions of award carried out in 2011, all offers of capital and revenue support from Sport NI now contain the following clauses:

#### Capital Awards

'The Applicant must operate an equal opportunities policy during and following completion of the Project and no-one shall be denied the right to equal access to any goods, facilities, services and/or employment opportunities attaching to the Project on

grounds of race, gender, sexual orientation, disability, religious belief, political opinion, marital status, age, or having or not having dependants; in addition, the recipient shall take all reasonable steps to ensure that the facilities and premises assisted by this grant shall be run in an inclusive manner which will both aspire to and promote good relations'.

### Revenue Awards

'The Applicant must operate an equal opportunities policy during and following completion of the Project and no-one shall be denied the right to equal access to any goods, facilities, services and/or employment opportunities attaching to the Project on grounds of race, gender, sexual orientation, disability, religious belief, political opinion, marital status, age, or having or not having dependants; in addition, the recipient shall take all reasonable steps to ensure that the opportunities and programmes assisted by this grant shall be run in an inclusive manner which will both aspire to and promote good relations'.

### DCAL: Media Protocol

**Mrs Hale** asked the Minister of Culture, Arts and Leisure what is the cost associated with the Media protocol for her Department's arm's-length bodies; and how the cost of this protocol will be met.

**(AQW 13361/11-15)**

**Ms Ní Chuilín:** It is not envisaged that there will be additional costs associated with the introduction of the media protocol for my Department's arm's-length bodies. I am keen to see that the DCAL brand is used so that tax payers can see where their money is spent. I have emphasised to the ALBs that they should not incur any additional spend on branding. Any costs must be met within existing budgets.

### DCAL: Capital Assets

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the capital assets of which her Department intends to dispose in each of the next three years.

**(AQW 13383/11-15)**

**Ms Ní Chuilín:** My Department plans to dispose of the assets listed in the table below over the next 3 years.

I should emphasise that actual disposals and their timing may differ from this plan for a number of reasons, including market conditions.

| Asset   | 2012/<br>2013 | 2013/<br>2014 | 2014/<br>2015 |
|---|---------------|---------------|---------------|
| Ligoniel Library                                | X             |               |               |
| Former PRONI building, Balmoral Avenue, Belfast | X             |               |               |
| Ballynahinch Library HQ                         |               | X             |               |
| Branial Library                                 | X             |               |               |
| Gilnahirk library                               | X             |               |               |
| Dunmurry library                                |               | X             |               |
| Belvoir library                                 | X             |               |               |
| Gilford library                                 |               | X             |               |

### Library Stocks: eBooks

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure what proportion of library stocks are eBooks.

**(AQW 13458/11-15)**

**Ms Ní Chuilín:** The proportion of Libraries NI stock held as eBooks is 1.1%. Libraries stock, as of 3 July 2012, comprises:

- 27,296 copies of eBooks;
- 4,133 copies of downloadable audio books; and,
- 2,711,522 items in stock in the main\* library catalogue.

\* excludes eBooks & downloadable audio books.

## Library Stocks

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure how often library stocks are updated.  
(AQW 13459/11-15)

**Ms Ní Chuilín:** Libraries NI has informed me that library stocks are updated every day, Monday to Friday. This stock is a mixture of newly published titles, stock purchased to satisfy requests; as replacement copies or to meet identified stock gaps.

The figures\* below show the number of copies added to the library stock in each of the last 3 years:

- 2009/10 367,863 copies were added to stock.
- 2010/11 336,656 copies were added to stock.
- 2011/12 523,984 copies were added to stock.

\* these figures do not include eBooks or downloadable audio books.

## Salmon Nets

**Mr Swann** asked the Minister of Culture, Arts and Leisure whether any salmon nets have been placed around the coast of Northern Ireland, in this year to date.  
(AQW 13471/11-15)

**Ms Ní Chuilín:** DCAL Fisheries Protection Officers have not detected any salmon nets placed in coastal waters to date in 2012.

## Salmon Nets

**Mr Swann** asked the Minister of Culture, Arts and Leisure how her Department has sought to ensure that no salmon nets have been placed around the coast of Northern Ireland this year.  
(AQW 13473/11-15)

**Ms Ní Chuilín:** DCAL Fisheries Protection Officers continue to carry out surveillance in the areas in which the netsmen operated to ensure that they are complying with their undertakings and that no other illegal fishing activity is taking place. Patrols are carried out both at sea and along the coastline

## Salmon Nets

**Mr Swann** asked the Minister of Culture, Arts and Leisure for an update of the negotiations between the holders of licences for salmon nets and her Department on the permanent removal of these nets.  
(AQW 13474/11-15)

**Ms Ní Chuilín:** The Department is not in any current negotiations with the holders of licences for salmon nets on the permanent removal of those nets.

The Department is currently carrying out a public consultation on a range of options for salmon conservation measures and the outcomes of this will inform the development of future salmon conservation policy, including the licensing of salmon nets.

## Hogweed

**Ms Boyle** asked the Minister of Culture, Arts and Leisure what responsibility her Department has in relation to the eradication of Hogweed around loughs and lakes  
(AQW 13489/11-15)

**Ms Ní Chuilín:** DCAL has no responsibility for the eradication of Giant Hogweed. The Northern Ireland Environment Agency offers advice and guidance to landowners on their website on best practice to control and remove this invasive species.

## 2013 World Police and Fire Games

**Mr Elliott** asked the Minister of Culture, Arts and Leisure how many staff are engaged and employed to deliver the 2013 World Police and Fire Games.  
(AQW 13508/11-15)

**Ms Ní Chuilín:** The 2013 World Police and Fire Games Ltd is the Company established to deliver the Games. Currently the Company has 30 staff and a further eight people will join in the next 2-3 months making a total of 38 staff. The Company does not employ any staff directly and all staff are on secondment from their parent employer organisations.

Additionally staff from a number of the stakeholder bodies, for example Belfast City Council, are working very closely with the Company to deliver particular work streams, such as the Opening & Closing Ceremonies and Accommodation.

Six Volunteer Co-ordinators, employed by Volunteer Now, are working with the Company to recruit 3,500 volunteers for the Games and approximately 70 voluntary Sports Co-ordinators representing each of the sports organisations' Governing Bodies are also working with the Company.

## 2013 World Police and Fire Games

**Mr Elliott** asked the Minister of Culture, Arts and Leisure for an estimate of the cost to the Executive of hosting the 2013 World Police and Fire Games.

**(AQW 13509/11-15)**

**Ms Ní Chuilín:** The cost of delivering the 2013 World Police and Fire Games is £13.811m, as specified in a business case addendum approved by DFP in March 2012.

In September 2010 the NI Executive agreed to contribute £6.04m cash to the project. However as part of the business case addendum approval process my department agreed to try to manage, in conjunction with the 2013 World Police and Fire Games Ltd., potential cash pressures of £843k from existing resources. If the pressure is realised it would bring the total cash contribution from the NI Executive to £6.88m.

itionally a number of stakeholder bodies, such as the PSNI, NIFRS and NIPS, have agreed to 'in kind' contributions to the delivery of the games. The 'in kind' contributions from NI Executive linked bodies is £2.51m.

## Salmon Conservation Limits

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure, in light of the low percentage compliance rates in 2010, how her Department plans to improve the compliance with salmon conservation limits in the Bush, Glendun and Maine rivers.

**(AQW 13551/11-15)**

**Ms Ní Chuilín:** My Department is involved in a range of activities aimed at contributing to improvements in compliance with salmon Conservation Limits in the Bush, Glendun and Maine rivers.

Catchment management is informed by on-going work on each of the rivers to assess juvenile populations through electro fishing and monitoring of adult salmon by fish counters. My Department has a full inventory of salmon habitat in each of these rivers derived from habitat surveys and specialist assessment techniques. A fish passage assessment has been carried out on the River Bush using hydro acoustic tagging studies.

The Department continues to fulfil its responsibilities under the Fisheries Act (NI) 1966 for the protection and conservation of fish and fisheries habitat. The Department works with local angling clubs to develop and implement in river salmon habitat enhancement projects in line with NASCO commitments.

The protection of wild Atlantic salmon is a priority for my Department and Fisheries Protection Officers carry out a range of enforcement activities to detect, deter and disrupt those involved in illegal fishing.

In the current season, my Department has brokered the cessation of all commercial netting of wild salmon in the DCAL jurisdiction. My call for voluntary catch and release of salmon by recreational anglers has attracted widespread support and the Department has made all Public Angling Estate waters catch and release only for 2012.

The Department has gone to public consultation on a range of options for salmon conservation measures for both commercial and recreational salmon fishing. This will inform the development of salmon conservation policy with the aim of improving the state of salmon stocks in all our rivers.

It is pertinent to mention that there are a number of factors that influence compliance with Conservation Limits that are outside the control of DCAL, notably the increase in mortality in the marine phase of the salmon life cycle.

## Flute Bands: Funding

**Mr G Robinson** asked the Minister of Culture, Arts and Leisure how many flute bands have received funding from her Department, or its arm's-length bodies, in the last twelve months.

**(AQW 13619/11-15)**

**Ms Ní Chuilín:** Funding in support of bands in the north of Ireland is disbursed through the Arts Council and the Ulster Scots Agency. My Department also allocates funding to bands through the Community Festivals Fund administered by the local councils.

96 flute bands received funding in the 2011 calendar year through the Ulster Scots Agency and 16 received funding in the 2011/12 financial year through the Arts Council and Community Festivals Fund.

## Irish Language Broadcast Fund and Ulster-Scots Broadcast Fund

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to detail the companies and projects that received grant awards from the (i) Irish Language Broadcast Fund; and (ii) Ulster-Scots Broadcast Fund in (a) 2011; and (b) 2012.

**(AQW 13677/11-15)**

**Ms Ní Chuilín:** Details of the companies and projects that received grant awards through (i) the Irish Language Broadcast Fund are attached at Annex A and (ii) the Ulster Scots Broadcast Fund are attached at Annex B.

**ANNEX A**  
**IRISH LANGUAGE BROADCAST FUND - 2011**

| <b>Production Company</b>              | <b>Project Title</b>   |
|--|------------------------|
| Tobar Productions                      | Ar Skype a Chéile      |
| Dearcán Media                          | Ballaí Dhoire          |
| Below the Radar Ltd                    | Luí na Talún 2         |
| Sonas Productions                      | Damhsa ar na Bánta     |
| Imagine Media Ltd                      | Amhráin an Fhir Bháin  |
| Big Mountain Productions               | Athar & Mac            |
| The Picturehouse                       | Achomharc              |
| Triplevision Productions               | Cairde i gCéin         |
| Stirling Film & Television Productions | Ceol on Chlann         |
| Bóthar Ard                             | Cathair Ghonta         |
| Imagine Media Ltd                      | Fear an Damhsa         |
| Waddell Media                          | Iarnród Uladh          |
| Stirling Film & Television Productions | INK                    |
| Solas                                  | Triúr Ban Óg           |
| Big Mountain Productions               | Imeall Geal 3          |
| De Facto Films                         | An Bronntanas          |
| Stirling Film & Television Productions | Scúp                   |
| Steadipix/Clean Slate                  | Wolfland               |
| The Picturehouse                       | Páistí na Réabhlóide   |
| Bóthar Ard                             | An Féidir Linn         |
| Solas                                  | Óg & Aerach            |
| Waddell Media                          | Mo Ghra Gael 2         |
| Tobar Productions                      | Ard Albert             |
| Zoogon Productions                     | Animal Mechanicals 2   |
| Zoogon Productions                     | Ice Trail              |
| Zoogon Productions                     | Extinctions            |
| Zoogon Productions                     | Love in the Wild       |
| Lagan Media                            | Filíocht Nua           |
| Lagan Media                            | Filíocht Nua Phone App |
| Sequin & Imagine                       | Aistear na nGael       |
| Clean Slate                            | Amhráin Uladh          |
| Below the Radar                        | Meon Eile              |
| Big Mountain Productions               | Ceol na Tuaithe        |
| Below the Radar                        | Scéal an Mharthanóra   |
| Below the Radar                        | Michaela Mo Dheirfiúr  |
| Bóthar Ard                             | Niall Óg               |

| <b>Production Company</b>    | <b>Project Title</b> |
|------------------------------|----------------------|
| Tobar Productions            | 40 Bliain ag Fás     |
| Independent Pictures & Tobar | Aniar Aduaidh        |
| Waddell Media                | Bealach na mBusanna  |

**IRISH LANGUAGE BROADCAST FUND - 2012**

| <b>Production Company</b>              | <b>Project Title</b>                  |
|--|---------------------------------------|
| Waddell Media                          | The Story of British Pathé in Ireland |
| Waddell Media                          | Deartháireacha                        |
| Waddell Media                          | Nollaig in Éirinn                     |
| Below The Radar                        | Luí na Talún 3                        |
| Below The Radar                        | It's a Blas!                          |
| Below The Radar                        | Taobh Thair Den Bhóna                 |
| Big Mountain Productions               | Ceiliúradh Ceoil - Philomena Begley   |
| Stirling Film & Television Productions | Wwoofing                              |
| Stirling Film & Television Productions | Fiacc                                 |
| Indee Productions                      | Bia Linn                              |
| Indee Productions                      | Na Clamairí                           |
| Tobar Productions                      | Tiny Tobar Tootie Tobar               |
| Tobar Productions                      | Tóirse Don Táin                       |
| Lagan Media                            | Bliain i Saol na Cultúrlainne (Derry) |
| Raw Nerve                              | An Béal Bocht                         |
| Imagine Media                          | Cuisle (formerly An Chultúrlann)      |
| Imagine Media                          | Voyage to Iona                        |
| Bóthar Ard                             | Na Firéin                             |
| Raidió Fáilte                          | Raidió Fáilte                         |
| Dearcán Media                          | Robert Burns                          |
| Zoogon Productions                     | Driver Dan (1)                        |
| Bóthar Ard                             | Joseph Campbell                       |
| Clean Slate                            | Bangor Monks                          |
| Waddell Media                          | Rónán ar Bhóthar Santiago             |
| Stirling Film & Television Productions | Taisce Tí                             |
| Big Mountain Productions               | Ceol na Tuaithe Daniel O'Donnell      |
| Tern Television Ltd                    | Tomaí agus Art san Eoraip             |

**ANNEX B****ULSTER-SCOTS BROADCAST FUND - 2011**

| <b>Company</b>         | <b>Project Title</b> |
|------------------------|----------------------|
| ALX Production Limited | Pipe Dreamers        |
| Barking Films Limited  | Tattoo Debut         |



| Company                         | Project Title                           |
|---------------------------------|---|
| Barking Films Limited           | Santer, Series 2                        |
| Below the Radar Limited         | Ingenious Mr hutcheson                  |
| Below the Radar Limited         | An Independent People                   |
| DoubleBand Films                | Written in Stone                        |
| DoubleBand Films                | The Siege                               |
| DoubleBand Films                | The Covenant Trail                      |
| Hardy Pictures Limited          | Mapping Ulster                          |
| Lagan Media Productions Limited | Interactive Ulster-Scots Heritage Trail |
| Waddell Media Limited           | Paul and Nick's Big Food Trip           |

**ULSTER-SCOTS BROADCAST FUND - 2012**

| Company                             | Project Title                         |
|-------------------------------------|---------------------------------------|
| Barking Films Limited               | Santer Series 3                       |
| Barking Films Limited               | The Santer Session                    |
| Below the Radar Limited             | Ulster's Forgotten Radical            |
| DoubleBand Films                    | An Ode to Burns                       |
| DoubleBand Films                    | The Extraordinary Life of Castlereagh |
| Televisionary Limited               | Ulster Unearthed                      |
| Tern Television Productions Limited | 12 Miles - The Narrow Sea             |
| Tern Television Productions Limited | Kelvin's Cable                        |
| Tern Television Productions Limited | Reader of Rabbie                      |
| Tern Television Productions Limited | In Search of Ulster Scots             |
| Waddell Media Limited               | Paul and Nicks Big Food Trip Series 2 |

## Department of Education

### Schools: Average Capital Expenditure of Sectors in 2011/12

**Mr Kinahan** asked the Minister of Education to detail the average capital expenditure, per pupil, in the (i) controlled; (ii) maintained; and (iii) integrated sectors in the 2011/12 academic year.

**(AQW 13100/11-15)**

**Mr O'Dowd (The Minister of Education):** The average capital expenditure, per pupil, in the (i) controlled sector including controlled integrated schools is £428.40; (ii) maintained sector including Irish Medium maintained schools is £234.59; and (iii) grant – maintained integrated sector is £182.86 in the 2011/12 financial year.

The Department is unable to provide details for capital expenditure information based on academic years, or to provide a split between the controlled and controlled integrated schools, as we do not report or hold information in this format.

It should be noted these figures are based on Provisional Schools' Capital Outturn and exclude capital expenditure on School Transport, Early Years and Non-School ICT Projects. The Final Capital Outturn for 2011/12 will not be available until September 2012.

### Foyle Pride Festival 2012

**Mr Eastwood** asked the Minister of Education to detail (i) the level of funding his Department has allocated to the Foyle Pride Festival 2012 in Derry; and (ii) if his Department has not allocated funds to the event, how much it is willing to provide towards the running costs of £15,000.

**(AQW 13202/11-15)**

**Mr O'Dowd:** The Department of Education has not received any applications for funding of the Foyle Pride Festival 2012 in Derry. The Department assesses each application for funding on its merits.

### **Preschool Application Process: July/August Birthdays**

**Mrs Cochrane** asked the Minister of Education when the Statutory Rule to remove the criterion for July/August birthdays in the pre-school application process will be introduced, given his statement to the Assembly on Monday 23 April 2012 that the legislation to remove the criterion will be introduced before summer recess.

**(AQW 13352/11-15)**

**Mr O'Dowd:** The Statutory Rule has been laid in the Assembly and came into effect on 6 July, subject to the will of the Assembly.

### **Minister of Education: Visit to School in East Londonderry**

**Lord Morrow** asked the Minister of Education, pursuant to AQW 13004/11-15, (i) why he did not provide the information requested in his response; and (ii) to detail (a) whether he visited a school in East Londonderry on 25 May 2012 from which he was called away to deal with urgent business; (b) whether the visit was of a ministerial or constituency nature; and (c) to provide details of the urgent business.

**(AQW 13363/11-15)**

**Mr O'Dowd:** I refer the Member to my answers to his earlier questions, AQW 12365/11-15 and AQW 13004/11-15 which were published in the Official Report on the 15th June 2012 and 29th June respectively.

### **GCSE Examinations**

**Mr Gardiner** asked the Minister of Education for his assessment of the proposal by the Secretary of State for Education to change the GCSE examinations system, and how it might impact on Northern Ireland.

**(AQW 13482/11-15)**

**Mr O'Dowd:** I would refer the member to my answer to AQO 2304/11-15, tabled by William Irwin, and published in the Official Report on 6 July 2012.

### **CCEA**

**Mr Gardiner** asked the Minister of Education what impact the changes proposed by the Secretary of State for Education may have on the future operation of CCEA.

**(AQW 13483/11-15)**

**Mr O'Dowd:** Education is a matter for locally accountable government and I as Minister set policy here. CCEA will continue to discharge its statutory functions as set out in the 1998 Education Order.

Should qualifications policy in England diverge from my policies, CCEA will work to ensure that our qualifications continue to have currency elsewhere.

### **Universities: Northern Ireland Students Seeking Admission to English Universities**

**Mr Gardiner** asked the Minister of Education how changes to the examination system in England, which were proposed by the Secretary of State for Education, might impact on Northern Ireland students seeking admission to English universities.

**(AQW 13484/11-15)**

**Mr O'Dowd:** My priority is to ensure that qualifications offered in the north of Ireland are relevant and appropriate for our young people, and our economy. It is vital that qualifications offered here continue to be recognised by universities and employers across these islands and beyond.

If changes proposed in England break the direct link between our GCEs and GCSEs and those offered in England, I will seek to ensure that our qualifications retain the currency and transportability which they have long enjoyed.

### **Education and Training Inspectorate**

**Mr Gardiner** asked the Minister of Education to detail (i) the recent teaching experience of members of the Education and Training Inspectorate of Schools; and (ii) the average teaching experience and range of experience of members of the Education and Training Inspectorate of Schools.

**(AQW 13485/11-15)**

**Mr O'Dowd:** The Education and Training Inspectorate promotes improvement not just in schools, but in pre-school centres, the youth service, institutes of further and higher education, teacher education, work-based learning, the College of Agriculture, Food and Rural Enterprise (CAFRE) and in the educational provision in the prison service.

In relation to (i) the recent teaching experience of the Education and Training Inspectorate is individual and personal to each inspector and therefore it would not be appropriate to disclose it in this forum.

In relation to (ii) All inspectors have academic and professional qualifications at least to degree level or the equivalent and are also required to have a qualification which enables them to teach in schools and /or a further education college; invariably all have substantial teaching and/or training experience in schools, colleges of further and higher education, youth work, organisations of higher education or in industrial/commercial training.

The teaching experience required for the post of inspector will depend on the specialism. For the post of an inspector of primary or post-primary education, typically, the following generic qualifications are required:

- A degree level qualification which meets the requirement for recognition to teach in grant-aided schools.
- At least 10 years teaching experience, which have been gained in schools, colleges of further education, institutions of higher education or initial teacher education.

### Schools: Disputes with Parents

**Mr Rogers** asked the Minister of Education what assistance is available to Boards of Governors to deal with disputes between parents and schools, in addition to that offered by the Education and Library Boards and the Council for Catholic Maintained Schools.

**(AQW 13502/11-15)**

**Mr O'Dowd:** Disagreements between parents and a school vary widely in nature and are normally resolved quickly in accordance with a school's own complaints procedures.

It is always a matter of concern when disputes arise that cannot be settled quickly within the school community as these affect the learning environment of the pupils. In such circumstances the relevant education and library board (ELB) does play an important role as, in the case of Catholic maintained schools, does CCMS as the Employing Authority. In schools where the Board of Governors is also the Employing Authority, advice may be obtained from the local ELB and/or from external or independent sources.

In addition to approaching the ELB (and, where appropriate, CCMS) there are other avenues open to the governing body. Where there are issues relating to school performance, a Board of Governors may ask the Education and Training Inspectorate to undertake a school inspection if the normal procedures for performance management have been exhausted. Where there are issues relating to the school's management procedures, a Board of Governors may request a school audit from its funding authority.

My Department also provides advice to Boards of Governors including through the DE website which contains guidance on governors' roles and responsibilities.

### Western Education and Library Board: Capital Funding

**Mr Elliott** asked the Minister of Education to detail the level of capital funding allocated to the Western Education and Library Board in each year since 2002, broken down by spending in the (i) controlled; (ii) maintained; (iii) integrated; and (iv) Irish-medium sectors.

**(AQW 13527/11-15)**

**Mr O'Dowd:** The Western Education and Library Board is responsible for capital accrual expenditure on Controlled Schools and Maintained School Meals Accommodations (SMAs) only.

However, I have also provided capital expenditure on Maintained, Grant-Maintained integrated and Irish Medium Schools in the Western Education and Library Board area which are grant-aided directly through the Department. As this funding is given in the form of grant aid, the figures are only available as cash expenditure.

The figures shown below relate to capital expenditure figures, per sector, for the last 7 years. Figures broken down as requested are not available prior to the 2005/06 financial year.

|             | Accrual Expenditure from WELB<br>Capital Allocations |  | WELB Area -<br>Capital Cash Expenditure from DE Database |  |  |
|-------------|--|--|--|--|--|
| School Type | Controlled<br>Schools                                | Maintained<br>Schools Meals<br>Accommodation<br>only | Maintained<br>Schools<br>excluding Meal<br>Accommodation | Grant- Maintained<br>Integrated<br>Schools | Irish-medium<br>Schools including<br>Irish-Medium<br>Units |
| Year        | £000s  | £000s  | £000s  | £000s                                      | £000s  |
| 2005/06     | 9130   | 809  | 12831  | 726  | 119  |
| 2006/07     | 14475  | 605  | 4233   | 12821                                      | 28   |
| 2007/08     | 10038  | 338  | 4492   | 4255                                       | 373  |
| 2008/09     | 6184   | 623  | 3240   | 8023                                       | 146  |
| 2009/10     | 9416   | 815  | 3444   | 3822                                       | 182  |

|             | Accrual Expenditure from WELB<br>Capital Allocations |  | WELB Area -<br>Capital Cash Expenditure from DE Database |  |  |
|-------------|--|--|--|--|--|
| School Type | Controlled<br>Schools                                | Maintained<br>Schools Meals<br>Accommodation<br>only | Maintained<br>Schools<br>excluding Meal<br>Accommodation | Grant- Maintained<br>Integrated<br>Schools | Irish-medium<br>Schools including<br>Irish-Medium<br>Units |
| Year        | £000s  | £000s  | £000s  | £000s                                      | £000s  |
| 2010/11     | 3539   | 404  | 3840   | 348  | 251  |
| 2011/12     | 3790   | 404  | 4603   | 457  | 110  |

### Primary Schools

**Lord Morrow** asked the Minister of Education what percentage of primary schools in each Education and Library Board have been deemed to be (i) satisfactory; and (ii) in need of improvement following inspections, in each of the last three years.

**(AQW 13576/11-15)**

**Mr O'Dowd:**

- (i) Percentage of primary schools evaluated as good or better

|       | 2009/2010<br>% | 2012/2011<br>% | 2011/2012<br>% |
|-------|----------------|----------------|----------------|
| BELB  | 23.08          | 33.33          | 9.09           |
| NEELB | 15.15          | 8.33           | 23.33          |
| SELB  | 28.95          | 8              | 12.96          |
| SEELB | 21.43          | 16.67          | 11.54          |
| WELB  | 26.67          | 22.22          | 17.39          |

- (ii) Percentage of primary schools evaluated as being in need of improvement after inspection

|       | 2009/2010<br>% | 2012/2011<br>% | 2011/2012<br>% |
|-------|----------------|----------------|----------------|
| BELB  | 53.85          | 38.89          | 36.36          |
| NEELB | 21.21          | 20.83          | 26.67          |
| SELB  | 34.21          | 24             | 22.22          |
| SEELB | 21.43          | 16.67          | 11.54          |
| WELB  | 33.33          | 22.22          | 17.39          |

### Children who are Resident in the Republic of Ireland

**Mr Weir** asked the Minister of Education what financial contribution the Republic of Ireland Government has made to cover the costs of children who are resident in the Republic of Ireland being educated in Northern Ireland.

**(AQW 13582/11-15)**

**Mr O'Dowd:** I would refer the Member to my answers to AQW 11281-11/15 and AQW 12847/11-15 published in the Official Report on 18 May and 6 July respectively.

### Substitute Teachers: Cost

**Mr Weir** asked the Minister of Education to detail the costs of supplying substitute teachers, in the South Eastern Education and Library Board area, in each of the last three academic years.

**(AQW 13583/11-15)**

**Mr O'Dowd:** The costs of supplying substitute teachers, in the South Eastern Education and Library Board area, in each of the last three academic years are detailed in the table below. For the current academic year, information is provided from September 2011 to June 2012.

| Sept 2009 - Aug 2010 | Sept 2010 - Aug 2011 | Sept 2011- Jun 2012 |
|----------------------|----------------------|---------------------|
| £13,730,208.85       | £12,891,155.85       | £10,554,824.53      |

### Expelled Pupils: Transport

**Mr Kinahan** asked the Minister of Education how many pupils, who have been expelled from school, are now transported to another school by (i) bus; and (ii) taxi, broken down by Education and Library Board.

**(AQW 13593/11-15)**

**Mr O'Dowd:** I have been informed by the Education & Library Boards that for the 2010/11 year, the last year for which expulsions data has been published, a total of 8 pupils are now being transported to another school, 4 by bus and 4 by taxi.

The data has not been broken down by individual Education and Library Board to avoid identification of individual pupils.

It is possible that some or all of these pupils were already in receipt of transport assistance to the original school from which they were expelled.

### Early Years Stakeholder Advisory Group

**Mr Kinahan** asked the Minister of Education why there are representatives from primary schools on the Early Years Stakeholder Advisory Group; and whether he has any plans to review this situation.

**(AQW 13595/11-15)**

**Mr O'Dowd:** I indicated to the Assembly on 2 July 2012 that I would look into the issue of representation from the primary sector on the Early Years Stakeholder Advisory Group. Officials have confirmed that currently there is not representation from the primary sector and I have asked that this position is addressed as a matter of urgency to ensure that the Group is fully inclusive of all relevant sectors.

### Value Education: Advertising

**Mr Kinahan** asked the Minister of Education what the advertising campaign, aimed at raising the value that local communities place on education, will entail.

**(AQW 13596/11-15)**

**Mr O'Dowd:** In my Autumn Statement on 26 September 2011, I emphasised the need to send a clear signal to every community about the value of education.

I intend to take forward an advertising campaign to inform and engage all parents, and in particular those from the most disadvantaged backgrounds, to become more engaged in their child's education. The campaign is intended to raise awareness of the importance of educational achievement and promote the value of a good education whilst encouraging parents to aspire to a better education and future for their children.

The finer detail of the advertising campaign and how the outcomes will be achieved have still to be worked through with the successful bidder.

### Nursery School Places and Providers

**Mrs Overend** asked the Minister of Education, in light of 1,400 of the 1,800 additional nursery school places being weighted in favour of private and voluntary providers, to detail (i) each private and voluntary nursery school provider; (ii) each statutory nursery school provider; (iii) the original Education and Training Inspectorate grading for each individual provider over each of the last two years; and (iv) whether there is research available to show differing educational outcomes for children who attend private as opposed to statutory nursery schools.

**(AQW 13598/11-15)**

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

### Parkhall Integrated College, Antrim

**Mr Lyttle** asked the Minister of Education, pursuant to AQW 12032/11-15, why Parkhall Integrated College, Antrim, was not announced as one of the successful 18 projects for capital investment, given that the project was identified as being at Stage F/G by the Royal Institute of British Architects.

**(AQW 13618/11-15)**

**Mr O'Dowd:** Parkhall Integrated College is central to a recently announced NEELB consultation for the Antrim / Ballymena area in which the option now being considered for Parkhall is an 800 place 11-19 school with post-16 provision being offered as jointly managed and governed provision with Antrim Grammar School. The proposals within the consultation document also indicate that capacity would have to be expanded at both Parkhall and Antrim Grammar.

Clarity is needed on the scale and type of provision the Department of Education is being asked to provide before funding can be approved.

In my statement to the Assembly on 25 June I indicated that I propose to establish a cohort of projects to be advanced through the planning, design and business approval processes. The schools to be funded will form an announcement in the autumn.

Provision for a new school build for Parkhall will continue to be reviewed including consideration in preparation for the autumn announcement.

### **Teachers: Religious Background**

**Mr Swann** asked the Minister of Education what percentage of teachers in (i) controlled; (ii) maintained; (iii) integrated; and (iv) Irish-medium post-primary schools come from a (a) Catholic; (b) Protestant; or (c) other religious background.

**(AQW 13620/11-15)**

**Mr O'Dowd:** The Department does not hold this information.

### **Teachers: Retirement or Resignation**

**Mr Swann** asked the Minister of Education, following the retirement or resignation of a teacher, to detail (i) whether there is a timeframe in place that would prevent a post being filled; (ii) if so, what is the timeframe; and (iii) whether it differs for posts in primary and post-primary schools in the (a) controlled; (b) maintained; (c) integrated; and (d) Irish-medium sectors.

**(AQW 13637/11-15)**

**Mr O'Dowd:** There is no timeframe in place in any school to prevent a post being filled following the retirement or resignation of a teacher. When a vacancy occurs the Principal and Board of Governors look at their staffing needs to determine whether or not a post should be filled.

The timeframe for filling a vacant post will be influenced by the length of notice given and the time scale to allow for the recruitment process.

### **Early Years Strategy**

**Mrs D Kelly** asked the Minister of Education, given that 90 percent of respondents disagreed with his Department's (0-6) Early Years Strategy, how he will ensure that a revised strategy takes account of the concerns and issues raised.

**(AQW 13650/11-15)**

**Mr O'Dowd:** Consultation is an important element in the process of developing policy and every response is important. While the consultation indicates that there is widespread agreement around the need for increased early years intervention and support there is less consensus around how this might be achieved.

The core objective of my Department is to raise standards in education and, in doing so, to reduce educational underachievement particularly for those young people who face barriers to learning. As I announced in my statement to the Assembly on 2 July 2012 I consider that the focus should be on the child and their needs. That is why I intend to develop a revised strategy with a clear focus on early education and learning.

At the same time I intend to explore how the Delivering Social Change Framework might provide a mechanism for achieving enhanced collaboration and integration for early years but as part of a much wider theme of early intervention.

My officials will develop a set of proposals which take account of the outcome of the consultation. Over the coming months they will engage with key stakeholders to develop and refine these. I aim to publish a final strategic framework in November.

### **Early Years Stakeholder Advisory Group**

**Mrs D Kelly** asked the Minister of Education why principals of primary schools are not represented on the (0-6) Early Years Stakeholder Advisory Group; and whether he will reconsider this position.

**(AQW 13651/11-15)**

**Mr O'Dowd:** When establishing the Stakeholder Advisory Group for the Early Years (0-6) Strategy my Department identified key players in the area of early years provision and policy. The membership of the Group has expanded as needs have changed and issues and discussions develop.

I indicated to the Assembly on 2 July 2012 that I would look into the issue of representation from the primary sector on the Group. Officials have confirmed that currently there is not representation from the primary sector and I have asked that this position is addressed as a matter of urgency to ensure that the Group is fully inclusive of all relevant sectors.



## Early Years Strategy

**Mrs D Kelly** asked the Minister of Education whether, and how, when revising the (0-6) Early Years Strategy he will take account of the findings of the Nutbrown research report, and other government-funded research, which has consistently found that qualified teacher-led provision leads to the best outcomes for children.

**(AQW 13652/11-15)**

**Mr O'Dowd:** In taking forward the development of the Early Years (0-6) Strategy my Department will consider a range of relevant research and policy developments.

With respect to the Nutbrown Review on early education and childcare qualifications the policy context for early education and childcare in England and Wales differs from the north of Ireland. Although there is no direct read-across of the findings to provision here, there may be some issues that are similar and could be helpful to the development of the proposals, even if solutions differ.

I remain committed to the partnership approach between the statutory nursery sector and the voluntary/private sector to the delivery of the funded pre-school year here which has many strengths. ETI inspection findings and the Chief Inspector's Reports clearly indicate that there is high quality provision across the pre-school sector - in statutory nursery schools, nursery units attached to primary schools and in voluntary/private pre-school settings.

## Army Children

**Mr Elliott** asked the Minister of Education (i) what discussions he has had with the Ministry of Defence about educational provision and planning in relation to army families returning from Germany to, or via, Northern Ireland; and (ii) to detail the number of children from army families who will be returning who are of (a) primary; and (b) post-primary school age, in each of the next three years.

**(AQW 13654/11-15)**

**Mr O'Dowd:** My officials maintain continuous engagement through the Services Children Education Forum to ensure emerging issues in relation to supporting the educational needs of children of Service Personnel are addressed.

## Special Advisers

**Mr Allister** asked the Minister of Education, pursuant to AQW 2636/11-15, to detail (i) when the salary band for his Special Adviser was finalised; (ii) whether his Special Adviser was in receipt of a salary prior to it being finalised; and (iii) under which salary band his Special Adviser is paid.

**(AQW 13655/11-15)**

**Mr O'Dowd:**

- (i) The salary band for my Special Adviser was finalised on 8 November 2011
- (ii) My Special Adviser was not in receipt of salary prior to it being finalised  
My Special Adviser is paid under Pay Band B:
- (iii) £57,300 - £82,531

## Post-primary Schools: Vacant Places

**Mr Weir** asked the Minister of Education, following the publication of the area plans for post-primary schools by the Education and Library Boards, to detail the number of vacant places in post-primary schools, broken down by council area or constituency.

**(AQW 13678/11-15)**

**Mr O'Dowd:** The number of unfilled post-primary school places in the 2011/12 school year broken down by district council area and parliamentary constituency are provided in the tables below.

### Unfilled post-primary school places in the 2011/12 school year by district council area

| District Council | Unfilled Places |
|------------------|-----------------|
| Antrim           | 324             |
| Ards             | 822             |
| Armagh           | 808             |
| Ballymena        | 623             |
| Ballymoney       | 282             |
| Banbridge        | 366             |
| Belfast          | 3189            |
| Carrickfergus    | 258             |

| <b>District Council</b>    | <b>Unfilled Places</b> |
|----------------------------|------------------------|
| Castlereagh                | 777                    |
| Coleraine                  | 962                    |
| Cookstown                  | 385                    |
| Craigavon                  | 1768                   |
| Derry                      | 1281                   |
| Down                       | 872                    |
| Dungannon                  | 671                    |
| Fermanagh and South Tyrone | 1302                   |
| Larne                      | 282                    |
| Limavady                   | 436                    |
| Lisburn                    | 643                    |
| Magherafelt                | 188                    |
| Moyle                      | 189                    |
| Newry And Mourne           | 873                    |
| Newtownabbey               | 981                    |
| North Down                 | 70                     |
| Omagh                      | 502                    |
| Strabane                   | 621                    |

**Unfilled post-primary school places in the 2011/12 school year by parliamentary constituency**

| <b>Parliamentary Constituency</b> | <b>Unfilled Places</b> |
|-----------------------------------|------------------------|
| Belfast East                      | 1032                   |
| Belfast North                     | 1565                   |
| Belfast South                     | 728                    |
| Belfast West                      | 1483                   |
| East Antrim                       | 739                    |
| East Derry                        | 1414                   |
| Fermanagh And South Tyrone        | 1612                   |
| Foyle                             | 1265                   |
| Lagan Valley                      | 588                    |
| Mid Ulster                        | 934                    |
| Newry And Armagh                  | 1152                   |
| North Antrim                      | 1094                   |
| North Down                        | 70                     |
| South Antrim                      | 324                    |
| South Down                        | 1166                   |
| Strangford                        | 1113                   |
| Upper Bann                        | 2073                   |

| Parliamentary Constituency | Unfilled Places |
|----------------------------|-----------------|
| West Tyrone                | 1123            |

- 1 The number of vacant places in schools is derived from the difference between a school's approved enrolment number and the number of pupils enrolled at the school.
- 2 The figures exclude the enrolment pupils in receipt of a statement of special educational needs, and pupils admitted on appeal by the Education and Library Board appeal tribunals or by direction of the independent Exceptional Circumstances Body, as these are admitted over and above a school's approved enrolment number.

### Primary and post-primary Schools: Development Proposals

**Mrs Dobson** asked the Minister of Education, pursuant to AQW 11540/11-15, to detail the names of the schools, broken down by Education and Library Board.

**(AQW 13711/11-15)**

**Mr O'Dowd:** The names of the schools referred to in the 53 development proposals, noted at the time of answering AQW 11540/11-15, are provided in the tables below.

#### Belfast Education and Library Board

| No. | School   | Sch. Ref.            | Decision     |
|-----|--|----------------------|--------------|
| 204 | Currie PS, Belfast                                 | 101-0063             | Not Approved |
| 205 | Gaelscoil na Mona                                  | 104-6671             | Not Approved |
| 206 | Vere Foster PS, Belfast                            | 101-0321             | Approved     |
| 207 | Cranmore Integrated PS                             | 106-6580             | Not Approved |
| 210 | St Aidan's Christian Brothers & St Bernadette's PS | 103-0316<br>103-0317 | Approved     |
| 211 | Edmund Rice PS & Star of the Sea Girls' PS         | 103-0329<br>103-6464 | Approved     |
| 212 | Colaiste Feirste                                   | 124-0291             | Pending      |

#### Western Education and Library Board

| No. | School  | Sch. Ref.            | Decision                 |
|-----|---|----------------------|--------------------------|
| 216 | Jones Memorial PS                                     | 201-6003             | Approved                 |
| 217 | St Mary's Boys' PS &<br>St Mary's Girls' PS, Strabane | 203-2689<br>203-6096 | Approved                 |
| 218 | Portora Royal School                                  | 242-0042             | Approved                 |
| 220 | Gaelscoil Neachtain                                   | N/A                  | Approved                 |
| 221 | St Canice's PS, Dungiven                              | 203-6045             | Approved                 |
| 225 | Ardstraw PS &<br>Drumlegagh PS                        | 201-6376<br>201-2392 | Pending (Later Approved) |
| 226 | Drumragh College                                      | 226-0283             | Pending                  |
| 227 | Gaelscoil na Daroige                                  | 204-6687             | Pending                  |
| 228 | St Eugene's High School                               | 223-0111             | Pending                  |
| 229 | St Peter's High School                                | 223-0181             | Pending                  |

#### North Eastern Education and Library Board

| No. | School         | Sch. Ref. | Decision     |
|-----|----------------|-----------|--------------|
| 257 | Randalstown PS | 301-0816  | Not Approved |

| No. | School                       | Sch. Ref. | Decision     |
|-----|------------------------------|-----------|--------------|
| 258 | Gaelscoil Eanna, Glengormley | 304-6685  | Not Approved |
| 259 | Braid PS, Broughshane        | 303-0836  | Approved     |
| 260 | Lourdes PS, Whitehead        | 303-6093  | Approved     |
| 261 | Dalriada School Prep Dept    | 362-0012  | Pending      |
| 262 | Carlane PS, Toomebridge      | 303-0713  | Pending      |

**South Eastern Education and Library Board**

| No. | School                         | Sch. Ref. | Decision     |
|-----|--------------------------------|-----------|--------------|
| 221 | Connor House Prep Dept, Bangor | 462-0015  | Approved     |
| 220 | Bunscoil Bheanna Boirche       | 404-6648  | Not Approved |
| 222 | Tonagh PS                      | 401-0885  | Approved     |
| 223 | Glenola Collegiate Prep Dept   | 441-0097  | Approved     |
| 224 | BallykeiglePS, Comber          | 401-1647  | Approved     |
| 225 | Dunmurry High School           | 421-0194  | Approved     |
| 226 | Redburn PS, Holywood           | 401-1688  | Approved     |
| 228 | St Lukes PS, TwinBrook         | 403-6081  | Pending      |
| 229 | Ballynahinch PS                | 401-1567  | Pending      |
| 230 | St Malachy's PS, Castlewellan  | 403-6454  | Pending      |
| 231 | Carryduff PS                   | 401-3044  | Pending      |

**Southern Education and Library Board**

| No. | School                         | Sch. Ref. | Decision                     |
|-----|--------------------------------|-----------|------------------------------|
| 254 | Gaelscoil Aodha Rua, Dungannon | 504-6695  | Approved                     |
| 263 | Gaelscoil Ui Neill, Coalisland | 504-6637  | Approved                     |
| 257 | Orchard County PS, Portadown   | 501-6658  | Approved                     |
| 255 | Bocombra PS, Portadown         | 501-6138  | Approved                     |
| 256 | Drumadonnell PS, Ballyroney    | 501-6616  | Approved                     |
| 258 | Waringstown PS, Craigavon      | 501-1598  | Approved                     |
| 259 | Seagoe's PS, Portadown         | 504-6137  | Approved                     |
| 260 | St Mary's PS, Banbridge        | 503-6043  | Not Approved                 |
| 261 | St Patrick's PS, Mayobridge    | 503-1697  | Approved                     |
| 262 | Portadown Integrated PS        | 506-6553  | Approved                     |
| 264 | St Francis of Assisi PS, Keady | 503-6610  | Not Approved                 |
| 230 | Aghavilly PS                   | 501-1034  | Approved                     |
| 266 | Keady PS                       | 501-6028  | Approved                     |
| 267 | Gaelscoil Eoghain, Cookstown   | N/A       | Approved                     |
| 268 | Gaelscoil na mBeann, Kilkeel   | N/A       | Approved                     |
| 269 | Primate Dixon PS, Coalisland   | 503-6590  | Pending (later not approved) |

| No. | School             | Sch. Ref. | Decision     |
|-----|--------------------|-----------|--------------|
| 272 | Bronte PS          | 501-6612  | Approved     |
| 273 | Iveagh PS          | 501-1611  | Not Approved |
| 274 | Brackenagh West PS | 501-6098  | Not Approved |

### Department for Employment and Learning Jubilee Garden Party

**Mr Allister** asked the Minister for Employment and Learning how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) his Department; and (iii) its arm's-length bodies.

**(AQW 13289/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The number of tickets allocated within the Department for Employment and Learning, and its arms length bodies, for the Jubilee Garden Party on 27 June 2012 is as follows:

| Name               | No of tickets allocated |
|--------------------|-------------------------|
| Minister           | 0                       |
| Department         | 156                     |
| Arms Length Bodies | 0                       |
| <b>Total:</b>      | <b>156</b>              |

In addition to the Departmental allocation, the Minister received 4 tickets as an MLA, through the NI Assembly.

### University of Ulster: Budget Cuts

**Mr McCartney** asked the Minister for Employment and Learning whether he intends to meet union representatives to discuss the implementation of budget cuts at the University of Ulster.

**(AQW 13329/11-15)**

**Dr Farry:** The University of Ulster has had to sustain an efficiency of 6% in its annual recurrent grant for the 2011/12 and 2012/13 academic years as have all other higher education institutions in Northern Ireland. The decision as to how the university will achieve the necessary efficiencies is solely a matter for its senior management and governing body.

### DEL: Disposal of Capital Assets

**Mr Weir** asked the Minister for Employment and Learning to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13382/11-15)**

**Dr Farry:** My Department intends to dispose of Felden House, Newtownabbey, within this financial year. This is the only planned capital asset that will be disposed of in the next three years at this stage.

### STEM Subjects: Teachers

**Mr Swann** asked the Minister for Employment and Learning, for each of the last three years, to detail the number of (i) newly qualified teachers; and (ii) newly qualified teachers in each of the Science, Technology, Engineering and Mathematics subjects.

**(AQW 13394/11-15)**

**Dr Farry:** The table below details the Number of (i) newly qualified teachers; and (ii) newly qualified teachers in Science, Technology, Engineering and Mathematics (STEM) subjects from Northern Ireland Higher Education Institutions in each of the last three years.

| Academic year | Overall | STEM subjects only         |
|---------------|---------|----------------------------|
| 2008/09       | 660     | Not available (see note 5) |
| 2009/10       | 625     | 170                        |
| 2010/11       | 590     | 180                        |

**Source:** Higher Education Statistics Agency

**Notes:**

1 HESA data are rounded to the nearest 5.

- 2 The latest available data are for academic year 2010/11.
- 3 STEM subjects have been identified using the course title field on the HESA record. The content of the field is determined by individual institutions.
- 4 There are various combinations of subjects included in course titles and, in general, they cannot be assigned to each of the Science, Technology, Engineering and Mathematics subjects. Hence, only the overall totals for STEM subjects have been given.
- 5 A figure for the number of newly qualified teachers in STEM subjects in 2008/09 is not available as specific subjects cannot be identified for a large number of qualifications.

## Migrant Workers

**Mr D McIlveen** asked the Minister for Employment and Learning what discussions his Department has had with major employers to assess the number of migrant workers in the various industries.

**(AQW 13404/11-15)**

**Dr Farry:** Employers are not compelled to collect information on the nationality or migration status of workers and there are complexities in attempting to do so. However my Department has commissioned a number of pieces of research in recent years which have included analyses of the number of migrant workers in various occupational sectors. There are also a number of additional information sources, e.g. the Labour Force Survey and NISRA's International Migration Statistics, that my Department draws on to inform its work to support Migrant Workers.

Discussions with individual employers may not provide an accurate assessment of overall Northern Ireland position.

**Sources:** The Oxford Economics Labour Market and Skills Impacts of Migrant Workers in NI (December 2009)

The Institute for Conflict Research report - "easy life, great people, bad weather" A Report on the Experiences of Migrant Workers in Northern Ireland. ( December 2009)

Millward Brown Ulster – The Private Recruitment Sector in NI (December 2009)

## STEM Initiative

**Mr Hazzard** asked the Minister for Employment and Learning for his assessment of the STEM initiative offered by South Eastern Regional College to enable part-time students to earn back their tuition fees by successfully completing their course.

**(AQW 13450/11-15)**

**Dr Farry:** My Department is one of a number of departments contributing to the implementation of the STEM strategy, 'Success through STEM', which was endorsed by the Executive in March 2011. It aims to promote science, technology, engineering and mathematics and, in so doing, encourage more people to gain skills in these areas, to meet the needs of the economy. A particular challenge for Northern Ireland is that the envisaged growth in STEM areas is not being matched by a sufficient growth in the number of young people choosing to study these subjects at school, college and university.

I therefore welcome the initiative being taken forward by South Eastern Regional College, which will encourage more people to study STEM subjects and acknowledge its valuable contribution in helping to achieve the STEM strategy's overarching recommendations.

## Certificate in Religious Education

**Mr Swann** asked the Minister for Employment and Learning how many people have completed the Certificate in Religious Education in each of the last three years, broken down by religious background.

**(AQW 13461/11-15)**

**Dr Farry:** As the Department does not hold the information requested, my officials contacted the four higher education institutions. The information provided by the universities and university colleges is attached at Annex A.

### Annex A

#### Queen's University Belfast

The PGCE offered by Queen's University is for post-primary teaching. The Certificate in Religious Education is not required for post-primary contexts and Queen's does not offer this qualification. Whilst the University does make available information on how to access the Certificate to all PGCE students, no information is held on actual students undertaking the Certificate.

#### University of Ulster

|          | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|----------|---------|---------|---------|---------|
| Catholic | 36      | 45      | 36      | 41      |



|                              | 2008/09   | 2009/10   | 2010/11   | 2011/12   |
|------------------------------|-----------|-----------|-----------|-----------|
| Protestant                   | 29        | 27        | 34        | 25        |
| Other*                       | 2         | 4         | 5         | 7         |
| <b>Total RE Certificates</b> | <b>67</b> | <b>76</b> | <b>75</b> | <b>73</b> |

\* "Other" category includes records where the information has been refused, is not known, where the student has stated that they hold no religious belief as well as any religious belief other than Protestant or Catholic.

#### Stranmillis University College

The following table shows the number of students from Stranmillis University College who have completed the Certificate in Religious Education by Distance Learning (CREDL) in each of the last 3 years:

| Year    | Number of Students who have completed the CREDL course |
|---------|--|
| 2009-10 | 6  |
| 2010-11 | 7  |
| 2011-12 | 3  |

Unfortunately the College is not able to provide the breakdown by religious background, as we cannot access this information.

#### St. Mary's University College

The Certificate in Religious Education at St Mary's is awarded upon successful completion of a three-year course for BEd students or a one-year course for PGCE students. The award is by Ecclesiastical Authority and St Mary's is not the sole provider of this qualification for Northern Ireland students.

The following table provides the information you have requested.

| YEAR | PGCE | BEd |
|------|------|-----|
| 2010 | 20   | 160 |
| 2011 | 20   | 127 |
| 2012 | 19   | 121 |

All of the students were from a Catholic background.

#### Customer First in the Western District

**Ms Boyle** asked the Minister for Employment and Learning, in light of the announcement on the roll out of Customer First in the Western District, whether any discussions have taken place between his Department and the Department for Social Development on the provision of a 'One Stop Shop' in premises at a central location in Strabane which had been envisaged previously as part of the Benefits and Jobs Project which has not yet been fully implemented.

**(AQW 13478/11-15)**

**Dr Farry:** The Jobs and Benefits service has been introduced into 27 offices across Northern Ireland, however it has not been possible to introduce it into the remaining 8 offices as capital funding has not been made available to complete roll-out.

Staff in the local JobCentre and the Social Security Office continue however to deliver high levels of service to customers in the Strabane area, such as work focused interviews and access to a full range of our employment services and programmes,

Both the Minister for Social Development and I will continue to seek opportunities to deliver the Jobs & Benefits service as they arise and subject to the identification of funding.

#### FG Wilson

**Mr Ross** asked the Minister for Employment and Learning what support his Department can offer to people who will lose their jobs at FG Wilson.

**(AQW 13479/11-15)**

**Dr Farry:** My officials have been very proactive since FG Wilson announced these job losses. Telephone contact was initially made with the company followed by a discussion with company representatives to explain in detail how the Department's Redundancy Advice Service can help those affected.

FG Wilson management has expressed a clear commitment to working with the Department and other Agencies to assist employees. They are keen that our services are offered to those affected across all three of their sites, and will encourage employees who will be affected to avail of the help and support available. All services are free of charge to both employees and the company. A further meeting between the Department and FG Wilson has already scheduled to plan in detail for the delivery of advice clinics.

In offering the Redundancy Advice Service, the Department will work in partnership with the Social Security Agency, Further Education Colleges, HMRC and other agencies. Employees will be provided with information and professional advice about the options and support available to them including employment, training and education opportunities, as well as careers, benefits and taxation advice.

## FG Wilson

**Mr Ross** asked the Minister for Employment and Learning what contact his Department has had with FG Wilson since the announcement that up to 260 jobs could be lost by the end of the year.

**(AQW 13480/11-15)**

**Dr Farry:** My officials have been very proactive since FG Wilson announced these job losses. Telephone contact was initially made with the company followed by a discussion with company representatives to explain in detail how the Department's Redundancy Advice Service can help those affected.

FG Wilson management has expressed a clear commitment to working with the Department and other Agencies to assist employees. They are keen that our services are offered to those affected across all three of their sites, and will encourage employees who will be affected to avail of the help and support available. All services are free of charge to both employees and the company. A further meeting between the Department and FG Wilson has already scheduled to plan in detail for the delivery of advice clinics.

In offering the Redundancy Advice Service, the Department will work in partnership with the Social Security Agency, Further Education Colleges, HMRC and other agencies. Employees will be provided with information and professional advice about the options and support available to them including employment, training and education opportunities, as well as careers, benefits and taxation advice.

## Invest NI

**Mr Eastwood** asked the Minister for Employment and Learning (i) whether there is communication between Invest NI and his Department regarding potential investors' feedback on skills; (ii) whether this feedback is used to shape specific and general programmes to improve skills, and (iii) whether this feedback is used by his Department, universities and colleges to determine which courses are offered and promoted.

**(AQW 13494/11-15)**

**Dr Farry:** I encourage a positive relationship between my Department and Invest Northern Ireland. This is immensely important as we work together to rebuild and rebalance the economy by implementing the Northern Ireland Economic Strategy.

The Assured Skills programme is one of the main areas of joint work between my Department and INI to attract potential investors to Northern Ireland. Under Assured Skills, we bring all the experience of both organisations to bear and jointly develop, design and, ultimately, fund projects.

This co-operative approach has greatly influenced the decision of several companies to invest here, and has resulted in 726 new jobs secured for Northern Ireland just in the last year. A further 400 posts are currently the subject of ongoing negotiations.

We receive direct feedback from potential investors on their needs by meeting with potential investors alongside INI colleagues. In doing this, our aim is to reduce the risk to the investor in a new labour market by using our experience to help them find the staff they need, and then ensure they have access to the skills training to get up and running – and productive – as quickly as possible.

In terms of how this feedback is used to shape specific and general programmes to improve skills, we get first hand information on the company's recruitment, training and skills requirements, and are then in a perfect position to liaise with the local further or higher education sector to design and develop a bespoke solution to meet the company's needs.

For example, we are working with Queen's, the University of Ulster and Belfast Metropolitan College to design specific programmes for CVS Caremark, a United States based pharmaceutical company that recently announced the creation of 50 new jobs in NI. Assured Skills also helps existing companies who are expanding, and Queen's University are currently designing customised management and leadership courses for Andor Technology, who are creating 166 additional jobs.

These examples show how we are improving the industry-relevant skills within the further and higher sectors in Northern Ireland in response to demand.

Course provision is a matter for institutions but, in the longer term, I believe these linkages and direct experience of industry's needs will influence institutions to adapt the courses they offer to make them even more business focussed.

This is, of course, happening already. For example, I am aware that one of the local universities has already revised some of their Information Technology provision in the light of interaction with local companies, including recent investors, and I welcome this.

Likewise, changes have been made to the syllabuses at both universities to respond to the needs of the expanding financial services sector in Northern Ireland. My Department anticipated this demand and, for example, provided support under Assured Skills to up-skill lecturers in the Investment Operation Certificate. Just under 100 graduates have now successfully completed this qualification, creating a pool of attractive potential workers with financial skills for the sector.

I hope these examples demonstrate the pro-active approach being taken by both my Department and INI to help attract potential investors to Northern Ireland by using their feedback to re-model the range of training and skills provision here.

### Work Experience and Training Places: Public Sector

**Mr Allister** asked the Minister for Employment and Learning, in relation to his Statement of 2 July 2012 on Youth Employment Scheme and NEETS Initiatives, (i) whether there will be short work experience placements and training places within the public sector; (ii) how many placements and training places will be offered; and (iii) whether these will be cost neutral, apart from the payment of the training allowance to the participants.

**(AQW 13499/11-15)**

**Dr Farry:** There will be short two to eight week work experience placements in both the private and public sectors. Public sector organisations can offer training opportunities for between six and nine months in skills that have the potential to transfer to the private sector to help rebuild and rebalance the economy. My Department will seek to maximize the availability of those opportunities. There are no targets for numbers of work experience placements or training opportunities in the public sector. Given that this scheme has the dual purpose of addressing youth employment and helping to rebuild and rebalance the economy, the intention is to engage with both the private and public sectors to secure the right types of opportunities. Any public sector provision will be cost neutral.

### Youth Employment Scheme and NEETs

**Mr B McCrea** asked the Minister for Employment and Learning, in relation to the Youth Employment Scheme and NEETs initiative, what evidence exists to substantiate his statement that the Executive and his Department are doing more than any other region of the UK to assist our young people.

**(AQW 13513/11-15)**

**Dr Farry:** The evidence is in the scale of the investment announced on 2 July. The full cost of the package agreed by the Executive is £41 million over three years. In Great Britain, the Youth Contract will cost £940 million over 3 years. As a consequence of the introduction of the Youth Contract the Northern Ireland Block Grants received an additional allocation of around £28 million over three years. That is a sum roughly equivalent to 3% of the investment in Great Britain. However, such allocations are not ring-fenced so it was always a matter for the Executive to determine how much it would invest in any local scheme. The fact that we have chosen to invest £41 million is testament to a high level of commitment to our young people in Northern Ireland by the Executive.

### North West Regional College

**Mr P Ramsey** asked the Minister for Employment and Learning for an update on the most recent health check on the North West Regional College, and any other recent information the Department has on student achievement and retention at the College.

**(AQW 13559/11-15)**

**Dr Farry:** The Department compiles and issues health check reports to the governing bodies of all further education colleges on a quarterly basis. Reports relating to the second quarter of the 2011/12 academic year were issued to colleges on 21 May 2012. Statistical Bulletin 'Professional and Technical Retention and Achievement Data NI Further Education Sector for 2010/11', using data collated in the Further Education Leavers Survey (FELS), was published on 6 April 2012 and can be accessed on the Department's website. These figures are reported in the college health check. They show that the retention rate for all professional and technical courses in North West Regional College in 2010/11 was 84% and the achievement rate was 76%. This is based on data on the full range of further education provision, at all levels studied. This includes DEL Funded Further Education Provision, Government Training and Employment Programmes, Full Cost Recovery Provision and Entitlement Framework Provision. Recreational Provision is excluded as these courses do not have a qualification aim.

### Scottish Universities

**Mr Weir** asked the Minister for Employment and Learning how many students from Northern Ireland have studied at Scottish universities in each of the last five years.

**(AQW 13584/11-15)**

**Dr Farry:** The information on total Northern Ireland domiciled student enrolments at Scottish Higher Education Institutions in each of the last five years is detailed below.

| Year    | Total |
|---------|-------|
| 2006/07 | 4,940 |
| 2007/08 | 4,800 |

| Year    | Total |
|---------|-------|
| 2008/09 | 4,680 |
| 2009/10 | 4,605 |
| 2010/11 | 4,520 |

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- 1 Figures are rounded to the nearest 5.
- 2 The above figures include enrolments across all years and all levels of study.
- 3 Therefore a student may be included in more than one academic year e.g. they may be included as a first year student in 2006/07 and also be included in figures for subsequent years of study.
- 4 For information the number of first year Northern Ireland domiciled student enrolments at Scotland Higher Education Institutions was 1,520 in 2006/07; 1,460 in 2007/08; 1,400 in 2008/09; 1,415 in 2009/10; and 1,360 in 2010/11.

### Further Education: Sex Offenders

**Lord Morrow** asked the Minister for Employment and Learning whether staff, or the Board of Governors, at either Belfast Metropolitan College or North West Regional College, Londonderry, were made aware that a student was subject to a Sexual Offences Prevention Order, for previous convictions, prior to enrolment in either facility; and what monitoring was subsequently put in place.

**(AQW 13623/11-15)**

**Dr Farry:** I would refer the member to my previous answers to AQW 7000/11-15 and AQW 10022/11-15 on the same subject. I can advise that colleges would be unaware of a student's background prior to enrolment. It is only as part of the enrolment process at a further education (FE) college that a student is asked to declare any criminal convictions.

However, in this case, the student had enrolled at Belfast Metropolitan College (BMC) in 2010, and North West Regional College (NWRC) in 2011 and on both occasions, failed to disclose that he was subject to a Sexual Offences Prevention Order (SOPO). The colleges were therefore unaware of the need to enact their safeguarding procedures.

Once both colleges became aware of the situation, BMC from an article in the Irish News, and NWRC from concerned students, they immediately implemented their respective safeguarding procedures, which included alerting staff and governing bodies.

All six Further Education (FE) colleges have robust safeguarding procedures in place, developed in conjunction with a number of external agencies, including the PSNI and Social Services.

My officials have requested a sector-wide policy, in respect of safeguarding at the six further education colleges. This will ensure that coherent, joined-up procedures are in place, to avoid any recurrence of this situation.

### South Eastern Regional College: Enrolment Figures

**Mr Weir** asked the Minister for Employment and Learning to detail the enrolment figures for the South Eastern Regional College in each of the last five years.

**(AQW 13628/11-15)**

**Dr Farry:** The number of professional and technical enrolments at the South Eastern Regional College from 2006/07 to 2010/11 is detailed in the table below.

#### Professional and Technical Enrolments in South Eastern Regional College 2006/07 to 2010/11

| 2006/07 | 2007/08 | 2008/09 | 2009/10 | 2010/11 |
|---------|---------|---------|---------|---------|
| 24,274  | 21,760  | 23,465  | 26,044  | 26,623  |

**Source:** Further Education Statistical Record (FESR)

**Notes:**

- 1 Latest validated data pertains to the 2010/11 academic year.
- 2 Professional and technical provision relates to those courses which have a qualification aim attached.
- 3 Recreational provision is not included in the above table.

## Further Education: Sex Offenders

**Lord Morrow** asked the Minister for Employment and Learning what guidance has been provided by his Department, and what subsequent policies have been implemented to ensure that a convicted sex-offender cannot attend two further education facilities whilst subject to a Sexual Offences Prevention Order.

**(AQW 13683/11-15)**

**Dr Farry:** I would refer the member to my previous answers to AQW 7000/11-15, AQW 10022/11-15 and AQW 13623/11-15 on the same subject.

All six Further Education (FE) colleges have safeguarding policies and procedures in place, which have been developed in conjunction with a number of external agencies, including the PSNI and the Social Services. These policies and procedures were surveyed recently by the Education and Training Inspectorate and were considered to be appropriate. Safeguarding policies are developed to ensure the safety of students and staff, and procedures are in place to allow colleges to take appropriate action when a student declares that they are subject to a Sexual Offences Prevention Order or when colleges receive such information.

Central to these safeguarding procedures are risk assessments, which ensure that potential students are suitable to undertake a particular course and to establish the appropriate level of management and supervision required during their course of study.

In order to ensure a consistent approach, my officials have now requested that a sector-wide policy, in respect of safeguarding at the six FE colleges, be drawn up. This review will ensure that coherent, joined-up procedures are in place.

## Department of Enterprise, Trade and Investment

### NI2012 Events: North Down

**Mr Weir** asked the Minister of Enterprise, Trade and Investment how many NI2012 events have been planned for the North Down constituency; and what budget has been allocated to the events.

**(AQW 12703/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The Tourism Events Funding Programme 2012/13 received 81 applications and offered funding to 51 events. Since letters of offer were issued one event has withdrawn their application.

Only one unsuccessful application was received from the North Down Constituency.

### HMS Caroline

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment what discussions her Department has had on the future of HMS Caroline.

**(AQW 13097/11-15)**

**Mrs Foster:** I have been working for some time to find the best solution for HMS Caroline. I, and my officials, have engaged with various interested groups, including the National Museum of the Royal Navy and I have raised the issue with my Northern Ireland Executive colleagues. On 4th July I met with Andrew Robathan, Under Secretary of State at the Ministry of Defence along with Hugo Swire, Minister of State in the Northern Ireland Office and Nigel Dodds MP to discuss HMS Caroline's future in Belfast and to seek his support to Caroline remaining in Belfast.

It was agreed that we should work together to restore the ship in Belfast. A meeting is now being sought with Navy Museum Officials.

### Directors of Mutual Companies

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what measures are in place to ensure that directors of mutual companies, which provide a public service function, are not awarded salaries in excess of their counterparts in the public sector.

**(AQW 13314/11-15)**

**Mrs Foster:** Remuneration for directors in the mutual sector is a matter for each individual entity to determine.

### Invest NI Funding: North Down

**Mr Weir** asked the Minister of Enterprise, Trade and Investment how much funding InvestNI has allocated in the North Down area in each of the last three years; and to list the businesses which were in receipt of the funding.

**(AQW 13325/11-15)**

**Mrs Foster:** Whilst Invest NI does not allocate budgets or funding to geographic areas, table 1 shows the amount of assistance, or funding, that Invest NI has offered to companies in the North Down Parliamentary Constituency Area (PCA) in each of the last three financial years.

**Table 1: Invest NI Assistance Offered in North Down PCA (2009-10 to 2011-12)**

| Financial Year | Total Assistance £m |
|----------------|---------------------|
| 2009-10        | 2.68                |
| 2010-11        | 0.50                |
| 2011-12        | 1.68                |
| <b>Total</b>   | <b>4.86</b>         |

Table 2 lists the names of businesses that were offered the assistance contained in table 1.

**Table 2: Business in North Down PCA Offered Invest NI Assistance (2009-10 to 2011-12)****BUSINESS NAME**

|   |   |
|---|---|
| ■ Munster Simms Engineering Limited             | ■ Slater Design Limited                             |
| ■ Mm Teleperformance Limited                    | ■ Calerfficic                                       |
| ■ Valpar Industrial Limited                     | ■ Tailor Made Training Ireland Limited              |
| ■ Denroy Plastics Limited                       | ■ Graces's Irish Biscuits                           |
| ■ 3M United Kingdom Plc                         | ■ Orthodocs Limited                                 |
| ■ Blue Zinc It Limited                          | ■ Mcwhinneys  |
| ■ Pia Rossini Limited                           | ■ Mwm Sports Management                             |
| ■ Dllni Limited                                 | ■ Careersport Recruitment & Consultancy Limited     |
| ■ Yellow Moon Post Production Limited           | ■ Scrabo Disability Solutions Limited               |
| ■ Crawfordsburn Inn Limited                     | ■ Choc-O-Block Franchising                          |
| ■ Forth Communication Ni Limited                | ■ Ecogen Energy & Enviromental Technologies Limited |
| ■ Priory Press                                  | ■ Choux Choux Limited                               |
| ■ Lpt   | ■ Crawfordsburn Service Station                     |
| ■ Frying Squad (Franchising) Limited            | ■ Walker Communications Limited                     |
| ■ Oakridge Trading Limited                      | ■ Studioni Limited                                  |
| ■ Omnisoft Services Limited                     | ■ Hobart & Heron Limited                            |
| ■ The Signature Works Limited                   | ■ Todd Chart Agency Limited                         |
| ■ Richmond Reproduction (Manufacturing) Limited | ■ Sitex Protective Fabrics                          |
| ■ Accept Care (Social Firms) Limited            | ■ Laurel Cottage Limited                            |
| ■ Waddell Media Limited                         | ■ My Tour Talk                                      |
| ■ Mcwhinney's Sausages Limited                  | ■ Ulster Weavers Home Fashions Limited              |
| ■ The Clandeboye Estate Company Limited         | ■ Greengraves Limited                               |
| ■ Lucas Associates                              | ■ Cenzitek Limited                                  |
| ■ Blue Quadrant Limited                         | ■ Ipeus Limited                                     |
| ■ Forest Leaf Properties Limited                | ■ Heatherlea Bakery                                 |
| ■ Cargobox Limited                              | ■ Ppc Environmental Limited                         |
| ■ Greenacre Innovations Limited                 | ■ Primacy Meats Limited                             |
| ■ Jampot Technologies Limited                   | ■ The Frying Squad Limited                          |
| ■ Fingerprint Learning Limited                  | ■ Marine Services Ireland                           |
| ■ Eyekiller Limited                             | ■ Bingbangbong Limited                              |
| ■ Karacha Music Limited                         | ■ Coffee Yard Limited                               |
| ■ The Corporate Wardrobe Limited                | ■ Eco-Energy (Ni) Limited                           |
| ■ Mango Direct Marketing Limited                | ■ Electro Fishing Services Limited                  |
| ■ Navajo Talk Limited                           | ■ Greenwell Solutions Limited                       |
| ■ Pinnacle Response Limited                     | ■ Hothouse Technologies Limited                     |
| ■ Motivation In Learning Limited                | ■ I'm On It (Ni) Limited                            |
| ■ Sendmybag (Ni) Limited                        | ■ Posh Nosh Outside Catering Company                |
| ■ Fum Limited                                   | ■ Punch Enterprises Limited                         |
| ■ Smyth Research Limited                        | ■ Taste Of Titanic                                  |
| ■ Denman International Limited                  | ■ The Garden Company                                |
| ■ Ibc Trading Limited                           | ■ Quality Plan (NI)                                 |



- Holborn Distribution And Packaging
- Commercial Graphics (N.I.) Limited
- Origin Partners Limited
- Creative Commercial Interiors
- Cleanfields Technologies Limited
- Interpret Consulting Limited
- Flickerpix Limited
- Omni Architects
- Tandem Design
- Cordiners Kitchens & Bedrooms Limited
- Solicit-This
- Acts Of Random Kindness Limited
- Agri Web
- Cranmore Consulting Limited
- David Dudgeon Studios
- Dumb Productions Limited
- Duncan Maxwell Storefitters Limited
- Just On Your Doorstep
- Gecho Asset Productions
- Greenway Healthcare (NI)Limited
- Ulster Weavers Apparel Limited
- Seacliff Douglas Limited
- Tilt-A-Dor Limited
- Cooper Technology
- Urban Pup
- South Eastern Regional College
- Salt & Pepper Catering Limited
- Laurence Crockford Consulting
- Hobart Heron Architects

**Note:** The names of 10 companies that have been offered £0.8m of assistance have been withheld, as either the assisted projects have not been publicly announced yet, or to release their names would contravene data protection regulations.

### Invest NI Funding: Foyle

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 11020/11-15, and in relation to the £4.12 million of financial assistance offered to companies in the Foyle constituency, to detail the amount of financial assistance given to each company; and to explain the rationale behind companies in Foyle receiving 5 percent of the overall assistance, whilst companies in East Belfast received 15 percent, and companies in South Belfast received 25 percent.

**(AQW 13349/11-15)**

**Mrs Foster:** Table 1 below shows the breakdown by company of the £4.12 million of financial assistance offered to companies in the Foyle constituency in 2011-12.

**Table 1: Assistance Offered to Companies in Foyle PCA (2011-12)**

| Client Name                             | Assistance Offered (£) |
|---|------------------------|
| Derry City Council Tso                  | 709,864                |
| Nu Print Technologies Limited           | 134,167                |
| Delap & Waller Limited                  | 121,323                |
| Cornerstone Automation Systems (UK) Ltd | 113,400                |
| Lucid Interactive Ltd                   | 108,080                |
| Opt 2 Vote Ltd                          | 93,328                 |
| S C W Property (N.I.) Limited           | 80,621                 |
| Cheswick Kitchen Company Limited        | 77,544                 |
| One Stop Data Limited                   | 66,398                 |
| Allpipe Engineering Limited             | 56,813                 |
| Foyle Language School Ltd               | 52,604                 |
| Axa Insurance Limited                   | 52,000                 |
| Aerona Software Systems Ltd             | 51,590                 |
| Gallagher & McKinney Limited            | 49,830                 |
| City Industrial Waste Ltd               | 48,000                 |
| Fleming Agri-Products Limited           | 47,483                 |
| Diamond Corrugated Cases Limited        | 47,094                 |
| James Doherty (Meats) Limited           | 40,000                 |

| <b>Client Name</b>                                    | <b>Assistance Offered (£)</b> |
|---|-------------------------------|
| Factory Automated Systems Technologies Limited        | 39,925                        |
| 360 Production Limited                                | 39,208                        |
| Bubblebum (UK) Limited                                | 37,914                        |
| Ascot Signs   | 33,600                        |
| Print It For Me.Com Limited                           | 33,113                        |
| Du Pont (U.K.) Industrial Limited                     | 32,700                        |
| Dog Ears Ltd  | 31,254                        |
| Global Equipment Spares Limited                       | 28,920                        |
| Marble Hill Soaps Limited                             | 27,480                        |
| Urban 3D  | 26,606                        |
| Bap Express Foodservice Limited                       | 26,184                        |
| Gen-X Healthcare Limited                              | 25,708                        |
| Budget Energy Limited                                 | 25,000                        |
| Hunter Apparel Solutions Limited                      | 24,742                        |
| Fresh Food Kitchen Ireland Limited                    | 24,419                        |
| North West Electronics                                | 21,600                        |
| Mechanical Installations & Maintenance (N.I.) Limited | 15,000                        |
| Derry Precision Tools                                 | 13,061                        |
| Precision Processing Services Limited                 | 12,814                        |
| A1 Speediprint Ltd                                    | 12,640                        |
| Mpa Recruitment Ltd                                   | 11,832                        |
| Maydown Precision Engineering Limited                 | 11,719                        |
| Flite Software (N.I.) Limited                         | 11,655                        |
| 2Thecity Ltd  | 9,375                         |
| Smyson Enterprises Limited                            | 8,560                         |
| Mcl Limited   | 8,000                         |
| Ofc Ireland Ltd                                       | 7,884                         |
| Donegal Prime Fish Ltd                                | 7,609                         |
| Design Drawer   | 7,291                         |
| James Sammon & Co Ltd                                 | 7,097                         |
| Seedups (UK) Limited                                  | 6,856                         |
| Donnelly & Taggart                                    | 6,644                         |
| Clearway Medical Limited                              | 6,600                         |
| North West Propellers Ltd                             | 5,992                         |
| Ebrington (NI) Ltd                                    | 5,400                         |
| Promotion Camara Systems                              | 5,240                         |
| Oiwillo Training Co. Ltd                              | 5,000                         |
| Northern Irish Heritage Designs                       | 5,000                         |

| <b>Client Name</b>  | <b>Assistance Offered (£)</b> |
|---|-------------------------------|
| Loyalty Living Limited                                      | 5,000                         |
| Eyespyfx Limited  | 4,471                         |
| Steam & Generation Services Limited                         | 4,000                         |
| Partsgarage Ltd   | 4,000                         |
| Mka Planning  | 4,000                         |
| Holywell Consultancy Ltd                                    | 4,000                         |
| Creggan Country Park Enterprises Ltd                        | 4,000                         |
| Ni Gears  | 3,560                         |
| North West Galvanising Limited                              | 3,247                         |
| Create Print Community Interest Company                     | 3,000                         |
| Tower Hotel (Derry) Limited                                 | 2,808                         |
| Mcivor Plastics Limited                                     | 2,598                         |
| Learning Pool Limited                                       | 2,160                         |
| Doire Dress Designs Limited                                 | 2,160                         |
| Foyle Chipping Co   | 2,145                         |
| Nbs Engineering   | 1,757                         |
| William Grant & Company Limited                             | 1,608                         |
| Cromer Enterprises Limited                                  | 1,608                         |
| Northland Autopoint Limited                                 | 1,589                         |
| Doherty's Home Bakery                                       | 1,425                         |
| Pakflatt (UK) Limited                                       | 1,280                         |
| Culture Company 2013 Limited                                | 1,225                         |
| Bt48.Com  | 1,225                         |
| Hubb.It   | 1,146                         |
| Warmfront   | 1,000                         |
| Revive  | 1,000                         |
| Noribic-Northern Ireland Business and Innovation Centre Sho | 1,000                         |
| Acr Energy Solutions  | 1,000                         |
| We Do Art   | 814                           |
| Seagate Technology (Ireland)                                | 720                           |
| Foyle Food Group Limited                                    | 683                           |
| Caldwell & Robinson   | 669                           |
| 8Over8 Limited  | 666                           |
| Abc Research & Innovation Limited                           | 507                           |
| North West Academy Of English Limited                       | 503                           |
| Biznet Solutions Ltd  | 500                           |
| Metacompliance Limited                                      | 249                           |
| Wafer Enterprises Ltd.                                      | 236                           |

| Client Name               | Assistance Offered (£) |
|---------------------------|------------------------|
| Refresh Essentials        | 147                    |
| Halo Pet Products Limited | 147                    |
| <b>Total</b>              | <b>2,693,634</b>       |

**Note:** The names of 110 companies that have collectively been offered £1.42m of assistance have been withheld, as either the assisted projects have not been publicly announced yet, or to release their names would contravene data protection regulations.

With regard to the member's second query, Invest NI has limited scope to 'direct' investment to specific Parliamentary Constituency Areas. Although it may be able to influence the location decisions of some inward-investment projects, assistance patterns are demand-led by businesses wishing to improve their competitiveness and gain a larger share of international markets. In the case of established businesses, both indigenous and externally-owned, reinvestment patterns will usually be determined by the existing location of the business.

It should also be noted that areas such as Parliamentary Constituency Areas (PCAs) are not self-contained labour markets. A project assisted in a particular location has the potential to create benefits across a much wider area. Northern Ireland is a relatively small place and evidence indicates that many investments draw their workforce from areas beyond constituency area boundaries.

### Invest NI: Jobs Created

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 11021/11-15, and in relation to the 89 jobs promoted in Foyle, to detail (i) the companies involved; (ii) the number of jobs created in each company; and (iii) the number of these jobs which currently exist, broken down by (a) full-time and part-time positions; and (b) permanent and temporary positions.

**(AQW 13354/11-15)**

**Mrs Foster:** I can confirm that 89 new full-time permanent jobs are being created across two companies in the Foyle area. However, this information is not yet in the public domain and, as such, I am not yet at liberty to disclose the names of the companies involved, nor the split in employment between each nor the number of jobs which currently exist.

In addition to the 89 jobs the member refers to in his question, the original response to AQW 11021 also highlighted an additional 43 jobs promoted in the Foyle constituency by international investors offered support through the Jobs Fund.

In the context of a continued upward trend in unemployment the Jobs Fund, which encompasses a set of proposed measures to provide direct financial support for new job creation in the local labour market, was launched in April 2011. Although the economic consensus is that the primary focus of economic development policy should normally be on competitiveness, the current state of the local labour market means that there is a need for a temporary shift in emphasis towards job creation. In line with the Rebuilding Theme included within the Programme for Government (PfG) there is an emphasis within the Jobs Fund to help improve 'employment opportunities and employability' and to 'promote employment' and, therefore, financial support is being provided across a range of industries that tend to pay lower wages than the Northern Ireland average.

### Invest NI: Jobs Created

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 11023/11-15, why only 22 of the 978 jobs, that pay above the Private Sector Median wage, were created in the Foyle constituency.

**(AQW 13355/11-15)**

**Mrs Foster:** The number of jobs paying above the Private Sector Median in a particular constituency is a direct product of the total number of jobs that are promoted in that area, and the nature of the projects undertaken by clients. As detailed in the previous answer to the member, in the case of the Foyle Constituency, Invest NI promoted 132 jobs through offers to externally-owned businesses in the constituency in 2011/12. On a per head of population basis this is higher than the average for Northern Ireland as a whole; however, the mix of projects assisted in the Constituency during 2011/12 included more jobs in industries that tend to pay lower wages than the Northern Ireland average.

Invest NI has limited scope for 'directing' investment to specific Parliamentary Constituency Areas (PCAs). Although it may be able to influence the location decisions of some inward-investment projects, assistance patterns are demand-led by businesses wishing to improve their competitiveness and gain a larger share of international markets. In the case of established businesses, reinvestment patterns will usually be determined by the existing location of the business.

It should also be noted that areas such as PCAs are not self-contained labour markets. A project assisted in a particular location has the potential to create benefits across a much wider area. Northern Ireland is a relatively small place and evidence indicates that many investments draw their workforce from areas beyond constituency area boundaries.

### Tamboran: Commercial Liability Insurance

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether she will publish details of the commercial liability insurance provided to her Department by Tamboran, including the eventualities for which it provides cover.

**(AQW 13397/11-15)**

**Mrs Foster:** I would refer the member to the answer I gave to AQW 12271.

The terms of any insurance policy between an insurance company and the organisation which is being insured is a private and commercial matter and therefore it would not be appropriate for the Department to publish details of same.

### DETI: Disposal of Capital Assets

**Mr Weir** asked the Minister of Enterprise, Trade and Investment to detail the capital assets of which her Department intends to dispose in each of the next three years.

**(AQW 13438/11-15)**

**Mrs Foster:** My department, through Invest NI, holds capital assets in the form of land and property, which is held for sale or lease to support economic development. The following sales targets have been set for the next three years:

- 20 acres in 2012/13
- 20 acres in 2013/14
- 30 acres in 2014/15

### London Inter-bank Offered Rate

**Dr McDonnell** asked the Minister of Enterprise, Trade and Investment what aspects of industrial and employment policies are linked to, or influenced by, the London Inter-bank Offered Rate.

**(AQW 13444/11-15)**

**Mrs Foster:** Access to Finance remains a key challenge for many businesses throughout Northern Ireland, an issue that has been highlighted in the Executive's Economic Strategy.

The London Inter-bank Offered Rate is a key determinant which impacts on interest rates set by banks. While this does not impact directly on economic policies set by my Department, I recognise that it does potentially impact on the ability for businesses to get access to affordable credit from banks and so it is imperative that there is complete transparency in how these rates are set.

### George Best Belfast City Airport

**Mr Weir** asked the Minister of Enterprise, Trade and Investment what initiatives and support her Department has provided to George Best Belfast City Airport to attract new airlines.

**(AQW 13463/11-15)**

**Mrs Foster:** Tourism Ireland works with airports, airlines, ferry operators and other tourism interests to drive demand for services from key markets to Northern Ireland and to help maintain our vital network of routes. Tourism Ireland is currently working with George Best Belfast City Airport (GBBCA) on the introduction of potential new airlines and routes. However, discussions with the airport, and with airlines, are of a commercial and confidential nature.

The commencement of the new British Airways GBBCA to Heathrow service on 2 July 2012 is very good news for the airport and for Northern Ireland. As part of its ongoing co-operation with key carriers and airports, Tourism Ireland will undertake advertising and other promotions in Great Britain together with British Airways, to maximise the demand for this route thereby boosting tourism to Northern Ireland.

### Invest NI

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment what monitoring arrangements are in place to assess the performance of InvestNI and; to what extent this involves practitioners of private enterprise companies not dependent on public sector or government work.

**(AQW 13486/11-15)**

**Mrs Foster:** I and my Senior Officials meet the Chairman and the CEO of Invest NI on a regular basis to review and monitor the performance of the agency. These meetings consider progress against the challenging targets that have been set for the organisation within the Programme for Government (PFG), Northern Ireland Economic Strategy and within the Corporate Plans of DETI and Invest NI.

Furthermore, the Executive Sub Committee on the Economy, which I chair, will play an important role in vigorously monitoring the key Invest NI targets as part of the PFG monitoring process.

Invest NI's Chief Executive also attends the Enterprise, Trade and Investment Committee twice a year to provide the Committee with a half year and year end summary of performance against targets.

Recently a Steering Group led by my Department comprising Departmental, Invest NI and DFP staff was convened and agreed Terms of Reference for a project to assess and enable the Department to report on Invest NI performance going forward. A report is expected from the Steering Group in the next few months which will be validated by a leading independent academic on economic performance.

## Invest NI

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment whether InvestNI encourages international investors to locate to District Council areas with the highest unemployment rates, and if not to explain the reasons.

**(AQW 13493/11-15)**

**Mrs Foster:** Invest NI encourages international investors to locate in any area in which their business will grow and thrive. As noted by the Independent Review of Economic Policy, it is important to allow companies the scope to locate where they can operate most profitably. To do otherwise would be detrimental to the chances of securing Foreign Direct Investment (FDI) for Northern Ireland.

Invest NI works with potential investors to develop visit programmes that demonstrate Northern Ireland's capability to meet the requirements of the specific investment project. These requirements are based on a number of factors, such as availability of a skilled workforce, the presence of existing sectoral clusters, availability of suitable property and other infrastructure related issues. While Invest NI does offer guidance, the imperative of any visit programme is to demonstrate how locating in Northern Ireland will help the company to grow its business.

In a very competitive market place Invest NI is responsible for selling Northern Ireland at a regional level. FDI plays a large part in the economic growth of Northern Ireland and Invest NI has a very successful track record of attracting high quality investment which will benefit the whole of the region.

My Department, including Invest NI, is aware of the challenges facing local areas in Northern Ireland and we are working closely with councils and other local stakeholders to develop their proposition to maximise opportunities for economic growth for all areas.

## Invest NI

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment what processes exist within InvestNI to ensure that all Departments are fully aware of any specified weaknesses highlighted by potential investors.

**(AQW 13496/11-15)**

**Mrs Foster:** Northern Ireland's investment proposition is based on a number of factors, such as its talented and loyal workforce, advanced telecoms and transport infrastructure, high skilled business clusters, the pro-business environment, competitive operating costs and proximity to major markets. Any perceived weaknesses highlighted by potential investors are captured primarily by the Investment Managers and overseas business development executives.

Invest NI has a range of mechanisms in place to raise and address significant issues that may impact on attracting potential investment.

Most specifically, Invest NI's Chief Executive is a member of the NI Economic Advisory Group which consists of a focused group of experts from economics, business and skills who provide advice to the DETI Minister on the key issues impacting the economy and the measures required to address these issues.

In addition, Invest NI is represented on a wide range of cross Departmental bodies and working groups. For example, there are regular formal meetings between DETI, DEL and Invest NI to discuss skills issues and the development of policies and practices to address skills shortages in specific areas.

Invest NI continues to liaise with a number of other Departments. For example:

The Department of Regional Development over key issues of access and, in particular, air route access to Northern Ireland;

The Department of Social Development over the implementation of those elements of Invest NI's Jobs Fund which are focused on Neighbourhood Renewal Areas;

The Department of Culture, Arts and Leisure over the development and implementation of support for the NI

Creative Industries sector; and

The Department of Agriculture and Rural Development over the development and implementation of agri-food strategies

## Electricity: All-island Single Market

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what action needs to be taken to achieve better integration between the wholesale British Electricity Trading and Transmission Arrangements and the Single Electricity Market on the island of Ireland, as referred to in the communiqué following the last British-Irish Council meeting.

**(AQW 13497/11-15)**

**Mrs Foster:** My Department is working with the Utility Regulator and counterparts in Great Britain, France and the Republic of Ireland to manage transition of the Single Electricity Market and the British Electricity Trading and Transmission Arrangements



and interconnection with the French market under the move to an integrated European-wide Internal Market for electricity. This work is set against development of a target model for the Internal Market and changes to the BETTA market from the UK Government's Electricity Market Reform programme.

### FG Wilson

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether any of the jobs that will be transferred out of Northern Ireland by FG Wilson were supported by InvestNI; and whether there are any issues relating to the recovery of grant aid.

**(AQW 13510/11-15)**

**Mrs Foster:** Job creation commitments made by companies with support from Invest NI are done so over an agreed period of time (usually in excess of 5 years). Accordingly the assessment of projects supported is carried out over that agreed period. It is not unusual for the employment numbers to fluctuate as companies work towards and maintain their targets. Whilst the recent announcement of 260 potential job losses by FG Wilson is regrettable and disappointing it is too early to determine what the overall impact on the grant aid will be.

### Tourism: Overseas Visitors

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail the number of overseas visitors in each month to date in 2012; and how this compares with the monthly figures for 2011.

**(AQW 13511/11-15)**

**Mrs Foster:** The total number of overseas visitors to Northern Ireland is not available by month. The overseas visitor numbers are compiled by combining data from the Northern Ireland Passenger Survey conducted by the Northern Ireland Statistics and Research Agency and the Survey of Overseas Travellers conducted on behalf of Fáilte Ireland.

Data from the Survey of Overseas Travellers is provided to the Department in the form of quarterly totals.

Overseas visitors to NI January – March 2011 & 2012, can be viewed at:

[http://www.detini.gov.uk/january-march\\_2012.pdf](http://www.detini.gov.uk/january-march_2012.pdf)

### Invest NI Funding: North Down

**Mr Weir** asked the Minister of Enterprise, Trade and Investment how many businesses in North Down have received financial support from InvestNI, in each of the last three years.

**(AQW 13523/11-15)**

**Mrs Foster:** The table below shows the number of businesses that received an offer of support from Invest NI in the North Down Parliamentary Constituency Area (PCA) in each of the last three financial years.

**Number of Businesses Offered Support in North Down PCA (2009-10 to 2011-12)**

| Year    | Number of Businesses |
|---------|----------------------|
| 2009-10 | 50                   |
| 2010-11 | 44                   |
| 2011-12 | 77                   |

**Note:** A business may have received an offer of support in more than one financial year. As figures relate to the number of businesses within each individual year, they should not be totalled over the three year period. This could result in a business being counted twice.

### Mutual Energy

**Mr Copeland** asked the Minister of Enterprise, Trade and Investment to detail the relationship between the Utility Regulator and Mutual Energy.

**(AQW 13555/11-15)**

**Mrs Foster:** Mutual Energy is a mutualised energy company which, like other regulated utility companies, is subject to the regulatory oversight of the Utility Regulator. This oversight is principally exercised with reference to the company's operating licence and the Utility Regulator ensures that the company complies with its licence conditions.

## Moyle Interconnector

**Mr Copeland** asked the Minister of Enterprise, Trade and Investment on how many days during the last twelve months the Moyle interconnector was inoperable.

**(AQW 13556/11-15)**

**Mrs Foster:** DETI does not hold the information requested. However Mutual Energy has confirmed that the Moyle Interconnector was completely inoperable for a total of 147 days during the period between 1 July 2011 and 30 June 2012

## Mutual Energy

**Mr Copeland** asked the Minister of Enterprise, Trade and Investment to detail the amount of money paid to Mutual Energy from consumers in the last twelve months.

**(AQW 13557/11-15)**

**Mrs Foster:** Mutual Energy is a private company and, as such, the information requested is not held by DETI.

## Tourism: Potential of Disused Railway Tracks

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment for her assessment of the tourism potential of the network of disused railway tracks; and whether her Department provides assistance to those who wish to turn these railway tracks into cycle paths.

**(AQW 13601/11-15)**

**Mrs Foster:** The network of disused railway tracks in Northern Ireland are owned either by The Northern Ireland Transport Holding Company (a public corporation within the Department for Regional Development), the relevant local authority (or authorities) within which the railway tracks lie or private landowners.

My Department, through the Northern Ireland Tourist Board, provides assistance through the Tourism Development Scheme (TDS) which aims to assist with capital developments in the tourism industry.

## Creationism Film at the Giant's Causeway Visitor Centre

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment whether her Department was consulted on the inclusion of a creationism film at the Giant's Causeway visitor centre; and if so, to outline its response.

**(AQW 13634/11-15)**

**Mrs Foster:** During the initial stages of the project, the National Trust undertook a series of consultations with a wide group of stakeholders which included The Northern Ireland Tourist Board in order to help inform the interpretative solution.

## Creationism Film at the Giant's Causeway Visitor Centre

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment to list the groups that lobbied her Department for the inclusion of a creationism film at the Giant's Causeway visitor centre.

**(AQW 13635/11-15)**

**Mrs Foster:** A range of individuals and groups wrote to me expressing an interest in the interpretative content of the Giant's Causeway Visitor Experience.

## Petroleum Licences

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment (i) what a licence permitting exploration, for the potential to extract shale gas by hydraulic fracturing, entitles the licence holder to do; (ii) what restrictions or oversights are attached; and (iii) how this is then reflected in a licence to extract shale gas by hydraulic fracturing.

**(AQW 13692/11-15)**

**Mrs Foster:** A Petroleum Licence gives a company exclusive rights to search and bore for and get petroleum within a specific area. This allows the Licensee to carry out non-intrusive work such as geological mapping. With additional consents from DETI and HSENI, the Licensee may also undertake limited intrusive work, such as geophysical survey and vertical drilling for rock samples. The Licence also provides for drilling an exploration well and associated construction and engineering works, including hydraulic fracturing, but these are subject to Planning Permission and other consents from DETI, HSENI and others.

Applications to undertake construction works, exploration drilling and hydraulic fracturing would be subject to the full rigour of the Planning system including an Environmental Impact Assessment. Drilling a borehole is subject to the Borehole Sites and Operations Regulations (Northern Ireland) 1995: under these Regulations companies must notify HSENI 21 days in advance of the commencement of operations and comply with drilling specific and general health and safety regulations. As a statutory consultee in the planning process HSENI has the opportunity to make recommendations on the proposed drilling operations, including compliance with internationally accepted standards. Many elements of the proposed drilling operations would be subject to environmental and other legislation, and monitoring programmes may be included under these regulatory regimes.

DETI can include specific conditions (e.g. specifications for well design and construction) as part of its well consent. DETI has the powers to inspect the drilling operations and recover the costs from the Licensee.

During the exploration phase DETI will only issue Consent to Drill approval if the Licensee has demonstrated that it has already obtained all the other statutory permissions that it requires to carry out its operations, and it has satisfied the Department that its proposed operations are technically acceptable and will not have a significant adverse impact on the environment.

If exploration drilling is successful and a company wishes to develop the shale gas resources in its licence area it would need to submit a development programme for approval by DETI. This development programme would also require a Planning Application and accompanying Environmental Impact Statement. The planning process would involve consideration of a range of issues associated with the proposed development, including ecology, water resources and quality, air quality, the potential economic benefits, the potential for impacts on other industries, and the effects on the community.

### Tourism: Impact of Hydraulic Fracturing

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment what is the projected impact on tourism from extracting shale gas by hydraulic fracturing.

**(AQW 13693/11-15)**

**Mrs Foster:** The integrity of the natural environment is an important factor in the future development of the tourism sector. Should any company apply to DETI to drill a well for hydraulic fracturing, the impact on existing industries such as tourism would be fully assessed when considering any planning application.

### Hydraulic Fracturing

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment for an estimated timescale for the completion of exploration for extracting shale gas by hydraulic fracturing; and to outline the next steps once the exploration is complete.

**(AQW 13694/11-15)**

**Mrs Foster:** The exploration stage of a shale gas development project may last between five and ten years although this phase would also include an assessment of the commercial viability of the proposed development through extended gas flow testing and, as such, may be considered the equivalent of the exploration and appraisal stages of a conventional oil or gas development.

The timescale for the completion of exploration of shale gas resources depends on the availability of existing information, the timeframe for the exploration work programme included as a Schedule to the petroleum licence and the time required to obtain the necessary statutory consents and complete the exploration phase.

Provided the exploration, including the extended testing of gas flow rates, yields favourable results the next stage is for the company to prepare a development programme for the production phase of the project. This development programme would form the basis of an application for planning permission which would involve an Environmental Impact Assessment and must also be approved by DETI.

## Department of the Environment

### Enforcement: Lisburn

**Mr Craig** asked the Minister of the Environment to detail the average length of time it takes to implement an enforcement action in the Lisburn area.

**(AQW 6635/11-15)**

**Mr Attwood (The Minister of the Environment):** Enforcement Action has a precise legal meaning in Article 67A (2) of the Planning (Northern Ireland) Order 1991. For the purpose of the Order (a) the issue of an enforcement notice; or (b) the service of a breach of condition notice, constitutes taking enforcement action. In the 2011/2012 business year 6 enforcement notices were issued in the Lisburn City Council area, taking an average of 3 years 9 months.

The majority of breaches of planning control are resolved informally through negotiation with the owner/occupier or through the submission and consideration of a retrospective planning application.

For your information there are 368 enforcement cases within the Lisburn City Council area - tabulated below by age and type of case.

| Current outstanding cases within Lisburn | 3 years + | 2-3 years | 1-2 years | <=1 year | Total |
|--|-----------|-----------|-----------|----------|-------|
|  | 113       | 63        | 78        | 114      | 368   |

| Type | Breach of planning condition | Change of Use | Operational / Built form | Adverts | TPO |
|------|------------------------------|---------------|--------------------------|---------|-----|
|      | 81                           | 54            | 170                      | 60      | 3   |

I have made it clear that I take the enforcement of planning powers seriously and recently convened an Enforcement Summit to consider the best architecture for enforcement in the future in terms of legislation, policy and structures.

Despite pressures within the Department dedicated enforcement teams have been retained within each Area Office and recently additional staff have been redeployed to the Downpatrick office to improve performance and provide a more efficient and robust enforcement process.

## Hydraulic Fracturing

**Mr Agnew** asked the Minister of the Environment (i) for his assessment of whether hydraulic fracturing exploration operations are regionally significant and therefore designated as article 31 applications and subject to public inquiry; and (ii) whether full commercial hydraulic fracturing exploitation of shale gas is considered regionally significant and therefore designated as article 31 applications and subject to public inquiry.

**(AQW 7216/11-15)**

**Mr Attwood:**

- (i) Exploration operations are governed by permitted development rights (i.e. where planning permission is not required) for limited activity such as drilling bore holes, carrying out seismic surveys and other excavations for a period of up to four months. These rights are subject to conditions including pre-commencement notification to the Department giving details of the location, target mineral, details of plant and operations and anticipated timescale. I must stress that permitted development rights have related solely to exploration and do not in any way extend to extraction. That said and in these circumstances if the exploration works themselves are considered to require an Environmental Impact Assessment the current legislation makes it clear that in such circumstances permitted development rights do not apply. It is my view that exploration does require an EIA.
- (ii) If a planning application to extract shale gas by hydraulic fracturing is submitted to the Department for consideration, it should be accompanied by an environmental statement. Only when the location and specific details of such a proposal are available would the Department be in a position to assess the risks in relation to the proximity to sensitive environmental receptors. The process of designating a proposal as an article 31 application and considering the need for a public inquiry requires that the Department must first have a planning application to consider.

Once a planning application is received and the Department considers that the development would, if permitted –

- (a) involve a substantial departure from the development plan for the area to which it relates; or
  - (b) be of significance to the whole or a substantial part of Northern Ireland; or
  - (c) affect the whole of a neighbourhood; or
  - (d) consist of or include the construction, formation, laying out or alteration of a means of access to a trunk road or of any other development of land within 67 metres of the middle of such a road, or of the nearest part of a special road;
- the Department may apply Article 31 status to the application. A decision to hold a public inquiry could not be made until the detail of the planning application had received careful consideration.

However, as I have said and without prejudicing a future application or its assessment, other energy related applications – such as the North / South interconnector – have been designated Article 31s and subsequently sent for public enquiry.

## Taxi Drivers Acting as Couriers

**Lord Morrow** asked the Minister of the Environment whether taxi drivers are authorised and insured to act as couriers, particularly in relation to alcohol orders purchased from bars and off-licences on behalf of non-passengers and delivered to their homes.

**(AQW 7688/11-15)**

**Mr Attwood:** A policy of insurance or security must be in force on a taxi that complies with the requirements of Part VIII of the Road Traffic (Northern Ireland) Order 1981. In general, where a taxi is being used for the conveyance of goods or alcohol for hire or reward, and provided that the nature of the business use has been declared to the insurance company, and such use is not excluded, cover may be in force. However, each taxi operator must take their own legal and insurance best advice and I am not in a position to confirm what the precise position may be in relation to individual taxi operators.

Under the Licensing (Northern Ireland) Order 1996, safeguards exist in relation to deliveries of alcohol from premises licensed to sell alcohol for consumption off the premises. Details of any alcohol purchased and the name and address of the purchaser have to be entered in a day book held in the premises and the courier has to hold an invoice with the same details.

## Wind Farms: Planning Applications

**Mr Flanagan** asked the Minister of the Environment to detail (i) the number of planning applications for (a) wind farms; (b) single wind turbines; and (c) other forms of renewable energy generation that have been submitted in the last ten years; (ii) the number and percentage of applications in each category that were approved; (iii) the number and percentage of applications in each category that were refused; and (iv) the number and percentage of applications in each category that were withdrawn.

**(AQW 8035/11-15)**

**Mr Attwood:** Table 1 below sets out the number of applications for wind farms, wind turbines and other renewable applications received in each of the last 10 years.

**Table 1: Number of applications received**

|              | Wind Farm  | Single Wind Turbine | Other Renewable | Total       |
|--------------|------------|---------------------|-----------------|-------------|
| 2002/03      | 5          | 22                  | 5               | 32          |
| 2003/04      | 7          | 42                  | 7               | 56          |
| 2004/05      | 26         | 48                  | 15              | 89          |
| 2005/06      | 24         | 90                  | 44              | 158         |
| 2006/07      | 25         | 136                 | 28              | 189         |
| 2007/08      | 22         | 174                 | 54              | 250         |
| 2008/09      | 16         | 230                 | 32              | 278         |
| 2009/10      | 22         | 161                 | 27              | 210         |
| 2010/11      | 19         | 620                 | 41              | 680         |
| 2011/12      | 14         | 343                 | 32              | 389         |
| <b>Total</b> | <b>180</b> | <b>1866</b>         | <b>285</b>      | <b>2331</b> |

**Source:** Planning

Table 2 sets out the decisions for wind farm, single wind turbine and other renewable applications which were approved, refused or withdrawn in the last 10 years.

**Table 2: Number of decisions**

|              | Wind Farm |           |           |           | Single Wind Turbine |            |          |             | Other Renewable |          |          |            |
|--------------|-----------|-----------|-----------|-----------|---------------------|------------|----------|-------------|-----------------|----------|----------|------------|
|              | App       | Ref       | Wit       | Tot       | App                 | Ref        | Wit      | Tot         | App             | Ref      | Wit      | Tot        |
| 2002/03      | 0         | 0         | 2         | 2         | 8                   | 0          | 0        | 8           | 2               | 0        | 0        | 2          |
| 2003/04      | 2         | 0         | 1         | 3         | 25                  | 0          | 0        | 25          | 4               | 0        | 0        | 4          |
| 2004/05      | 1         | 0         | 1         | 2         | 30                  | 1          | 0        | 31          | 12              | 0        | 0        | 12         |
| 2005/06      | 5         | 0         | 0         | 5         | 65                  | 2          | 0        | 67          | 21              | 0        | 0        | 21         |
| 2006/07      | 6         | 0         | 0         | 6         | 105                 | 6          | 0        | 111         | 24              | 0        | 0        | 24         |
| 2007/08      | 12        | 1         | 1         | 14        | 148                 | 7          | 0        | 155         | 53              | 0        | 0        | 53         |
| 2008/09      | 10        | 1         | 3         | 14        | 227                 | 14         | 0        | 241         | 44              | 0        | 0        | 44         |
| 2009/10      | 11        | 7         | 1         | 19        | 104                 | 19         | 0        | 123         | 20              | 0        | 0        | 20         |
| 2010/11      | 13        | 0         | 7         | 20        | 119                 | 26         | 2        | 147         | 13              | 0        | 0        | 13         |
| 2011/12      | 10        | 2         | 2         | 14        | 220                 | 62         | 1        | 283         | 32              | 0        | 0        | 32         |
| <b>Total</b> | <b>70</b> | <b>11</b> | <b>18</b> | <b>99</b> | <b>1051</b>         | <b>137</b> | <b>3</b> | <b>1191</b> | <b>225</b>      | <b>0</b> | <b>0</b> | <b>225</b> |

**Source:** Planning

Table 3 sets out the percentage of applications for wind farms, single wind turbines and other renewable applications that were approved, refused or withdrawn in the last 10 years.

**Table 3: Percentage of decisions**

|              | Wind Farm  |            |            |             | Single Wind Turbine |            |           |             | Other Renewable |           |           |             |
|--------------|------------|------------|------------|-------------|---------------------|------------|-----------|-------------|-----------------|-----------|-----------|-------------|
|              | App        | Ref        | Wit        | Tot         | App                 | Ref        | Wit       | Tot         | App             | Ref       | Wit       | Tot         |
| 2002/03      | 0%         | 0%         | 100%       | 100%        | 100%                | 0%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2003/04      | 67%        | 0%         | 33%        | 100%        | 100%                | 0%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2004/05      | 50%        | 0%         | 50%        | 100%        | 97%                 | 3%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2005/06      | 100%       | 0%         | 0%         | 100%        | 97%                 | 3%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2006/07      | 100%       | 0%         | 0%         | 100%        | 95%                 | 5%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2007/08      | 86%        | 7%         | 7%         | 100%        | 95%                 | 5%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2008/09      | 71%        | 7%         | 21%        | 100%        | 94%                 | 6%         | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2009/10      | 58%        | 37%        | 5%         | 100%        | 85%                 | 15%        | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2010/11      | 65%        | 0%         | 35%        | 100%        | 81%                 | 18%        | 1%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| 2011/12      | 71%        | 14%        | 14%        | 100%        | 78%                 | 22%        | 0%        | 100%        | 100%            | 0%        | 0%        | 100%        |
| <b>Total</b> | <b>71%</b> | <b>11%</b> | <b>18%</b> | <b>100%</b> | <b>88%</b>          | <b>12%</b> | <b>0%</b> | <b>100%</b> | <b>100%</b>     | <b>0%</b> | <b>0%</b> | <b>100%</b> |

**Source:** Planning

Other renewables includes energy from anaerobic digestion, biomass incineration, heat pumps, hydro electricity schemes, landfill gas, solar collectors, and waste incineration.

This information is based on records up to 30 September 2011.

DOE Planning continues to refine and improve the quality of data it holds for renewable energy applications. As such the data contained herein may differ from that previously published and in itself may be subject to revision.

## Memorials to Terrorists

**Mr Allister** asked the Minister of the Environment how many memorials to (i) republican; and (ii) so-called loyalist terrorists have planning permission.

**(AQW 8414/11-15)**

**Mr Attwood:** In general a free standing structure such as a statue is likely to require planning permission. There may be circumstances where a memorial is so minor in nature that it is considered not to be development requiring planning permission, for example, a small roadside cross or a small wall mounted plaque.

DOE Planning has dealt with approximately 50 planning applications since 1999 for various memorials. 42 were approved, 1 was refused and the remainder comprise applications awaiting decision or invalid applications.

## Cost of Removing Illegal Memorials to Terrorists

**Mr Allister** asked the Minister of the Environment to quantify the cost of removing illegal memorials to terrorists in each of the last five years.

**(AQW 8415/11-15)**

**Mr Attwood:** The Department has dealt with approximately 50 planning applications since 1999 for various memorials.

A total of 42 of these applications have been approved, 1 was refused and the remainder comprise applications awaiting decision or invalid. 18 enforcement cases have been undertaken in relation to memorials.

Enforcement is an essential element of a balanced planning system and is a day to day function of the Department. Normal staffing costs apply to any enforcement action and as such, the quantification of costs is not precise.

## District Councils: Tenders

**Mr Flanagan** asked the Minister of the Environment to detail the percentage of tender contracts that each district council has awarded to contractors based within their council area in each of the last three years.

**(AQW 8421/11-15)**

**Mr Attwood:** The information requested, including the level at which each council tenders, is provided in the table below.

I believe strongly in mechanisms to support local people and employers. The recently passed social clause / local government regulations; the 180 S2W strategy in DOE; my attendance at recent council procurement officers meeting and a planned seminar



on best practice around local labour clauses/ social clauses/ employment interventions; my instructions to officials to work up a green procurement strategy (etc) indicates my intention and ambition. That said, the figures below demonstrate there is significant work still to undertake.

| Council        | Tender Threshold £                        | Total contracts tendered | % awarded to local Contractors | Total contracts tendered | % awarded to local Contractors | Total contracts tendered | % awarded to local Contractors |
|----------------|---|--------------------------|--------------------------------|--------------------------|--------------------------------|--------------------------|--------------------------------|
|                |   | 2008/2009                |                                | 2009/2010                |                                | 2010/2011                |                                |
| Antrim         | >20,000                                   | 31                       | 19                             | 28                       | 21                             | 30                       | 23                             |
| Ards           | >30,000<br>(Dec 11 onwards)<br>>10k prior | 68                       | 20.5                           | 64                       | 25                             | 76                       | 26                             |
| Armagh         | >25,000                                   | 21                       | 0                              | 22                       | 11                             | 17                       | 39                             |
| Ballymena      | >10,000                                   | 48                       | 25                             | 39                       | 24                             | 43                       | 24                             |
| Ballymoney     | >10,000                                   | 13                       | 8                              | 1                        | 0                              | 2                        | 0                              |
| Banbridge      | >25,000                                   | 10                       | 20                             | 18                       | 6                              | 15                       | 0                              |
| Belfast        | >30,000                                   | 71                       | 31                             | 46                       | 28                             | 43                       | 44                             |
| Carrickfergus  | >20,000                                   | 14                       | 0                              | 12                       | 0                              | 7                        | 0                              |
| Castlereagh    | >20,000                                   | Not yet provided         | Not yet provided               | 8 – to be confirmed      | 12.5                           | 14 – to be confirmed     | 21                             |
| Coleraine      | >30,000                                   | 38                       | 13                             | 34                       | 15                             | 33                       | 18                             |
| Cookstown      | >10,000                                   | 18                       | 22                             | 13                       | 0                              | 17                       | 18                             |
| Craigavon      | >25,000                                   | 23                       | 35                             | 21                       | 48                             | 28                       | 18                             |
| Derry          | >20,000                                   | 52                       | 25                             | 60                       | 18                             | 39                       | 13                             |
| Down           | >30,000                                   | 6                        | 0                              | 6                        | 0                              | 6                        | 17                             |
| Dungannon      | >5,000 (08-09)<br>>15,000 (09-11)         | 15                       | 7                              | 12                       | 42                             | 18                       | 17                             |
| Fermanagh      | >7,500                                    | 67                       | 25                             | 57                       | 28                             | 81                       | 22                             |
| Larne          | >20,000                                   | 29                       | 21                             | 6                        | 0                              | 26                       | 8                              |
| Limavady       | >15,000                                   | 3                        | 33                             | 5                        | 20                             | 8                        | 12.5                           |
| Lisburn        | >30,000                                   | 18                       | Not yet provided               | 17                       | Not yet provided               | 17                       | Not yet provided               |
| Magherafelt    | >10,000                                   | 7                        | 14                             | 23                       | 22                             | 14                       | 14                             |
| Moyle          | >12,001                                   | 10                       | 0                              | 23                       | 4                              | 8                        | 0                              |
| Newry & Mourne | >25,000                                   | 48                       | 27                             | 35                       | 29                             | 41                       | 27                             |
| Newtownabbey   | >20,000                                   | 30                       | 26                             | 49                       | 15                             | 37                       | 18                             |
| North Down     | >15,000                                   | 75                       | 3                              | 70                       | 3.5                            | 50                       | 2                              |
| Omagh          | >15,000                                   | 18                       | 28                             | 15                       | 20                             | 22                       | 9                              |
| Strabane       | >20,000                                   | 24                       | 37                             | 19                       | 22                             | 10                       | 40                             |

I shall quickly take the above information forward.

## Crown Estate Leasing Round

**Mr McMullan** asked the Minister of the Environment to detail (i) the outcome of the leasing round which was launched by the Crown Estate in December 2011; (ii) the leasing tariffs; and (iii) whether his Department plays a role in the tendering process. (AQW 10209/11-15)

**Mr Attwood:** The outcome of The Crown Estate (TCE) leasing round launched in December 2011 will not be known until September 2012. Leasing tariffs is a matter for the Crown Estate and its clients.

From time to time TCE selects areas for lease of the seabed for the purpose of electrical energy generation from renewable sources. DOE does not have a role in relation to this.

The role of the Department is through the Northern Ireland Environment Agency (NIEA) which has responsibility for the protection of the marine environment in NI marine waters. NIEA is also the Licensing Authority for the construction of marine Wind Farms and Tidal Arrays in NI marine waters.

The current call invites wind energy proposals in the waters off the south east Mourne area and Tidal Stream proposals in the waters off Torr Head and Rathlin Island.

## Wind Farms: Planning Applications

**Mr Agnew** asked the Minister of the Environment what consideration is given to community impact assessments as part of the process for approval of wind farm applications. (AQW 10272/11-15)

**Mr Attwood:** With any planning application, the Department, in dealing with the application, shall have regard to the development plan, so far as material to the application, and to any other material considerations. All the fundamental factors involved in land use planning constitute a material consideration. This includes impact on neighbourhood and community. The basic question is whether a proposal would unacceptably affect amenities and the existing use of land that ought to be protected in the public interest.

Planning Policy Statements set out the policies of the Department on particular aspects of land use planning. Their contents are material to decisions on individual planning applications. Planning Policy Statement, PPS 18 Renewable Energy is a material consideration with every wind farm planning application.

Within PPS 18 is a requirement for the Department to consider impacts on public safety, human health and residential amenity, as well as the economic and social benefits associated with any renewable energy proposal.

With wind farm development specifically, PPS 18 requires that developments do not have an unacceptable impact on visual amenity and that there is no significant harm to safety or amenity of sensitive receptors such as homes, hospitals, schools and churches arising from noise, shadow flicker, ice throw and reflected light. The requirement for minimum separation distances between turbines and occupied property provides a further element of the assessment process.

## DOE: Ministerial Cars

**Mr Copeland** asked the Minister of the Environment to detail (i) the number of departmental staff who have availed of ministerial cars and drivers in each of the last three years; (ii) the cost of providing the service; and (iii) whether the benefit derived is subject to income tax. (AQW 10293/11-15)

**Mr Attwood:** Responsibility for Ministerial transport was transferred from the DFP Car Pool to departments with effect from 1 April 2011. No record of journeys made by officials in the Ministerial car is kept by the Department. However, the cars are provided primarily for Ministerial use and any usage by officials would have been minimal. Also, records were not kept in the period prior to the transfer of responsibility from DFP.

The payment of income tax is not an issue as the cars would have been used solely for business purposes.

## Hydraulic Fracturing

**Mr Agnew** asked the Minister of the Environment whether he can confirm that hydraulic fracturing can never be considered 100 percent safe; and for his assessment of the probability of contamination of groundwater that the Environment Agency would consider acceptable in any Environmental Impact Assessment. (AQW 10331/11-15)

**Mr Attwood:** In terms of any planning applications involving hydraulic fracturing the applicant will be required to identify the risks to the environment associated with the process through the submission of an Environmental Impact Statement detailing how they would propose to mitigate against a range of potential impacts.

I have made it very clear to Tamboran Resources that I expect the most rigorous Environmental Impact Assessments (EIA) to accompany any applications they choose to submit. Tamboran have said that they accept the need for such assessments and to liaise with both Strategic Planning Division and NIEA in scoping the content of the required Environmental Statement. Such a statement will form the basis of the Departments determination of the planning application and it must take account of all potential impacts on the environment and public health.

The potential impact on groundwater will form part of the EIA process and only when the company has submitted the relevant environmental information will NIEA be in a position to give advice on this matter.

I have made it clear that there will be no headlong rush to fracturing. When the science is available, interrogated, when all planning and environmental assessments have been conducted, when applications are submitted and assessed as article 31 or not and subject to Public Inquiry (PI) or not, only in that context will decisions be capable of being made. It is clear that to date fracking has not been 100% safe – I await further evidence as to how safe or not it could be in the future.

### Planning Permission: Time Limits

**Mr Dallat** asked the Minister of the Environment (i) what consideration he has given to time-limiting the period in which projects must be completed; and (ii) what plans he has to address partially erected buildings.

**(AQW 10418/11-15)**

**Mr Attwood:** Every grant of planning permission must, under Article 34 of the Planning (Northern Ireland) Order 1991, be made subject to a condition imposing a time-limit within which development authorised must be started.

Article 34(1)(a) specifies a period of five years from the date of the permission, and Article 34(1)(b) provides the Department with the option of granting permission subject to such other period (whether longer or shorter) as the Department deems appropriate.

The Department does not currently have powers to make developers implement a grant of planning permission or to force the completion of any building works that have begun on site. Article 37 of the Planning (Northern Ireland) Order 1991 enables the Department to terminate a planning permission in certain circumstances.

On occasion DOE Planning may impose a condition requiring a development to be phased or completed to a particular stage. On a practical level a condition requiring that the whole of the development permitted be completed is likely to be difficult to enforce. For example, if the reason for the failure to complete is financial difficulties experienced by the developer, it is considered that the enforcement of conditions may be unlikely to succeed.

Other Departments/agencies/bodies may have powers to act in such circumstances.

I am very much aware of the growing issue of partially erected buildings. I recognise the financial difficulties experienced by developers at this time and the fact that they may not be in a position to develop a site for which they have been granted planning permission. I also know that there are developers with funds who leave sites to go into decay or partially finish and walk off site. I have made a case in point in this regard.

I am acutely aware of the issues of partially erected buildings. In response, I am working to ensure local councils use the full suite of powers they enjoy around dangerous sites or those in decay. I am seeking to deploy the Portrush / Portstewart model of short term monies for the built environment in other locations; I have instructed planning officials to use the full extent of DOE powers, including completion notices (etc). I will update the member further on my interventions in due course.

### District Councils: Capital Debt

**Mr Weir** asked the Minister of the Environment to detail the level of capital debt of each local council.

**(AQW 10562/11-15)**

**Mr Attwood:** The total level of local council capital debt as of 31 March 2012 is recorded in the table below.

| <b>Council</b> | <b>Non GLF<sup>1</sup> Capital Debt<br/>£</b> | <b>GLF<sup>1</sup> Capital Debt<br/>£</b> | <b>Total<br/>£</b> |
|----------------|---|---|--------------------|
| Antrim         | 5,000,000                                     | 14,817,656                                | 19,817,656         |
| Ards           | 7,775,000                                     | 5,977,224                                 | 13,752,224         |
| Armagh         | 0   | 26,929,965                                | 26,929,965         |
| Ballymena      | 0   | 26,239,361                                | 26,239,361         |
| Ballymoney     | 0   | 9,533,362                                 | 9,533,362          |
| Banbridge      | 0   | 20,704,940                                | 20,704,940         |
| Belfast        | 3,000,000                                     | 25,465,855                                | 28,465,855         |
| Carrickfergus  | 1,620,144                                     | 19,809,064                                | 21,429,208         |
| Castlereagh    | 0   | 17,856,096                                | 17,856,096         |
| Coleraine      | 14,275,438                                    | 21,563,345                                | 35,838,783         |
| Cookstown      | 0   | 1,450,468                                 | 1,450,468          |

| <b>Council</b>       | <b>Non GLF<sup>1</sup> Capital Debt<br/>£</b> | <b>GLF<sup>1</sup> Capital Debt<br/>£</b> | <b>Total<br/>£</b> |
|----------------------|---|---|--------------------|
| Craigavon            | 6,500,000                                     | 1,464,823                                 | 7,964,823          |
| Derry                | 0   | 25,476,154                                | 25,476,154         |
| Down                 | 0   | 23,365,257                                | 23,365,257         |
| Dungannon & S Tyrone | 0   | 5,227,982                                 | 5,227,982          |
| Fermanagh            | 0   | 3,331,959                                 | 3,331,959          |
| Larne                | 0   | 15,722,967                                | 15,722,967         |
| Limavady             | 0   | 12,660,161                                | 12,660,161         |
| Lisburn              | 0   | 19,997,814                                | 19,997,814         |
| Magherafelt          | 0   | 0   | 0                  |
| Moyle                | 0   | 8,659,895                                 | 8,659,895          |
| Newry & Mourne       | 0   | 18,772,166                                | 18,772,166         |
| Newtownabbey         | 0   | 46,836,936                                | 46,836,936         |
| North Down           | 0   | 36,888,706                                | 36,888,706         |
| Omagh                | 391,000                                       | 9,936,495                                 | 10,327,495         |
| Strabane             | 0   | 2,275,116                                 | 2,275,116          |
| <b>Total</b>         | <b>38,561,582</b>                             | <b>420,963,767</b>                        | <b>459,525,349</b> |

1. Government Loans Fund

### Crown Estate: Devolution

**Mr McMullan** asked the Minister of the Environment what action he intends to take to progress the devolution of the administration and revenue of the Crown Estate.

**(AQW 10601/11-15)**

**Mr Attwood:** I agree that it is a very important issue to identify and negotiate for and work towards further devolution of powers and functions from London to Belfast. This has many elements of which one is the Crown Estate. I will encourage the Executive to work on each and all elements, though technically the devolution of the administration and revenue of the Crown Estate is not within the remit of DOE.

Given the leasing round in autumn, given my consideration that renewables is Ireland's biggest economic opportunity, I am writing to the DETI and DFP Ministers to urge that the Executive seeks to progress the issues.

### DOE: Proposals for Legislation

**Mr Dallat** asked the Minister of the Environment to detail (i) what proposals for legislation, subject to Executive approval, he has introduced or intends to introduce between April 2012 and March 2015; (ii) the anticipated timescale for the introduction of each Bill; and (iii) the intention of each Bill.

**(AQW 10633/11-15)**

**Mr Attwood:** The details of the 9 Bills that I propose to introduce to the Assembly between April 2012 and March 2015 and 1 which is still at Committee Stage are contained in the attached table. The introduction of a Bill is subject to Executive agreement. Potentially prioritisation may arise. Consequently, the timelines should be treated as indicative, particularly for the later Bills, where public consultation is not yet completed.

#### department of environment PROPOSED BILLS between April 2012 AND MARCH 2015

| <b>NO</b> | <b>BILL</b> | <b>PURPOSE</b>   |
|-----------|-------------|--|
| 1.        | Marine Bill | To introduce a new system of marine planning, improved marine nature conservation and further streamlining of marine licensing.<br><br>Introduced: 21 February 2012 Royal Assent: early 2013 |

| NO  | BILL                                     | PURPOSE   |
|-----|--|---|
| 2.  | Planning Bill                            | To bring forward a number of the planning reforms contained in the Planning Act (Northern Ireland) 2011 and apply them to the Department in advance of the transfer of powers to district councils.<br>Introduction: Autumn 2012 Royal Assent: mid 2013   |
| 3.  | National Park Bill                       | To allow for the identification, designation and management of national parks.<br>Introduction: Autumn 2012 Royal Assent: mid 2013  |
| 4.  | Local Government (Reorganisation) Bill   | To provide for the reorganisation of local government; new governance arrangements for councils; a new ethical standards regime; the introduction of community planning powers and the power of well-being; and an updated service delivery and performance improvement regime.<br>Introduction Autumn 2012 Royal Assent mid 2013 |
| 5.  | Road Traffic (Amendment) Bill No 1       | To lower the limits on blood alcohol levels for motorists and introduce other measures to tackle drink driving; and amend the novice driver regime.<br>To be introduced in December 2012; Royal Assent late 2013.   |
| 6.  | Carrier Bags Bill                        | To extend the carrier bag levy to all carrier bags.<br>Introduction: January 2013 Royal Assent: January 2014  |
| 7.  | The Climate Change Bill                  | To introduce statutory targets for greenhouse gas emissions in Northern Ireland.<br>Introduction: May 2014 Royal Assent: January 2015   |
| 8.  | The Environmental Better Regulation Bill | To reduce the environmental regulatory burden on business and enhance protection of the environment.<br>Introduction: January 2014 Royal Assent: May 2015   |
| 9.  | Buses (Licensing of Operators) Bill:     | To overhaul the bus licensing regime.<br>To be introduced during 2013; Royal Assent during 2014.  |
| 10. | Road Traffic (Amendment) Bill No 2       | To introduce mutual recognition of penalty points for motoring offences between Northern Ireland and Ireland.<br>To be introduced during 2013; Royal Assent during 2014   |

### Fines: Environmental Pollution and Planning

**Mr Gardiner** asked the Minister of the Environment to detail the total value of fines levied in (i) environmental pollution cases; and (ii) planning cases in each of the last five years.

**(AQW 10876/11-15)**

**Mr Attwood:** In carrying out its statutory functions, the Department of the Environment has obligations to regulate and monitor potentially damaging activities, respond to breaches of environmental legislation and investigate suspected environmental crime.

Table A below details the total value of fines levied in environmental pollution cases in each of the past 5 years.

**Table A**

| Year           | Total value of fines |
|----------------|----------------------|
| 2007           | £53,400              |
| 2008           | £259,460             |
| 2009           | £303,900             |
| 2010           | £114,650             |
| 2011           | £151,273             |
| 2012 (To date) | £71,800              |
| <b>Total</b>   | <b>£954,483</b>      |

DOE is also responsible for planning control in Northern Ireland. Prosecutions are an important part of any enforcement system and the Department will proceed to court following legal advice. The scale of penalties for breaches of planning control is set out in legislation. The imposition of penalties and sentences is a matter for the courts.

It is important to note that the DOE Planning IT system was upgraded in March 2009. Only live case information from 1 April 2009 was backdated into the upgraded system. Prior to 1 April 2009, data inputted into the database was considered to be incomplete and unreliable, as such, data is only available from this period.

Based on Court information extracted from DOE Planning IT data on 2 May 2012, the total value of fines levied by the courts in respect of planning enforcement cases over the last three business years amounted to £391,435. Table B below details the total value of fines levied by the courts in respect of planning enforcement cases over each of the last three business years.

**Table B**

| <b>Business Year</b>       | <b>2009/10</b> | <b>2010/11</b> | <b>2011/12</b> | <b>Total</b>    |
|----------------------------|----------------|----------------|----------------|-----------------|
| Fines levied by the courts | £125,000       | £132,635       | £133,800       | <b>£391,435</b> |

Prosecutions often take a considerable time to work their way through the court process. Therefore, while the convictions in the tables above are listed against the year in which the case was heard in court, the offences to which each case refers will almost invariably have occurred some time before (typically 12-18 months previously).

## **Portadown Town Plaza**

**Mrs D Kelly** asked the Minister of the Environment (i) whether planning permission was granted to erect an obelisk in Portadown town plaza; (ii) what consultation was carried out and when; and (iii) whether an Equality Impact Assessment was carried out. **(AQW 10999/11-15)**

**Mr Attwood:**

- (i) An application for planning permission to erect a 1.75metres high monument to commemorate the Centenary of the signing of the Ulster Covenant was granted full planning approval on 21st March 2012. The monument is sited in front of St Mark's Church, Portadown.
- (ii) The application was presented to Craigavon Borough Council on 31st January 2012 as part of the streamlined procedure. It was advertised in the three local papers on 10th February 2012 and 83 adjacent properties were notified of this proposal on 7th February 2012. No objections were received as part of this consultation process.  
NIEA – Historic Buildings Unit and DRD Roads Service were consulted on 6th February 2012. Both replied with no objections to the proposal.
- (iii) In its role as decision maker on planning applications, the Department has a statutory duty, under Section 75 (2) of the Northern Ireland Act 1998, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group. However, it is not necessary to carry out an Equality Impact Assessment for each individual planning application. An assessment against Section 75 was included during the processing of the application as it is a material consideration and this is recorded on the file.

That said the issue of memorials is a sensitive and difficult one. I will consider further how these matters should be managed including legal and equality issues.

## **Ofcom: Planning Applications**

**Mr Flanagan** asked the Minister of the Environment for his assessment of the average length of time it takes Ofcom to respond, as a consultee, to a planning application. **(AQW 11010/11-15)**

**Mr Attwood:** The median number of working days between an Ofcom consultation being sent and the Department receiving a response during the 2011/12 business year is 16 working days. The median has been used as the measure of "average" as this is standard planning reporting practice.

The Department holds Service Level Agreements with other agencies such as DRD Roads Service. The target timeframe for Roads Service to respond to 70% of planning consultations is 15 working days. Given that Ofcom are responding to planning consultations in a similar timeframe in the absence of any agreement, I am content that Ofcom consultations are not causing undue delay in the processing of planning applications.

## **Goldmine at Cavanacaw, Omagh**

**Mr Hussey** asked the Minister of the Environment why the Planning Service permitted the company to remove in excess of 8,000 truckloads of rock from the goldmine at Cavanacaw, Omagh, by the operator's own admission, without any assurance that there remained a sufficient amount of rock to restore the site to its original condition. **(AQW 11307/11-15)**



**Mr Attwood:** The Ombudsman has reported that the Department allowed the operator to remove huge volumes of rock from the site without any reassurance that there remained sufficient rock to backfill the trench. This, in his judgement, represented maladministration. My Department accepts this conclusion. I agree with the conclusion.

In recently granting planning permission for a revised closure plan, the Department informs me that it is satisfied that following full restoration of the site a surplus of 347826 cubic metres of rock would remain. This would allow for a controlled removal of surplus rock from the site in accordance with conditions attached to the planning permission.

## Enniskillen Castle

**Mr Flanagan** asked the Minister of the Environment for his assessment of the attractiveness of the Enniskillen Castle complex as a visitor attraction for people from the nationalist or republican community, given that a St George's flag flies from the building every day of the year.

**(AQW 11345/11-15)**

**Mr Attwood:** I understand that my predecessor as Environment Minister, Edwin Poots, wrote to you on 23 November 2010 and explained in detail the approach to the history of Enniskillen Castle and the regiments stationed there which is adopted in the displays at the two museums housed in the Castle. He explained the history of the flying of the flag depicting the Cross of St George. Minister Poots invited you to ask Fermanagh District Council to advise my Department as to its views on the flying of the Cross of St George. No further information was received.

The flying of St George's flag from the Watergate at Enniskillen is a tradition associated with the previous use of the complex, which pre-dates current equality screening protocols. My Department will undertake an equality screening of this practice under the Equality Scheme for the Department of the Environment drawn up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998. I believe this is a proper response, given the differing views around the display and flying of flags. That said, it is important that each of us recognise the different, common and emerging views of our history and experience, that I will look at this issue in this light and await the outcome of the review detailed above.

## Radon

**Mr Agnew** asked the Minister of the Environment, in light of the Health Protection Agency's 'Radon in Dwellings in Northern Ireland: 2009 Review' which states that more than 30 percent of homes around Belcoo are at actionable level, as are 10-30 percent of homes in the areas around Garrison and Derrygonnelly, to detail (i) what steps he has taken to determine the levels of naturally occurring radioactive materials in the Bundoran and Benbulbin shale; (ii) what tests were carried out, by whom and on what material; (iii) from where exactly the material was taken; (iv) on what dates the samples were taken and tested; (v) where they were tested; (vi) what were the results; and (vii) if testing has not been carried out, what action he intends to take given that the area licenced for unconventional gas exploration is a radon affected area and that radon decays from radium, uranium and thorium.

**(AQW 11363/11-15)**

**Mr Attwood:** To date no tests have been carried out by the Northern Ireland Environment Agency on the levels of naturally occurring radioactive material in the Bundoran and Benbulbin shale.

However, the "Radon in Dwellings in Northern Ireland: 2009 Review and Atlas" indicates that 10-30% of homes in the Belcoo area will have a radon level at or above the Action Level. There is an area to the south-east of Garrison and an area to the north-east of Derrygonnelly where 5-10% of homes are expected to have a radon level at or above the Action Level.

In relation to part (vii) of the question waste containing naturally occurring radioactive material (NORM) is normally generated during gas and oil production. Based on data from analysis of produced water from unconventional gas exploration elsewhere in the UK, NIEA considers that storage and disposal of produced water from any future fracking activity would require authorisation under the Radioactive Substances Act 1993. An application would need to be submitted and determined prior to generating any produced water. The application would have to include a radiological impact assessment for the proposed storage and disposal option. Clearly this is a matter that will be of importance as the issue of fracking develops and I will be highly vigilant in this regard.

## Local Government: Re-employment

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 10541/11-15, in relation to the officer who was re-employed in the same position (i) whether this is an accepted practice in local government; and (ii) whether the post was advertised or trawled prior to the officer being re-employed.

**(AQW 11851/11-15)**

**Mr Attwood:** In relation to the officer who was re-employed, this person was re-employed on a temporary part-time basis to work on a project which lasted just short of a year.

In respect of (i), the council advises that it has complied with the Local Government Staff Commission Code of Procedures on Recruitment and Selection. In relation to (ii), there was no formal competition as the post was not replaced, the employee returned at the same grade but was involved in a different project. The council deemed there was no requirement to either trawl or advertise for this temporary post.

I do have concerns about practices that see some staff re-employed, quickly after their departure, as identified in the Assembly Questions. I shall write to all Councils on the matter.

## Minerals Extraction or Minerals Plant/Machinery: Planning Applications

**Mr Agnew** asked the Minister of the Environment how many planning applications for minerals extraction or minerals plant/machinery have been (i) approved or (ii) refused in each of the last five years.

**(AQW 11996/11-15)**

**Mr Attwood:** In the last five years 162 applications for minerals extraction or minerals plant/machinery have been determined. Of these, 153 have been approved and 9 have been refused.

The breakdown of planning approvals over those five years is as follows:

(i) 26 in 2007/08, 36 in 2008/09, 39 in 2009/10, 25 in 2010/11 and 27 in 2011/12.

The breakdown of refusals over those five years is as follows:

(ii) 1 in 2007/08, 3 in 2008/9, 4 in 2009/10, 1 in 2010/11 and 0 in 2011/12.

## Planning Permission: Special Circumstances

**Mr Lynch** asked the Minister of the Environment to detail the (i) number; and (ii) planning application numbers of planning permissions that were granted under special circumstances, in each of the last 12 months, broken down by divisional planning office.

**(AQW 12059/11-15)**

**Mr Attwood:** 19 applications have been granted under special circumstances during the 2011 calendar year. The planning application numbers are listed in Table 1 (overleaf) along with the Area Office and the month approved.

**Table 1: Applications granted under special circumstances in 2011**

| Reference Number | Planning Division             | Date Valid | Month Decision Issued |
|------------------|-------------------------------|------------|-----------------------|
| C/2007/0927/O    | Northern Area - Coleraine     | 28/09/2007 | January 2011          |
| N/2009/0627/F    | Southern Area - Craigavon     | 15/10/2009 | January 2011          |
| N/2010/0333/F    | Southern Area - Craigavon     | 14/06/2010 | February 2011         |
| P/2008/1000/F    | Southern Area - Craigavon     | 25/07/2008 | February 2011         |
| I/2009/0379/O    | Western Area - Omagh          | 09/07/2009 | February 2011         |
| R/2010/0613/F    | Southern Area - Downpatrick   | 21/07/2010 | March 2011            |
| O/2007/0736/F    | Southern Area - Craigavon     | 21/09/2007 | April 2011            |
| Y/2008/0240/F    | Belfast Area                  | 28/04/2008 | April 2011            |
| P/2009/0999/F    | Southern Area - Craigavon     | 31/07/2009 | April 2011            |
| P/2010/1287/O    | Southern Area - Craigavon     | 25/10/2010 | May 2011              |
| I/2007/0209/O    | Western Area - Omagh          | 21/03/2007 | May 2011              |
| Y/2010/0276/F    | Belfast Area                  | 22/06/2010 | June 2011             |
| O/2007/0833/O    | Southern Area - Craigavon     | 17/10/2007 | June 2011             |
| Y/2011/0102/F    | Belfast Area                  | 29/03/2011 | August 2011           |
| O/2011/0124/F    | Southern Area - Craigavon     | 14/03/2011 | September 2011        |
| G/2011/0257/O    | South Antrim Area - Ballymena | 31/05/2011 | September 2011        |
| S/2011/0151/F    | Belfast Area                  | 15/02/2011 | September 2011        |
| R/2010/0603/O    | Southern Area - Downpatrick   | 20/07/2010 | September 2011        |
| P/2011/0476/O    | Southern Area - Craigavon     | 11/05/2011 | October 2011          |

## Review of Public Administration

**Mrs D Kelly** asked the Minister of the Environment what powers or functions he plans to devolve to local councils under the Review of Public Administration; and whether this represents a change to his previous commitments.

**(AQW 12062/11-15)**

**Mr Attwood:** The member is aware of my firm view on the number of Councils, 11 or 15. That said, I believe in radical reform of public policy, including local government. However, reducing the number of councils from 26 to 11, the reform of local government

will modernise and streamline public administration and transfer a number of functions and powers from central government departments to the new councils

The Executive has acknowledged a case for revisiting the transfer package identified by its predecessor in March 2008 and modified in September 2009. This package included planning, regeneration, local economic development and tourism, public realm functions of roads, local sports facilities and rural development.

It has been agreed that the 2009 package is a reasonable starting point to refresh thinking about the way forward and I have been engaged in a series of bi-lateral meetings with my Executive colleagues on this issue. I propose to present recommendations to the Executive in due course.

That said, I believe Ministers should stretch their Departments to transfer functions that properly should rest with Councils.

### **DOE: Arm's-length Bodies**

**Mr Gardiner** asked the Minister of the Environment how many former senior civil servants, from deputy secretary grade to permanent secretary grade, serve on the boards of his Department's arm's length bodies in a (i) paid; and (ii) unpaid capacity. **(AQW 12095/11-15)**

**Mr Attwood:** As Minister of the Environment I have responsibility for appointing individuals to the following public bodies:

- The Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC);
- The Local Government Staff Commission for Northern Ireland (LGSC);
- The Council for Nature Conservation and the Countryside (CNCC);
- The Historic Buildings Council (HBC) and
- The Historic Monuments Council (HMC).

I can confirm that there are currently no former senior civil servants from deputy secretary grade to permanent secretary grade serving on the boards of the Department's arms length bodies.

### **Motorcycle Instructors: Basic Training**

**Mr Hussey** asked the Minister of the Environment for his assessment of the current legislation and the processes in place for the compulsory basic training for motorcycle instructors. **(AQW 12134/11-15)**

**Mr Attwood:** Compulsory basic training (CBT) for motorcyclists was introduced in Northern Ireland in February 2011, requiring learner motorcyclists to undertake initial training before being allowed to ride unaccompanied on public roads.

The relevant legislation is contained in Articles 5 and 13 of the Road Traffic (Northern Ireland) Order 1981, as amended, and in the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2011.

The legislation introduced the requirement for learner riders of mopeds and motorcycles to complete CBT, and set out the requirements for the training courses, including the syllabus for each of the three modules. The legislation largely reflects that in place in Britain, where the CBT scheme has been operating for a number of years, while taking account of recommendations made in a review of the effectiveness of the scheme there.

Before the legislation was drafted, a public consultation was undertaken, and the respondents were subsequently invited to become part of a stakeholder group established by my Department to help design the scheme in Northern Ireland. The stakeholder group met regularly from December 2009 to February 2011, when CBT was introduced.

In Northern Ireland CBT courses can be conducted only by approved motorcycle instructors (AMIs) who are on the Department's register. Once registered as an AMI, an instructor who wishes to deliver CBT must also apply to the Department for authorisation to conduct CBT courses. There are 57 approved motorcycle instructors in Northern Ireland, of whom 43 are authorised to deliver CBT. Since the legislation was introduced in February 2011, more than 2200 CBT certificates have been issued.

Authorised AMI CBT instructors are issued with manuals which give detailed guidance on instruction techniques, course content and administrative procedures. Electronic copies of the manuals are also available online.

CBT instructors purchase books of CBT certificates from the Department. They are required to store these safely, maintain accurate and up to date records of certificates that have been issued, and provide monthly returns to the Department.

In order to carry out a preliminary evaluation of the scheme, the Driver & Vehicle Agency has invited all AMIs and members of the stakeholder group to a seminar on 6 June 2012. The purpose of this will be to provide an opportunity for all those who deliver courses to discuss the scheme and ascertain if any improvements can be made to further enhance the process at this stage.

To date 2200 courses have been completed. In addition there has been a 45% increase in the number of applications for motorcycle tests compared with 2010-11.

In summary, the CBT scheme has started well, and I am confident that it will make a positive contribution to road safety in Northern Ireland.

### District Councils: Senior Officers' Pay

**Mr McNarry** asked the Minister of the Environment to provide details of any chief executive or senior officer in a council, who is not paid through the PAYE system, but through a limited company.

**(AQW 12211/11-15)**

**Mr Attwood:** Each of the 26 District Councils has reported that its Chief Executive and senior officers are paid through the PAYE system.

### DOE: Arm's-length Bodies and Quangos

**Mr Gardiner** asked the Minister of the Environment to detail the current number of arm's-length bodies and quangos that are attached to his Department; and how this figure compares with the number in (i) 2008; (ii) 2009; (iii) 2010; and (iv) 2011.

**(AQW 12230/11-15)**

**Mr Attwood:** There are a total of five Arms Length Bodies (ALBs) attached to the Department of Environment (DoE). These are the Northern Ireland Local Government Officers' Superannuation Committee, the Local Government Staff Commission for Northern Ireland, the Council for Nature Conservation and the Countryside, the Historic Buildings Council and the Historic Monuments Council.

The number of ALBs attached to DoE has not changed over the three year period 2008-10.

### DOE: Internships

**Mr Weir** asked the Minister of the Environment how many internships are available in his Department; and if none, what plans he has to introduce an internship scheme.

**(AQW 12482/11-15)**

**Mr Attwood:** In addition to a number of GAP and under-graduate placements and 10 Programme Led Apprenticeship placements, my Department has made available 180 Steps to Work placements. To date the Department has facilitated 28 Steps to Work placements, a further 18 individuals have been offered a placement and work is ongoing with the lead contractors and DEL to fill the other available placement opportunities on an ongoing basis.

These Steps to Work placements last for either 8 or 26 weeks and largely mirror the JobBridge internship scheme in the ROI.

In addition, I have also asked my officials to identify ways to specifically target a number of these Steps to Work placements at young people who are Not in Education, Employment or Training (NEET). As a result the Department is now considering how it can join up the provision of work placements in the DOE with the work of the Gerry Rogan Initiative Trust (GRIT) initiative.

The GRIT initiative commenced in 2008, and targets young people who are substantially disadvantaged, who face major barriers to progress positively in their lives and who are at risk of becoming disconnected from their community and wider society. The GRIT experience specifically targets young people who are NEET or at risk of becoming NEET. While the majority of GRIT participants may not be ready at this stage for a work experience placement, some young people who have already completed GRIT may, with the support of Opportunity Youth (the prime delivery agent for the GRIT programme), be able to avail of the Department's Steps to Work placement opportunities.

I believe the model deployed and being developed in DOE should be escalated across government in the remainder period for Steps to Work and reconfigured for the proposed NEW EMPLOYMENT programme. On one reading the DOE placements programme implemented across government would see 1500 or more placements.

### PPS 21

**Mr Flanagan** asked the Minister of the Environment (i) for an update on the review of PPS 21; (ii) whether the policy will be relaxed to enable non-farming rural families to build homes; and (iii) when the revised policy statement will be published.

**(AQW 12526/11-15)**

**Mr Attwood:** I can advise that the review of the operation of PPS21 is close to conclusion.

In relation to your point on non-farming rural families you will be aware PPS21 already offers considerable development opportunities in this regard. It does this by providing for: Replacement dwellings (Policy CTY 3); The conversion and reuse of non-residential buildings as dwellings (Policy CTY 4); New dwellings within an existing cluster or ribbon of buildings (Policy CTY 8); Social and affordable housing schemes (Policy CTY 5); Development within designated Dispersed Rural Communities (Policy CTY 2); and a dwelling to meet compelling personal or domestic circumstances (Policy CTY 6).

However, in recognition of continued interest in this issue I met with 3 of the members of the Independent Working Group on Non-farm Rural Dwellers set up by the previous Executive as part of my review. I was interested to hear their expert perspectives first hand and have taken these into account in the review.

Finally, you should note that I have said from the beginning that this review should focus on the operation of PPS21. It is not a fundamental review of PPS21 policies and, as such, it is not my intention to publish a revised policy statement.

I am currently finalising the review report.

## Allotment Schemes

**Mr D McIlveen** asked the Minister of the Environment how many Local Councils offer an allotment scheme.  
(AQW 12627/11-15)

**Mr Attwood:** Currently 11 councils have indicated that they offer allotments. A further 3 councils do not offer allotments directly but support groups who do provide allotments.

In addition, the Northern Ireland Environment Agency is giving consideration to making lands available for allotments at some of its country park properties. These could potentially be offered in association with the relevant councils.

I should add I had previously asked NIEA to consider developing a business model and best practice guide for councils in setting up allotments, to organise an Allotments Event, and to work up a related pilot.

NIEA officials have identified the possibility of leasing suitable lands in some of its Country Parks as allotments. Crawfordsburn, Scrabo and Redburn all have old walled gardens which might be suitable and there is a field at Roe Valley which might also be used.

## Review of Public Administration

**Mr Hamilton** asked the Minister of the Environment what conditions he has placed, or intends to place, on councils in relation to capital investment, in advance of the implementation of the Review of Public Administration.  
(AQW 12758/11-15)

**Mr Attwood:** Councils need to act responsibly and prudently in considering whether or not to incur capital expenditure in the period leading up to local government re-organisation. Indeed, the Regional Transition Committee, which I chair, is arranging for the provision of guidance encouraging them to do so and to liaise closely on this matter with the councils with which they will be amalgamating in 2015. This inter-council liaison will be initially managed through the Voluntary Transition Committees, which I have reinstated, in order to promote a pragmatic and responsible approach to the future needs of the enlarged councils.

Provision has already been made, in the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, which will enable the Statutory Transition Committees to exercise control on capital expenditure contracts, non capital contracts, and the disposal or acquisition of land owned by the existing councils. The key requirement is for the councils to seek the written consent of their relevant Statutory Transition Committee before entering into contracts or disposal / acquisition of land which exceed sums to be specified by the Department.

The Regional Transition Committee will also be reviewing these controls and considering whether or not they need to be extended to embrace the use of council reserves and loans.

## Review of Public Administration

**Mr Weir** asked the Minister of the Environment whether there are any plans to restrict the capital spend of councils prior to the implementation of the Review of Public Administration.  
(AQW 12770/11-15)

**Mr Attwood:** Councils need to act responsibly and prudently in considering whether or not to incur capital expenditure in the period leading up to local government re-organisation. Indeed, the Regional Transition Committee, which I chair, is arranging for the provision of guidance encouraging them to do so and to liaise closely on this matter with the councils with which they will be amalgamating in 2015. This inter-council liaison will be initially managed through the Voluntary Transition Committees, which I have reinstated, in order to promote a pragmatic and responsible approach to the future needs of the enlarged councils.

Provision has already been made, in the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, which will enable the Statutory Transition Committees to exercise control on capital expenditure contracts, non capital contracts, and the disposal or acquisition of land owned by the existing councils. The key requirement is for the councils to seek the written consent of their relevant Statutory Transition Committee before entering into contracts or disposal acquisition of land which exceed sums to be specified by the Department.

The Regional Transition Committee will also be reviewing these controls and considering whether or not they need to be extended to embrace the use of council reserves and loans.

## Town Centre Development Programme

**Ms Lo** asked the Minister of the Environment, in light of the Northern Ireland Independent Retail Trade Association's recommendation for a five-year moratorium on out-of-town superstore developments, whether a new Town Centre Development Programme will be introduced to ensure that new multiple store complexes are located in town centres.  
(AQW 12835/11-15)

**Mr Attwood:** It is my intention to bring forward a new and updated town centre and retail planning policy to address the real issues that are self-evident. I also intend to take the difficult decisions required for the numerous major retail planning applications currently in the system throughout the North.

## Town Centre Retail Planning Policy

**Ms Lo** asked the Minister of the Environment, in light of the Northern Ireland Independent Retail Trade Association's recommendation for a five-year moratorium on out-of-town superstore developments, whether he intends to introduce a Town Centre Retail Planning Policy, which builds upon draft PPS 5.

**(AQW 12837/11-15)**

**Mr Attwood:** It is my ambition to bring forward a new planning policy for town centres and retailing. As part of this process I will take account of the content of existing draft PPS 5, policy and practice in other jurisdictions and the current evidential context. It is my view that there is a need to reconfigure planning policy to recognise more fully the need of in town retail.

## Environmental Impact Assessment Regulations

**Mr McCartney** asked the Minister of the Environment whether, under Environmental Impact Assessment (EIA) Regulations, a development that is subject to an EIA determination, and is amended to include further development, should be the subject of a revised EIA determination.

**(AQW 12843/11-15)**

**Mr Attwood:** Amendments to planning applications are a common feature of the development management process. The Department has discretion to accept amendments but in exercising this discretion it must come to a decision as to whether or not an amendment is so substantial as to constitute a different application and thus involves the making of a new application. A fundamental principle is that the interests of the public must be fully protected when an amendment is under consideration.

In accepting amendments during the processing of an application, care is taken not to prejudice the rights of others to make comments, therefore any material changes are re-advertised, re-neighbour notified and objectors advised. New consultations are carried out if necessary.

DOE Planning has a general responsibility to consider the environmental implications of developments which are subject to planning control and the environmental impact of any amendment to a proposal will be considered.

## Environmental Impact Assessment Directive

**Mr McCartney** asked the Minister of the Environment whether his Department would be in breach of the Environmental Impact Assessment (EIA) Directive, if it determined that an environmental statement was not required without having first carried out an EIA determination on a development.

**(AQW 12844/11-15)**

**Mr Attwood:** It falls to DOE Planning to consider whether a proposed development requires EIA. For this purpose it is first necessary to consider whether the development is described in Schedule 1 or Schedule 2 to The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 (the Regulations).

Development of a type listed in Schedule 1 always requires EIA.

Development of a type listed in Schedule 2 requires EIA if it is likely to have significant effects on the environment by virtue of factors such as size, nature and location. DOE Planning must screen every application for Schedule 2 development in order to determine whether or not EIA is required.

Applications for planning permission for which EIA is required are referred to in the Regulations as EIA applications.

Regulation 4 of the Regulations prohibits the granting of planning permission for EIA development unless environmental information has been taken into account by the Department in making that decision. Where the Department fails to undertake this responsibility properly, it may be open to legal challenge.

It is important to note that the thresholds are not determinative and that individual projects that fall below the indicative thresholds and criteria in the Regulations may require EIA just as those above may not. Decisions on the need for EIA are therefore taken on a case by case basis.

## Glenshane Road, Derry

**Mr McCartney** asked the Minister of the Environment, in relation to 91 Glenshane Road, Derry, what is the current legal status of the extensive embankment made up of illegal land fill between the western boundary of the Certificate of Lawful Development and the bank of the River Faughan, an Area of Special Scientific Interest and an Area of Special Scientific Interest, given that it neither forms part of A/2007/1061/LDE nor retrospective planning application A/2008/0408/F.

**(AQW 12846/11-15)**

**Mr Attwood:** The majority of the business use at 91 Glenshane Road is an established use and either benefits from planning permission or is immune from enforcement action. This includes the land between the western boundary of the Certificate of Lawful Development and the bank of the River Faughan. Although the developer did not include this land in the application for the Certificate of Lawful Development, the Department is satisfied, having regard to the planning history of the site and aerial photographs available, that any illegal land fill had been deposited prior to May 1992 and is therefore immune from enforcement action.



## Glenshane Road, Derry

**Mr McCartney** asked the Minister of the Environment why his Department did not take enforcement action against the extension to the concrete production yard at 91 Glenshane Road, Derry, after refusing it planning permission, and successfully defending that decision at appeal.

**(AQW 12857/11-15)**

**Mr Attwood:** The Department only became aware of a breach of planning control occurring at this location when a letter from a member of the public was received on 08 December 1995 enquiring if a planning approval had been granted for the extension of the existing concrete production yard. Upon receipt of this letter, an enforcement investigation was immediately commenced and, having determined that a breach of planning control had occurred, the Department has been pursuing the legal process through a variety of actions since in pursuit of regularisation and/or compliance with planning legislation.

My reading of the papers clearly confirm that there was a failure by the Planning Service at that time, and since, to deal with this issue robustly.

## Glenshane Road, Derry

**Mr McCartney** asked the Minister of the Environment to detail the full extent of the development at 91 Glenshane Road, Derry, including an estimate of the quantity of land fill that has been granted a Certificate of Lawful Development, under A/2007/1061/LDE, as a result of his Department not carrying out enforcement action within the required timeframe.

**(AQW 12858/11-15)**

**Mr Attwood:** An application for a Certificate of Lawfulness of Existing Use or Development (CLUD) was made on 31st August 2007, under Article 83A of the Planning (Northern Ireland) Order 1991 (as amended). This Article does not require the applicant or the Department to include an estimate of the quantity of land fill that has been granted a Certificate of Lawful Development and the "extent" of the development covered by the CLUD is that contained within the red line of the application. Article 83A (5) of the Order states that a certificate under this Article shall specify the land to which it relates and describe the use, operations or other matter in question. The Department is satisfied that the requirements of Article 83A of the Planning Order have been met regarding the application for and granting of a Certificate of Lawful Development at this location. I understand the member has previously received correspondence from one of my predecessors, explaining the reason for the then delays in pursuing enforcement action which, it is acknowledged, made possible the application for CLUD.

I am not happy with the situation that has arisen but it goes back a number of years and it is beyond my legal authority to act contrary to the circumstances that lead to CLUD.

## Tree Preservation Orders

**Mr Agnew** asked the Minister of the Environment when investigating claims of a breach of a Tree Preservation Order (i) whether staff have to seek permission from the owner of the land before they go on to a site; and (ii) what legal authority staff have in carrying out investigation claims.

**(AQW 12861/11-15)**

**Mr Attwood:** The Department has a statutory duty under Article 64 (duty of Department in relation to trees) of the Planning (Northern Ireland) Order 1991 to secure the preservation of trees.

Any person who contravenes a TPO by cutting down, uprooting or wilfully destroying a tree, or wilfully damaging, topping or lopping a tree is guilty of an offence under Article 66 of the Order. Any person found guilty of an offence under Article 66(1) will be liable on summary conviction to a fine.

(i) whether staff have to seek permission from the owner of the land before they go to a site

Standard practice, when carrying out a site inspection, is that the inspecting officer will identify themselves to the owner/occupier (if present) and show an authorisation card. The officer should ask for permission to inspect the site and inform the owner/occupier that they are not obliged to consent to the inspection. The officer should request permission to take any photographs.

(ii) what legal authority staff have in carrying out investigation claims.

The Planning (Northern Ireland) Order 1991 gives any person authorised in writing by the Department rights to enter land for enforcement purposes, with or without a warrant.

Any person that wilfully obstructs a person in the exercise of a right of entry shall be guilty of an offence and liable on summary conviction to a fine.

## Out-of-town Retail Applications

**Ms Lo** asked the Minister of the Environment for his assessment of whether the Department for Social Development should be granted statutory consultee status on all large out-of-town retail applications, given its role in regenerating town centres,

**(AQW 12879/11-15)**

**Mr Attwood:** Currently, the Department consults with a range of public bodies, depending on the nature and location of planning applications, to inform the decision making process. The Department consults with the Department for Social Development (DSD) as appropriate in applications relating to the regeneration of town centres.

I intend to introduce a Planning Bill to the Assembly shortly. Parallel to the Bill, work on subordinate legislation, will confirm the list of statutory consultees and the timeframe within which they must provide a substantive response. The status of DSD as a statutory consultee will be considered as part of this work and I will very fully consider so doing.

### **Balmoral Show**

**Mr Allister** asked the Minister of the Environment what planning permission exists at the Maze/Long Kesh site to facilitate the relocation of the Balmoral Show to that location; and what infrastructure and development is permitted.

**(AQW 12880/11-15)**

**Mr Attwood:** I am advised by my officials that planning permission does not exist at the moment for any development or infrastructure associated with the proposed relocation of the Balmoral Show to the Maze/Long Kesh site.

Notwithstanding this, my officials are engaging with representatives of the Royal Ulster Agricultural Society regarding the proposal. I am advised that any subsequent planning application will be processed in time to allow the show to open at the Maze/ Long Kesh in 2013.

### **Maze/Long Kesh Site: Access from the M1**

**Mr Allister** asked the Minister of the Environment what planning permission exists to permit access from the M1 to the Maze/Long Kesh site; and whether there is an extant application for access.

**(AQW 12881/11-15)**

**Mr Attwood:** I am advised by my officials that planning permission does not exist at the moment for access to The Maze/Long Kesh site from the M1 motorway. I have also been advised that there is no extant planning application regarding the construction of such an access.

### **River Faughan: Unauthorised Settlement Lagoons**

**Mr McCartney** asked the Minister of the Environment whether the unauthorised settlement lagoons adjacent to the River Faughan, an Area of Special Scientific Interest and a Special Area of Conservation, when combined with the development at 91 Glenshane Road, Derry, made lawful under A/2007/1061/LDE, would fall under the description of an Environmental Impact Assessment (EIA) development as defined in the EIA Regulations.

**(AQW 12898/11-15)**

**Mr Attwood:** The Department considers that the unauthorised settlement lagoons adjacent to the River Faughan, an Area of Special Scientific Interest and a Special Area of Conservation, when combined with the development at 91 Glenshane Road, Derry, made lawful under A/2007/1061/LDE, does not fall under the description of an Environmental Impact Assessment (EIA) development as defined in the EIA Regulations.

### **Environmental Impact Assessment Directive**

**Mr McCartney** asked the Minister of the Environment whether his Department would be in breach of the Environmental Impact Assessment (EIA) Directive if it granted a Certificate of Lawful Development for an unauthorised EIA development because it did not take prior enforcement action.

**(AQW 12899/11-15)**

**Mr Attwood:** In relation to the development at 91 Glenshane Road, the Department does not consider it an Environmental Impact Assessment (EIA) development.

As advised elsewhere (AQW/12859) the Certificate of Lawful Use or Development (CLUD) process, as set out in the legislation, does not make explicit provision for consideration of the EIA process.

### **Planning Application A/2008/0408/F**

**Mr McCartney** asked the Minister of the Environment (i) whether his Department carried out a revised Environmental Impact Assessment determination, for planning application A/2008/0408/F, after it accepted an amendment to the application which introduced new settlement lagoons that did not feature in the original proposals; and (ii) if not, to outline the reasons why.

**(AQW 12900/11-15)**

**Mr Attwood:** My Department (i) did not carry out a revised Environmental Impact Assessment determination, for planning application A/2008/0408/F, after it accepted an amendment to the application which introduced new settlement lagoons that did not feature in the original proposals. This was not carried out as the revision to the proposal made provision for relocated lagoons in place of the existing and as such the nature and extent of the development proposed was not altered.

You may wish to note that an Appropriate Assessment, under the Habitats Directive Regulations was carried out when the application reference A/2008/0408/F was first received and this was revisited when the proposal was amended.

## Wind Turbines

**Mr Durkan** asked the Minister of the Environment what protections exist for people living in close proximity to lands where approval has been granted for a wind turbine to be erected.

**(AQW 12942/11-15)**

**Mr Attwood:** In assessing applications for wind turbines, the impact of the proposed development on adjacent occupied properties is a material consideration that the Department will take into account in reaching a balanced judgement.

For an individual wind turbine best practice guidance of the fall over distance (i.e. the height of the turbine to the tip of the blade) plus 10% is often used as a safe separation distance between the turbine and occupied property. For wind farm development, a separation distance of 10 times the rotor diameter to occupied property with a minimum distance of not less than 500m will generally apply.

In addition, as part of its consideration of a planning application, and in order to further inform the decision making process, the Department will consult with the Environmental Health Department of the District Council, who will provide expert advice in relation to planning related matters such as the potential noise impact of the proposed development on an adjacent occupied property.

## High Street Review: Absentee Landlords

**Mr Spratt** asked the Minister of the Environment what action he intends to take to challenge absentee landlords who (i) leave shop premises empty; and (ii) refuse to engage in regeneration through the High Street Review.

**(AQW 12972/11-15)**

**Mr Attwood:** I have commissioned a review of retail planning policy for town centres and retailing which will consider the many and varied issues currently faced by our High Streets, including the matters referred to in your question. I am hopeful that this review will bring forward policy proposals which will support and revitalise city and town centres.

Direct intervention on the issue of vacant shop premises remains an option for local councils and they could draw on the experience gained via the pilot project in Portrush/Portstewart which addressed derelict sites.

The High Street Review is being taken forward by a taskforce established by the Minister for Social Development to review his Department's provision for town centres. I have brought the Member's comments on this matter to the attention of my Executive colleague and my Department remains fully committed to contributing actively to this review.

I have demonstrated that at a DOE level or council level, all current powers should be deployed in relation to derelict sites, sites in decay, sites abandoned. The member makes a valid point in relation to landlords. I will consider the matter further.

## Driving Tests

**Mr McGlone** asked the Minister of the Environment how his Department monitors and ensures the fair and consistent application of driving tests.

**(AQW 12982/11-15)**

**Mr Attwood:** Driving tests in Northern Ireland are carried out by the Driver & Vehicle Agency (DVA) and are conducted from 16 locations; Armagh, Ballymena, Belfast (2 sites), Coleraine, Cookstown, Craigavon, Downpatrick, Enniskillen, Larne, Lisburn, Londonderry (2 sites), Newry, Newtownards and Omagh.

All Driving Examiners, both in Northern Ireland and in Britain, are trained at the Cardington driving training establishment in Bedfordshire which is run by the Driving Standards Agency (DSA).

DVA, as part of DoE, places high priority on standards; ensuring candidates who pass the driving test meet the minimum safe criteria for driving on their own and there are robust procedures in place to ensure these standards are consistently applied and maintained.

During the driving test each candidate is assessed against strict criteria, and if they do not succeed in all required competences they are offered a full debrief, with their instructor present if they so wish.

Driving test candidates are directed around a legally compliant test route, as prescribed in European legislation. Each test centre has a minimum of 6 test routes which are, as far as possible, equal in relation to the type of road network and traffic densities. This provides equality for all candidates and ensures they all demonstrate skills in similar conditions and on roads they will encounter once they pass their driving test.

DVA carry out regular quality assurance checks on all driving examiners, minimum of one day per year, to ensure the standards they apply are correct and consistent. This entails a supervising examiner accompanying a driving examiner during live tests. The supervisor observes the work of the examiner from quality, standards and customer care perspectives. In addition, examiners are provided with refresher training and in 2010-11, for example, all DVA examiners received a further five days of training.

European Driving Directive 2006/126/EC is scheduled for implementation on 19 January 2013. This Directive will, amongst other things, introduce European standards for the initial qualification, quality assurance and periodic training of examiners

authorised to conduct practical tests for licence acquisition. Current DVA practice is broadly in line with the requirements of the Directive and, in terms of examiner supervision, exceeds these requirements.

I very much understand the point that the member is making, have discussed the matter with DVA, have asked that DVA continues to monitor to ensure consistency and proper treatment.

### Illegal Driving Instructors

**Mr McGlone** asked the Minister of the Environment to detail (i) the investigations that have taken place into the operation of illegal driving instructors; (ii) what were the findings of the investigations; and (iii) how the matter is monitored.

**(AQW 12983/11-15)**

**Mr Attwood:** The Driver & Vehicle Agency (DVA) administers and maintains the register of approved driving instructors (ADIs) on behalf of the Department under the Road Traffic (Northern Ireland) Order 2007. It is illegal for anyone to charge for instruction in driving a car or motorcycle unless they are registered with the Department.

Although anecdotal evidence suggests there may be some incidents of unregistered driving instruction, the extent of it is difficult to gauge. Evidence is hard to obtain since it must be established that a person has paid money for instruction and learners are often unwilling to complain to the PSNI or DVA.

DVA investigates all substantive allegations of unregistered instruction where evidence has been presented and it works closely on the issue with the Road Traffic Policing Division of PSNI, which has responsibility for enforcement and prosecution.

While it is not possible to provide information on individual investigations, DVA has a process in place to deal with any information received.

Following a report of alleged unregistered instruction DVA obtains information, including candidate details, from the Agency's driving test booking system. This identifies if the reported vehicle has been presented for driving tests. Where this is the case, the Agency writes to the individual affording them an opportunity to reply to the allegations either in person or in writing. DVA may also write to candidates who took driving tests in the vehicle to ask whether confirmation they have paid the unregistered instructor for driving tuition.

It is at this stage that the process sometimes falls down, as individuals are often not willing to provide any information. However, where evidence of paid instruction has been presented, the details of the case are passed to PSNI for prosecution. Pending prosecution, the Agency continues to monitor the presentation by suspects of candidates for test.

Since 2007 the PSNI has prosecuted two cases of unregistered instruction, and DVA is aware of one further case pending.

The partnership approach with PSNI has resulted in ADI enforcement now being included in PSNI roadside vehicle check points. To date all instructors stopped at the on-road checks have been registered with the Department and compliant with the relevant legislation.

If the member or others has additional information I would be pleased to hear further.

### Lughnasa Fair in Carrickfergus

**Mr Hilditch** asked the Minister of the Environment whether he will review the Northern Ireland Environment Agency's decision to cancel the Lughnasa Fair in Carrickfergus, which has been running for 40 years.

**(AQW 12991/11-15)**

**Mr Attwood:** Due to ongoing financial pressures resulting primarily from reduced planning fee income, a number of budgets have had to be reduced across the Department. Consequently, the Events Programme has been reduced over the past two years from eleven flagship events in 2010/11 to four in 2011/12 and in 2012/13. Unfortunately, Lughnasa Fair is one of the events affected in the current year.

However, the Department is committed to promoting Carrickfergus Castle as a flagship monument, not just in heritage terms but also in recognition of its value to NI tourism. We continue to run the very popular series of living history events throughout the year at the Castle which attract consistently high numbers of visitors. We are already committed to running 16 living history events between May and August this year and are planning more events throughout the year. One of the 16 events will run on the last Saturday of July, the date that the Fair would normally take place.

Previously, we have also invited Carrickfergus Borough Council to work with us to run a major family event at the Castle, but unfortunately nothing came to fruition. I have asked officials to extend this invitation again, and although it is too late to reconsider Lughnasa Fair for 2012, a joint approach may result in this event re-emerging in July 2013.

### Strangford Lough Modiolus Restoration Plan

**Mr Hamilton** asked the Minister of the Environment, in relation to fisheries management and fisheries involvement in any Strangford Lough Modiolus restoration plan, what communication has taken place with the Strangford Lough Fishermen's Association about such undertakings.

**(AQW 12993/11-15)**

**Mr Attwood:** The Strangford Lough Fisherman's Association (SLFA) met with the DARD Minister Michelle O'Neill and her officials on 2 April 2012 to provide feedback on the SLFA meeting with DG Environment at the European Commission. I understood that

the report from QUB on the restoration of the Modiolus reefs was also discussed and that SLFA sought assurance that evidence to support its position would be made available to the Commission.

Minister O'Neill held a further meeting with representatives of the fishing industry on 30 April at which the outcome of a joint DOE/DARD meeting with DG Environment was discussed. The proposals for a revised management regime for Strangford Lough to allow a level of pot fishing to continue while meeting the obligations under Habitats Directive were discussed, including various ways to achieve this.

I, of course, am available to meet and have done so previously.

## Litter

**Mr Lyttle** asked the Minister of the Environment what action the Northern Ireland Environment Agency is taking to reduce the level of litter and anti-social behaviour at Struell Wells, Downpatrick.

**(AQW 12994/11-15)**

**Mr Attwood:** Whilst NIEA can take corrective action, the litter is left by the public and it is their irresponsible behaviour which creates the problem. NIEA will seek to increase the frequency of site patrols at Struell Wells and is reviewing the access arrangements at this monument to discourage anti-social behaviour.

NIEA encourages the visiting public to behave responsibly at all its properties and supports the Leave No Trace campaign.

## Litter and Antisocial Behaviour in Inch Abbey

**Mr Lyttle** asked the Minister of the Environment what action the Northern Ireland Environment Agency is taking to reduce the level of litter and anti-social behaviour at Inch Abbey, Downpatrick.

**(AQW 12995/11-15)**

**Mr Attwood:** Whilst NIEA can take corrective action, the litter is left by the public and it is their irresponsible behaviour which creates the problem. NIEA will seek to increase the frequency of site patrols at Inch Abbey and is reviewing the access arrangements at this monument to discourage anti-social behaviour.

NIEA encourages the visiting public to behave responsibly at all its properties and supports the Leave No Trace campaign.

## Drug Driving

**Mr Weir** asked the Minister of the Environment what discussions he has held with the UK Government to ensure that legislation and penalties for drug-driving are consistent across the United Kingdom.

**(AQW 13007/11-15)**

**Mr Attwood:** Legislation here is broadly in line with Britain and it is currently illegal to drive whilst impaired through drink or drugs. However, that legislation requires the police and courts to both prove the presence of the intoxicant and also demonstrate impairment in each case before a driver could be prosecuted. The legislation in Ireland is similar, with prosecution depending on proof of impairment.

New British legislation is being progressed to make driving or being in charge of a motor vehicle with concentration of specified controlled drug above specified limit an offence without a need to prove impairment, bringing drug driving into line with drink driving in this regard. As you might be aware this legislation, consideration of which is included in our Road Safety Strategy, is currently progressing through the House of Lords.

The legislation as drafted would mean that a person would be committing an offence simply by having a specified level of a specified drug in their body. It identifies that both the drugs and the relevant limits would be specified by regulation and includes the option for any specified limit to be zero. Offenders could face a ban of at least 12 months, a fine of up to £5,000 and up to 51 weeks in jail (6 months in Scotland) for driving with specified drugs in the body in excess of specified limits.

A scientific review panel is considering the scientific underpinning for the new law, assessing the effects on driving of different drugs. The drugs ultimately specified by the offence and the specified limits for each will be decided when advice has been received from the panel, expected in October, and on foot of public consultation planned for early in 2013.

Police are to be equipped with handheld detection devices to test saliva at the roadside. I understand that five devices are being considered by the Home Office, which is expected to give approval by the end of the year. PSNI has a commitment in the Road Safety Strategy to 'investigate new technologies and legislative powers to better detect and collect evidence from drivers suspected of being impaired through drugs; including both illicit and prescription drugs'. Under the new legislation, failure of a roadside test would result in a driver being arrested for drug driving. A further new piece of equipment in the station would provide the evidential test, based on which, as appropriate, the driver would be prosecuted.

DOE officials have been liaising with the Department for Transport on the ongoing work, are monitoring the progress of the draft legislation and await the outcome of the work of the scientific panel and on the necessary testing equipment. My Department has also maintained contacts on this issue with the Road Safety Authority and I understand that the pursuit of similar legislation will also be a priority in Ireland, possibly being introduced in 2013.

Drink driving in Northern Ireland is responsible for more road traffic collisions, fatalities and casualties than drug driving. Between 2006 -2010, the most recent published statistics, there were seventy-seven deaths and serious injuries due to drink driving and eight due to drug driving. Seven fatalities were caused by drink / drug driving (I cannot identify drink and drugs fatalities separately due to disclosure control applied to protect identities).

Legislation to tackle drink driving including reductions in the limit will be introduced to the Assembly in a Road Traffic (Amendment) Bill before the end of the year. With respect to the introduction of new drug driving laws here, the timing will be dependent on the Department for Transport delivering on the ongoing work, including the scientific underpinning, indicative legislation and testing equipment. Consultation will also be required on the proposals. I plan to bring forward a further Road Traffic (Amendment) Bill in 2013 to introduce mutual recognition of penalty points and I would envisage new drug drive legislation being part of that Bill.

### Crown Estate: Rental Payments

**Mr Agnew** asked the Minister of the Environment what assessment he has made of the proposals by the Scottish Committee in Westminster regarding rental payments by councils to the Crown Estate, and whether he intends to take any action on this issue. **(AQW 13027/11-15)**

**Mr Attwood:** I am aware of the Scottish Government report and shall review it. I believe in maximising the powers and potential of devolution and that extends to the issue of Crown Estates. I intend outlining my further views by the late summer.

### District Councils: Staff Disciplinary Procedures

**Mr Agnew** asked the Minister of the Environment on how many occasions formal staff disciplinary procedures have been carried out by each council, in each of the last five years.

**(AQW 13028/11-15)**

**Mr Attwood:** The number of occasions formal staff disciplinary procedures have been enacted within the 26 District Councils in the last five years are detailed in the table below.

| Council       | 2008 | 2009 | 2010 | 2011 | 2012 |
|---------------|------|------|------|------|------|
| Antrim        | 18   | 7    | 5    | 3    | 0    |
| Ards          | 15   | 16   | 18   | 19   | 5    |
| Armagh        | 6    | 10   | 20   | 13   | 7    |
| Ballymena     | 1    | 4    | 5    | 9    | 5    |
| Ballymoney    | 0    | 0    | 0    | 1    | 0    |
| Banbridge     | 4    | 1    | 8    | 6    | 3    |
| Belfast       | 51   | 21   | 53   | 39   | 21   |
| Carrickfergus | 0    | 2    | 1    | 3    | 0    |
| Castlereagh   | 37   | 19   | 19   | 38   | 23   |
| Coleraine     | 1    | 0    | 1    | 0    | 0    |
| Cookstown     | 0    | 0    | 2    | 0    | 0    |
| Craigavon     | 5    | 6    | 7    | 10   | 13   |
| * Derry       | N/R  | 11*  | 7*   | 2*   | 7*   |
| Down          | 4    | 4    | 3    | 6    | 1    |
| Dungannon     | 3    | 4    | 3    | 8    | 1    |
| Fermanagh     | 8    | 2    | 0    | 6    | 0    |
| Larne         | 11   | 5    | 3    | 3    | 5    |
| Limavady      | 3    | 5    | 1    | 9    | 2    |
| Lisburn       | 45   | 19   | 12   | 28   | 17   |
| Magherafelt   | 1    | 5    | 2    | 0    | 0    |
| Moyle         | 1    | 0    | 0    | 4    | 0    |



| Council        | 2008       | 2009       | 2010       | 2011       | 2012       |
|----------------|------------|------------|------------|------------|------------|
| Newry & Mourne | 11         | 7          | 2          | 1          | 5          |
| Newtownabbey   | 2          | 3          | 10         | 3          | 5          |
| North Down     | 25         | 36         | 23         | 39         | 9          |
| Omagh          | 0          | 3          | 2          | 1          | 1          |
| Strabane       | 7          | 3          | 8          | 12         | 4          |
| <b>Total</b>   | <b>259</b> | <b>193</b> | <b>215</b> | <b>263</b> | <b>134</b> |

N/R - Not received in time

\* - Financial year

## Greenhouse Gas Emission and EU Climate Protection Targets

**Ms Ruane** asked the Minister of the Environment what action his Department has taken, with the North/South Ministerial Council, in relation to greenhouse gas emission and EU climate protection targets.

**(AQW 13054/11-15)**

**Mr Attwood:** The issue of climate change must be faced up to, including through a dedicated and robust NI Climate Bill. I also work closely with Dublin, inter alia on used tyres, waste, management of water, smoky coal, clean beaches, turf cutting, reuse of plastics (etc) all of which impact on emissions and climate protection. As members of EU, we also share climate/emission goals.

Outside of the NSMC my officials continue to engage with their counterparts in the south on both climate change mitigation and adaptation issues and officials from the south are invited to attend all key stakeholder events.

The forthcoming Irish Presidency of the EU has recently resulted in a request for secondees from the NICS to work for the Presidency in the area of climate change and this presents a further potential opportunity for North/South co-operation.

Moreover, if renewable is the biggest environmental and economic opportunity the island has – and I believe it is – the greater cohesion of energy policy, renewable industry, integrated supply opportunities there is, the better for the island and its people.

## Cycling: Road Deaths

**Miss M McIlveen** asked the Minister of the Environment what research his Department has carried out, or commissioned, to address the causes of cyclist road deaths.

**(AQW 13080/11-15)**

**Mr Attwood:** The Road Safety Strategy outlines key challenges to be addressed over the period up to 2020 and contains a commitment to continuously explore road safety issues and develop new ways to keep people safe on our roads.

To this end the Department has established a road safety research programme, involving road safety partners, to help identify emerging trends and provide a sound knowledge base for developing future policies. The programme, which is reviewed annually, includes ongoing statistical analysis, projects carried out by partner organisations and assignments commissioned by DOE.

The Department maintains a problem profile, first produced as part of the development of the Road Safety Strategy, which uses detailed trend data to explore key road safety issues. The most recent paper, based on 2006-2010 data, indicates that cyclists accounted for 5 of the 516 people killed and 170 of the 5,225 people seriously injured over that period. This equates to 3% of all fatal and serious road traffic casualties. The cyclist was responsible for the casualty in 39% of those cases. The most common cause of cyclist deaths and serious injuries, where the cyclist was deemed responsible, was inattention or attention diverted, the principal causation factor in 33% of those casualties. Overtaking on the offside without care was the largest principal causation factor in collisions where the driver was responsible (16%).

In 2011, there were two cyclist fatalities compared with none in 2010 and 2009. Cyclists accounted for 47 serious injuries in 2011 compared with 49 in 2010 and 32 in 2009. At the time of writing, there have been no cyclist deaths this year, compared with one at this point in 2011 and none in 2010.

Cyclists are a vulnerable road user group and the Road Safety Strategy contains a number of action measures that relate specifically to cyclists' safety.

The Department monitors progress towards the casualty reduction targets set out in the Road Safety Strategy. It also tracks performance indicators, including monitoring cyclist casualty rates and perceptions of the safety of cycling. This will improve our understanding of road casualty trends and help us target interventions more effectively.

Monitoring of targets and performance indicators will be published as part of a Road Safety Strategy Annual Report, the first of which is planned for publication by the end of the year.

The Department recently undertook a review of Road Safety Education Services and resources to ensure that they appropriately address today's road safety issues. This review recommended that the Cycling Proficiency Scheme offered by the DOE's Road

Safety Education Officer Service be evaluated to assess the benefits and impact of the programme, including a review of the content of the course and methods of delivery to ensure these are up to date and fit for purpose.

The review of the Cycling Proficiency Scheme will also seek to identify and evaluate potential alternative approaches and make recommendations on the future direction of the provision of road safety cycle training by the Department. It is planned that the review will commence shortly.

Action Measure 124 of the Road Safety Strategy recommends that DOE 'give consideration to measures that improve the safety of cyclists; including what cyclists can do to keep themselves safe and what other road users can do.'

In developing a recent cycling campaign, which I launched in October 2011, the Department used its understanding of the relevant research and data to target both drivers and cyclists with the key message that they have a shared responsibility for cyclist safety. This is why the Department adopted a dual approach consisting of a 'Be Cycle Aware' message for drivers and a 'Cycle Aware' message for cyclists.

I am mindful of the need continuously to explore road safety issues better to understand the causes of collisions and the Department will use such research to develop and introduce new measures to keep people safe on our roads.

## **Pedestrians: Road Deaths**

**Miss M McIlveen** asked the Minister of the Environment what research his Department has carried out, or commissioned, to address the causes of pedestrian road deaths.

**(AQW 13081/11-15)**

**Mr Attwood:** The Road Safety Strategy outlines key challenges to be addressed over the period up to 2020 and contains a commitment to continuously explore road safety issues and develop new ways to keep people safe on our roads.

To this end the Department established a road safety research programme, involving road safety partners, to help identify emerging trends and provide a sound knowledge base for developing future policies. The programme, which is reviewed annually, includes ongoing statistical analysis, projects carried out by partner organisations and assignments commissioned by DOE.

The Department maintains a problem profile, first produced as part of the development of the Road Safety Strategy, which uses detailed trend data to explore key road safety issues. The most recent paper, based on 2006-2010 data, indicates that pedestrians accounted for 92 of the 516 people killed and 919 of the 5,225 people seriously injured over that period. This equates to 18% of all fatal and serious road traffic casualties and makes pedestrians the third largest road user casualty group. Of those pedestrians killed or seriously injured, 68% were deemed responsible for the collision. The most common causes of pedestrian deaths and serious injuries was pedestrian carelessness and being heedless of traffic; with the most common cause where the driver was responsible also carelessness/inattention.

In 2011, there were 13 pedestrian fatalities compared with 10 in 2010 and 24 in 2009. Pedestrians accounted for 200 serious injuries in 2011, compared with 167 in 2010 and 191 in 2009. At the time of writing, there have been 4 pedestrian deaths this year, the same as at this point in 2011 and 2010. Two of the fatalities were aged under 16 years of age and 3 were male.

'Pedestrians' is quite a diverse grouping, with 60% of pedestrian deaths and serious injuries over the 2006-2010 period being male. The data identify that children and young people up to 24 years of age, particularly males, and those over 65, are at higher risk.

The figures above, the people that they represent and the families and communities affected are obviously of real concern to me. For this reason, on 23 May 2012, I launched a new campaign specifically aimed at pedestrian safety. The campaign addresses both driver and pedestrian responsibility and highlights a number of circumstances where pedestrians can be particularly vulnerable. Significant research underpins the development of such campaigns and fully informs the Department's wider advertising strategy.

As well as looking in detail at the causes of collisions, qualitative research is also used to inform our campaigns. Ten focus groups carried out during February highlighted pedestrians' and drivers' lack of consideration and regard for each other and that optimism and over-confidence result in an "it will never happen to me" attitude. The focus groups also revealed that pedestrians and drivers make the easy choice by denying their own errant behaviours and this is reinforced by a lack of interest and awareness of the relevance of the Highway Code to their decisions and how they behave on the road. These are the attitudes and behaviours which compromise pedestrians' safety and which the new campaign therefore seeks to address.

Further consideration is always required and welcome in helping improve our understanding of road safety issues, including those affecting pedestrians, and shaping new initiative and policies. Action Measure 133 of the Road Safety Strategy commits DOE to continue to monitor and, where appropriate, carry out Northern Ireland specific research on pedestrian and cyclist behaviour with a view to developing further effective interventions.

I can also assure you that the Department and its partners will introduce any appropriate initiatives that arise from our research programme. Road safety partners have already considered recommendations arising from completed projects into Deprivation and Child Pedestrian Casualties, which found a clear trend of increasing rates for all child pedestrian casualties (aged 0-15) with increasing area deprivation. This relationship is highly statistically significant and means that a child living in a most deprived area is almost 5 times more likely to be injured in a collision than a child living in a least deprived area.

As a result of this work, a number of additional measures have been incorporated into the Strategy. The Department will seek to improve practical pedestrian training for children while the Department for Regional Development will undertake a review of site

conditions in the most deprived areas with the highest collisions / casualties identified in the research. From DRD's review, PSNI will consider additional police patrols in these locations.

In addition to local research, the Department maintains strong working relationships with British and Irish counterparts and works to strengthen appropriate links to access the best available research, data and guidance to support our work to improve the safety of all our road users.

## Planning Applications for Farm Dwellings

**Mr Clarke** asked the Minister of the Environment, pursuant to AQW 11071/11-15, for each of the last two years, to detail how many planning applications for farm dwellings under PPS 21 have been refused due to the proposed buildings not being (i) linked; or (ii) site clustered with established groups of buildings on a farm, broken down by divisional planning office.

**(AQW 13089/11-15)**

**Mr Attwood:** The number of planning applications refused for 'farm dwelling' under PPS 21 in the last two years broken down by area office is detailed in the Table below. A total of 10 applications for 'farm dwelling' have been refused in the last two business years. Of these, four included refusal reasons which related to the proposed buildings not being (i) linked or (ii) site clustered with an established group of buildings on a farm.

Table showing Number of farm dwellings refused in the last two years under PPS 21 broken down by area office.

| Area Planning Office | Year 2010/2011                 |   | Year 2011/2012                 |   |
|----------------------|--------------------------------|---|--------------------------------|---|
|                      | Number of Applications Refused | Refusal Reason: Not visually linked or site clustered | Number of Applications Refused | Refusal Reason: Not visually linked or site clustered |
| South Antrim         | 2                              | 1   | 1                              | 1   |
| Southern Downpatrick | 1                              | 1   | 0                              | 0   |
| Western              | 5                              | 1   | 1                              | 0   |
| <b>Total</b>         | <b>8</b>                       | <b>3</b>  | <b>2</b>                       | <b>1</b>  |

**Note:** This information is based on a search of the Planning Portal where the word 'farm' was included in the description of applications relating to a dwelling.

It is worthwhile noting that in the 2010/2011 year, 3146 applications for single dwellings in rural areas (excluding replacement dwellings) were decided of which 804 were refused and from April - December 2011, 2147 applications were decided and 324 refused. Some of these applications may relate to dwellings on a farm, however, a manual search of each application would be required to identify such cases and this would be disproportionate in terms of time and cost.

## Wind Turbines

**Mr Agnew** asked the Minister of the Environment what are the criteria used to determine whether an Environmental Statement is required for a single wind turbine.

**(AQW 13105/11-15)**

**Mr Attwood:** A wind turbine falls within the description of developments listed under Schedule 2, Category 3(j) of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012.

Where a development is listed in Schedule 2, DOE Planning will establish whether the development is either located wholly or in part in a sensitive area or meets/exceeds any of the relevant thresholds/criterion listed in Column 2 of Schedule 2.

In relation to the thresholds for a wind turbine, DOE Planning will screen applications for the need for an EIA where the development involves the installation of more than 2 turbines or the hub height of any turbine or height of any other structure exceeds 15 metres. If the proposed wind turbine meets or exceeds this threshold/ criterion it is important to establish if the development would have significant effects on the environment.

When carrying out the screening process, DOE Planning will have regard to the Selection Criteria specified in Schedule 3 of the Regulations. In summary, the Selection Criteria fall under three broad headings:-

Characteristics of the development: taking into account aspects such as size, raw material usage, emissions and risk of accidents.

Location of development: the environmental sensitivity of the areas likely to be affected including existing land uses and the capacity of the existing environment to absorb the new development.

Characteristics of the potential impact: in particular with regard to its extent, complexity, probability, duration and frequency, in relation to the characteristics and location of the development.

Where it is determined that the impact is significant, then the identified development is EIA development and an Environmental Statement will be required. Where it is not significant, then an EIA is not required.

It is important to note that the thresholds are not determinative and that individual projects that fall below these indicative thresholds and criteria may require EIA just as those above may not. Decisions on the need for EIA are therefore taken on a case by case basis.

## Planning Application Fees

**Mr Agnew** asked the Minister of the Environment what criteria must be met to receive the 50 percent discount on planning application fees.

**(AQW 13106/11-15)**

**Mr Attwood:** The current Planning (Fees) Regulations (Northern Ireland) 2005 (S.R. 2005 No.222) as amended were made by the Department in pursuance of its powers under Article 127 of the Planning (Northern Ireland) Order 1991.

The Fee Regulations also make provision for what is commonly referred to as a 50% concessionary fee with respect to applications made on behalf of certain non-profit making organisations. Schedule 1, Part 1, Paragraph 3 allows for the planning fee payable to be one-half of the amount that would otherwise be payable where an application or deemed application for planning permission is:

- (i) made or deemed to be made by or on behalf of a club, society or other organisation (including any persons administering a trust) which is not established or conducted for profit; and
- (ii) is for the provision of community facilities (including sports grounds) and playing fields; and
- (iii) the development is to be carried out on land which is, or is intended to be, occupied by the club, society or other organisation and to be used wholly or mainly for the carrying out of its objects.

Applicants should make clear on the planning application form that they have applied for the fee assessed under Schedule 1, Part 1, Paragraph 3 of the Fee Regulations and the Department will undertake an assessment as to whether an application meets the conditions and is eligible for the 50% concessionary fee.

Some examples of non-profit organisations include Gaelic Athletic Association / Association Football Clubs, where the players are not paid salaries, registered charities and community groups.

## Belfast International Airport: Unauthorised Car Parks

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 11374/11-15, what the figure quoted represents as a percentage of all car parks at Belfast International Airport.

**(AQW 13123/11-15)**

**Mr Attwood:** Since the Department's response to AQW 11374/11-15, it has been confirmed that one of the six unauthorised car parks identified is no longer operational, thus 5 car parks remain unauthorised. The Department are aware of 4 lawful car parks in the vicinity of Belfast International Airport i.e. 5 out of 9 (56%) are unauthorised and subject to ongoing enforcement proceedings. An update of the six enforcement cases previously listed is contained in Appendix 1.

### APPENDIX 1 – Current investigations in relation to unauthorised car parking in the vicinity of BIA

| Case  | Application Ref   | Current Status   |
|---|---|--|
| 1<br>92 Old Ballyrobin Road,<br>Muckamore       | T/2007/0884/F: Temporary Use (for 1 year)<br>as a Park and Ride Facility (Retrospective)  | Refused permission 31/03/11<br><br>New Enf Notice Issued 8th May 2012 – Appeal<br>lodged<br><br>Enforcement action ongoing                                   |
| 2<br>Lands adjacent to 10<br>Crooked Stone Road | T/2011/0123/LDE: Retention of commercial<br>car parking use   | Current Planning/Enforcement Appeal. Hearing<br>to be re-opened by PAC (date TBC)  |
| 3<br>108 Ballyrobin Road,<br>Muckamore, Antrim  | T/2007/0716/F: Carpark (formerly part<br>carpark for adjacent restaurant) for provision<br>of Park & Ride facilities to nearby airport.<br>Consisting of 37 spaces. (Retrospective) | Refused Planning Permission. Appeal<br>Dismissed 20/05/10<br><br>Enforcement Notice Quashed 19/06/12<br><br>Enforcement action ongoing                       |
| 4<br>6 Antrim Road<br>Aldergrove                | T/2011/0347/F: Proposed car storage<br>compound incorporating existing shed<br>and hardstanding for off site car hire<br>business(Retrospective)                                    | Current application not yet determined.<br><br>Enforcement investigation ongoing. Use as<br>commercial car park has ceased. Storage of<br>hire cars continue |

| Case                                       | Application Ref   | Current Status   |
|--|---|--|
| 5<br>Killead Air Lodge, 26<br>Killead Road | T/2005/0050/F: Temporary Car Park (Retrospective)<br><br>T/2011/0182/F: 252no car park to supersede approved 149no carpark incidental to existing guesthouse and associated unimplemented approvals plus cycle shelter and surfaced maintenance and manoeuvring area for culvert(Retrospective) | Site A - Appeal dismissed 19/07/07. Notice in effect<br><br>Site B - Appeal dismissed in relation to parking 04/01/12. Notice in effect<br><br>Court action pending 02/07/12 |
| 6<br>5 Seacash rd, Aldergrove              | T/2011/0404/F: Retrospective application for a car park   | Refusal Issued 14/06/12<br><br>Enforcement investigation ongoing. Planning Contravention Notice Issued 21/06/12, further enforcement action will be considered as necessary. |

## DOE: Legislative Programme

**Mr Durkan** asked the Minister of the Environment for an update on his planned legislative programme for the current Assembly mandate.

**(AQO 2186/11-15)**

**Mr Attwood:** The Marine Bill, which I introduced to the Assembly in February 2012, is currently at Committee stage. This Bill will allow the better management of the waters around our coasts to derive more benefit from their use and achieve better protection for the rich environment.

This will help achieve the aim of having clean, healthy, safe, productive and biologically diverse oceans and seas and ensure that a planned approach is taken to managing activities and developments within the marine area in a sustainable manner.

Additionally I propose, subject to Executive approval, to introduce 9 Bills to the Assembly between now and March 2015. These are:-

- 1 The Planning Bill which will bring forward a number of the reforms contained in the Planning Act (NI) 2011 and apply them to the Department in advance of the transfer of powers to district councils; I hope to introduce this Bill before the end of this Assembly session;
- 2 Local Government Reorganisation which provides for the reorganisation of local government; new governance arrangements for councils; a new ethical standards regime; the introduction of community planning powers and the power of well-being; and an updated service delivery and performance improvement regime. I expect to introduce this Bill to the Assembly in October 2012.
- 3 National Parks Bill which will allow for the identification, designation and management of national parks, forecast to be introduced in November 2012.
- 4 Road Traffic Amendment No 1 which will lower the limits on blood alcohol levels for motorists, introduce other measures to tackle drink driving; and introduce a new regime for learner and novice drivers to address high fatality levels in this group. I anticipate this Bill will be introduced to the Assembly in December 2012.
- 5 The Carrier Bag Levy Bill which I hope to introduce in January 2013 will extend the levy to certain types of re-usable carrier bags.

I propose to introduce 4 Bills during the 2013-14 Assembly Session. At this stage I cannot be more definitive on their date of introduction. These are:

- 1 The Buses (Licensing of Operators) Bill which will overhaul the bus licensing regime;
- 2 The Road Traffic (Amendment) Bill No 2 which will introduce mutual recognition of penalty points for motoring offences between Northern Ireland and Ireland; and to make necessary legislative amendments regarding drug driving offences.
- 3 The Environmental Better Regulation Bill which will reduce the environmental regulatory burden on business and enhance protection of the environment.  
and
- 4 The Climate Change Bill which will introduce statutory targets for greenhouse gas emissions in Northern Ireland.

## Japanese Knotweed

**Mr Agnew** asked the Minister of the Environment what action his Department is taking to prevent the invasion and the irresponsible disposal of Japanese knotweed.

**(AQW 13159/11-15)**

**Mr Attwood:** The Department of Environment recognises the threat posed by invasive alien species (IAS) such as Japanese knotweed (*Fallopia japonica*). As such, the Department has been taking action to address this issue for several years.

Due to the threat posed by Japanese knotweed the Department of Environment listed it on Schedule 9 Part II of The Wildlife Order (NI) 1985 (as amended). As such, under Article 15, it is an offence for any person to plant or otherwise cause Japanese knotweed to grow in the wild. This piece of legislation is enforced by PSNI.

I have been informed by officials in the Northern Ireland Environment Agency that they have undertaken control of a range of invasive species, including Japanese knotweed, on properties under their ownership or management. Where the growth of Japanese knotweed occurs in areas outside those owned or managed by the Department it is the decision and responsibility of the individual landowner or land manager to undertake control.

To assist landowners NIEA has developed a range of best practice management guidance documents which outline the range of known control options available for the control of Japanese knotweed in addition to waste legislation requirements to prevent irresponsible disposal. These documents are available online on the Invasive Species Ireland website and the DOE website.

Outside of land directly owned or managed by the Department, NIEA seeks to work in partnership with organisations to tackle invasive species. For example, the Department has recently provided part funding to a £2.6 million catchment scale eradication project, led by the Queens University Belfast. This project, which covers the Newry Canal/Clanrye River and River Faughan, aims to tackle Japanese knotweed as well as other invasive species in these river catchments.

To raise awareness of invasive species NIEA has worked in partnership with Local Biodiversity Officers across Northern Ireland to deliver training on legislation, identification and management options for a range of species, including Japanese knotweed, to staff from a range of organisations including District Councils, Roads Service, Rivers Agency, Translink and environmental NGOs. This training has also been provided to local angling clubs upon request.

In addition NIEA, through its Natural Heritage Grant Programme, can provide funding towards projects which aim to sustainably control invasive species such as Japanese knotweed.

To reduce the risk of further spread of Japanese knotweed NIEA would advise that it is treated in situ where it is possible to do so. Where Japanese knotweed is required to be moved offsite the movement of the waste material must be done in compliance with the Controlled Waste (Duty of Care) Regulations (NI) 2002 and the Waste Management Regulations (NI) 2006. Any suspected illegal disposal or transport of waste material, including Japanese knotweed material, can be reported via Crimestoppers on 0800 555 111. This enables waste crime to be reported completely anonymously.

## District Councils: Severance Pay-Outs

**Lord Morrow** asked the Minister of the Environment how many council staff who were (i) dismissed; or (ii) resigned, after or during suspension for investigations, received severance pay-outs, or similar, broken down by council area, in each of the last 10 years.

**(AQW 13187/11-15)**

**Mr Attwood:** The information requested is provided in the table below for each of the last 10 years.

(i) Dismissed and received severance pay-outs

| Council       | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---------------|------|------|------|------|------|------|------|------|------|------|
| Antrim        | 0    | 2    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Ards          | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Armagh        | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Ballymena     | 0    | 0    | 0    | 0    | 1^   | 1^   | 0    | 0    | 0    | 0    |
| Ballymoney    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Banbridge     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Belfast       | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Carrickfergus | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Castlereagh   | #    | #    | #    | #    | #    | #    | #    | #    | #    | #    |
| Coleraine     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Cookstown     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 2    | 0    | 0    |



| Council        | 2003     | 2004     | 2005     | 2006     | 2007     | 2008     | 2009     | 2010     | 2011     | 2012     |
|----------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Craigavon      | #        | #        | #        | #        | #        | #        | #        | #        | #        | #        |
| Derry          | 0        | 0        | 0        | 0        | 0        | 0        | 1        | 0        | 0        | 0        |
| Down           | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Dungannon      | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Fermanagh      | *        | *        | *        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Larne          | 0        | 0        | 0        | 1        | 0        | 1        | 0        | 0        | 0        | 0        |
| Limavady       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Lisburn        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Magherafelt    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 1        | 0        | 0        |
| Moyle          | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Newry & Mourne | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Newtownabbey   | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| North Down     | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Omagh          | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Strabane       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| <b>Total</b>   | <b>0</b> | <b>2</b> | <b>0</b> | <b>1</b> | <b>1</b> | <b>2</b> | <b>1</b> | <b>3</b> | <b>0</b> | <b>0</b> |

\* Records not held – 6 year retention policy

# Information not received on time

^ Industrial tribunal claim

(ii) Resigned, after or during suspension for investigations, received severance pay-outs

| Council       | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---------------|------|------|------|------|------|------|------|------|------|------|
| Antrim        | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Ards          | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Armagh        | 0    | 0    | 0    | 0    | 0    | 0    | 2    | 0    | 0    | 0    |
| Ballymena     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Ballymoney    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Banbridge     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Belfast       | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Carrickfergus | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Castlereagh   | #    | #    | #    | #    | #    | #    | #    | #    | #    | #    |
| Coleraine     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Cookstown     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Craigavon     | #    | #    | #    | #    | #    | #    | #    | #    | #    | #    |
| Derry         | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Down          | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Dungannon     | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Fermanagh     | *    | *    | *    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |
| Larne         | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 1    | 0    | 1    |

| Council        | 2003     | 2004     | 2005     | 2006     | 2007     | 2008     | 2009     | 2010     | 2011     | 2012     |
|----------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Limavady       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Lisburn        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Magherafelt    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Moyle          | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Newry & Mourne | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Newtownabbey   | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| North Down     | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Omagh          | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Strabane       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| <b>Total</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2</b> | <b>1</b> | <b>0</b> | <b>1</b> |

\* Records not held – 6 year retention policy

# Information not received on time

I have asked officials to seek more details on these matters from the relevant councils, as the information clearly requires further interrogation. Craigavon and Castlereagh Councils will be advised to respond within 10 days of the AQ being released.

### Beach Safety By-laws

**Mr Beggs** asked the Minister of the Environment whether the by-laws, prepared by Larne Borough Council, to improve beach safety by regulating the use of seaside pleasure boats, such as jet skis, at designated bathing water beaches have been confirmed by his Department.

**(AQW 13204/11-15)**

**Mr Attwood:** The Department has not received an application from Larne Borough Council regarding proposed bye-laws to regulate the use of seaside pleasure boats at designated bathing water beaches.

### Runkerry Golf Resort

**Mr Agnew** asked the Minister of the Environment whether he has sought legal advice as to the possible consequences of halting the development of the golf resort at Runkerry to allow the United Nations Educational, Scientific and Cultural Organization to assess the possible impact of the development.

**(AQW 13210/11-15)**

**Mr Attwood:** The member will appreciate that my planning decision is before the High Court by way of Judicial Review. The case is listed for hearing on 27 November for 4 days. The member will appreciate that I am therefore constrained in what I can say, save that I am satisfied and content with the decision and the process around the decision.

### Occupancy Restrictions

**Mr Anderson** asked the Minister of the Environment, for each of the last two years, to detail (i) how many applications have been made by financial institutions to remove an occupancy restriction; and (ii) how many were (a) approved; and (b) declined, broken down by divisional planning office.

**(AQW 13213/11-15)**

**Mr Attwood:** Policy CTY6 (Personal and Domestic Circumstances) of Planning Policy Statement 21 Sustainable Development in the Countryside allows for a dwelling to be permitted in the countryside for the long term needs of an applicant, where there are compelling and site specific reasons for this related to the applicant's personal or domestic circumstances.

All permissions granted under Policy CTY 6 will be subject to a condition restricting the occupation of the dwelling to a named individual and their dependents.

Policy CTY 7 (Dwellings for Non-Agricultural Business Enterprises) of Planning Policy Statement 21 states that planning permission will be granted for a dwelling in connection with an established non-agricultural business enterprise where a site specific need can be clearly demonstrated that makes it essential for one of the firm's employees to live at the site of their work.

Planning permission granted under Policy CTY7 will also be subject to a condition restricting occupation of the dwelling for the use of the business.

Article 28 of the 1991 Order provides for an application to develop land without compliance with conditions previously attached to a planning permission.

The Department does not have any records of a financial institution having submitted a planning application, in any of the Area Planning Offices, under Article 28 in each of the last two years to have a condition removed from a previous planning approval.

Table 1 shows the total number of planning applications approved for the removal of a planning condition under Article 28 in each of the last two years. These totals include applications for the removal of an occupancy condition.

**Table 1: Article 28 approvals in each of the last 2 years**

| Year       | Total No. of Article 28 Applications<br>Approved by DOE Planning |
|------------|--|
| 2010/2011  | 222  |
| 2011/2012* | 132  |

\* The year 2011/2012 provides data up until 31 December 2011

I recognise that there are a number of cases where a personal occupancy condition has given rise to difficulties in securing a mortgage. I am looking at this issue and have asked to meet with the banks to identify how this impediment can be eased.

## Litter

**Mr Elliott** asked the Minister of the Environment what measures are in place to ensure a consistent approach by councils in deterring people from dropping litter.

**(AQW 13236/11-15)**

**Mr Attwood:** The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 provides district councils with stronger powers to deal more effectively with litter. The enforcement of these powers, including larger on the spot fines (fixed penalty notices) for littering offences, should deter people from dropping litter. Larger fines for litter offenders together with the stronger anti-litter laws generally should send out a strong message to people who litter to think about the quality of their environments. Larger fines should act as an effective deterrent against littering in the future. From 1st April 2012 councils can impose fines of up to £80 on people who litter – this is a significant increase on the previous £50.

It is a matter for each district council to determine its own policy with respect to the enforcement of anti-litter laws and the development of their local anti-litter strategies. However, to support councils, the Department has issued comprehensive guidance on the anti-litter laws and also specific guidance on the use of fixed penalty notices. This guidance should help district councils develop and improve their strategies for issuing fixed penalty notices for offences contrary to environmental law, including litter offences. The guidance should also help to improve the payment rates for fixed penalty notices and ultimately maximise their contribution to improving local environmental quality.

The use of fixed penalty notices is just one element of enforcement of environmental law in an effort to tackle environmental crime such as littering. It follows that there are other ways in which a district council can improve local environmental quality and reduce environmental crime: education, campaigns and improvements to street-scene services are just three examples of things that can play a part.

Over the coming years the Department will be monitoring the impact of the new anti-litter laws and the extent to which they are being enforced by councils and also in terms of improvements in local environmental cleanliness. Councils asked for the stronger new anti-litter powers and I fully expect councils to implement them in order to deter people from littering and to improve local environmental quality.

## Listed Buildings

**Mr Elliott** asked the Minister of the Environment whether he will allocate additional grant aid for listed buildings of significant importance that require urgent repairs, where, for ethical reasons, Lottery grants cannot be accepted.

**(AQW 13238/11-15)**

**Mr Attwood:** The Department's listed buildings grant-aid scheme - for the repair and maintenance of historic fabric - is targeted at the listed building itself; historically (ie pre 2008) the higher grades of listed buildings received a higher level of grant-aid. The rate of grant-aid has now been standardised at 35%, ensuring a consistency of approach. However, in taking account of the needs of some owners, a higher level of grant-aid is available for those on certain qualifying benefits, and also to owners of thatched buildings for repair work to thatch roofs.

A review of the grant-aid policy is underway. This question has been raised in the past, and the Department has responded that it cannot vary consistency of approach in relation to the ethical stand of some owners. I will think further on the issue but need to ensure consistency and equality of approach.

There are other funding streams available, for example, the Funds for Historic Buildings (FFHB) website is a comprehensive guide to funding for anyone seeking to repair, restore or convert (for a new use) any historic building in the United Kingdom (excluding the Channel Islands and the Isle of Man) which is listed, scheduled or in a conservation area and of acknowledged historic merit. It includes details of virtually all substantive funding sources which specialise in historic buildings.

It also contains extended notes on selected topics and a variety of other more detailed information. You may find the attached link helpful <http://www.ffhb.org.uk/>

### Beaches: Upkeep and Cleaning

**Mr Weir** asked the Minister of the Environment why contracts for the upkeep and cleaning of beaches by the Northern Ireland Environment Agency, that were due to commence in April 2012, have been suspended.

**(AQW 13252/11-15)**

**Mr Attwood:** The only beaches for which the Northern Ireland Environment Agency (NIEA) is responsible are those at Crawfordsburn Country Park (including Helen's Bay) and at Killard National Nature Reserve and Magilligan Point Nature Reserve.

NIEA sought to tender for site maintenance services so that a new contract would commence at the expiry on 31 March 2012 of the previous one. Tenders for these services were invited but, following the evaluation of the tenders and DFP's Central Procurement Directorate (CPD) publishing the intention to award the contract, several legal challenges were made to the processes employed by CPD in procuring the contract on behalf of NIEA. This resulted in CPD advising NIEA against awarding the contract to avoid facing subsequent legal writs and court cases and NIEA did not award the contract.

### Crawfordsburn Beach

**Mr Weir** asked the Minister of the Environment what measures are in place to ensure the cleaning and maintenance of Crawfordsburn Beach.

**(AQW 13253/11-15)**

**Mr Attwood:** From 1 April 2012 NIEA used its own Country Park staff to clean and maintain Crawfordsburn Beach and since 18 June 2012 it has availed of an existing generic Property Maintenance contract procured by DFP's Central Procurement Directorate to lift litter and dog foul and cut grass.

### Beaches: Cleaning and Maintenance

**Mr Weir** asked the Minister of the Environment when his Department intends to award contracts for the cleaning and maintenance of beaches.

**(AQW 13254/11-15)**

**Mr Attwood:** The only beaches for which the Northern Ireland Environment Agency (NIEA) is responsible are those at Crawfordsburn Country Park (including Helen's Bay) and at Killard National Nature Reserve and Magilligan Point Nature Reserve.

NIEA is currently availing of an existing Property Maintenance contract let by DFP's Central Procurement Directorate (CPD) to lift litter and dog foul and cut grass, but is working with CPD to retender for maintenance services at the properties it manages. It is expected that new contracts will be in place by 1 April 2013.

### Beaches: Cleaning and Maintenance

**Mr Weir** asked the Minister of the Environment, in light of the suspension of contracts for the cleaning and maintenance of beaches, what consideration has been given to extending the existing contracts until the issue can be resolved.

**(AQW 13255/11-15)**

**Mr Attwood:** The previous contract for cleaning and maintenance services expired on 31 March 2012; it was both time-bound and included an expenditure ceiling which had almost been reached. Having been extended twice already, there was no scope for further extending the contract once it had expired.

### Beaches: Cleaning and Maintenance

**Mr Weir** asked the Minister of the Environment what interim measures are in place to ensure the cleaning of beaches whilst contracts for cleaning and maintenance are finalised.

**(AQW 13256/11-15)**

**Mr Attwood:** The only beaches for which the Northern Ireland Environment Agency (NIEA) is responsible are those at Crawfordsburn Country Park (including Helen's Bay) and at Killard National Nature Reserve and Magilligan Point Nature Reserve.

From 1 April 2012 NIEA used its own staff to clean and maintain its properties and since 18 June 2012 it has been availing of an existing generic Property Maintenance contract previously procured by DFP's Central Procurement Directorate to lift litter and dog foul and cut grass at the two beaches in Crawfordsburn Country Park. NIEA continues to use its own staff to maintain and keep clean the other beaches in its care.

### Beaches: Cleaning and Maintenance

**Mr Hazzard** asked the Minister of the Environment whether the South Down coastline will be affected by the suspension of contracts for the cleaning and maintenance of beaches.

**(AQW 13280/11-15)**

**Mr Attwood:** Prior to 31 March 2012 when property service contracts expired, contractors were employed by the Northern Ireland Environment Agency (NIEA) to clean its properties, including a small number of beaches. Due to challenges to the procurement process, new contracts could not be let as planned and must be retendered.

The only beaches in the southern part of County Down which have been cleaned and maintained by NIEA are those at Killard National Nature Reserve at the mouth of Strangford Lough. These were cleaned about six times a year under the former contract which expired on 31 March 2012. No other beaches will be affected by the failure to let new contracts.

Since the expiry of the property maintenance contracts NIEA has been using - and will continue to use - its own staff and volunteers to clean and maintain the beaches at Killard until a new contract can be let. It is hoped that a high standard of cleanliness can be maintained, though the main beach is always subject to the washing up of flotsam and jetsam.

### Beaches: Cleaning and Maintenance

**Mr Hazzard** asked the Minister of the Environment, in light of the suspension of contracts for the cleaning and maintenance of beaches, what consideration has been given to extending the existing contracts until the issue is resolved.

**(AQW 13281/11-15)**

**Mr Attwood:** The previous contract for cleaning and maintenance services expired on 31 March 2012; it was both time-bound and included an expenditure ceiling which had almost been reached. Having been extended twice already, there was no scope for further extending the contract once it had expired.

### DOE: Jubilee Garden Party

**Mr Allister** asked the Minister of the Environment how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) his Department; and (iii) its arm's-length bodies.

**(AQW 13290/11-15)**

**Mr Attwood:** I was allocated 4 tickets with a further 150 allocated to my Department for the event to celebrate The Queen's Diamond Jubilee. All staff were invited to express an interest and 196 did so seeking over 300 tickets. As this was greater than our allocation, a random selection process was implemented resulting in 48 staff receiving tickets at an average of 3 per person. No tickets were allocated to Arms Length Bodies.

### Bushmills Dunes Golf Resort

**Mr Allister** asked the Minister of the Environment to list the dates and methods of the consultations he has held with UNESCO on the Bushmills Dunes Golf Resort planning application.

**(AQW 13401/11-15)**

**Mr Attwood:** Your question refers to an issue which inter alia is before the High Court by way of a judicial review. That case is listed for hearing on 27 November for 4 days. The member will appreciate that I am therefore constrained in what I can say, save that I am satisfied and content with the decision and process around the decision.

### Roads: Name Changes

**Mr I McCrea** asked the Minister of the Environment to detail the process for changing the name of a road.

**(AQW 13405/11-15)**

**Mr Attwood:** Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 sets out the powers of district councils in relation to street naming. (For the purposes of the legislation, the term "street" is defined as including a road).

The legislation does not provide councils with an explicit power to alter the name of a street (or road). The procedure to be undertaken by councils in changing the name of a street (or road) is not detailed in the legislation and is a matter for each individual council.

I am aiming to issue for consultation proposals on street names, which will include the issue of providing councils with explicit powers to rename streets, by the end of the year.

### District Councils: Payment of Invoices

**Mr Campbell** asked the Minister of the Environment, in relation to supplier invoices paid by councils during the 2011/12 financial year, to detail (i) the number of invoices paid; and (ii) how many invoices were paid (a) within 30 days; and (b) later than 30 days, following receipt of the supplier's invoice.

**(AQW 13536/11-15)**

**Mr Attwood:** The overall total of invoices paid by each council during the 2011/2012 financial year, plus the number paid both within and outside of 30 days, is provided in the attached table.

| <b>Council</b> | <b>Total No<br/>of invoices<br/>(i)</b> | <b>Paid within<br/>30 days<br/>(ii) (a)</b> | <b>Paid outside<br/>of 30 days<br/>(ii) (b)</b> |
|----------------|---|---|---|
| Antrim         | 10,176                                  | 3,208                                       | 6,968   |
| Ards           | 12,224                                  | 11,680                                      | 544   |
| Armagh         | 10,043                                  | 9,175                                       | 868   |
| Ballymena      | 12,005                                  | 10,921                                      | 1,084   |
| Ballymoney     | 5,315                                   | 1,896 <sup>(a)</sup>                        | 3,419 <sup>(a)</sup>                            |
| Banbridge      | 5,090                                   | 3,227                                       | 1,863 <sup>(b)</sup>                            |
| Belfast        | 52,317                                  | 41,988                                      | 10,329  |
| Carrickfergus  | 6,333                                   | 4,620                                       | 1,713   |
| Castlereagh    | 12,113                                  | N/P*  | N/P*  |
| Coleraine      | 12,306                                  | 7,876 <sup>(c)</sup>                        | 4,430 <sup>(c)</sup>                            |
| Cookstown      | 6,009                                   | 5,909                                       | 100   |
| Craigavon      | 12,806                                  | 6,122                                       | 6,684   |
| Derry          | 21,826                                  | 15,138                                      | 6,688   |
| Down           | 10,734 <sup>(d)</sup>                   | 10,197                                      | 537   |
| Dungannon      | 5,546                                   | 4,971                                       | 575   |
| Fermanagh      | 9,391                                   | 7,925                                       | 1,466   |
| Larne          | 5,080                                   | 3,473                                       | 1,607   |
| Limavady       | 6,579                                   | 3,838 <sup>(e)</sup>                        | 2,741 <sup>(e)</sup>                            |
| Lisburn        | 12,419                                  | 10,249                                      | 2,170   |
| Magherafelt    | 6,475                                   | 6,387                                       | 88  |
| Moyle          | 3,172                                   | 1,684                                       | 1,488   |
| Newry & Mourne | 14,029                                  | 11,223 <sup>(f)</sup>                       | 2,806 <sup>(f)</sup>                            |
| Newtownabbey   | 15,782                                  | 12,208                                      | 3,574   |
| North Down     | 10,217                                  | 8,456                                       | 1,761   |
| Omagh          | 6,607                                   | 4,955                                       | 1,652   |
| Strabane       | 4,706                                   | 4,201                                       | 505   |
| <b>Total</b>   | <b>289,300</b>                          | <b>211,527</b>                              | <b>65,660</b>                                   |

**Notations**

\* Not provided

(a) Based on Invoice dates not dates of receipt of Invoice.

(b) Includes invoices disputed/queried or requiring further clarification prior to payment, thus delaying processing.

(c) Extrapolated from a sample of 419 Invoices.

(d) Extrapolated from a sample batch of invoices - 95% of all invoices passed for payment by the budget holder were paid within 30 days.

(e) Extrapolated from a sample of 120 invoices for the 11/12 year.

(f) Figures calculated from estimated 20% paid beyond 30 days and 80% before.



## Climate Change Adaptation Strategy

**Mr Agnew** asked the Minister of the Environment (i) what action his Department is taking to ensure that the built environment is adapted to changing climatic conditions; and (ii) whether he intends to introduce a climate change adaptation strategy.

**(AQW 13548/11-15)**

**Mr Attwood:** I am taking a range of actions to ensure the built environment is adapted to climate change.

My Department jointly chairs a Stormwater Management Group with the Department for Regional Development. This Group is examining a range of approaches to stormwater management to assist in the development of more integrated and sustainable systems. A current pilot study in Ballyclare is exploring the benefits of the implementation of sustainable drainage systems within the catchment of the town.

I am considering legislation which will make it mandatory for new / retrospective planning applications to install open / soft engineering stormwater management systems.

By applying Planning Policy Statement (PPS) 15, which takes account of climate change, my Department adopts a precautionary approach to development in flood risk areas and seeks to avoid inappropriate development in these areas. In addition, Policy LC3 of the second addendum to PPS 7 encourages greater use of permeable paving within new residential developments so as to help reduce flash flooding from surface water run off.

In conjunction with the Rivers Agency in DARD my Department published guidance in December 2011 on the use of the Strategic Surface Water Flood Map.

I have commissioned research which will assist my officials in implementing an appropriate management response to the impacts of climate change on our cultural heritage. Owners of listed historic buildings have also been provided with advice and information on how to protect these buildings.

Most importantly, as you are aware, my Department is currently developing a Northern Ireland Adaptation Programme, which will be presented to the Executive in early 2013. This Programme, co-ordinated by my department, will further develop my Department's actions and provide a cross departmental response to the risks and opportunities identified in the Northern Ireland Climate Change Risk Assessment for the built environment.

Furthermore, work is at an early stage in the preparation of a single planning policy document for the north. Its preparation will require a fresh look across all areas of planning policy, including climate change.

Consequently, I have no current plans to introduce a climate change adaptation strategy.

## Marine Bill

**Mrs Dobson** asked the Minister of the Environment, pursuant to AQO 2188/11-15, to detail under what specific circumstances his Department would need to use the powers, proposed by Clause 24 of the Marine Bill, to make byelaws, given that there are similar byelaw making powers provided by Article 21 of the Nature Conservation and Amenity Lands (NI) Order 1985.

**(AQW 13710/11-15)**

**Mr Attwood:** Byelaws under Article 21 of the Nature Conservation and Amenity Lands (NI) Order 1985 are intended to manage activities which are not subject to regulation or control by other public bodies, and are potentially damaging to the features of a Marine Nature Reserve (MNR). In this context an example of an activity which could be managed through a byelaw could be the use of anchors or moorings which drag on the seabed due to strong tides or currents. These objects could be detrimental to a seabed habitat. Another example could be to restrict the use or speed of jet skis near a seal haul out area during the breeding season.

Marine Conservation Zones (MCZs), legislated for under the Marine Bill, are intended to replace MNRs designated under the Nature Conservation and Amenity Lands (NI) Order 1985. All MNR provisions, including byelaw making powers under Article 21 of this Order will therefore be repealed by the Marine Bill.

The Marine Bill will provide the Department powers to designate and manage MCZs. Management measures include the introduction of byelaws as set out in Clause 24 of the Bill.

## Department of Finance and Personnel

### DFP: Junk Mail

**Mr Allister** asked the Minister of Finance and Personnel why civil servants have been receiving unsolicited emails to their work computers promoting the Lófa campaign, along with a promotional newsletter; and what is the relevant departmental policy on junk mail.

**(AQW 11329/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** The internal Northern Ireland Civil Service e-mail system is used by departments to distribute information about events and issues that are relevant to their work, as well as more general information about health related issues, appeals from charitable organisations, transport issues etc. Individual departments are responsible for the material that they issue. IT Assist, which is responsible for maintenance of the e-mail system, uses a system for the detection

of e-mails which may contain unwanted content that could present a security risk or contain undesirable content to prevent such e-mails from reaching Northern Ireland Civil Service addresses.

### Currency Fluctuations

**Mr Allister** asked the Minister of Finance and Personnel, in relation to EU funding, to detail how much Departments gained from the currency fluctuation between Sterling and Euro in 2010/11; and what became of any such gains.

**(AQW 12910/11-15)**

**Mr Wilson:** In 2010/11 the total nett value of exchange rate gains on EU Structural Funds' Programmes was £ 1,399,929.65. Nett gains are returned to the Centre as a Reduced Requirement.

### DfP: Jubilee Garden Party

**Mr Allister** asked the Minister of Finance and Personnel how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) his Department; and (iii) its arm's-length bodies.

**(AQW 13118/11-15)**

**Mr Wilson:** I did not receive any tickets as Minister for Finance and Personnel for the Jubilee Garden Party on 27 June 2012. 150 tickets were allocated to the Department and its arm's length bodies.

### Rates Collection: Legal Fees

**Mr D Bradley** asked the Minister of Finance and Personnel how much his Department has spent on legal fees in relation to Rates' debt collection.

**(AQW 13125/11-15)**

**Mr Wilson:** If a ratepayer has not paid their rate bill, or made contact with LPS to agree a payment arrangement after the issue of a bill and a final demand, LPS has little option but to take forward Court proceedings to recover the money owing.

LPS is obliged to pay fees to the NI Courts & Tribunals Service for the different stages of the legal proceedings, including for issue of a Court Process, the granting of a Court Decree, the issue of a Notice of Intention to Enforce Debt, and Enforcement Fees. These charges are added to ratepayers' bills, and therefore become part of the recoverable amount.

Payments are made to the Courts & Tribunals Service by LPS at the time that the actions are taken and are then recovered from ratepayers in due course. Given the daily movements in individual rate accounts, and the time differences in payment to the Courts and recovery of the money, it is not possible to provide an accurate figure for the net (unrecovered) legal costs in any period. The figures in the table below are therefore the total figures paid by LPS to the Courts & Tribunals Service.

| Year    | Payment by LPS to Courts & Tribunals Service |
|---------|--|
| 2010/11 | £2,654,959.75                                |
| 2011/12 | £3,216,079.30                                |

In addition, LPS also incurs professional legal costs in relation to cases pursued through the High Court Chancery Division. The figures in the table below are therefore the total figures paid by LPS to Crown Solicitor's Office in relation to such cases.

| Year    | Payment by LPS to Crown Solicitor's Office |
|---------|--|
| 2010/11 | £254,775.94                                |
| 2011/12 | £344,092.38                                |

LPS also incurs additional staff costs in pursuing recovery of unpaid rates. These costs form part of the cost of rate collection and are therefore paid from the district and regional rates – in effect, by all ratepayers.

I would stress that no recovery costs would exist if all ratepayers paid their rates in a timely manner, or if in difficulty contacted LPS to agree a payment arrangement.

### Legal Profession

**Mr Dallat** asked the Minister of Finance and Personnel what arrangements are in place to ensure that members of the legal profession deliver the highest standards of service to the public.

**(AQW 13313/11-15)**

**Mr Wilson:** All members of the legal profession in Northern Ireland are subject to codes of conduct and professional service set out by the relevant professional body.

Legislation (the Solicitors (Northern Ireland) Order 1976 as amended), together with Practice Regulations made by the Law Society, set out the standards to which solicitors in Northern Ireland must adhere in relation to their practices and their duties to their clients.

Barristers are similarly bound by a code of conduct and other professional service regulations as set out by the Bar Council and the Inn of Court of Northern Ireland.

### Rate Relief Exemptions

**Mr Weir** asked the Minister of Finance and Personnel how many applications for rate relief exemptions have been received since the introduction of the rating of empty homes scheme in the (i) Ards Borough Council; and (ii) North Down Borough Council areas. **(AQW 13333/11-15)**

**Mr Wilson:** Since the introduction of the Rating of Empty Homes scheme on 1st October 2011 there have been 139 applications for rate relief exemptions for the Ards Borough Council Area, and 147 applications for rate relief exemptions for the North Down Borough Council Area.

### Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011

**Ms Lo** asked the Minister of Finance and Personnel whether he has any plans to consult on introducing legislation similar to the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011, in England and Wales, which effectively allows churches to officiate at Civil Partnerships if they wish.

**(AQW 13373/11-15)**

**Mr Wilson:** My Department has no plans to consult on legislation similar to the Marriages and Civil Partnerships (Approved Premises)(Amendment) Regulations 2011.

### DfP: Disposal of Capital Assets

**Mr Weir** asked the Minister of Finance and Personnel to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13385/11-15)**

**Mr Wilson:** My Department intends to dispose of the following properties over the next three years:

| 2012-13                        | 2013-14                       | 2014-15        |
|--------------------------------|-------------------------------|----------------|
| 1a Belt Road, Londonderry      | 2-14 George Street, Ballymena | Rosepark House |
| Northland House, Belfast       | Hospital Road, Omagh          |                |
| 35-39 Bridge Street, Ballymena | 4-6 Killane Road, Limavady    |                |

My Department will also continue to carry out a rolling IT asset refresh programme which forms part of a planned disposal and replacement schedule. Similarly there will be a smaller number of other assets that will be disposed of in the course of normal business.

### District Councillors

**Mr Weir** asked the Minister of Finance and Personnel, pursuant 12192/11-15, whether the paid leave is in addition to the annual allowance paid to all councillors.

**(AQW 13386/11-15)**

**Mr Wilson:** No, if payment, other than for reimbursement of expenses is offered, civil servants should choose to either accept the payment and apply for special leave without pay to enable them to carry out the required duties or decline the payment and apply for special leave with pay.

### London Inter-bank Offered Rate

**Dr McDonnell** asked the Minister of Finance and Personnel what aspects of public finances are linked to, or influenced by, the London Inter-bank Offered Rate.

**(AQW 13443/11-15)**

**Mr Wilson:** The London Inter-bank Offered Rate, or LIBOR, is a key factor which impacts on the rate at which banks are willing to lend to both businesses and individuals. While the availability of finance at affordable terms is strategically a very important issue, and vital to our economic recovery, Northern Ireland's public finances are not directly linked to or influenced by LIBOR.

### NICS: Secondment

**Mr McNarry** asked the Minister of Finance and Personnel to detail the number of people on secondment by grade (i) into each Department; (ii) out of each Department; (iii) the length of the secondment; and (iv) the purpose of each secondment, over the last ten years.

**(AQW 13469/11-15)**

**Mr Wilson:** The information requested is not held centrally by Departments and to access and collate it would incur disproportionate cost. Under departmental disposal schedules, many related files have been destroyed. It would not, therefore, be possible to provide information for the full ten year period.

### **NICS: Secondment**

**Mr McNarry** asked the Minister of Finance and Personnel to list the average annual cost of each secondment into and out of each Department over the last ten years.

**(AQW 13470/11-15)**

**Mr Wilson:** The information requested is not held centrally by Departments and to access and collate it would incur disproportionate cost. Under departmental disposal schedules, many related files have been destroyed. It would not, therefore, be possible to provide information for the full ten year period.

### **2011 Census**

**Mr Allister** asked the Minister of Finance and Personnel when the 2011 Census will be published.

**(AQW 13519/11-15)**

**Mr Wilson:** Because of the breadth of information to be provided, the results from the 2011 Census will be published in a number of releases over the coming months. The first output, which will provide a breakdown of the usually resident population of Northern Ireland on Census Day by age and sex, will be published on 16 July 2012. A detailed release schedule for all of the planned outputs is available in the Census Output Prospectus which is published on the website of the Northern Ireland Statistics and Research Agency ([www.nisra.gov.uk](http://www.nisra.gov.uk)).

### **Security Staff: Guaranteed Overtime**

**Mr Allister** asked the Minister of Finance and Personnel (i) for an estimate of the legal costs to his Department of defending proceedings taken by security staff in relation to guaranteed overtime; and (ii) why his Department defended the proceedings given that its own documentation established that such overtime was built into the contract.

**(AQW 13532/11-15)**

**Mr Wilson:** No information is yet available in relation to the total legal costs for this case.

The Department took the decision to defend the claims on the basis of legal advice and the fact that, following the withdrawal of the first case at hearing, the second case had, previously, been dismissed by the County Court.

### **Security Staff: Guaranteed Overtime**

**Mr Allister** asked the Minister of Finance and Personnel for an estimate of (i) the number of security staff who will benefit from the recent successful legal proceedings taken by security staff in relation to guaranteed overtime; (ii) the cost of compensation and back payments.

**(AQW 13533/11-15)**

**Mr Wilson:** A judgement has been issued in respect of an individual Plaintiff and the Department is considering the wider impact, if any, for other staff. Until such issues have been finally determined information on the numbers of staff affected or the cost of compensation and back payments is not available.

### **Empty Premises Relief Scheme**

**Mr Rogers** asked the Minister of Finance and Personnel how many applications for Empty Premises Relief have been received for the (i) Newry and Mourne; (ii) Down; and (iii) Banbridge Council areas to date; how many of these applications have been approved.

**(AQW 13560/11-15)**

**Mr Wilson:** At 9th July 2012, applications for Empty Premises Relief have been received by Land & Property Services for the requested areas are as follows: Newry & Mourne 7; Down 2; and Banbridge 1.

Two applications from the Newry & Mourne council area met the criteria, however, the applications from both Down and Banbridge were not successful.

### **Unoccupied Non-domestic Properties**

**Mr Weir** asked the Minister of Finance and Personnel to detail the number of unoccupied non-domestic properties in each of the last three years, broken down by council area.

**(AQW 13581/11-15)**

**Mr Wilson:** The number of vacant non-domestic properties in each Council area as at 31st March 2010, 31st March 2011 and 31st March 2012 is given in the table overleaf.

| <b>District Council</b>  | <b>Vacant Non-Domestic Properties as at 31 March 2010</b> | <b>Vacant Non-Domestic Properties as at 31 March 2011</b> | <b>Vacant Non-Domestic Properties as at 31 March 2012</b> |
|--------------------------|---|---|---|
| Antrim                   | 375   | 386   | 395   |
| Ards                     | 542   | 561   | 582   |
| Armagh                   | 541   | 532   | 533   |
| Ballymena                | 441   | 456   | 485   |
| Ballymoney               | 181   | 197   | 204   |
| Banbridge                | 383   | 400   | 408   |
| Belfast                  | 4,052   | 4,410   | 4,632   |
| Carrickfergus            | 214   | 235   | 218   |
| Castlereagh              | 230   | 262   | 255   |
| Coleraine                | 483   | 485   | 500   |
| Cookstown                | 393   | 402   | 416   |
| Craigavon                | 867   | 876   | 825   |
| Derry                    | 787   | 831   | 826   |
| Down                     | 591   | 601   | 605   |
| Dungannon & South Tyrone | 574   | 608   | 620   |
| Fermanagh                | 679   | 727   | 712   |
| Larne                    | 247   | 258   | 259   |
| Limavady                 | 283   | 289   | 301   |
| Lisburn                  | 713   | 756   | 760   |
| Magherafelt              | 401   | 388   | 413   |
| Moyle                    | 103   | 121   | 112   |
| Newry & Mourne           | 938   | 953   | 942   |
| Newtownabbey             | 497   | 524   | 496   |
| North Down               | 363   | 453   | 448   |
| Omagh                    | 573   | 597   | 594   |
| Strabane                 | 353   | 355   | 346   |
| <b>NI Total</b>          | <b>15,804</b>   | <b>16,663</b>   | <b>16,887</b>   |

## Department of Health, Social Services and Public Safety

### Prescription Waiting Times: Royal Victoria Hospital

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety why outpatients at the Royal Victoria Hospital, Belfast, have to wait up to six hours to receive their medication and be discharged from hospital compared with outpatients at the Belfast City Hospital who can collect their medication and be discharged immediately.

**(AQW 13341/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Royal Victoria Hospital's average time to process a prescription is 82 minutes with 75% dispensed within the 120 min target, whereas Belfast City Hospital's average time to process a prescription is 91 minutes with 76% dispensed within the 120 min target.

A number of factors can influence patient waiting times including the availability of the doctor to write the prescription, pressure on pharmacy services and complexity of the individual prescription. I have been advised by the Belfast Health and Social Care Trust that it is currently reviewing the situation and taking appropriate action to comply with the target.

### Muscular Dystrophy

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety when a nurse who specialises in muscular dystrophy and related neuromuscular conditions will be appointed.

**(AQW 13378/11-15)**

**Mr Poots:** I refer the member to my response to AQW 12947/11 on 2 July 2012.

### DHSSPS: Disposal of Capital Assets

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13384/11-15)**

**Mr Poots:** It is intended that the following DHSSPS capital assets (land and property) will be disposed of in each of next three financial years:

|   | <b>Financial Year 2012/13</b>                               |
|---|---|
| 1 | 149 Falls Road, Belfast                                     |
| 2 | 151 Falls Road, Belfast                                     |
| 3 | Braniel Health Clinic, Glen Road, Belfast                   |
| 4 | 137-141 Ormeau Road, Belfast                                |
| 5 | St Dymphna's Cemetery, Downpatrick                          |
| 6 | Site at Market Street, Downpatrick                          |
| 7 | Land at Plot 13, T & F Hospital Site, Crevenagh Road, Omagh |

|   | <b>Financial Year 2013/14</b>                |
|---|--|
| 1 | Glasvey Special Care School, Ballykelly      |
| 2 | Land at Downshire Hospital site, Downpatrick |
| 3 | Land at Drumcoo Derrygore Road, Enniskillen  |

|   | <b>Financial Year 2014/15</b>                |
|---|--|
| 1 | Land at T & F Hospital Site, Omagh           |
| 2 | Land at Whiteabbey Hospital Site, Whiteabbey |
| 3 | Land at Gransha Hospital Site, Londonderry   |

### Psychosexual Counselling

**Mr B McCreagh** asked the Minister of Health, Social Services and Public Safety how many people have received psychosexual counselling in each of the last three years.

**(AQW 13391/11-15)**

**Mr Poots:** Information on the number of people who have received psychosexual counselling in each of the last three years is not available centrally and could only be provided at disproportionate cost.

### Domiciliary Care: Western Health and Social Care Trust

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail the total legal costs attributable to the defence of the decision to award contracts to four domiciliary care providers in the Western Health and Social Care Trust in June 2011; and whether any costs were paid to the providers who successfully challenged the award of these contracts.

**(AQW 13408/11-15)**



**Mr Poots:** The Trust received four individual legal challenges. The combined cost of dealing with the defence of the four cases was £70,726 including VAT and disbursements. One case was withdrawn and three were settled. The terms of settlement are confidential as between the parties and their legal advisors.

### **Domiciliary Care: Western Health and Social Care Trust**

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail the total cost of the procurement process, including any costs attributable to tendering or decision making, which led to the appointment of four domiciliary care providers in the Western Health and Social Care Trust in June 2011.

**(AQW 13409/11-15)**

**Mr Poots:** The homecare tender project has a dedicated resource of one Project Manager, appointed on 1st March 2009 at an annual cost of approximately £40,000. The evaluation and decision-making responsibilities fell to Trust officers as part of their routine roles within the Trust. No additional cost was therefore entailed. The tender process was facilitated by the 'e-bravo' electronic tender system hosted by the Business Services Organisation's Procurement and Logistics Service (PaLS), who also provided guidance as required. Again, this was within the substantive role of PaLS and incurred no additional costs.

### **Domiciliary Care: Western Health and Social Care Trust**

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety how the new procurement process will be taken forward following the successful challenge by providers over the decision to award contracts to four domiciliary care providers in the Western Health and Social Care Trust in June 2011.

**(AQW 13410/11-15)**

**Mr Poots:** The process will be taken forward by a new tender which will be undertaken in accordance with Public Procurement Regulations 2006 (as amended). As such, it will be advertised in the Official Journal of the E.U. via the "open" procedure.

### **Duchenne's Muscular Dystrophy**

**Mr A Maginness** asked the Minister of Health, Social Services and Public Safety what plans he has to establish a centre of excellence for sufferers of Duchenne's Muscular Dystrophy.

**(AQW 13427/11-15)**

**Mr Poots:** There are currently no plans to establish such a centre of excellence in Northern Ireland. However, I have asked my officials to collaborate with the Health and Social Care Board in considering the findings and recommendations of the All Party Working Group on Muscular Dystrophy's "The McCollum Report: Access to specialist neuromuscular care in Northern Ireland", which was launched on 3 July, and report back to me.

### **Duchenne's Muscular Dystrophy**

**Mr A Maginness** asked the Minister of Health, Social Services and Public Safety what action he is taking to alleviate the suffering of those diagnosed with Duchenne's Muscular Dystrophy.

**(AQW 13428/11-15)**

**Mr Poots:** Following diagnosis, people with Duchenne Muscular Dystrophy are referred to the Special Regional Muscle Clinic at Belfast City Hospital. This is a generic, all-age neuromuscular clinic at Belfast City Hospital held twice monthly, which has input from Adult and Paediatric Neurologists, an Orthopaedic Surgeon, and Consultant Geneticist. The clinic also provides therapy from Allied Health Profession staff, including physiotherapy, occupational therapy, and orthoptics. The Muscular Dystrophy Campaign officer also attends to provide family support.

In addition, the Belfast Trust has recently advertised for a new Neuromuscular Nurse Specialist Post, which will cover both adults and children and will have a greater clinical focus. This will establish a nurse-led service that could potentially review patients in their own home as well as in hospital.

### **Mourneside Family Practice, Ballycolman Avenue, Strabane**

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety how many patients (i) are registered with the Mourneside Family Practice, Ballycolman Avenue, Strabane; and (ii) have attended the practice in the last twelve months.

**(AQW 13429/11-15)**

**Mr Poots:**

- (i) There were 10,780 patients registered with Practice 601, Mourneside Family Practice, Ballycolman Avenue, Strabane as at 1st April 2012.
- (ii) The information requested is not available centrally.

### Mourneside Family Practice, Ballycolman Avenue, Strabane

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety how many car-parking spaces are available to members of the public accessing the Mourneside Family Practice, Ballycolman Avenue, Strabane.

**(AQW 13430/11-15)**

**Mr Poots:** The Mourneside Family Practice, on Ballycolman Avenue in Strabane, is not a Western Health and Social Care Trust facility but is a General Practitioner owned practice.

I can confirm, however, that there are 20 public car parking spaces available to the public at this practice.

### Western Urgent Care: Out-of-hours Services

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety how many telephone contacts were received by the Western Urgent Care Out of Hours service; and to list the the location of these contacts, broken down by district council area.

**(AQW 13431/11-15)**

**Mr Poots:** The number of telephone contacts received by the Western Urgent Care Out of Hours service during the year April 2011 – March 2012 is shown in the table below. Figures are allocated to District Council area based on the location of the clinician; it should be noted that this may differ from the location of the patient making the call. Information on the location of the patient is not available centrally.

The figures include all telephone contacts regardless of the outcome, so will include patients who were asked to attend the OOH centre or who received a home visit, as well as those who received telephone advice.

**Table 1: Number of telephone contacts received by the Western Urgent Care Out of Hours service, April 2011 – March 2012.**

| District Council Area | Out of Hours Centre    | Number of Telephone Contacts |
|-----------------------|------------------------|------------------------------|
| Derry                 | Altnagelvin OOH Centre | 46624                        |
| Limavady              | Limavady OOH Centre    | 10313                        |
| Strabane              | Strabane OOH Centre    | 12397                        |
| Omagh                 | Omagh OOH Centre       | 21348                        |
| Fermanagh             | Enniskillen OOH Centre | 19517                        |

### Western Urgent Care: Out-of-hours Services

**Ms Boyle** asked inister of Health, Social Services and Public Safety how many patients were seen at each of the Out of Hours centres in the Western Urgent Care area in the last year.

**(AQW 13432/11-15)**

**Mr Poots:** The number of patients seen at each of the Out of Hours centres in the Western Urgent Care area during the year April 2011 – March 2012 is shown in the table below.

**Table 1: Number of patients seen at each of the Out of Hours centres in the Western Urgent Care area, April 2011 – March 2012.**

| Out of Hours Centre    | Number of Attendances |
|------------------------|-----------------------|
| Altnagelvin OOH Centre | 23,717                |
| Limavady OOH Centre    | 5,448                 |
| Strabane OOH Centre    | 6,638                 |
| Omagh OOH Centre       | 10,440                |
| Enniskillen OOH Centre | 9,933                 |

### Western Urgent Care: Out-of-hours Services

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety how many patients have been advised, upon telephone contact with Western Urgent Care, to attend the Out of Hours Service in Strabane within the last year.

**(AQW 13433/11-15)**

**Mr Poots:** During the year April 2011 – March 2012, 6,638 patients attended the Out of Hours Service in Strabane. The majority of these patients will have been advised to attend the Out of Hours service following telephone contact with Western Urgent Care, however the figure also includes patients who attended the centre without first telephoning Western Urgent Care, but these numbers are very small.

### Rathlin Island: Nursing Accommodation

**Mr McKay** asked the Minister of Health, Social Services and Public Safety if there are plans to downgrade the nursing accommodation on Rathlin Island and whether any assessment has been made of the impact this would have on overnight nursing care on the island.

**(AQW 13446/11-15)**

**Mr Poots:** The Northern Health and Social Care Trust is responsible for the provision of nursing accommodation on Rathlin Island. I have been advised by the Trust that as the accommodation previously rented is no longer available, and having considered a number of suitable alternatives, the Trust is now renting a new treatment room, office accommodation and living quarters in the newly refurbished Richard Branson Centre.

The new accommodation arrangement, which came into effect on 29 June, fully meets the treatment room requirements and the needs of a member of nursing staff required to stay overnight.

### Communication Advice Centre Assessments

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety for his assessment of the current waiting times for communication advice centre assessments.

**(AQW 13455/11-15)**

**Mr Poots:** The Communication Advice Centre regional service at Musgrave Park Hospital has seen a significant increase in referral numbers. This increase has created a capacity and demand gap leading to a waiting list backlog.

In order to address this, the Belfast Health and Social Care Trust and the Public Health Agency are actively finalising recurrent monies to help decrease the capacity gap and, in the intervening period, they are seeking to recruit temporary staff to help address the backlog.

### Dyslexia Glasses

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety whether his Department has any plans to make dyslexia glasses available through the Health Service.

**(AQW 13456/11-15)**

**Mr Poots:** The prescribing of tinted glasses for dyslexia is currently not provided for by the Department under the General Ophthalmic Services framework. Whilst some evidence exists for the provision of tints for certain learning difficulties, the current evidence base for the prescribing of tints for dyslexia is deemed insufficient to permit provision under General Ophthalmic Services. The Health and Social Care Board only contract primary eye care services within the current General Ophthalmic Services framework.

### Ulster Hospital: Cancer Services

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety what plans are in place to upgrade cancer services at the Ulster Hospital, Dundonald.

**(AQW 13468/11-15)**

**Mr Poots:** The Ulster Hospital is one of five cancer units in Northern Ireland that manage patients with more common cancers and provide local chemotherapy services. Services are currently provided in the MacDermott Unit.

A major capital investment programme (Phase A) has been completed at the Ulster Hospital. Enabling works have commenced on a second phase of redevelopment, (referred to as Phase B). The MacDermott unit upgrade, whilst forming part of the longer term redevelopment strategy for the hospital, is not included in current plans for the Budget 2010 period. This project is subject to on-going review in the light of emerging priorities and as the proposals in Transforming Your Care are taken forward.

### HSC: Re-evaluated and Upgraded Posts

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to detail how many posts have been re-evaluated and upgraded over the last five years, broken down by each Trust.

**(AQW 13472/11-15)**

**Mr Poots:** There have been a total of 1,696 non-medical posts in the Health and Social Care that have been upgraded as a result of re-evaluation in the last five years. 502 of these were in Belfast HSC Trust, 289 in the Northern HSC Trust, 258 in the South Eastern HSC Trust, 377 in the Southern HSC Trust, 263 in the Western HSC Trust and 7 in the NI Ambulance Services Trust.

### HSC: Voluntary Early Retirements

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to detail the Voluntary Early Retirements in all Health and Social Care Trusts over the last twelve months including the cost and savings achieved.

**(AQW 13475/11-15)**

**Mr Poots:** There have been a total of 86 Voluntary Early Retirements in the Health and Social Care Trusts in the period 1 July 2011 to 30 June 2012. The total cost was £4,859,524 and the total savings that will be achieved as a result of these early retirements is £6,628,141 over the payback period.

A breakdown of this information by Trust is as follows:

- Belfast HSC Trust: 19: cost £1.5m, savings of £1.5m;
- Northern HSC Trust: 34: cost £1,157,427, savings of £2,740,680;
- South Eastern HSC Trust: 8: cost £443,971, savings of £420,173;
- Southern HSC Trust: 21: cost £1,473,923, savings of £1,682,185;
- Western HSC Trust: 4: cost of £284,203, savings of £285,103.

There have been no Voluntary Early Retirements in the NI Ambulance Service Trust over the last twelve months.

### Cyberknife SBRT Treatment

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety how many people have been referred for Cyberknife SBRT treatment in each of the last five years.

**(AQW 13476/11-15)**

**Mr Poots:** I have been advised by the Health and Social Care Board that information on the number of people referred for CyberKnife Stereotactic Body Radiotherapy treatment in the 2007 calendar year is not available.

Information on the number of people who have been referred for CyberKnife Stereotactic Body Radiotherapy treatment, during each calendar year since 2008, is detailed in the table below:

| Year | No. of people referred for CyberKnife SBRT treatment |
|------|--|
| 2008 | 8  |
| 2009 | 21   |
| 2010 | 30   |
| 2011 | 3  |

**Source:** Health and Social Care Board

### GP in Ederney, Co Fermanagh

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety (i) for an update on his Department's efforts to secure a permanent GP in Ederney, Co Fermanagh; (ii) when the recruitment of a new permanent GP will begin; and (iii) when the local community can expect a new permanent GP to take up the post.

**(AQW 13535/11-15)**

**Mr Poots:**

- (i) The Health and Social Care Board (HSCB) convened a group consisting of members of the HSCB, the Local Medical Committee, the Local Commissioning Group and the Patient and Client Council on 7th June 2012 to address issues around the running of the Ederney Practice in the short term and to assist in the long term future of the Practice.
- (ii) A recruitment process has commenced following agreement at the meeting on 7th June.
- (iii) It is anticipated that a new permanent GP would take up post in autumn 2012.

### Cancer Prevention, Treatment and Care

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety (i) whether the Service Frameworks Programme Board has approved the implementation plan for the Service Framework for Cancer Prevention, Treatment and Care; and (ii) when the updated Framework will be published on his Department's website.

**(AQW 13537/11-15)**

**Mr Poots:** The implementation plan for the Service Framework for Cancer Prevention, Treatment and Care was considered by the Service Frameworks Programme Board, chaired by the Chief Medical Officer, in March 2012.

While significant progress had been made in the implementation of the Framework, a number of Key Performance Indicators still required baseline auditing. It was agreed therefore that further development of the plan was warranted and a revised Implementation Plan should be developed and submitted to the Service Frameworks Programme Board at its September 2012 meeting. It is expected that an updated version of the Framework will be published on my Department's website thereafter.

## Bowel Cancer Screening Programme

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what consideration has been given to further developments in the Bowel Cancer Screening Programme, including (i) the extension of the upper-age range; (ii) the incorporation of flexible sigmoidoscopy; and (iii) the replacement of the current fecal occult blood test with the Fecal Immunochemical Test.

**(AQW 13538/11-15)**

**Mr Poots:**

- (i) The Bowel Cancer Screening Programme, when launched in 2010, was offered to eligible men and women aged 60-69. In April 2012 it was extended to include men and women aged 60-71. The Programme for Government 2011-15, includes a commitment to extend the age range for bowel cancer screening up to age 74 across all Trust areas from April 2014.
- (ii) The Advisory Committee on Bowel Cancer Screening in England is currently establishing a flexible sigmoidoscopy pilot. The pilot is expected to commence in winter/early spring 2013 and will test the IT system in terms of supporting the programme and consider staffing models for future roll out. I will await the outcome of this pilot before making a decision on introducing flexible sigmoidoscopy to the Northern Ireland Bowel Cancer Screening Programme.
- (iii) In Northern Ireland, Scotland and Wales the faecal occult blood test (FOBT) is sent to individuals to complete at home. Those who receive an 'unclear' result are then sent a faecal immunochemical test (FIT) to complete.

There have been concerns about the stability of some FIT tests and work is ongoing to improve reliability. The Advisory Committee for Bowel Cancer Screening is planning to pilot the FIT test as the primary screening test in 2014/2015. I will await the outcome of this pilot before making a decision to replace the FOBT.

## National Institute for Health and Clinical Excellence Guidance

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety, in light of the publication of circular HSC (SQSD) NICE 04/11 in September 2011, whether the timescales are being achieved for (i) the endorsement of National Institute for Health and Clinical Excellence (NICE) guidance; and (ii) commissioning endorsed NICE guidance.

**(AQW 13539/11-15)**

**Mr Poots:**

- (i) Since the publication of circular HSC (SQSD) NICE 04/11, my Department has endorsed almost all Technology Appraisals and the majority of Clinical Guidelines published by NICE within the required timescales.
- (ii) Where new treatments were commissioned, the majority of commissioning plans for Technology Appraisals and Board responses for Clinical Guidelines have been submitted to my Department by the HSC Board within the required timescales.

## National Institute for Health and Clinical Excellence Guidance

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety, in light of the publication of circular HSC (SQSD) NICE 04/11 in September 2011, what measures are in place to ensure that patients can access effective treatments in the period between the National Institute for Health and Clinical Excellence approval and his Department approving the commissioning plan for the Technology Appraisal.

**(AQW 13540/11-15)**

**Mr Poots:** For cancer drugs commissioning arrangements for 2012/13 have been agreed including drugs that have been approved by NICE at final draft or final stage but not yet endorsed for use in Northern Ireland. Funding will be on a cost per case basis. Trusts are required to submit a request in respect of each patient in advance of treatment commencing.

A Medicines Management Commissioning Team has been established which met for the first time in early July. This team will play a key role in ensuring that commissioning arrangements for all new drugs in Northern Ireland are robust, transparent and facilitate timely access to evidence-based treatments.

## National Institute for Health and Clinical Excellence Guidance

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety (i) when he will receive the first annual report from the Health and Social Care Board on the progress in commissioning services in accordance with the National Institute for Health and Clinical Excellence guidance endorsed by his Department, as stated in HSC (SQSD) NICE 04/11; and (ii) whether the report will be published.

**(AQW 13541/11-15)**

**Mr Poots:**

- (i) The first progress report is expected to be submitted to my Department in April 2013 and will cover the 18 month period from the start of the new process for Endorsement, Implementation, Monitoring and Assurance of NICE Technology Appraisals and Clinical Guidelines in Northern Ireland. The HSC Board will report annually thereafter.
- (ii) It is intended that the first and subsequent reports will be published.

## Foyle Search and Rescue: Funding

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant AQW 13350/11-15, to detail (i) why his Department does not fund Foyle Search and Rescue given its remit towards public safety and the recent launch of the refreshed Protect Life Strategy; and (ii) whether he will give consideration to providing financial support to Foyle Search and Rescue.

**(AQW 13547/11-15)**

**Mr Poots:** The funding of individual groups to provide suicide prevention services is an operational issue and is not, therefore, addressed under the refreshed Protect Life Strategy. However, the Strategy contains an action on supporting community-based suicide prevention and bereavement support initiatives. In taking forward this action, the Public Health Agency (PHA) provides funding for community-led initiatives. Foyle Search and Rescue has been allocated £175,600 by the PHA under Protect Life over the period 2007-2013, including £25,000 in the current financial year. The organisation has also received £17,411 from the PHA through the CLEAR project's small grants scheme.

## Hospitals and Care Homes: Care for Older People

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what measures he is taking to ensure dignity in the care for older people in hospitals and care homes.

**(AQW 13567/11-15)**

**Mr Poots:** The concept of treating all patients, irrespective of their age or any disability, with dignity and respect at all times is integral to the training of all healthcare professionals. All registered professions have very clear Codes of Conduct built into the regulatory requirements, and all registrants must maintain those standards in order to remain on their professional register.

## Hospitals and Care Homes: Care for People with a Learning Disability

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what measures he is taking to ensure dignity in the care for people with a learning disability in hospitals and care homes.

**(AQW 13568/11-15)**

**Mr Poots:** The concept of treating all patients, irrespective of their age or any disability, with dignity and respect at all times is integral to the training of all healthcare professionals. All registered professions have very clear Codes of Conduct built into the regulatory requirements, and all registrants must maintain those standards in order to remain on their professional register.

## Hospital and Care Homes: Abuse

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what measures he is taking to ensure that older people do not suffer abuse in hospital or care home settings.

**(AQW 13569/11-15)**

**Mr Poots:** My Department, in conjunction with other agencies, continues to develop measures aimed at safeguarding all vulnerable adults, including older people and people with a learning disability, in hospitals and care homes. Such measures include:

- Implementing the changes to disclosure and barring arrangements for preventing unsuitable individuals from working with vulnerable groups;
- Development of a service framework for the health and wellbeing of older people; and
- Development of a safeguarding vulnerable adults training programme targeted at the voluntary, community and independent sectors.

In addition, the Health and Social Care Board, together with the Northern Ireland Adult Safeguarding Partnership (NIASP):

- Launched a training DVD which addresses the phenomenon of abuse of vulnerable adults in care settings;
- Are reviewing current regional adult protection operating policies and procedural guidance by the NIASP;
- Are planning a conference aimed at the acute sector, including hospitals, which will focus on adult safeguarding and will take place later this year.

## Hospital and Care Homes: Abuse

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what measures he is taking to ensure that people with a learning disability do not suffer abuse in hospital or care home settings.

**(AQW 13570/11-15)**

**Mr Poots:** My Department, in conjunction with other agencies, continues to develop measures aimed at safeguarding all vulnerable adults, including older people and people with a learning disability, in hospitals and care homes. Such measures include:

- Implementing the changes to disclosure and barring arrangements for preventing unsuitable individuals from working with vulnerable groups;
- Development of a service framework for the health and wellbeing of older people; and



- Development of a safeguarding vulnerable adults training programme targeted at the voluntary, community and independent sectors.

In addition, the Health and Social Care Board, together with the Northern Ireland Adult Safeguarding Partnership (NIASP):

- Launched a training DVD which addresses the phenomenon of abuse of vulnerable adults in care settings;
- Are reviewing current regional adult protection operating policies and procedural guidance by the NIASP;
- Are planning a conference aimed at the acute sector, including hospitals, which will focus on adult safeguarding and will take place later this year.

## Future of Adult Care

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety to outline the reasons for the delay in publishing the discussion paper on The Future of Adult Care and Support in Northern Ireland; and for his assessment of the impact of this delay. (AQW 13571/11-15)

**Mr Poots:** It is widely accepted that issues such as an ageing population, increased public expectations and a difficult financial climate are putting adult social care provision in Northern Ireland under increasing pressure. If we are to meet the challenges that these issues present, change is needed, and that is why I have committed to a three stage process of reform to identify the future direction of adult social care.

Reform of this scale poses a significant challenge, and while I recognise there has been some delay in publishing the first stage in the reform process, it is important that we take the time to ensure that the discussion document covers all the key issues, and is capable of promoting meaningful discussion and debate. It is my intention to publish the discussion document before the end of August, which will be followed by an extensive consultation phase aimed at reaching as many people as possible.

## Stereotactic Body Radiotherapy Treatment Equipment

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety, pursuant to 13163/11-15, to detail the type of cancers that were treated by Stereotactic Body Radiotherapy Treatment. (AQW 13572/11-15)

**Mr Poots:** The Health and Social Care Board have informed me that information on the types of cancer that were treated with Stereotactic Body Radiotherapy Treatment is not collected centrally, and can only be obtained at disproportionate cost.

## Sterile Water

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the pseudomonas investigation, what conclusion has the Department reached on the cost of using sterile water compared to using Point-of-Use filters. (AQW 13588/11-15)

**Mr Poots:** RQIA's interim and final reports of the Independent Review of Incidents of Pseudomonas aeruginosa Infection in Neonatal Units in Northern Ireland recommended that sterile water should be used when washing all babies in neonatal care (Levels 1, 2 and 3) and that this should be kept under review in relation to babies in Level 3 neonatal units (Special Care Baby Units) as new evidence emerges.

The Department has not costed the use of sterile water.

## Passported Benefits

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to detail the passported benefits for which his Department has responsibility, including (i) the total of each benefit paid; and (ii) the number of recipients, in each of the last five years. (AQW 13607/11-15)

**Mr Poots:** My Department is responsible for the following passported benefits: free Health Service dental treatment; free Health Service sight tests; vouchers towards the cost of glasses or contact lenses, the payment of necessary travel costs to hospital for Health Service treatment; and the Healthy Start Voucher scheme. Further information on these passported benefits is set out in the tables below:

| Benefit  | Total paid<br>2007/08<br>£m | Total paid<br>2008/09<br>£m | Total paid<br>2009/10<br>£m | Total paid<br>2010/11<br>£m | Total paid<br>2011/12<br>£m |
|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Free Health Service Dental Treatment   | 15.8                        | 16.8                        | 18.6                        | 22.0                        | 22.5                        |
| Free Health Service Sight Tests and vouchers towards the cost of glasses or contact lenses | 6.9                         | 7.4                         | 8.1                         | 7.7                         | 7.3                         |

| <b>Benefit</b>  | <b>Total paid<br/>2007/08<br/>£m</b> | <b>Total paid<br/>2008/09<br/>£m</b> | <b>Total paid<br/>2009/10<br/>£m</b> | <b>Total paid<br/>2010/11<br/>£m</b> | <b>Total paid<br/>2011/12<br/>£m</b> |
|---|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| Payment of necessary travel costs to hospital for health service treatment <sup>1</sup> | N/A                                  | N/A                                  | N/A                                  | N/A                                  | N/A                                  |
| Healthy Start Voucher scheme  | 2.4                                  | 2.8                                  | 3.0                                  | 3.0                                  | 3.3                                  |

1 Information on the costs for the payment of necessary travel costs to hospital for health service treatment is not held centrally and could only be provided at disproportionate cost.

| <b>Benefit</b>  | <b>Total recipients<br/>2007/08</b> | <b>Total recipients<br/>2008/09</b> | <b>Total recipients<br/>2009/10</b> | <b>Total recipients<br/>2010/11</b> | <b>Total recipients<br/>2011/12</b> |
|---|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Free Health Service Dental Treatment  | 177,099                             | 185,276                             | 200,474                             | 224,104                             | 231,928                             |
| Free Health Service Sight Tests and vouchers towards the cost of glasses or contact lenses <sup>1</sup> | N/A                                 | N/A                                 | N/A                                 | N/A                                 | N/A                                 |
| Payment of necessary travel costs to hospital for health service treatment <sup>2</sup>                 | N/A                                 | N/A                                 | N/A                                 | N/A                                 | N/A                                 |
| Healthy Start Voucher scheme <sup>3</sup>   | N/A                                 | N/A                                 | N/A                                 | 17,222                              | 17,438                              |

- 1 The number of recipients accessing ophthalmic services is not available
- 2 Information on the recipients of payment for necessary travel costs to hospital for health service treatment is not held centrally and could only be provided at disproportionate cost.
- 3 Responsibility for the delivery of this service transferred to the Business Services Organisation (BSO) in April 2010, it is not possible to provide activity figures for the period before this date. However, based upon expenditure information, it could be assumed that activity levels in 2007/08 to 2009/10 were broadly similar to those reported in 2010/11 & 2011/12.

### **Northern Health and Social Care Trust: Hospital Network**

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, in relation to the creation of the Hospital network in the Northern Health and Social Care Trust area and the assessment of need for a new hospital, when such an assessment will be made and whether the assessment will be made on the basis of clinical need.

**(AQW 13608/11-15)**

**Mr Poots:** The Northern Health and Social Care Trust Draft Population Plan, as do all Trusts' draft Plans, sets out an assessment of the needs of its local population and how those needs are to be delivered.

Draft Population Plans together with a draft Strategic Implementation Plan have now been published on my Department's website and will be subject to quality assurance and further engagement with clinical leaders over the summer months. All of these draft Plans include proposals for hospital configuration to ensure that acute services adhere to best practice in terms of quality outcomes, infrastructure and staffing and that they are safe, resilient and sustainable based on clinical assessment. No decisions have yet been made in relation to the future hospital configuration, including services in the Northern Trust area.

These plans are only proposals and it is appropriate that the material which has been produced is considered carefully. Once finalised, all Plans will be subject to formal consultation, over the autumn, which will ensure that people are informed and engaged in shaping the future for the health and care sector. Further public consultation would be undertaken on any significant service changes being proposed in light of conclusions on the Strategic Implementation Plan and Populations Plans.

### **MRI Scanners**

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety how many MRI scanners were available, at each acute hospital, in each of the last three years.

**(AQW 13616/11-15)**

**Mr Poots:** The numbers of MRI scanners which were available, at acute hospitals, in each of the last three years are as follows:

| <b>Acute Hospital</b> | <b>2012</b> | <b>2011</b> | <b>2010</b> |
|-----------------------|-------------|-------------|-------------|
| Belfast City Hospital | 2           | 2           | 2           |

| <b>Acute Hospital</b>      | <b>2012</b> | <b>2011</b> | <b>2010</b> |
|----------------------------|-------------|-------------|-------------|
| Mater Hospital             | 1           | 1           | 1           |
| Musgrave Park Hospital     | 2           | 2           | 2           |
| Royal Victoria Hospital    | 2           | 2           | 2           |
| Antrim Hospital            | 1           | 1           | 1           |
| Ulster Hospital            | 2           | 1           | 1           |
| Craigavon Hospital         | 1           | 1           | 1           |
| Altnagelvin Hospital       | 1           | 1           | 1           |
| *South West Acute Hospital | 1           | -           | -           |

### **Acute Hospitals: Funding**

Mr Campbell asked Minister of Health, Social Services and Public Safety to detail the total level of funding allocated to each acute hospital across the 2011-15 budgetary period.

**(AQW 13617/11-15)**

**Mr Poots:** This information is not available as funding is not allocated at hospital site level.

### **Oakridge Social Education Centre, Dungannon**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what is the timescale for the new build for Oakridge Social Education Centre, Dungannon.

**(AQW 13622/11-15)**

**Mr Poots:** The Southern Health and Social Care Trust is currently developing the business case for Oakridge Social Education Centre. Upon receipt, the business case will need to be assessed and approved by my Department and by the Department of Finance and Personnel.

Once the business case has been approved, I will consider the timing of this and other projects in light of my available budget.

### **Nursing and Midwifery Students: Non-means Tested Award**

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety why the nursing and midwifery non-means tested award is being reduced by his Department; and how he intends to support nursing and midwifery students who may be struggling in the current economic climate.

**(AQW 13625/11-15)**

**Mr Poots:** My Department is currently consulting on the Review of Healthcare Bursaries and the proposals in relation to nursing and midwifery are aimed at beginning to harmonise arrangements with other health and social care students.

The current proposal is for a reduction from £6055 to £5165 per annum. Unlike bursary provision for the other healthcare professions, this is a non means-tested entitlement which continues to be available to all nursing and midwifery students.

### **Nursing and Midwifery Students: Book and Uniform Allowance**

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety why the one-off book and uniform allowance for nursing and midwifery students is being discontinued, given the benefit it provides for students, particularly students from low-income backgrounds.

**(AQW 13627/11-15)**

**Mr Poots:** The removal of the one-off book and uniform allowance for Nursing and Midwifery students, is proposed in the Consultation on the Review of HSC Student Bursary Schemes. The proposals presented in the review are aimed at beginning to harmonise the support arrangements provided across the health and social care professions. The book and uniform allowance is not provided to any other health and social care students.

The decision on the possible removal of this allowance will be taken following completion of the consultation on 2nd August.

Nursing and Midwifery students continue to receive support throughout their training by provision of a non means tested, non repayable bursary, and the potential availability of a range of other allowances such as Disabled Students' Allowance and Dependents' Allowance, based on their individual circumstances.

## Nursing and Midwifery Students

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what action his Department intends to take to financially support nursing and midwifery students in terms of bursaries and allowances, given the current economic pressures on students.

**(AQW 13629/11-15)**

**Mr Poots:** My Department provides all nursing and midwifery students with a non means-tested, non repayable bursary, and funds the entire cost of tuition fees to the university. In addition, nursing and midwifery students can apply for additional allowances such as Parental Learning Allowance, Disability Allowance, and contribution to childcare costs, subject to individual circumstances and attendant eligibility.

My Department is currently consulting on proposals for a modest reduction in the nursing bursary, and removal of the book and uniform allowance, provided only to nursing and midwifery students. This is a first step in harmonisation of DHSSPS-funded student support provided across the healthcare professions. If this reduction is introduced, all nursing and midwifery students will remain entitled to a non means tested bursary of £5165 per annum and there will be no change to the additional allowances available subject to eligibility.

## Patient and Client Council: Staffing

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety for an update on the staffing arrangements at the Patient Client Council, Omagh, following the recent retirement of staff.

**(AQW 13649/11-15)**

**Mr Poots:** The staffing complement in the Patient and client Council's (PCC) Omagh office is currently four. Prior to the retirement of two members of staff, one Administrative Officer and one Patient and Client Support Officer, the PCC put in place temporary arrangements to ensure continuity of service for people in the Western Area. This included the recruitment of a temporary member of staff to assist with personal and public involvement work in the Western area, and for all calls to the Omagh office being answered centrally by PCC.

The Patient and Client Council is undergoing a review of its organisational structure and it is planned changes to its structures will be implemented in 2013.

## HSC Recruitment: Consultant Posts at Acute Hospitals

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety what is the minimum required notification to be given to a medical consultant, from outside the United Kingdom, to attend an interview for a consultant's post at an acute hospital.

**(AQW 13660/11-15)**

**Mr Poots:** Consultants are appointed to health and social care organisations in accordance with the Health and Personal Social Services Appointment of Consultants Regulations (Northern Ireland) 1996. The accompanying guidance to the regulations provides useful advice to employers when making appointments to consultant posts. Neither the regulations nor the guidance specifies a minimum period of notification for interview for either a UK or international applicant.

Recruitment & selection policy and procedures have been developed within each Trust and the advice from all Trusts is there is no difference in the period of notification for interview for either a UK or international applicant. Trusts normally liaise with individual applicants in relation to their availability and plan accordingly.

## Residential Care: Funding

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety whether consideration is being given to a review of funding for residential care.

**(AQW 13661/11-15)**

**Mr Poots:** It is widely accepted that issues such as an ageing population, increased public expectations and a difficult financial climate are putting adult social care services, including residential care, in Northern Ireland under increasing pressure. If we are to meet the challenges that these issues present, change is needed, and that is why I have committed to a three stage process of reform to identify the future direction of adult social care.

The first stage of this, which I aim to publish in August 2012, will be the development of a discussion document setting out the challenges that the system is facing and aiming to promote a public debate around the future of adult social care. This will include discussion around how services such as residential care should be funded in the future, with a view to establishing a fair and sustainable system of funding.

## Fire and Rescue Service Recruitment Exercise

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety who chaired the Appeal Panel for the practical aptitude test in the Fire and Rescue Service's wholetime recruitment exercise.

**(AQW 13684/11-15)**

**Mr Poots:** Assistant Chief Fire Officer Eoin Doyle chaired the appeal panel for the practical aptitude test.

### Fire and Rescue Service Recruitment Exercise

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety to detail of candidates who (a) appealed their results; and (b) were permitted to resit the practical aptitude test in the Fire and Rescue Service's wholetime recruitment exercise.  
(AQW 13685/11-15)

**Mr Poots:** A total of 67 candidates appealed in writing to the Recruitment & Services Manager in relation to the Practical Tests.

Of the 67 candidates who appealed, 44 were given a re-test, after the Panel had considered each appeal on individual merit. Of the 44 candidates given a re-test, 37 were successful when re-tested and these candidates then proceeded to interview stage.

### Fire and Rescue Service Recruitment Exercise

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety to detail the (i) number; and (ii) names of candidates who were successfully recruited to the Fire and Rescue Service after appealing their practical aptitude test results in the wholetime recruitment exercise.

(AQW 13686/11-15)

**Mr Poots:**

- (i) Of those candidates who appealed their Practical Aptitude Test results, five were successfully recruited.
- (ii) The names of successful appellants cannot be released as this would be a breach of the Data Protection Act 1998.

### Fire and Rescue Service Recruitment Exercise

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety to detail who (i) chaired; and (ii) was involved in the Appeal Panel when the practical aptitude test performance of candidate Doyle in the Fire and Rescue Service's wholetime recruitment exercise was considered.

(AQW 13687/11-15)

**Mr Poots:** Information relating to individual candidates cannot be released as this would be a breach of the Data Protection Act 1998.

### Fire and Rescue Service Recruitment Exercise

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety who was responsible for the process of re-testing the candidates who appealed their initial result in the Fire and Rescue Service's wholetime recruitment exercise.

(AQW 13688/11-15)

**Mr Poots:** Successful appellants were re-tested in the appropriate elements by Fire & Rescue Service Assessors. The Assessors involved in the retesting did not include any individuals who were members of the Appeal Panel.

### Fire and Rescue Service Recruitment Exercise

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety to detail which elements of the Fire and Rescue Service's wholetime recruitment exercise candidates were permitted to appeal.

(AQW 13689/11-15)

**Mr Poots:** The recruitment competition comprised four stages: a multi-stage fitness test; an assessment of the candidate's application form; a Practical Aptitude Test (PAT); and an interview.

Of the four stages, only the PAT had an appeal process.

### Hospitals: Elective and Non-elective Admissions

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety to detail how many (i) elective; and (ii) non-elective admissions there were in (a) medicine; and (b) surgery at each hospital, in each of the last three years.

(AQW 13698/11-15)

**Mr Poots:** Information on the number of (i) elective; and (ii) non-elective admissions in (a) medicine; and (b) surgery at each hospital, in each of the last three years, are given in the following tables.

All admissions to the medicine and surgery specialties within the Acute Programme of Care have been included.

- i) (a) The number of elective admissions to the medicine specialties at each hospital, in each of the last three years

| Hospital    | Medicine |         |         |
|-------------|----------|---------|---------|
|             | 2008/09  | 2009/10 | 2010/11 |
| Altnagelvin | 11,140   | 8,456   | 8,397   |
| Antrim      | 7,141    | 7,722   | 7,114   |

| <b>Hospital</b>   | <b>Medicine</b> |                |                |
|-------------------|-----------------|----------------|----------------|
|                   | <b>2008/09</b>  | <b>2009/10</b> | <b>2010/11</b> |
| Ards              | 414             | 420            | 444            |
| Banbridge         | 513             | 932            | 492            |
| Bangor            | 5               | 5              | 6              |
| Belfast City      | 17,223          | 7,972          | 8,221          |
| Braid Valley      | 4               | 1              | 0              |
| Cancer Centre     | 2,121           | 11,084         | 11,542         |
| Causeway          | 3,184           | 3,035          | 2,774          |
| Craigavon         | 6,485           | 7,084          | 8,362          |
| Daisy Hill        | 2,021           | 1,937          | 2,136          |
| Dalriada          | 278             | 229            | 192            |
| Downe             | 822             | 852            | 1,071          |
| Erne              | 1,357           | 1,342          | 1,576          |
| Forster Green     | 318             | 309            | 354            |
| Lagan Valley      | 1,425           | 1,547          | 1,485          |
| Lurgan            | 188             | 25             | 2              |
| Mater             | 1,785           | 2,029          | 2,193          |
| Mid Ulster        | 1,526           | 1,432          | 1,962          |
| Moyle             | 3               | 4              | 5              |
| Musgrave Park     | 8,867           | 8,968          | 8,780          |
| RBHSC             | 9               | 5              | 993            |
| Robinson Memorial | 25              | 24             | 38             |
| Royal Maternity   | 0               | 1              | 1              |
| Royal Victoria    | 11,780          | 12,097         | 12,567         |
| South Tyrone      | 2,019           | 1,943          | 2,153          |
| Thompson House    | 237             | 255            | 251            |
| Tyrone County     | 492             | 557            | 744            |
| Ulster            | 11,392          | 7,889          | 8,045          |
| Whiteabbey        | 2,457           | 2,146          | 2,703          |
| <b>Total</b>      | <b>95,231</b>   | <b>90,302</b>  | <b>94,603</b>  |

**Source:** Hospital Inpatient System

i) (b) The number of elective admissions<sup>1</sup> to the surgery specialties at each hospital, in each of the last three years

| <b>Hospital</b> | <b>Surgery</b> |                |                |
|-----------------|----------------|----------------|----------------|
|                 | <b>2008/09</b> | <b>2009/10</b> | <b>2010/11</b> |
| Altnagelvin     | 15,632         | 16,385         | 16,036         |
| Antrim          | 6,178          | 5,824          | 5,129          |
| Ards            | 5,839          | 5,777          | 5,275          |



| <b>Hospital</b> | <b>Surgery</b> |                |                |
|-----------------|----------------|----------------|----------------|
|                 | <b>2008/09</b> | <b>2009/10</b> | <b>2010/11</b> |
| Belfast City    | 13,788         | 12,713         | 12,911         |
| Cancer Centre   | 0              | 2              | 1              |
| Causeway        | 6,616          | 6,741          | 6,749          |
| Craigavon       | 11,193         | 11,432         | 11,031         |
| Daisy Hill      | 4,223          | 4,110          | 4,535          |
| Downe           | 1,824          | 2,031          | 1,916          |
| Erne            | 3,113          | 3,463          | 2,869          |
| Lagan Valley    | 5,267          | 5,119          | 5,523          |
| Mater           | 7,346          | 7,984          | 8,031          |
| Mid Ulster      | 2,638          | 2,565          | 2,800          |
| Musgrave Park   | 9,683          | 8,724          | 8,479          |
| RBHSC           | 0              | 0              | 1,310          |
| Royal Maternity | 3              | 2              | 0              |
| Royal Victoria  | 23,493         | 20,094         | 18,997         |
| South Tyrone    | 3,240          | 3,410          | 3,176          |
| Tyrone County   | 4,470          | 4,175          | 4,151          |
| Ulster          | 7,091          | 7,391          | 6,864          |
| Whiteabbey      | 2,500          | 2,307          | 1,817          |
| <b>Total</b>    | <b>134,137</b> | <b>130,249</b> | <b>127,600</b> |

**Source:** Hospital Inpatient System

ii) (a) The number of non-elective admissions to the medicine specialties at each hospital, in each of the last three years

| <b>Hospital</b> | <b>Medicine</b> |                |                |
|-----------------|-----------------|----------------|----------------|
|                 | <b>2008/09</b>  | <b>2009/10</b> | <b>2010/11</b> |
| Altnagelvin     | 8,215           | 8,266          | 8,725          |
| Antrim          | 10,654          | 10,461         | 11,903         |
| Ards            | 528             | 389            | 267            |
| Bangor          | 578             | 509            | 502            |
| Belfast City    | 9,122           | 8,644          | 8,508          |
| Braid Valley    | 60              | 67             | 60             |
| Cancer Centre   | 742             | 769            | 753            |
| Causeway        | 4,051           | 3,930          | 4,138          |
| Craigavon       | 10,521          | 10,407         | 10,342         |
| Daisy Hill      | 4,446           | 4,377          | 4,722          |
| Dalriada        | 179             | 173            | 211            |
| Downe           | 3,754           | 3,631          | 3,124          |
| Erne            | 2,795           | 4,435          | 4,768          |

| <b>Hospital</b>   | <b>Medicine</b> |                |                |
|-------------------|-----------------|----------------|----------------|
|                   | <b>2008/09</b>  | <b>2009/10</b> | <b>2010/11</b> |
| Forster Green     | 14              | 8              | 10             |
| Lagan Valley      | 3,641           | 3,595          | 3,666          |
| Lurgan            | 104             | 90             | 130            |
| Mater             | 6,278           | 6,019          | 6,324          |
| Mid Ulster        | 2,569           | 2,336          | 1,023          |
| Moyle             | 33              | 103            | 184            |
| Musgrave Park     | 204             | 201            | 261            |
| RBHSC             | 61              | 60             | 831            |
| Robinson Memorial | 94              | 145            | 195            |
| Royal Victoria    | 7,285           | 8,660          | 9,540          |
| Thompson House    | 5               | 13             | 11             |
| Tyrone County     | 2,948           | 1,989          | 2,307          |
| Ulster            | 10,967          | 11,085         | 11,227         |
| Whiteabbey        | 2,155           | 1,936          | 484            |
| <b>Total</b>      | <b>92,003</b>   | <b>92,298</b>  | <b>94,216</b>  |

**Source:** Hospital Inpatient System

iii) (b) The number of non-elective admissions to the surgery specialties at each hospital, in each of the last three years

| <b>Hospital</b> | <b>Surgery</b> |                |                |
|-----------------|----------------|----------------|----------------|
|                 | <b>2008/09</b> | <b>2009/10</b> | <b>2010/11</b> |
| Altnagelvin     | 6,115          | 6,484          | 6,283          |
| Antrim          | 3,000          | 3,584          | 3,864          |
| Ards            | 1              | 2              | 0              |
| Belfast City    | 3,178          | 3,233          | 3,150          |
| Cancer Centre   | 2              | 2              | 3              |
| Causeway        | 2,519          | 2,606          | 2,579          |
| Craigavon       | 6,373          | 6,265          | 6,433          |
| Daisy Hill      | 3,490          | 3,443          | 3,295          |
| Downe           | 0              | 1              | 10             |
| Erne            | 3,475          | 3,184          | 3,196          |
| Lagan Valley    | 188            | 177            | 111            |
| Mater           | 2,002          | 1,987          | 2,214          |
| Mid Ulster      | 627            | 391            | 1              |
| Musgrave Park   | 320            | 323            | 201            |
| RBHSC           | 0              | 0              | 823            |
| Royal Victoria  | 8,697          | 8,608          | 8,408          |
| South Tyrone    | 0              | 0              | 1              |

| Hospital      | Surgery       |               |               |
|---------------|---------------|---------------|---------------|
|               | 2008/09       | 2009/10       | 2010/11       |
| Tyrone County | 84            | 0             | 0             |
| Ulster        | 7,123         | 6,711         | 7,111         |
| Whiteabbey    | 487           | 246           | 0             |
| <b>Total</b>  | <b>47,681</b> | <b>47,247</b> | <b>47,683</b> |

**Source:** Hospital Inpatient System

### Hospitals: Paediatric Admissions

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety how many paediatric admissions there were at each hospital with a Paediatric Department, in each of the last three years.

**(AQW 13700/11-15)**

**Mr Poots:** Information on the number of paediatric admissions at each hospital with a Paediatric Department, in each of the last three years, is given in the table below.

| Hospital                     | Paediatrics   |               |               |
|------------------------------|---------------|---------------|---------------|
|                              | 2008/09       | 2009/10       | 2010/11       |
| Altnagelvin                  | 3,635         | 3,329         | 3,473         |
| Antrim                       | 2,985         | 2,631         | 3,141         |
| Causeway                     | 1,409         | 1,494         | 1,468         |
| Craigavon                    | 2,366         | 2,654         | 2,584         |
| Daisy Hill                   | 1,546         | 1,548         | 1,555         |
| Erne                         | 1,850         | 1,856         | 1,896         |
| Lagan Valley                 | 44            | 58            | 39            |
| Mid Ulster                   | 44            | 4             | 3             |
| RBHSC                        | 10,515        | 10,275        | 4,551         |
| Royal Maternity <sup>1</sup> | 5,457         | 323           | 444           |
| Royal Victoria               | 0             | 1             | 1             |
| Tyrone County                | 93            | 40            | 7             |
| Ulster                       | 5,145         | 4,628         | 4,573         |
| <b>Total</b>                 | <b>35,089</b> | <b>28,841</b> | <b>23,735</b> |

1 From 2009/10, only babies admitted to the special care baby unit in the Royal Maternity Hospital are included.

### Hospitals: Accident and Emergency Unit Admissions

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what percentage of patients attending each Accident and Emergency Unit were admitted as an inpatient in each of the last three years.

**(AQW 13701/11-15)**

**Mr Poots:** Information on the percentage of patients attending each emergency care unit who were admitted as an inpatient is not available.

However, provisional information is available on the number of emergency admissions at each hospital<sup>1</sup>, as a percentage of the number of new and unplanned review attendances at emergency care units during the last three years. This is detailed in the table below:

| Hospital <sup>2</sup> | 2009/10 | 2010/11 | 2011/12 |
|-----------------------|---------|---------|---------|
| Belfast City          | 21.9%   | 21.1%   | 30.4%   |

| Hospital <sup>2</sup> | 2009/10 | 2010/11 | 2011/12 |
|-----------------------|---------|---------|---------|
| Mater                 | 19.3%   | 19.3%   | 20.6%   |
| Royal Victoria        | 17.0%   | 16.9%   | 15.9%   |
| RBHSC                 | 10.4%   | 10.2%   | 10.2%   |
| Antrim Area           | 22.1%   | 23.7%   | 23.4%   |
| Whiteabbey            | 10.5%   | 3.7%    | 0.0%    |
| Mid Ulster            | 12.4%   | 4.8%    | 0.0%    |
| Causeway              | 14.6%   | 14.3%   | 13.4%   |
| Ulster                | 22.1%   | 22.2%   | 24.6%   |
| Ards                  | 3.0%    | 1.3%    | 0.4%    |
| Bangor                | 3.6%    | 2.1%    | 0.5%    |
| Lagan Valley          | 10.8%   | 10.8%   | 11.4%   |
| Downe                 | 14.6%   | 13.1%   | 12.8%   |
| Craigavon Area        | 23.2%   | 22.3%   | 22.5%   |
| Daisy Hill            | 15.6%   | 16.3%   | 16.4%   |
| South Tyrone          | 0.0%    | 0.0%    | 0.0%    |
| Armagh                | 0.0%    | 0.0%    | 0.0%    |
| Mullinure             | 0.0%    | 0.0%    | 0.0%    |
| Altnagelvin Area      | 20.2%   | 20.8%   | 21.4%   |
| Erne                  | 15.5%   | 16.6%   | 15.9%   |
| Tyrone County         | 3.4%    | 3.4%    | 2.2%    |

**Source:** Hospital Inpatient System and EC1 information return.

- Deaths and discharges are used as an approximation of admissions therefore patients who have been admitted from emergency care but not yet discharged will not be included.
- Patients attending emergency care units may not always be admitted to the same hospital.

### Hospitals: Ratio of Medical Admissions to Medical Beds

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what was the ratio of medical admissions to medical beds at each hospital, in each of the last three years.

**(AQW 13703/11-15)**

**Mr Poots:** Information on the ratio of medical admissions to medical beds at each hospital, in each of the last three years, is given in the table below.

| Hospital      | 2008/09 | 2009/10 | 2010/11 |
|---------------|---------|---------|---------|
| Altnagelvin   | 44.9    | 46.1    | 50.4    |
| Antrim        | 49.9    | 51.0    | 53.0    |
| Ards          | 26.6    | 22.1    | 22.4    |
| Bangor        | 29.1    | 25.7    | 25.3    |
| Belfast City  | 37.9    | 38.6    | 39.0    |
| Braid Valley  | 15.7    | 16.8    | 13.3    |
| Cancer Centre | 44.1    | 44.3    | 43.0    |
| Causeway      | 38.7    | 38.9    | 41.4    |

| Hospital          | 2008/09     | 2009/10     | 2010/11     |
|-------------------|-------------|-------------|-------------|
| Craigavon         | 67.5        | 65.8        | 68.2        |
| Daisy Hill        | 55.0        | 55.4        | 59.9        |
| Dalriada          | 14.3        | 12.6        | 12.4        |
| Downe             | 71.5        | 63.1        | 62.3        |
| Erne              | 49.2        | 56.0        | 61.7        |
| Forster Green     | 14.5        | 14.0        | 16.1        |
| Lagan Valley      | 56.7        | 56.0        | 58.3        |
| Lurgan            | 13.2        | 6.6         | 7.8         |
| Mater             | 43.1        | 42.0        | 44.5        |
| Mid Ulster        | 31.4        | 28.9        | 14.6        |
| Moyle             | 7.5         | 6.7         | 10.5        |
| Musgrave Park     | 13.1        | 13.0        | 14.3        |
| RBHSC             | 11.8        | 8.1         | 51.3        |
| Robinson Memorial | 7.0         | 6.8         | 9.3         |
| Royal Victoria    | 41.3        | 46.4        | 49.6        |
| Thompson House    | 6.9         | 7.7         | 7.5         |
| Tyrone County     | 60.5        | 83.2        | 73.6        |
| Ulster            | 54.4        | 59.1        | 62.6        |
| Whiteabbey        | 33.2        | 30.9        | 16.0        |
| <b>Total</b>      | <b>43.9</b> | <b>44.5</b> | <b>46.4</b> |

**Source:** Hospital Inpatient System and KH03a return

### Hospitals: Acute Medical Beds

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what was the average length of stay in an acute medical bed at each hospital, in each of the last three years.

**(AQW 13704/11-15)**

**Mr Poots:** The average length of stay in an acute medical bed during each of the three years from 2008/09 to 2010/11 (the latest three year period for which data is currently available) is shown by hospital in the table below:-

| Hospital         | Average Length of Stay (days) |         |         |
|------------------|-------------------------------|---------|---------|
|                  | 2008-09                       | 2009-10 | 2010-11 |
| Altnagelvin Area | 7.0                           | 6.9     | 6.3     |
| Antrim           | 6.0                           | 5.8     | 5.7     |
| Ards             | 11.9                          | 13.6    | 14.3    |
| Bangor           | 10.9                          | 11.5    | 12.9    |
| Belfast City     | 7.9                           | 8.1     | 8.1     |
| Braid Valley     | 21.0                          | 18.7    | 17.2    |
| Cancer Centre    | 8.3                           | 8.2     | 8.5     |
| Causeway         | 8.9                           | 8.5     | 8.5     |
| Craigavon Area   | 4.5                           | 4.3     | 4.5     |

| Hospital          | Average Length of Stay (days) |         |         |
|-------------------|-------------------------------|---------|---------|
|                   | 2008-09                       | 2009-10 | 2010-11 |
| Daisy Hill        | 5.5                           | 5.4     | 5.2     |
| Dalriada          | 21.0                          | 21.7    | 23.6    |
| Downe             | 4.1                           | 4.5     | 5.0     |
| Erne              | 5.8                           | 5.3     | 5.1     |
| Forster Green     | 22.1                          | 23.1    | 19.8    |
| Lagan Valley      | 5.5                           | 5.5     | 5.5     |
| Lurgan            | 24.9                          | 50.0    | 44.0    |
| Mater Infirmorum  | 8.0                           | 8.0     | 7.6     |
| Mid Ulster        | 11.0                          | 11.6    | 22.0    |
| Moyle             | 41.9                          | 36.0    | 27.2    |
| Musgrave Park     | 21.3                          | 21.4    | 19.6    |
| RBHSC             | 19.7                          | 30.2    | 5.6     |
| Robinson Memorial | 45.4                          | 44.1    | 32.3    |
| Royal Victoria    | 7.5                           | 6.8     | 6.4     |
| Thompson House    | 46.8                          | 42.6    | 45.9    |
| Tyrone County     | 4.7                           | 3.3     | 4.2     |
| Ulster            | 6.1                           | 5.6     | 5.3     |
| Whiteabbey        | 9.5                           | 9.5     | 19.6    |

**Source:-** Hospital Inpatient System and KH03a Departmental Return

### Hospitals: Occupancy of Surgical Beds

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety what was the occupancy of surgical beds at each hospital, in each of the last three years.

**(AQW 13706/11-15)**

**Mr Poots:** The percentage occupancy of surgical beds during each of the three years from 2008/09 to 2010/11 (the latest three year period for which data is currently available) is shown by hospital in the table below:-

| Hospital         | % Occupancy |         |         |
|------------------|-------------|---------|---------|
|                  | 2008-09     | 2009-10 | 2010-11 |
| Altnagelvin Area | 84.6        | 85.0    | 83.6    |
| Antrim           | 87.7        | 87.4    | 85.7    |
| Belfast City     | 77.9        | 73.3    | 73.2    |
| Braid Valley     | -           | -       | 0.0     |
| Cancer Centre    | 100.0       | 100.0   | 100.0   |
| Causeway         | 76.8        | 71.7    | 76.5    |
| Craigavon Area   | 75.3        | 71.4    | 74.7    |
| Daisy Hill       | 72.3        | 67.5    | 59.8    |
| Downe            | 0.0         | -       | -       |
| Erne             | 63.6        | 69.3    | 76.5    |



| Hospital         | % Occupancy |         |         |
|------------------|-------------|---------|---------|
|                  | 2008-09     | 2009-10 | 2010-11 |
| Lagan Valley     | 33.8        | 27.2    | 21.1    |
| Mater Infirmorum | 72.0        | 79.9    | 84.7    |
| Mid Ulster       | 63.9        | 66.6    | 31.4    |
| Musgrave Park    | 74.2        | 73.1    | 65.6    |
| RBHSC            | -           | -       | 79.1    |
| Royal Victoria   | 83.7        | 85.5    | 83.1    |
| Tyrone County    | 47.1        | 100.0   | -       |
| Ulster           | 84.0        | 82.4    | 79.9    |
| Whiteabbey       | 72.6        | 57.6    | 100.0   |

**Source:-** KH03a Departmental Return

### Hospitals: Occupancy of Surgical Beds

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the average length of stay for patients in a surgical bed in each hospital, in each of the last three years.

**(AQW 13707/11-15)**

**Mr Poots:** The average length of stay for patients in surgical beds during each of the three years from 2008/09 to 2010/11 (the latest three year period for which data is currently available) is shown by hospital in the table below:-

| Hospital         | Average Length of Stay |         |         |
|------------------|------------------------|---------|---------|
|                  | 2008-09                | 2009-10 | 2010-11 |
| Altnagelvin Area | 3.8                    | 3.8     | 3.8     |
| Antrim           | 3.7                    | 4.0     | 4.1     |
| Ards             | 0.0                    | 0.0     | 0.0     |
| Belfast City     | 4.9                    | 4.7     | 4.2     |
| Cancer Centre    | 10.5                   | 5.8     | 4.5     |
| Causeway         | 3.6                    | 3.7     | 3.8     |
| Craigavon Area   | 4.1                    | 3.7     | 3.8     |
| Daisy Hill       | 3.5                    | 3.3     | 3.0     |
| Downe            | -                      | 0.0     | 0.0     |
| Erne             | 2.5                    | 2.9     | 3.5     |
| Lagan Valley     | 1.7                    | 1.7     | 1.2     |
| Mater Infirmorum | 4.5                    | 4.0     | 4.3     |
| Mid Ulster       | 4.4                    | 4.9     | 0.1     |
| Musgrave Park    | 5.1                    | 4.9     | 4.5     |
| RBHSC            | -                      | -       | 2.7     |
| Royal Victoria   | 6.4                    | 6.6     | 6.7     |
| South Tyrone     | 0.0                    | 0.0     | 0.0     |
| Tyrone County    | 1.3                    | 2.0     | -       |
| Ulster           | 4.7                    | 4.7     | 4.4     |

| Hospital   | Average Length of Stay |         |         |
|------------|------------------------|---------|---------|
|            | 2008-09                | 2009-10 | 2010-11 |
| Whiteabbey | 4.7                    | 4.6     | 1.5     |

**Source:-** Hospital Inpatient System & KH03a Departmental Return

### Nursing Homes

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to detail how many residents in (i) independent residential/nursing care homes; and (ii) statutory residential/nursing homes are having their costs met by (a) the state; and (b) private contributions ; and (iii) how this figure compares with each of the last five years.

**(AQW 13713/11-15)**

**Mr Poots:** The information is not collected centrally and could only be provided at disproportionate cost.

## Department of Justice

### Gerry McGeough

**Lord Morrow** asked the Minister of Justice, in relation to the convicted republican separated prisoner, Gerry McGeough, whether (i) delivery of his medication was disrupted due to dysfunction at Maghaberry Prison; (ii) he has had to climb on a ledge and shuffle along a set of railings to avoid urine and excrement in prison corridors; (iii) security issues are causing difficulties which are preventing him from being sent for further medical tests; and if so, to detail the security issues; and (iv) there has been a recent escalation in the republican separated prisoners' protest.

**(AQW 13186/11-15)**

**Mr Ford (The Minister of Justice):**

- (i) Delivery of medication to Mr McGeough has not been disrupted due to dysfunction at Maghaberry Prison.
- (ii) I have no evidence that this is correct although some prisoners on protest continue to 'slop out' a mixture of faeces and urine under their cell doors.
- (iii) At no time have any of Mr McGeough's hospital appointments being delayed as a result of security issues.
- (iv) Some further republican prisoners on protest recently began 'slopping out' under their cell doors. In addition, some have recently refused to wash and change their clothes prior to seeing the doctor.

### Northern Ireland Prison Service: Staff

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12616/11-15, whether the figure covers all staff who have worked at the Prisoner Assessment Unit, including staff who were present (i) when problems resulting in the facility's closure arose or were carried out; and (ii) when the prisoner drug debt matter arose.

**(AQW 13189/11-15)**

**Mr Ford:** The answer to AQW/12616 with regard to the number of staff interviewed does not include all of the staff who have worked at the Prisoner Assessment Unit. However, it does include all of the staff, except one who was on sick leave during the investigation, who were present when problems resulting in the facility's closure arose.

### Code of Practice on Discipline and Grievances at Work

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12538/11-15, to detail (i) why the Advisory, Conciliation and Arbitration Service Code of Practice on Discipline and Grievances at Work does not apply to Northern Ireland; and (ii) the alternative that operates in its place.

**(AQW 13190/11-15)**

**Mr Ford:** The Advisory, Conciliation and Arbitration Service (ACAS) is funded by the Department for Business, Innovation and Skills to improve organisations and working life in Great Britain through better employment relations.

The remit of ACAS does not extend to Northern Ireland. Comparable functions are discharged in this jurisdiction by the Labour Relations Agency (LRA), which is funded by my Department.

The Agency publishes a Code of Practice on Disciplinary and Grievance Procedures that, taking account of differences in law and practice between Northern Ireland and Great Britain, broadly corresponds with the ACAS Code. It was most recently revised in April 2011, and provides practical guidance on statutory requirements relating to disciplinary and dismissal issues; good employment practice in dealing with grievance issues; what constitutes reasonable behaviour when dealing with disciplinary and grievance issues; drawing up and using disciplinary and grievance procedures; and a worker's statutory right to bring a companion to grievance and disciplinary hearings. The Code is available free of charge from the LRA's website ([www.lra.org.uk](http://www.lra.org.uk)).

## Prisons: Misuse of Drugs

**Mr Elliott** asked the Minister of Justice, in light of the Prison Ombudsman's report on the death of a prisoner through drug misuse, what measures the Prison Service has put in place to deal with the misuse of illegal and prescription drugs in prisons. (AQW 13216/11-15)

**Mr Ford:** The Prison Service currently has a range of measures in place to deal with the misuse of illegal and prescription drugs in prisons. These measures include:

- a drugs and alcohol treatment and counselling service;
- multi-disciplinary case reviews;
- development of a revised anti-bullying policy;
- provision of individual safes for storing prescription medication;
- mandatory drugs tests;
- regular cell searches and the deployment of drugs dogs; and
- disciplinary action and removal from association with other prisoners where warranted.

I can also confirm that Prison Service officials are in the process of initiating a review of the effectiveness of the range of measures currently in place to minimise the availability and use of illegal drugs in our prisons. In addition, the South Eastern Health and Social Care Trust and the Prison Service are committed to addressing recent concerns in relation to 'in possession' medication, in particular to consider 'supervised swallow' arrangements for certain categories of drugs.

## Foyle Pride Festival 2012

**Mr Eastwood** asked the Minister of Justice to detail (i) the level of funding his Department has allocated to the Foyle Pride Festival 2012 in Derry; and (ii) if his Department has not allocated funds to the event, how much it is willing to provide towards the running costs of £15,000. (AQW 13220/11-15)

**Mr Ford:** The Department of Justice has not allocated any funding to the Foyle Pride Festival 2012 and currently has no plans to allocate funding to this event.

The Department has in place a Diversity Strategy and Action Plan to encourage a working environment and culture that respects and values diversity.

## Historical Inquests

**Mr Givan** asked the Minister of Justice for his assessment of the impact on his Department's current work as a result of the need to fund and resource the upcoming historical inquests. (AQW 13223/11-15)

**Mr Ford:** The term 'historical' or 'legacy' inquest is administrative rather than a legal or statutory one. There is no formal definition, but these cases generally relate to deaths involving agents of the State or allegations of collusion and due to their complex and contentious nature will require considerable resources to bring them to conclusion. The Coroners agree the classification of a case as a legacy or historical inquest.

To date, the legacy inquest case workload has been delivered from within the NI Courts and Tribunals Service budget but the management of these cases has created pressures for the Coroners and the Coroners Service.

The administrative and funding arrangements are being kept under review as cases progress and costs become clearer. My officials are working to ensure that the response is co-ordinated and that available resources are deployed effectively. Any future pressures highlighted by NICTS will be considered as part of the in-year monitoring round process.

The listing of legacy inquests is a matter for the relevant Coroner and can be influenced by a number of factors including:

- other ongoing investigations e.g. by the Historical Enquiries Team or the Office of Police Ombudsman;
- the availability of evidence for the Coroner's investigations;
- witness and family availability; or
- any legal challenges initiated by parties to the inquest.

A decision on whether or not to hold an inquest is a matter for the Coroner. Where the Coroner declines to hold or has already held an inquest, the Attorney General may refer the case back to the Coroner with a direction that an inquest be convened. Therefore, there is potential for the number of legacy inquest cases to increase.

The security arrangements for retired security personnel attending inquests are subject to risk assessment and arrangements are agreed with the Coroner.

## Historical Inquests

**Mr Givan** asked the Minister of Justice to outline the criteria used for identifying the current list of historical inquests; and how the order in which the inquests will be heard was determined.

**(AQW 13225/11-15)**

**Mr Ford:** The term 'historical' or 'legacy' inquest is administrative rather than a legal or statutory one. There is no formal definition, but these cases generally relate to deaths involving agents of the State or allegations of collusion and due to their complex and contentious nature will require considerable resources to bring them to conclusion. The Coroners agree the classification of a case as a legacy or historical inquest.

To date, the legacy inquest case workload has been delivered from within the NI Courts and Tribunals Service budget but the management of these cases has created pressures for the Coroners and the Coroners Service.

The administrative and funding arrangements are being kept under review as cases progress and costs become clearer. My officials are working to ensure that the response is co-ordinated and that available resources are deployed effectively. Any future pressures highlighted by NICTS will be considered as part of the in-year monitoring round process.

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- witness and family availability; or
- any legal challenges initiated by parties to the inquest.

A decision on whether or not to hold an inquest is a matter for the Coroner. Where the Coroner declines to hold or has already held an inquest, the Attorney General may refer the case back to the Coroner with a direction that an inquest be convened. Therefore, there is potential for the number of legacy inquest cases to increase.

The security arrangements for retired security personnel attending inquests are subject to risk assessment and arrangements are agreed with the Coroner.

## Historical Inquests

**Mr Givan** asked the Minister of Justice for his assessment of the likelihood of the current number of historical inquests increasing; and whether the families of members of the security forces who were killed during the troubles will be able to have fresh inquests heard.

**(AQW 13226/11-15)**

**Mr Ford:** The term 'historical' or 'legacy' inquest is administrative rather than a legal or statutory one. There is no formal definition, but these cases generally relate to deaths involving agents of the State or allegations of collusion and due to their complex and contentious nature will require considerable resources to bring them to conclusion. The Coroners agree the classification of a case as a legacy or historical inquest.

To date, the legacy inquest case workload has been delivered from within the NI Courts and Tribunals Service budget but the management of these cases has created pressures for the Coroners and the Coroners Service.

The administrative and funding arrangements are being kept under review as cases progress and costs become clearer. My officials are working to ensure that the response is co-ordinated and that available resources are deployed effectively. Any future pressures highlighted by NICTS will be considered as part of the in-year monitoring round process.

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- other ongoing investigations e.g. by the Historical Enquiries Team or the Office of Police Ombudsman;
- the availability of evidence for the Coroner's investigations;
- witness and family availability; or
- any legal challenges initiated by parties to the inquest.

A decision on whether or not to hold an inquest is a matter for the Coroner. Where the Coroner declines to hold or has already held an inquest, the Attorney General may refer the case back to the Coroner with a direction that an inquest be convened. Therefore, there is potential for the number of legacy inquest cases to increase.

The security arrangements for retired security personnel attending inquests are subject to risk assessment and arrangements are agreed with the Coroner.

## Historical Inquests

**Mr Givan** asked the Minister of Justice what security provision has been made for retired security personnel who will be required to provide evidence at historical inquests.

**(AQW 13227/11-15)**

**Mr Ford:** The term 'historical' or 'legacy' inquest is administrative rather than a legal or statutory one. There is no formal definition, but these cases generally relate to deaths involving agents of the State or allegations of collusion and due to their

complex and contentious nature will require considerable resources to bring them to conclusion. The Coroners agree the classification of a case as a legacy or historical inquest.

To date, the legacy inquest case workload has been delivered from within the NI Courts and Tribunals Service budget but the management of these cases has created pressures for the Coroners and the Coroners Service.

The administrative and funding arrangements are being kept under review as cases progress and costs become clearer. My officials are working to ensure that the response is co-ordinated and that available resources are deployed effectively. Any future pressures highlighted by NICTS will be considered as part of the in-year monitoring round process.

The listing of legacy inquests is a matter for the relevant Coroner and can be influenced by a number of factors including:

- other ongoing investigations e.g. by the Historical Enquiries Team or the Office of Police Ombudsman;
- the availability of evidence for the Coroner's investigations;
- witness and family availability; or
- any legal challenges initiated by parties to the inquest.

A decision on whether or not to hold an inquest is a matter for the Coroner. Where the Coroner declines to hold or has already held an inquest, the Attorney General may refer the case back to the Coroner with a direction that an inquest be convened. Therefore, there is potential for the number of legacy inquest cases to increase.

The security arrangements for retired security personnel attending inquests are subject to risk assessment and arrangements are agreed with the Coroner.

## Prisons: Misuse of Drugs

**Lord Morrow** asked the Minister of Justice whether he has any plans to introduce tougher penalties for people who smuggle drugs into prisons, and for those who control and deal drugs within the prison population.

**(AQW 13230/11-15)**

**Mr Ford:** The Criminal Justice (NI) Order 2008 set and restructured the penalties for smuggling articles into prison. Controlled drugs are categorised under List A and the maximum penalty for smuggling List A items into a prison is ten years. There are currently no plans for any further review of the penalties available for people who smuggle drugs into prison or for those who control and deal drugs within the prison population.

Governors inform PSNI in all cases where a visitor has been found in possession of illicit drugs. Governors also deal with prisoners found in possession of drugs as offences against discipline under Prison Rules and will refer more serious cases to PSNI for investigation. In addition, as stated in my answer to AQW 13112, Prison Service officials are in the process of initiating a review of the effectiveness of the range of measures currently in place to minimise the availability and use of illegal drugs in our prisons.

## Prison Reform

**Lord Morrow** asked the Minister of Justice what discussions he has had, or plans to have, with the Prison Officers Association (POA) to address concerns over Prison Reform, particularly as the Chairman of the POA is now on record as sharing those concerns; and whether he has discussed the matter with the Northern Ireland Prison Service.

**(AQW 13251/11-15)**

**Mr Ford:** I last met the Chairman of the Prison Officers' Association (POA) on 28 May 2012 when he and the Director of Human Resources signed the Agreement reached between Management and the POA following a ballot of the POA membership. Prison Service management are now moving forward with the implementation of the Agreement and are committed to working with the Trade Union side in doing so. I have no further meetings planned with the POA Chairman but would be willing to meet him if that would be helpful.

## HMP Magilligan: Redevelopment

**Mr G Robinson** asked the Minister of Justice whether a new prison has been designed, utilising the shape of the Magilligan site to its fullest potential, at a cost of £5,000,000.

**(AQW 13272/11-15)**

**Mr Ford:** As part of the redevelopment of the Magilligan Prison an exemplar design for a new 800 place prison was developed to the Royal Institute of British Architects Work Stage C.

NIPS requirements were identified and used to develop outline proposals which in turn were used to produce the exemplar design. The design illustrated the size and character of the proposed prison in sufficient detail to enable NIPS to agree the spatial arrangements, materials and appearance. The design proposed a more efficient prison with a more compact layout yet utilised the shape and footprint of the entire Magilligan Prison site to its full potential. This informed the costs and operational improvements contained in the Outline Business Case.

The costs associated with the development were £3.773million and not £5million.

## HMP Magilligan: Redevelopment

**Mr G Robinson** asked the Minister of Justice whether he can confirm that the Prison Officers Association and other staff members indicated their support for the statement in 2008 by the then Secretary of State, Paul Goggins, that Magilligan was the preferred site for a new prison.

**(AQW 13274/11-15)**

**Mr Ford:** It would not be appropriate for me to comment on the conclusions reached or views expressed by the Prison Officers' Association or other members of staff.

## HMP Magilligan: Sick Absence

**Mr G Robinson** asked the Minister of Justice how sickness levels at HMP Magilligan compare with other prisons.

**(AQW 13276/11-15)**

**Mr Ford:** The average working days lost per member of staff due to sickness absence in Northern Ireland's prisons over the last 3 financial years is outlined below:

|            | 2009/10 | 2010/11 | 2011/12 |
|------------|---------|---------|---------|
| Magilligan | 9.1     | 11.8    | 9.7     |
| Maghaberry | 12      | 14      | 17      |
| Hydebank   | 17.5    | 14.3    | 16      |

## Marian Price

**Lord Morrow** asked the Minister of Justice whether the United Nations doctors attended, and examined, Marion Price; and if so, (i) on which date and where did they attend; (ii) whether the doctors subsequently made representations to the Northern Ireland Prison Service; and (iii) to what extent did the doctors' input influence the decision to have Ms Price moved from prison to hospital.

**(AQW 13283/11-15)**

**Mr Ford:** Neither the United Nations, nor anyone representing that organisation, has requested to visit Mrs Marian McGlinchey.

Two doctors representing the Irish United Nations Association (which is not part of the UN but a voluntary organisation whose objectives are to promote the aims and objectives of the UN in Ireland) booked a professional visit to Mrs McGlinchey which was scheduled to take place in Hydebank Wood on Wednesday 6 June. The doctors cancelled their visit. They subsequently rescheduled their visit to Mrs McGlinchey and one has since visited her at the outside hospital to which she had been transferred prior to their visit.

The decision to transfer Mrs McGlinchey to an outside hospital was taken on the basis of a recommendation for secondary care received from the South Eastern Health and Social Care Trust and the Belfast Health and Social Care Trust. No input from any other individuals or organisations had any influence on that decision.

## Hospital Accident and Emergency Units: Disorderly and Abusive Behaviour

**Lord Morrow** asked the Minister of Justice whether he will consider allocating revenue, received from Fixed Penalty Notices for disorderly and abusive behaviour in hospital Accident and Emergency units, for patient comfort funds or for other beneficial schemes in the Health Service.

**(AQW 13284/11-15)**

**Mr Ford:** All Penalty Notice revenue received must be surrendered to the Consolidated Fund. It is not, therefore, possible for the Department of Justice to allocate these funds to specific initiatives.

The member may wish to note, however, that each Penalty Notice is subject also to a £5 Offender Levy which is not surrendered to the Consolidated Fund, but is allocated exclusively to victims' services.

## Antisocial Behaviour

**Mr Weir** asked the Minister of Justice what funding his Department plans to provide to local councils to combat anti-social behaviour.

**(AQW 13286/11-15)**

**Mr Ford:** In Northern Ireland we have adopted a multi-agency partnership to tackle anti-social behaviour, which uses a graduated approach of prevention, intervention and enforcement to tackle anti-social behaviour. This approach has contributed to a reduction of over 20% in the incidence of anti-social behaviour across Northern Ireland since 2008.

The measures taken by my Department have included initiatives such as CCTV, Community Safety Wardens, Neighbourhood Watch schemes, intergenerational projects, and Priority Youth Intervention programmes.



It is my intention to build on the success to date and to develop partnership working at a local level to support local communities in addressing the anti-social behaviour issues that matter locally.

In particular, Policing and Community Safety Partnerships will have a pivotal role in developing partnership working at a local level and in supporting communities in identifying solutions to issues of local concern.

In conjunction with the Northern Ireland Policing Board, £5.2 million has been made available to the Policing and Community Safety Partnerships for this financial year to address local community safety issues, including anti-social behaviour. In addition, the Priority Youth Intervention programme, which also addresses anti-social behaviour, allocates £200,000 per year to the Policing and Community Safety Partnerships.

### **Zoe Crowe**

**Lord Morrow** asked the Minister of Justice whether the Governor, who recommended that Zoe Crowe be suspended from duty on 5 November 2011, reported the matter fully to the Minister; and if so, (i) on what did was the matter reported; (ii) what directions, if any, he gave to the Governor; (iii) when these directions were delivered to the Governor; and (iv) when the directions were actioned.

**(AQW 13293/11-15)**

**Mr Ford:** I refer the member to the answer given to AQW/13005/11-15.

### **ACAS Code of Practice**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12538/11-15, why the ACAS Code of Practice does not apply, given that the Northern Ireland Prison Service Code of Conduct and Discipline states that in establishing whether a disciplinary offence has been committed the standard of proof to be applied is the balance of probabilities, and that this is the standard required by employment law and provided for in the ACAS Discipline at Work guidelines.

**(AQW 13320/11-15)**

**Mr Ford:** ACAS has no formal role in Northern Ireland.

The introductory section of the current Code of Conduct and Discipline refers to the ACAS Code of Practice to reflect the consideration given to exemplary standards of good practice when drafting the document.

### **Prisons: Random Drug Tests**

**Lord Morrow** asked the Minister of Justice when the last random drug tests were carried out at each prison facility, including Hydebank Young Offenders Centre and the Juvenile Justice Unit; and how often, on average, such tests are undertaken.

**(AQW 13321/11-15)**

**Mr Ford:** Random drug tests were carried out at both Maghaberry and Magilligan Prisons on 28 June 2012. The last random drug test at Hydebank Wood Prison and Young Offenders Centre was on 19 May 2012. The Northern Ireland Prison Service aims to carry out drug testing, including random testing, five days per week. Resource issues can impact on the ability to do this.

Woodlands Juvenile Justice Centre is the responsibility of the Youth Justice Agency and is not a Prison facility. Random drugs tests are not carried out in the JJC.

### **Northern Ireland Prison Service: Suspended Staff**

**Lord Morrow** asked the Minister of Justice (i) how many prison staff, in each Northern Ireland Prison Service facility, including Hydebank Young Offenders Centre and the Juvenile Justice Unit, are currently suspended on full pay; (ii) what is the rank of each of the suspended staff; and (iii) for how long each staff member has been suspended.

**(AQW 13322/11-15)**

**Mr Ford:** There are a total of four Prison Service staff suspended from duty, two of whom are from Maghaberry, one from Hydebank Wood and one from the Prisoner Escorting and Court Custody Service (PECCS). The grades of the individuals suspended range from prison support grades to Governor level.

The periods of suspension are 15 and four months for those in Maghaberry and seven weeks and five weeks for those at Hydebank Wood and PECCS respectively.

Woodlands Juvenile Justice Centre (JJC) is the responsibility of the Youth Justice Agency (YJA) and is not a Northern Ireland Prison Service facility. However the information in regards to staff employed operationally in the JJC is as follows:

- (i) One member of JJC staff is currently suspended on full pay.
- (ii) Care Worker grade.
- (iii) 10 months (since 26 August 2011).

### Dungannon Courthouse: Security Measures

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12764/11-15, which other courthouses are to have improvements; and what is the estimated cost at each courthouse.

**(AQW 13323/11-15)**

**Mr Ford:** Additional measures are planned for a number of other courthouses at a cost of £705,000. Due to the nature of this work I am unable to provide further detail until this work is underway or completed.

### Prisons: Body Scanning Equipment

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12860/11-15, whether he will continue with the installation of the body scanning equipment, despite the separated republican prisoners having given no commitment to cease their protest should the equipment be installed; and what action is planned should the protest continue after the equipment has been installed.

**(AQW 13362/11-15)**

**Mr Ford:** NIPS is committed to fulfilling its stated undertaking with regard to piloting and assessing the proposed new searching technology in line with recommendation 8 of the Prison Review Team's report. These technologies are being piloted to learn whether or not they offer a viable alternative to Full Body Searching for all prisoners. However, in the event that some prisoners do not avail of the new technology and continue on protest, the Governor will continue to manage this situation in line with existing operating procedures.

### Legal Aid

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12913/11-15, and as new legislation will not apply retrospectively, in cases where legal aid was granted to a person who is known to have significant income or assets, whether checks can be made to ensure that all the relevant financial circumstances were declared; and in cases where the information was not declared, what further steps can be taken in relation to fraud charges and redress for the legal aid payment.

**(AQW 13364/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (the Commission) is presently not empowered to conduct its own investigations into the means of defendants in receipt of criminal legal aid.

If credible evidence were brought to the attention of the Commission that a convicted defendant had sufficient means to pay for his or her own defence representation which would cast doubt on their eligibility for criminal legal aid, they could refer the matter to the police for investigation. This could lead to a criminal conviction for fraudulently claiming legal aid and a compensation order for the costs incurred in providing that defence representation. If a compensation order was not made by the court, the Commission could seek to recover the costs as a civil debt.

I have recently made the Criminal Legal Aid (Recovery of Defence Costs Orders) Rules (Northern Ireland) 2012. This will ensure that in future the Commission will have the power it needs to recover defence costs from convicted defendants in the Crown Court who have sufficient means to pay for those costs.

### Dungannon Courthouse: Hearing Centres

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12764/11-15, how this expenditure has been deemed necessary when other hearing centres are facing closure.

**(AQW 13365/11-15)**

**Mr Ford:** Dungannon Courthouse is not a Hearing Centre and therefore there is no direct correlation between the Hearing Centre closure consultation exercise and the security enhancements at Dungannon Courthouse.

### Marian McGlinchey

**Lord Morrow** asked the Minister of Justice (i) to detail the amount of legal aid paid to date in relation to Marian McGlinchey; (ii) whether legal aid was granted to fund the costs of the United Nations doctors who were to examine her; and (iii) if so, what was the total cost of funding the doctors, including expenses.

**(AQW 13367/11-15)**

**Mr Ford:** The legal aid payments made to Mrs McGlinchey's legal team are detailed below, broken down by Criminal, Civil and Legal Advice and Assistance (Green Form) legal aid categories.

#### Criminal Legal Aid

A total of £1,124.61 (including VAT of £179.58 and disbursements of £47.13) was paid to Mrs McGlinchey's solicitor in respect of PACE advice provided at the police station.

Fees have been paid to Ms McGlinchey's solicitor totalling £1,700.46 (including VAT of £283.41) for work done in the Magistrates' Court. The counsel who represented Ms McGlinchey also represented one of her co-accused, therefore the fees paid are in respect of both defendants. It is not possible to disaggregate the payment to reflect the portion of the payment relating to Ms McGlinchey. The total paid to counsel in respect of both defendants is £1,273.01 (including VAT of £212.17).

| Civil Legal Aid |  |
|-----------------|--|
| Profit Costs    | £1,257.72 (including VAT of £209.62 VAT).  |
| Counsel Fees    | £360.00 (including VAT of £60 VAT).        |
| Outlay          | £18.80, solely in respect of photocopying. |
| <b>Total</b>    | <b>£1,636.52</b>                           |

#### Legal Advice and Assistance (Green Form) Scheme

| Advice Type             | Amount paid     | VAT            |
|-------------------------|-----------------|----------------|
| PACE                    | £139.74         | £23.83         |
| Complaints against PSNI | £64.11          | £12.82         |
| PACE                    | £945.03         | £179.58        |
| Criminal Charge         | £673.20         | £132.14        |
| Bail                    | £72.08          | £14.42         |
| Judicial Review         | £88.00          | £17.60         |
| Life Sentence Review    | £409.99         | £75.16         |
| Judicial Review         | £184.55         | £31.91         |
| <b>Total</b>            | <b>£2576.70</b> | <b>£487.46</b> |

No “United Nations doctors” have visited Ms McGlinchey, nor requested to do so. A doctor representing the Irish United Nations Association (which is not part of the United Nations but a voluntary organisation which aims to promote the aims and objectives of the UN in Ireland) has visited her: no legal aid application has been submitted in relation to that visit.

#### Prisons: Sexual Assaults

**Mr D McIlveen** asked the Minister of Justice how many sexual assaults have been reported in prisons in each of the last five years; and how many of these have resulted in convictions.

**(AQW 13368/11-15)**

**Mr Ford:** There have been 45 allegations of sexual assault recorded in NIPS establishments in the past five years. NIPS do not have access to statistics in regard to convictions.

#### Forensic Science Northern Ireland

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12818/11-15, and his remarks on 6 February 2012, whether he accepts there have been significantly more than four cases delayed due to the backlog at Forensic Science Northern Ireland.

**(AQW 13381/11-15)**

**Mr Ford:** My comments on 6 February 2012 referred to four cases for which a prosecution could not proceed due to outstanding forensic reports; this was the position at that point. Given that these figures refer to a live caseload, they are subject to fluctuation.

#### Northern Ireland Prison Service: Compensation

**Lord Morrow** asked the Minister of Justice how many prison officers, who have been dismissed from the Northern Ireland Prison Service since 1995, have successfully appealed their dismissal; and what is the total amount of compensation paid out in these cases.

**(AQW 13387/11-15)**

**Mr Ford:** It is not possible to provide details of the number of prison officers who have been dismissed from the Northern Ireland Prison Service since 1995 and who have successfully appealed their dismissal. This information could only be obtained at disproportionate cost.

However, I can advise the Member that during the last five years, four operational staff who have been dismissed on disciplinary grounds, have successfully appealed their dismissal. The total amount of compensation awarded to date is £44,281.74.

### HMP Hydebank: Former Governor

**Lord Morrow** asked the Minister of Justice whether the female governor of HMP Hydebank retired on pension and was subsequently re-employed by the Northern Ireland Prison Service on a part-time basis and whether she then applied for and received a severance package; and to include the relevant dates.

**(AQW 13388/11-15)**

**Mr Ford:** The information requested constitutes the personal data of a third party as defined at section 1 of the Data Protection Act 1998. To disclose this information would be in breach of the first data protection principle (fair and lawful processing).

### Prisons: Oral Swab Drug Testing

**Lord Morrow** asked the Minister of Justice when he intends to introduce oral swab drug testing in prisons.

**(AQW 13389/11-15)**

**Mr Ford:** The use of oral swab drug tests in prisons was trialled by NIPS for a period of three months from October 2010. The effectiveness and accuracy of testing oral fluid/saliva was found to be inferior to the testing of urine. As a result it is not planned to introduce oral swab testing.

### Day Release from Custody: Alleged Offences Committed

**Lord Morrow** asked the Minister of Justice how many cases are presently in the courts system for alleged offences committed whilst on day release from custody, broken down by (i) youth; and (ii) adult.

**(AQW 13390/11-15)**

**Mr Ford:** Information in the form requested is not readily available for prisoners or young offenders within the Prison Service and could only be obtained/compiled at disproportionate cost.

In relation to Woodlands Juvenile Justice Centre, there is no information that can be provided due to current court reporting restrictions.

### Dungannon Magistrates Court: Case Number 12/011425

**Lord Morrow** asked the Minister of Justice to detail the total costs involved, including legal aid and forensic reports, in case number 12/011425 at Dungannon Magistrates Court.

**(AQW 13416/11-15)**

**Mr Ford:** The table below sets out the estimated identifiable costs associated with case number 12/011425.

| Cost Type                                     | Estimated Cost  |
|---|-----------------|
| Defence (Legal Aid Costs) <sup>1</sup>        | £528.00         |
| Court Costs – Judiciary, Staff and Facilities | £318.50         |
| Forensic Services                             | £319.00         |
| <b>Total</b>                                  | <b>£1165.50</b> |

1 represents an estimate of the fees payable based on the claim submitted, however, the claim has not yet been assessed.

The Police Service of Northern Ireland has indicated that the Investigating Officer conducted his enquires consistent with his normal duties and therefore no additional police costs were incurred.

The Public Prosecution Service of Northern Ireland has indicated that it is not possible to produce precise costs for a particular case or even average costs for a particular type of case. Some costs would be identifiable, for example any fees paid to prosecuting counsel, however, these were not incurred in this case.

### NIPS: Severance Package

**Lord Morrow** asked the Minister of Justice how many (i) full-time; and (ii) part-time Northern Ireland Prison Service officers, who applied for and received a severance package, have been re-employed by any employer, in each prison facility, in any full-time or part-time capacity.

**(AQW 13417/11-15)**

**Mr Ford:** 160 members of the Northern Ireland Prison Service left the service under the Voluntary Early Retirement Scheme by 30 April 2012.

I can confirm that none of these staff has been re-employed by NIPS, the DOJ or any of its agencies or Arms-length bodies. I am not in a position to provide information on staff employed by any other employer.

### NIPS: Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 12644/11-15, (i) which Department is responsible for this document; (ii) when he requested a copy of the signed minute; (iii) when it was agreed that he would receive a copy; and (iv) when it will be delivered.

**(AQW 13418/11-15)**

**Mr Ford:** I can confirm that the Northern Ireland Office is the owner of the document the Member refers to. Authorisation to release a redacted version was sought and granted in June 2012. A redacted copy of the document is attached.

### Domestic Violence, Crime and Victims (Amendment) Act 2012

**Lord Morrow** asked the Minister of Justice whether he plans to introduce legislation similar to the Domestic Violence, Crime and Victims (Amendment) Act 2012, which provides for a person found guilty of allowing serious physical harm to a child or vulnerable adult to be sentenced to ten years in jail.

**(AQW 13419/11-15)**

**Mr Ford:** My Department is committed to monitoring any changes to domestic and sexual offences legislation, such as those described, and to assess the impact of those amendments. We will explore the detail with Ministry of Justice colleagues, with a view to assessing its introduction in Northern Ireland.

### NIPS: Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice (i) to detail the principles and policies of the National Executive Committee of the Prison Governors Association, to which the Northern Ireland Prison Service is affiliated, in regards to members holding meetings during the appeal process of officers recommended for dismissal from the service under the Code of Conduct and Discipline when they have no remit to do so and no regulatory authority; (ii) whether this behaviour constitutes acting in a manner prejudicial to the interests of the officer and the Association; and (iii) whether meetings held under such circumstances are deemed to be a breach of discipline.

**(AQW 13420/11-15)**

**Mr Ford:** As Minister of Justice I am unable to detail the principles and policies of the National Executive Committee of the Prisoner Governors Association (PGA). I would however refer the Member to the response I provided to AQW/12782/11-15, which outlined the role of the PGA in representing their members should they be recommended for dismissal.

### DOJ: Disposal of Capital Assets

**Mr Weir** asked the Minister of Justice to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13442/11-15)**

**Mr Ford:** It is intended that the land and buildings at the Prison Service College in Millisle will be disposed of once the new joint training facility is opened at Desertcreat. This is planned for 2015. At 31 May 2012 the Net Book Value of all of the land and buildings on the site was £3.3 million.

The Department of Justice, including its agencies but excluding its arm's length bodies, has no plans to dispose of any further capital assets during the next three years.

### Hydebank Wood: Confinement

Mr McKay asked Minister of Justice to detail the number of inmates in Hydebank Wood who have been adjudicated to cellular confinement from 1 January 2012 until 31 June 2012, broken down by (i) gender; (ii) length of time of confinement; and (iii) the nature of the adjudication.

**(AQW 13449/11-15)**

**Mr Ford:** Since 01 January 2012 until 30 June 2012 Hydebank Wood has had 220 adjudications which have resulted in confinement to a room.

The table attached at Annex A shows the breakdown as requested.

#### Annex A

| Adjudication Date | Gender | Nature of adjudication | Award Quantity | Award Unit |
|-------------------|--------|------------------------|----------------|------------|
| 15/02/2012        | Female | Unauthorised article   | 3              | Days       |
| 09/03/2012        | Female | Unauthorised article   | 3              | Days       |
| 26/03/2012        | Female | Fights or Wrestles     | 2              | Days       |

| Adjudication Date | Gender | Nature of adjudication        | Award Quantity | Award Unit |
|-------------------|--------|-------------------------------|----------------|------------|
| 26/03/2012        | Female | Presence of Drugs             | 3              | Days       |
| 02/01/2012        | Male   | Assaults any other person/prs | 7              | Days       |
| 03/01/2012        | Male   | Unauthorised article          | 7              | Days       |
| 03/01/2012        | Male   | Endangers H&S                 | 7              | Days       |
| 03/01/2012        | Male   | Endangers H&S                 | 10             | Days       |
| 03/01/2012        | Male   | Disobeys an order             | 5              | Days       |
| 04/01/2012        | Male   | Obstructs an Officer          | 3              | Days       |
| 05/01/2012        | Male   | Disobeys an order             | 2              | Days       |
| 06/01/2012        | Male   | Foul and abusive              | 1              | Days       |
| 06/01/2012        | Male   | Refuses to provide sample     | 3              | Days       |
| 06/01/2012        | Male   | Refuses to provide sample     | 5              | Days       |
| 06/01/2012        | Male   | Foul and abusive              | 2              | Days       |
| 06/01/2012        | Male   | Foul and abusive              | 1              | Days       |
| 06/01/2012        | Male   | Refuses to provide sample     | 2              | Days       |
| 08/01/2012        | Male   | Presence of Drugs             | 4              | Days       |
| 09/01/2012        | Male   | Refuses to provide sample     | 3              | Days       |
| 09/01/2012        | Male   | Refuses to provide sample     | 3              | Days       |
| 09/01/2012        | Male   | Unauthorised article          | 6              | Days       |
| 10/01/2012        | Male   | Attempts to commit.           | 6              | Days       |
| 11/01/2012        | Male   | Fights or Wrestles            | 6              | Days       |
| 11/01/2012        | Male   | Fails to comply CTR           | 1              | Days       |
| 13/01/2012        | Male   | Foul and abusive              | 3              | Days       |
| 13/01/2012        | Male   | Unauthorised article          | 3              | Days       |
| 13/01/2012        | Male   | Unauthorised article          | 5              | Days       |
| 15/01/2012        | Male   | Presence of Drugs             | 4              | Days       |
| 15/01/2012        | Male   | Unauthorised article          | 5              | Days       |
| 15/01/2012        | Male   | Unauthorised article          | 7              | Days       |
| 15/01/2012        | Male   | Unauthorised article          | 7              | Days       |
| 16/01/2012        | Male   | Refuses to provide sample     | 3              | Days       |
| 16/01/2012        | Male   | Unauthorised article          | 7              | Days       |
| 16/01/2012        | Male   | Refuses to provide sample     | 7              | Days       |
| 16/01/2012        | Male   | Good order and discipline     | 5              | Days       |
| 18/01/2012        | Male   | Disobeys an order             | 3              | Days       |
| 18/01/2012        | Male   | Unauthorised article          | 7              | Days       |
| 18/01/2012        | Male   | Unauthorised article          | 3              | Days       |
| 21/01/2012        | Male   | Unauthorised article          | 5              | Days       |
| 22/01/2012        | Male   | Unauthorised article          | 5              | Days       |
| 24/01/2012        | Male   | Disobeys an order             | 5              | Days       |



| Adjudication Date | Gender | Nature of adjudication           | Award Quantity | Award Unit |
|-------------------|--------|----------------------------------|----------------|------------|
| 26/01/2012        | Male   | Unauthorised article             | 3              | Days       |
| 26/01/2012        | Male   | Unauthorised article             | 3              | Days       |
| 27/01/2012        | Male   | Good order and discipline        | 2              | Days       |
| 27/01/2012        | Male   | Unauthorised article             | 3              | Days       |
| 27/01/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 27/01/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 29/01/2012        | Male   | Fights or Wrestles               | 2              | Days       |
| 29/01/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 30/01/2012        | Male   | Disobeys any rules/regulations   | 3              | Days       |
| 31/01/2012        | Male   | Disobeys an order                | 3              | Days       |
| 31/01/2012        | Male   | Disobeys an order                | 3              | Days       |
| 31/01/2012        | Male   | Unauthorised article             | 3              | Days       |
| 01/02/2012        | Male   | Foul and abusive                 | 3              | Days       |
| 01/02/2012        | Male   | Unauthorised article             | 5              | Days       |
| 02/02/2012        | Male   | Foul and abusive                 | 2              | Days       |
| 03/02/2012        | Male   | Unauthorised article             | 3              | Days       |
| 05/02/2012        | Male   | Unauthorised article             | 7              | Days       |
| 05/02/2012        | Male   | Unauthorised article             | 5              | Days       |
| 06/02/2012        | Male   | Prepares/manufacture/ drugs etc  | 5              | Days       |
| 06/02/2012        | Male   | Unauthorised article             | 4              | Days       |
| 06/02/2012        | Male   | Unauthorised article             | 3              | Days       |
| 06/02/2012        | Male   | Unauthorised article             | 4              | Days       |
| 07/02/2012        | Male   | Fights or Wrestles               | 3              | Days       |
| 07/02/2012        | Male   | Assaults any other person/prs    | 3              | Days       |
| 07/02/2012        | Male   | Unauthorised article             | 7              | Days       |
| 08/02/2012        | Male   | Commits any other assault        | 7              | Days       |
| 08/02/2012        | Male   | Commits any other assault        | 2              | Days       |
| 08/02/2012        | Male   | Assaults an officer/staff member | 12             | Days       |
| 11/02/2012        | Male   | Unauthorised article             | 5              | Days       |
| 12/02/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 13/02/2012        | Male   | Damage prison property           | 2              | Days       |
| 13/02/2012        | Male   | Foul and abusive                 | 3              | Days       |
| 16/02/2012        | Male   | Fights or Wrestles               | 5              | Days       |
| 16/02/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 17/02/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 17/02/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 17/02/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 18/02/2012        | Male   | Foul and abusive                 | 2              | Days       |

| Adjudication Date | Gender | Nature of adjudication           | Award Quantity | Award Unit |
|-------------------|--------|----------------------------------|----------------|------------|
| 20/02/2012        | Male   | Foul and abusive                 | 7              | Days       |
| 22/02/2012        | Male   | Attempts to commit.              | 2              | Days       |
| 22/02/2012        | Male   | Assaults an officer/staff member | 5              | Days       |
| 24/02/2012        | Male   | Prepares/manufacture/ drugs etc  | 3              | Days       |
| 24/02/2012        | Male   | Prepares/manufacture/ drugs etc  | 3              | Days       |
| 25/02/2012        | Male   | Unauthorised article             | 3              | Days       |
| 25/02/2012        | Male   | Unauthorised article             | 3              | Days       |
| 27/02/2012        | Male   | Unauthorised article             | 7              | Days       |
| 26/02/2012        | Male   | Presence of Drugs                | 2              | Days       |
| 26/02/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 26/02/2012        | Male   | Unauthorised article             | 3              | Days       |
| 27/02/2012        | Male   | Disobeys an order                | 4              | Days       |
| 27/02/2012        | Male   | Disobeys an order                | 2              | Days       |
| 27/02/2012        | Male   | Foul and abusive                 | 5              | Days       |
| 27/02/2012        | Male   | Assaults an officer/staff member | 10             | Days       |
| 29/02/2012        | Male   | Refuses to provide sample        | 3              | Days       |
| 01/03/2012        | Male   | Assaults an officer/staff member | 7              | Days       |
| 01/03/2012        | Male   | Refuses to provide sample        | 7              | Days       |
| 03/03/2012        | Male   | Unauthorised article             | 2              | Days       |
| 03/03/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 04/03/2012        | Male   | Refuses to provide sample        | 3              | Days       |
| 07/03/2012        | Male   | Fights or Wrestles               | 3              | Days       |
| 08/03/2012        | Male   | Presence of Drugs                | 4              | Days       |
| 09/03/2012        | Male   | Unauthorised article             | 7              | Days       |
| 10/03/2012        | Male   | Assaults an officer/staff member | 3              | Days       |
| 09/03/2012        | Male   | Disobeys an order                | 3              | Days       |
| 09/03/2012        | Male   | Assaults an officer/staff member | 7              | Days       |
| 10/03/2012        | Male   | Unauthorised article             | 3              | Days       |
| 10/03/2012        | Male   | Unauthorised article             | 3              | Days       |
| 15/03/2012        | Male   | Fights or Wrestles               | 7              | Days       |
| 16/03/2012        | Male   | Presence of Drugs                | 2              | Days       |
| 16/03/2012        | Male   | Unauthorised article             | 2              | Days       |
| 16/03/2012        | Male   | Assaults any other person/prs    | 8              | Days       |
| 21/03/2012        | Male   | Refuses to provide sample        | 1              | Days       |
| 21/03/2012        | Male   | Damage prison property           | 1              | Days       |
| 25/03/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 25/03/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 26/03/2012        | Male   | Damage prison property           | 3              | Days       |

| Adjudication Date | Gender | Nature of adjudication        | Award Quantity | Award Unit |
|-------------------|--------|-------------------------------|----------------|------------|
| 30/03/2012        | Male   | Presence of Drugs             | 2              | Days       |
| 30/03/2012        | Male   | Presence of Drugs             | 3              | Days       |
| 31/03/2012        | Male   | Refuses to provide sample     | 3              | Days       |
| 03/04/2012        | Male   | Fights or Wrestles            | 2              | Days       |
| 03/04/2012        | Male   | Fights or Wrestles            | 3              | Days       |
| 03/04/2012        | Male   | Unauthorised article          | 3              | Days       |
| 04/04/2012        | Male   | Unauthorised article          | 2              | Days       |
| 04/04/2012        | Male   | Damage prison property        | 3              | Days       |
| 04/04/2012        | Male   | Unauthorised article          | 3              | Days       |
| 05/04/2012        | Male   | Presence of Drugs             | 4              | Days       |
| 05/04/2012        | Male   | Presence of Drugs             | 4              | Days       |
| 05/04/2012        | Male   | Commits any other assault     | 5              | Days       |
| 05/04/2012        | Male   | Commits any other assault     | 5              | Days       |
| 05/04/2012        | Male   | Refuses to provide sample     | 2              | Days       |
| 07/04/2012        | Male   | Unauthorised article          | 7              | Days       |
| 08/04/2012        | Male   | Unauthorised article          | 3              | Days       |
| 11/04/2012        | Male   | Damage prison property        | 3              | Days       |
| 12/04/2012        | Male   | Endangers H&S                 | 2              | Days       |
| 12/04/2012        | Male   | Assaults any other person/prs | 5              | Days       |
| 12/04/2012        | Male   | Fights or Wrestles            | 3              | Days       |
| 14/04/2012        | Male   | Presence of Drugs             | 5              | Days       |
| 14/04/2012        | Male   | Presence of Drugs             | 3              | Days       |
| 14/04/2012        | Male   | Unauthorised article          | 3              | Days       |
| 14/04/2012        | Male   | Endangers H&S                 | 3              | Days       |
| 14/04/2012        | Male   | Endangers H&S                 | 3              | Days       |
| 15/04/2012        | Male   | Attempts to commit.           | 5              | Days       |
| 15/04/2012        | Male   | Fails to comply CTR           | 5              | Days       |
| 16/04/2012        | Male   | Good order and discipline     | 3              | Days       |
| 19/04/2012        | Male   | Refuses to provide sample     | 5              | Days       |
| 19/04/2012        | Male   | Fights or Wrestles            | 2              | Days       |
| 19/04/2012        | Male   | Fights or Wrestles            | 2              | Days       |
| 21/04/2012        | Male   | Damage prison property        | 5              | Days       |
| 22/04/2012        | Male   | Presence of Drugs             | 5              | Days       |
| 23/04/2012        | Male   | Unauthorised article          | 7              | Days       |
| 23/04/2012        | Male   | Unauthorised article          | 5              | Days       |
| 24/04/2012        | Male   | Unauthorised article          | 3              | Days       |
| 24/04/2012        | Male   | Damage prison property        | 1              | Days       |
| 25/04/2012        | Male   | Assaults any other person/prs | 7              | Days       |

| Adjudication Date | Gender | Nature of adjudication           | Award Quantity | Award Unit |
|-------------------|--------|----------------------------------|----------------|------------|
| 25/04/2012        | Male   | Damage prison property           | 7              | Days       |
| 26/04/2012        | Male   | Unauthorised article             | 5              | Days       |
| 27/04/2012        | Male   | Damage prison property           | 7              | Days       |
| 28/04/2012        | Male   | Unauthorised article             | 5              | Days       |
| 29/04/2012        | Male   | Foul and abusive                 | 5              | Days       |
| 30/04/2012        | Male   | Refuses to provide sample        | 2              | Days       |
| 30/04/2012        | Male   | Endangers H&S                    | 3              | Days       |
| 29/04/2012        | Male   | Disobeys an order                | 2              | Days       |
| 30/04/2012        | Male   | Unauthorised article             | 2              | Days       |
| 01/05/2012        | Male   | Endangers H&S                    | 3              | Days       |
| 03/05/2012        | Male   | Damage prison property           | 5              | Days       |
| 03/05/2012        | Male   | Presence of Alcohol              | 2              | Days       |
| 03/05/2012        | Male   | Unauthorised article             | 3              | Days       |
| 04/05/2012        | Male   | Damage prison property           | 1              | Days       |
| 06/05/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 06/05/2012        | Male   | Presence of Drugs                | 5              | Days       |
| 06/05/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 06/05/2012        | Male   | Damage prison property           | 1              | Days       |
| 07/05/2012        | Male   | Assaults any other person/prs    | 7              | Days       |
| 09/05/2012        | Male   | Fights or Wrestles               | 3              | Days       |
| 10/05/2012        | Male   | Attempts to commit.              | 3              | Days       |
| 10/05/2012        | Male   | Damage prison property           | 1              | Days       |
| 14/05/2012        | Male   | Presence of Drugs                | 4              | Days       |
| 17/05/2012        | Male   | Foul and abusive                 | 3              | Days       |
| 17/05/2012        | Male   | Presence of Drugs                | 3              | Days       |
| 17/05/2012        | Male   | Damage prison property           | 3              | Days       |
| 19/05/2012        | Male   | Assaults an officer/staff member | 5              | Days       |
| 20/05/2012        | Male   | Unauthorised article             | 5              | Days       |
| 21/05/2012        | Male   | Unauthorised article             | 3              | Days       |
| 23/05/2012        | Male   | Foul and abusive                 | 3              | Days       |
| 26/05/2012        | Male   | Unauthorised article             | 4              | Days       |
| 27/05/2012        | Male   | Unauthorised article             | 3              | Days       |
| 28/05/2012        | Male   | Foul and abusive                 | 3              | Days       |
| 29/05/2012        | Male   | Damage prison property           | 2              | Days       |
| 31/05/2012        | Male   | Presence of Drugs                | 2              | Days       |
| 02/06/2012        | Male   | Presence of Drugs                | 2              | Days       |
| 02/06/2012        | Male   | Fights or Wrestles               | 7              | Days       |
| 02/06/2012        | Male   | Commits indecent or obscene      | 5              | Days       |

| Adjudication Date | Gender | Nature of adjudication        | Award Quantity | Award Unit |
|-------------------|--------|-------------------------------|----------------|------------|
| 03/06/2012        | Male   | Refuses to provide sample     | 3              | Days       |
| 03/06/2012        | Male   | Unauthorised article          | 3              | Days       |
| 05/06/2012        | Male   | Fails to comply CTR           | 3              | Days       |
| 06/06/2012        | Male   | Damage prison property        | 7              | Days       |
| 07/06/2012        | Male   | Refuses to provide sample     | 2              | Days       |
| 07/06/2012        | Male   | Unauthorised article          | 3              | Days       |
| 09/06/2012        | Male   | Unauthorised article          | 5              | Days       |
| 09/06/2012        | Male   | Damage prison property        | 5              | Days       |
| 11/06/2012        | Male   | Presence of Drugs             | 6              | Days       |
| 17/06/2012        | Male   | Unauthorised article          | 2              | Days       |
| 19/06/2012        | Male   | Assaults any other person/prs | 5              | Days       |
| 21/06/2012        | Male   | refuses to provide sample     | 3              | Days       |
| 22/06/2012        | Male   | Damage prison property        | 7              | Days       |
| 25/06/2012        | Male   | Unauthorised article          | 5              | Days       |
| 26/06/2012        | Male   | Damage prison property        | 5              | Days       |
| 26/06/2012        | Male   | Damage prison property        | 5              | Days       |
| 26/06/2012        | Male   | Damage prison property        | 5              | Days       |
| 28/06/2012        | Male   | Damage prison property        | 3              | Days       |
| 30/06/2012        | Male   | Unauthorised article          | 7              | Days       |
| 30/06/2012        | Male   | Unauthorised article          | 3              | Days       |
| 02/01/2012        | Male   | Absents himself               | 3              | Days       |
| 02/01/2012        | Male   | Foul and abusive              | 2              | Days       |
| 02/01/2012        | Male   | Presence of Drugs             | 3              | Days       |
| 02/01/2012        | Male   | Damage prison property        | 5              | Days       |
| 02/01/2012        | Male   | Assaults any other person/prs | 3              | Days       |
| 02/01/2012        | Male   | Fights or Wrestles            | 5              | Days       |
| 02/01/2012        | Male   | Fights or Wrestles            | 3              | Days       |
| <b>220</b>        |        | <b>Sum:</b>                   | <b>869</b>     |            |

### Prisons: Transgender Prisoners

**Lord Morrow** asked the Minister of Justice to outline the Northern Ireland Prison Service policy or guidance for housing, in male and female facilities, a (i) transgender prisoner; and (ii) a prisoner who is going through transgender reassignment treatment. **(AQW 13453/11-15)**

**Mr Ford:** The initial placement of any pre-operative prisoner with gender dysphoria would be to a prison appropriate to their gender at birth. Where there was any doubt about such a placement, the prison would organise a case conference, involving the health care team and representatives from the relevant establishments and Directorates, to determine the most appropriate location.

Decisions relating to the location of prisoners with gender dysphoria who have not yet undergone gender re-assignment surgery, whether or not they have commenced hormone treatment, would be considered on an individual basis taking into account the individual circumstances of each case.

The most appropriate location for a post-operative transgender prisoner would normally be agreed following a full case conference. The decision would take account of the prisoner's own preference and the presumption would be that a post-operative transgender prisoner would be allocated to an establishment for prisoners of his/her gender of choice.

## Forensic Science Northern Ireland

**Lord Morrow** asked the Minister of Justice, in relation to his statement in the Assembly on 6 February 2012, whether case number 11/150443 at Dungannon Magistrates' Court and case number 11/128987 at Magherafelt Magistrates' Court, were included in the figure of four cases which were delayed at Forensic Services Northern Ireland.

**(AQW 13454/11-15)**

**Mr Ford:** No they were not as these cases were not referred to Forensic Science Northern Ireland.

## Fine Default

**Mr Weir** asked the Minister of Justice how many people have been imprisoned for defaulting on fines in each of the last five years; and what percentage of the prison population they represented.

**(AQW 13462/11-15)**

**Mr Ford:** The number and percentage of people committed to prison for non-payment of fines across the last five years for which data is available is provided in the table below.

| New Committals           | Year        |             |              |              |              |
|--------------------------|-------------|-------------|--------------|--------------|--------------|
|                          | 2007        | 2008        | 2009         | 2010         | 2011         |
| Fine Default Nos.        | 1,724       | 1,742       | 1,247        | 1,891        | 2,179        |
| Fine Default percentages | 28%         | 28%         | 28%          | 35%          | 36%          |
| All Other Prisoners      | 4337        | 4443        | 3,133        | 3,461        | 3,825        |
| <b>Total</b>             | <b>6061</b> | <b>6185</b> | <b>4,380</b> | <b>5,352</b> | <b>6,004</b> |

Data for 2007 and 2008 should not be directly compared with data from 2009 to 2011 as the data sets are sourced from different systems.

## Prisons: Healthy Prison Tests

**Mr G Robinson** asked the Minister of Justice, pursuant to AQW 13273/11-15, and given that the results are not comparable, for his assessment of the benefits of these tests.

**(AQW 13481/11-15)**

**Mr Ford:** The 'three' marking attained by Magilligan Prison provides an indication of where Magilligan Prison sits against the 'Healthy Prison tests' carried out by HMIP.

The full inspection report provided more details across a diverse range of areas, functions and activities within the prison. The report highlighted to NIPS the areas where performance was good but also provided NIPS with a number of recommendations for improving the current regimes available at Magilligan Prison.

## Prisons: Searching Visitors

**Lord Morrow** asked the Minister of Justice (i) how many prisoners, at each prison facility including Hydebank Young Offenders Centre and the Juvenile Justice Unit, have been searched for drugs following a prison visit, in the last six months; (ii) how many were found to have drugs; and (iii) what action was taken against the prisoner and the visitor in cases where drugs were found.

**(AQW 13488/11-15)**

**Mr Ford:** Throughout NIPS, all prisoners are searched for illicit items prior to and following each visit. In the past six months the following drug finds have been recorded: Maghaberry eight finds, Magilligan five finds and Hydebank Wood ten finds. In addition, there have been other visits terminated due to suspicion of an article being passed.

In all cases the prisoners involved have been subject to adjudications heard by the Governor. Punishments awarded range from cellular confinement to closed visits and a total of 24 visitors were barred from visiting any establishment.

Woodlands Juvenile Justice Centre is not a prison facility. Planned visits are risk assessed in advance, closely supervised and monitored.

## NIPS: Acting Director General

**Lord Morrow** asked the Minister of Justice how many meetings the Acting Director General of the Prison Service has attended with the Committee for the Administration of Justice in each of the last twelve months.

**(AQW 13492/11-15)**

**Mr Ford:** The Acting Director General of the Northern Ireland Prison Service has not attended any meetings with the Committee on the Administration of Justice (CAJ) in the last twelve months.



## Prisoner Assessment Unit

**Lord Morrow** asked the Minister of Justice how many meetings have been held, or attended by, the Northern Ireland Prison Service and his Department in relation to (i) the issues leading to the closure of the Prisoner Assessment Unit; and (ii) the publication of the subsequent report.

**(AQW 13514/11-15)**

**Mr Ford:**

- (i) Two Prison Service meetings were held prior to the decision to close the Prisoner Assessment Unit.
- (ii) Two Prison Service meetings were held to discuss requests for the disclosure or publication of the Report into the Investigation of the Prisoner Assessment Unit.

## Death in Custody

**Lord Morrow** asked the Minister of Justice, pursuant to AQW12906/11-15, to detail the relevant staff associations that were in agreement.

**(AQW 13515/11-15)**

**Mr Ford:** Both the Prison Officers Association and the Prison Governors Association agreed the existing NIPS Code of Conduct and Discipline.

## Illegal Protest: Ardoyne

**Lord Morrow** asked the Minister of Justice, pursuant to AQW11862/11-15, with the exception of the costs disclosed, what is the total of all other costs which have been incurred in this case, including costs to the PSNI and the Public Prosecution Service.

**(AQW 13516/11-15)**

**Mr Ford:** The estimated court related costs incurred to date including judicial, staff and facilities are £12,600.

Further claims for legal fees have been submitted since my previous answer and I have set out below updated Legal Aid costs.

Fees of £5,378.08 have been paid under the Police and Criminal Evidence Act (PACE) (including VAT of £852.62 and disbursements of £121.96).

£53,464.19 has been paid to date for proceedings at the Magistrates' Court (including VAT of £8,597.52 and disbursements of £9.07). Fees of £47,604.58 (including VAT of £7,859.25 and disbursements of £9.07) were paid to solicitors and a total of £5,859.61 (including VAT of £738.27) was paid to Counsel.

£10,005.51 has been paid to date for proceedings at the Crown Court (including VAT of £1,426.30 and disbursements of £1,447.68).

Of these fees £5,906.88 (including VAT of £743.20 and disbursements of £1,447.68) has been paid to solicitors and £4,098.63 (including VAT of £683.10) has been paid to Counsel.

The Police Service of Northern Ireland and the Public Prosecution Service have advised that to extract the information required to answer this question would involve a lengthy manual exercise which would incur disproportionate cost. They are therefore not in a position to supply the information sought.

## Office of the Police Ombudsman: Complaints

**Mr Weir** asked the Minister of Justice to detail the process used by his Department when dealing with complaints made against the actions of the Office of the Police Ombudsman.

**(AQW 13517/11-15)**

**Mr Ford:** If having made a complaint of administrative maladministration to the Chief Executive of the Police Ombudsman's Office, the complainant is unhappy with the Chief Executive's decision, the individual can raise a complaint with my Department. A written request specifying the grounds of maladministration along with a copy of the Chief Executive's decision letter should be forwarded to my Department. My Department will then ask the Police Ombudsman's Office for a report, which the Head of Policing Policy and Strategy Division will consider on my behalf, and determine whether the complaint is substantiated and if so, can appoint an independent person to investigate.

## Office of the Police Ombudsman: Complaints

**Mr Weir** asked the Minister of Justice how many complaints his Department has received regarding the actions of the Office of the Police Ombudsman, in each of the last three years.

**(AQW 13520/11-15)**

**Mr Ford:** The information requested is only available from 12 April 2010, when the Department of Justice came into being. The table below details how many complaints of administrative maladministration regarding the actions of the Office of the Police Ombudsman the Department has received.

| Period                  | Number of complaints received |
|-------------------------|-------------------------------|
| April -December 2010    | 0                             |
| January – December 2011 | 1                             |
| January – June 2012     | 3                             |
| <b>Total</b>            | <b>4</b>                      |

### Office of the Police Ombudsman: Complaints

**Mr Weir** asked the Minister of Justice how many of the complaints received by his Department against the actions of the Office of the Police Ombudsman, in each of the last three years, were upheld.

**(AQW 13522/11-15)**

**Mr Ford:** The information requested is only available from 12 April 2010, when the Department of Justice came into being. The table below details how many complaints of administrative maladministration regarding the actions of the Office of the Police Ombudsman the Department has received and how many of those complaints were upheld.

| Period                  | Number of complaints received | Number of complaints upheld               |
|-------------------------|-------------------------------|---|
| April -December 2010    | 0                             | 0   |
| January – December 2011 | 1                             | 0   |
| January – June 2012     | 3                             | 1 upheld<br>2 pending review and decision |

### Prisoner Ombudsman

**Lord Morrow** asked the Minister of Justice whether the Prisoner Ombudsman has made representations on behalf of republican separated prisoners on protest, including the dates on which any representations were received.

**(AQW 13546/11-15)**

**Mr Ford:** The Prisoner Ombudsman has not made any such representations.

### Cost of Transporting Defendants to Court

**Lord Morrow** asked the Minister of Justice, pursuant to AQW12956/11-15, whether the four prisoners were produced to the court in error on the day in question, given that no applications or amendments had been sought, and that no bail issues or arrangements needed to be considered; and who made the requests to the Northern Ireland Prison Service for the production of the prisoners.

**(AQW 13549/11-15)**

**Mr Ford:** None of the prisoners were produced to the Court in error. As I stated in my answer to AQW/12956/11-15, the decision to have a defendant produced in court is a judicial decision.

Judicial decisions on prisoner production are communicated to the Northern Ireland Prison Service by the Northern Ireland Courts and Tribunals Service.

### Prisons: Body Scanning Equipment

**Mr P Ramsey** asked the Minister of Justice whether he can give an undertaking that, should separated prisoners be relocated to Mourne House, the commitment given on full body scanners will be upheld in the facility.

**(AQW 13561/11-15)**

**Mr Ford:** As I have stated in the House on a number of occasions, new search technologies are to be piloted to assess their suitability for use in relation to all prisoners in all establishments, in keeping with the Prison Review Team's recommendation and are not related to specific groups of prisoners.

### Prisons: Body Scanning Equipment

**Mr P Ramsey** asked the Minister of Justice for an update on the pilot for full body scanners in Magilligan and Hydebank Wood.

**(AQW 13562/11-15)**

**Mr Ford:** Formal written quotations have now been received from two suppliers for the leasing of Millimetre Wave Body Scanners for three month pilot schemes at Magilligan Prison and Hydebank Wood YOC. Purchase orders will be placed as soon as the business case has been approved but one of the suppliers has advised that there will be an eight week delivery time from the date the purchase order is received. A number of final queries have yet to be resolved with the other supplier, including operator

training costs and equipment insurance requirements. It is planned that these outstanding matters will be resolved during a visit to the supplier on 24 July.

Prison Service officials are continuing to work through a number of practical arrangements including site surveys in conjunction with the suppliers, staff training requirements, legal advice and information to prisoners. Consideration is also being given to the timing of the commencement of the respective pilots given the delivery timescale from one of the suppliers.

### **Prisons: Body Scanning Equipment**

**Mr P Ramsey** asked the Minister of Justice to outline the timescale for (i) the procurement of full body imaging equipment; (ii) the installation of the equipment; (iii) staff training on the use of the equipment; (vi) any other work to make the imaging scanners operational in the planned pilot scheme.

**(AQW 13563/11-15)**

**Mr Ford:** My answer to AQW/13562 provides an update on the pilot schemes for Millimetre Wave Body Scanners at Magilligan Prison and Hydebank Wood YOC.

There are also plans to pilot the use of Transmission X-ray Scanners at Magilligan Prison as soon as the necessary approval has been obtained under the Justification of Practices Involving Ionising Radiation Regulations 2004.

### **Northern Ireland Prison Service: Disciplinary Proceedings**

**Lord Morrow** asked Minister of Justice, pursuant to AQW 12780/11-15, and given that the statistics requested should be easily accessed in accordance with the recording requirements contained in Regulation 13.1 of the Northern Ireland Prison Service Code of Conduct and Discipline, and in accordance with Rule 118 (5) of the Prisons and Young Offenders Centre Rules (NI) 1995, as amended, (i) to explain why the information can only be obtained at disproportionate cost; (ii) whether the foregoing requirements have been complied with by the Northern Ireland Prison Service and; (iii) to detail the format in which these records have been retained or stored since 1995.

**(AQW 13575/11-15)**

**Mr Ford:** The information requested would require detailed examination of paper records and could therefore only be obtained at disproportionate cost.

The Northern Ireland Prison Service complies with the Department of Justice's Records and Information Retention and Disposal Schedule.

Records pertaining to disciplinary cases are retained in either hard copy or electronic format.

### **Supervision and Treatment Orders**

**Lord Morrow** asked the Minister of Justice whether he has any plans to (i) legislate to extend Supervision and Treatment Orders beyond the current two year maximum; or (ii) allow the Judiciary to extend the duration of the Orders at its discretion.

**(AQW 13577/11-15)**

**Mr Ford:** The maximum period for supervision and treatment orders was increased from two to three years, with effect from 30 June 2011, by the Supervision and Treatment Orders (Maximum Period) Order (Northern Ireland) 2011 (S.R. 2011 No. 115).

On 6 July, my Department issued a public consultation on extending proposed mental capacity legislation to the criminal justice system in Northern Ireland and implications for the courts' existing mental health powers. The consultation invites comments on these existing powers, including supervision and treatment orders, whether these are sufficient and whether they might be amended. I look forward to the responses to the consultation and will examine these in detail before deciding whether to bring forward further proposals in this area.

### **Courts: Adjournment Monitoring**

**Lord Morrow** asked the Minister of Justice why the adjournment monitoring exercise is only available at Londonderry Magistrates Court.

**(AQW 13578/11-15)**

**Mr Ford:** The adjournment monitoring exercise was piloted in Londonderry Magistrates' Court to analyse the adjournment reasons in that Petty Sessions District.

Any decision surrounding the operation of this pilot is a matter for the Presiding District Judge (Magistrates' Court).

### **Prison Unit at Crumlin Road**

**Lord Morrow** asked the Minister of Justice for how long a prison unit has operated at Crumlin Road, Belfast since the prison's closure, irrespective of the title; and to list the titles by which it was known in the corresponding years.

**(AQW 13579/11-15)**

**Mr Ford:** The Prisoner Assessment Unit at the former Belfast Prison site has been in operation since the closure of the Prison in 1996. It was originally known as the Working-out Unit which operated from a designated landing within Belfast Prison.

On the closure of the vacant Staff Training Unit the locker rooms were converted into a 22 bed residential unit which became the Working-out Unit. In 2002 (approximately) the title of the Unit was changed to the Prisoner Assessment Unit.

### Registered Firearms Dealers

**Mr Campbell** asked the Minister of Justice to detail the number of Registered Firearms Dealers in each of the last ten years.  
(AQW 13614/11-15)

**Mr Ford:** The operation of firearms licensing is a matter for the Chief Constable, who is accountable to the Northern Policing Board. I am committed to respecting the operational independence of the Chief Constable and role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

### Firearms Certificates

**Mr Campbell** asked the Minister of Justice how many Firearms Certificates were issued in each of the last ten years.  
(AQW 13615/11-15)

**Mr Ford:** The operation of firearms licensing is a matter for the Chief Constable, who is accountable to the Northern Policing Board. I am committed to respecting the operational independence of the Chief Constable and role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

### Brian Brendan Lynch

**Lord Morrow** asked the Minister of Justice, pursuant to AQW13022/11-15, (i) to provide a timeline of each appearance at court since the first appearance, detailing whether each adjournment was at the request of the prosecution or the defence; and (ii) what is the nature of the delay that is holding up the progress of this case.

(AQW 13621/11-15)

**Mr Ford:**

- (i) The table below lists the dates of all court appearances of this case. Not all appearances were for the purpose of seeking an adjournment.

The table also sets out the reason for the appearance and, where relevant, the party seeking an adjournment.

| Date     | Reason for Appearance       | Party Seeking Adjournment |
|----------|-----------------------------|---------------------------|
| 22.09.11 | First Appearance            | Prosecution               |
| 29.09.11 | High Court Bail Application | Not Relevant              |
| 20.10.11 | Remand                      | Prosecution               |
| 10.11.11 | Remand                      | Prosecution               |
| 11.11.11 | Bring Forward Application   | Not Relevant              |
| 14.11.11 | Applications                | Defence                   |
| 17.11.11 | Remand                      | Prosecution               |
| 28.11.11 | High Court Bail Order       | Not Relevant              |
| 08.12.11 | Remand                      | Prosecution               |
| 21.12.11 | Bail Variation              | Not Relevant              |
| 22.12.11 | High Court Bail Order       | Not Relevant              |
| 05.01.12 | Remand                      | Prosecution               |
| 02.02.12 | Remand                      | Prosecution               |
| 20.02.12 | Bail Variation              | Not Relevant              |
| 01.03.12 | Remand                      | Prosecution               |
| 08.03.12 | Bail Variation              | Not Relevant              |
| 09.03.12 | Applications                | Not Relevant              |

| Date     | Reason for Appearance | Party Seeking Adjournment |
|----------|-----------------------|---------------------------|
| 14.03.12 | Bail Variation        | Not Relevant              |
| 27.03.12 | New Bail Terms        | Not Relevant              |
| 29.03.12 | For Mention           | Not Relevant              |
| 12.04.12 | Bail Variation        | Not Relevant              |
| 26.04.12 | Remand                | Prosecution               |
| 04.05.12 | Bail Variation        | Not Relevant              |
| 24.05.12 | Remand                | Prosecution               |
| 18.06.12 | Remand                | Prosecution               |

- (ii) I am advised that the reason for the delay in this case is because the Public Prosecution Service is awaiting the evidential copies of CCTV evidence for inclusion in the Preliminary Enquiry Papers.

### Gerry McGeough: Legal Aid

**Lord Morrow** asked the Minister of Justice, given the amount of legal aid awarded for Gerry McGeough's numerous court challenges, and taking into account that all such actions have failed, whether he will instruct that no further funding should be certified to pursue any follow-up actions; and whether he will seek a percentage, of the legal aid awarded to be re-couped from the Gerry McGeough and Family Fund which hosted appeals for donations to cover his legal fees.

**(AQW 13624/11-15)**

**Mr Ford:** Any future applications for legal aid from Mr McGeough will be considered on the merits, by the relevant statutory authority, in accordance with Article 6 of the European Convention on Human Rights.

My Department has no evidence of additional funding being provided to Mr McGeough directly through the fund mentioned. If evidence were available that Mr McGeough had additional income which he failed to mention on his application for legal aid, the Northern Ireland Legal Services Commission would be in a position to commence an investigation for fraud.

### Northern Ireland Prison Service: Disciplinary Action

**Lord Morrow** asked the Minister of Justice (i) on how many occasions an outside agency has recommended disciplinary action against a Northern Ireland Prison Service staff member, in each of the last five years; (ii) to detail the recommending agency in each case; and (iii) how many recommendations were approved and actioned.

**(AQW 13626/11-15)**

**Mr Ford:** Disciplinary records held by the Prison Service indicate that no outside agency has explicitly made a recommendation that disciplinary action be invoked against a Northern Ireland Prison Service (NIPS) staff member, in the last five years.

### Northern Ireland Allowance

**Mr Allister** asked the Minister of Justice whether he has any plans to introduce and back date the Northern Ireland Allowance to ex-members of the RUC or PSNI Full Time Reserve, to ensure equality with officers who served as regular members.

**(AQW 13641/11-15)**

**Mr Ford:** The Northern Ireland Transitional Allowance (NITA) has been paid since 1978, originally to recognise the special difficulties faced by the Royal Ulster Constabulary.

The NITA was reduced in 2007 following a comprehensive review. It was never the case that this allowance was removed completely.

Earlier this year, having carefully considered representations made to me, I agreed to increase the rate of NITA from £2,730 to £2,994, back-dated to September 2010. I made this decision to reflect the Chief Constable's assessment of an increase in the level of security threat and to take account of a specific recommendation in Tom Winsor's first report on police terms and conditions.

The pay remit for Full Time Reserve NITA payment is currently being progressed. All members of the PSNI, including Full Time Reserve, who were serving police officers at September 2010 should receive the increase.

### Bloody Sunday

**Mr Allister** asked the Minister of Justice whether he will make representations to the Chief Constable that any police investigation into the events of 'Bloody Sunday' should cover all alleged criminality, including the possession of illegal weapons by some of those present.

**(AQW 13670/11-15)**

**Mr Ford:** The scope and remit of criminal investigations is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board. You may therefore wish to direct your question to the Police Service of Northern Ireland.

### Prisoner Assessment Unit

**Lord Morrow** asked the Minister of Justice, pursuant to AQW13452/11-15, and given the length of time already allowed on this report and that any preparations or redactions should have been completed before the end of June 2012, and that the inconvenience due to flooding lasted two days, (i) for his assessment of the explanation provided by the Northern Ireland Prison Service; (ii) whether he can provide a definitive deadline for publication of the report; and (iii) if this deadline is missed, whether he will authorise disciplinary action.

**(AQW 13681/11-15)**

**Mr Ford:** I am satisfied that the redactions were completed by Prison Service

and agreed with Departmental Solicitors before the end of June. I believe that, in the unforeseen and wholly unprecedented circumstances, where NIPS had to vacate Headquarters in Dundonald House and to then focus on the delivery of essential services and the relocation of around 180 staff, it was entirely appropriate to make publication of the PAU report a lower priority.

Given the fluidity of the existing problems faced by NIPS, I am not prepared to give a definitive statement on when the report will be published. As stated, disciplinary action would be entirely inappropriate.

## Department for Regional Development

### Capital Projects: Lagan Valley

**Mr Craig** asked the Minister for Regional Development what capital projects his Department has planned for Lagan Valley over the next four years.

**(AQW 13315/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The capital projects which my Department has planned for Lagan Valley over the next four years are set out below.

My Department has several hundred projects in progress or under development during each of the next 4 years. Details of those projects which have a forecast cost greater than £5 million are set out in the table below. The table also includes programmes within which a number of smaller projects are being taken forward.

|  | 2012-13<br>£m | 2013-14<br>£m | 2014-15<br>£m | 2015-16<br>£m | Total<br>Project<br>Cost<br>£m | Estimated<br>Completion<br>Date |
|--|---------------|---------------|---------------|---------------|--------------------------------|---------------------------------|
| <b>Transport</b>                                     |               |               |               |               |                                |                                 |
| Knockmore to Lurgan Track Rehabilitation             |               |               | 2.6           | 5.1           | 10.0                           | 2017                            |
| Lisburn West Halt & Park & Ride                      | 0.1           | 0.8           | 0             | 0.4           | 5.1                            | 2018                            |
| <b>Projects Network Wide</b>                         |               |               |               |               |                                |                                 |
| New Trains 2   | 0.9           | 0.1           |               |               | 114.0                          | 2012                            |
| New Trains 2 Platform Extension                      | 1.0           |               |               |               | 7.9                            | 2012                            |
| Adelaide Train Maintenance Facility                  | 1.2           |               |               |               | 27.8                           | 2012                            |
| Class 3000 Overhaul                                  | 2.1           | 2.1           | 2.4           | 1.0           | 13.7                           | 2015                            |
| Class 4000 Overhaul                                  |               | 1.5           | 1.6           | 1.6           | Est. 16.0                      | Est. 2019                       |
| New Tamping and Lining Machine                       |               |               |               | 4.4           | 5.2                            | 2017                            |
| Metro Fleet Replacement / Goldline Fleet Replacement | 11.8          |               |               |               | 39.2                           | 2013                            |
| Building Services Upgrade Programme                  | 0.6           |               | 0.8           | 1.5           | 5.5                            | 2016                            |
| Belfast Rapid Transit                                |               |               | 3.0           | 5.0           | 98.0                           | 2017                            |



|   | 2012-13<br>£m | 2013-14<br>£m | 2014-15<br>£m | 2015-16<br>£m | Total<br>Project<br>Cost<br>£m | Estimated<br>Completion<br>Date |
|---|---------------|---------------|---------------|---------------|--------------------------------|---------------------------------|
| <b>Total Transport</b>                      | <b>17.7</b>   | <b>4.5</b>    | <b>10.4</b>   | <b>19.0</b>   |                                |                                 |
| <b>Water and Sewerage</b>                   |               |               |               |               |                                |                                 |
| Strategic Link - Castor Bay to Belfast      | 0.2           | 9.3           | 10.5          | 0.2           | 20.9                           | 2015                            |
| Service Reservoir Rehab                     | 0.6           | 2.7           | 2.7           | 0.7           | 6.7                            | 2015                            |
| Service Reservoir Enhanced Security Phase 2 | 0.1           | 1.8           | 2.6           | 0.7           | 5.2                            | 2015                            |
| Water Infrastructure                        | 1.5           | 5.1           | 0             | 0             | 6.6                            | Ongoing                         |
| Sewerage Infrastructure                     | 1.2           | 2.5           | 1.1           | 3.0           | 12.6                           | Ongoing                         |
| Sewerage Non-infrastructure                 | 2.7           | 6.0           | 0             | 1.9           | 20.7                           | Ongoing                         |
| <b>Total Water and Sewerage</b>             | <b>6.3</b>    | <b>27.4</b>   | <b>16.9</b>   | <b>6.5</b>    | <b>72.6</b>                    |                                 |

**Totals may not add due to rounding.**

The information provided above reflects current plans and may be subject to change.

The capital budget available to the Department in 2015-16 will be dependent on the outcome of the next Budget process.

### Transport

Included in the table are projects which are relevant to the whole of the network including Lagan Valley, apart from the Belfast Rapid Transit figures which relate to the approximate proportion of the project capital spend which will be attributable to the Lagan Valley constituency.

### NI Water

The investment levels in capital are indicative and will be determined by the Utility Regulator through its next regulatory price control process for water.

### Roads Service

Roads Service has currently no significant capital projects planned for the Lagan Valley constituency over the next four years. The majority of Roads capital budget allocation is in relation to Strategic Roads Improvements and the planned spend will be focused on the A5, A8 and A2 schemes up to 2015-16. While this will not impact directly on the Lagan Valley constituency the improved roads infrastructure will benefit the country as a whole.

Of the remaining capital budget allocation resources are not allocated to a specific constituency or geographical area. Capital structural maintenance, for example, is allocated to the four Roads Service Divisions on the basis of need, using a range of weighted indicators tailored to each maintenance activity (i.e. resurfacing, surface dressing, structural drainage). Divisions use these indicators when apportioning across Council areas to ensure, as far as possible, an equitable distribution of funds across the whole of Northern Ireland.

### Parking: Bangor

**Mr Agnew** asked the Minister for Regional Development whether he has any plans to introduce a telephone payment system for parking in Bangor.

**(AQW 13369/11-15)**

**Mr Kennedy:** I can advise the Member that my Department's Roads Service intends to introduce electronic parking payment across the whole of Northern Ireland. This service will mean that drivers do not need to have the correct change and they can start and stop their parking using a mobile phone and only pay for the time used. This facility currently exists in Belfast, Londonderry, Lisburn, Newry and Omagh, and it is hoped to extend this scheme to other towns across Northern Ireland, including Bangor, over the coming months.

### Parking Meters

**Mr Agnew** asked the Minister for Regional Development whether there are any plans to modify parking meters to dispense change.

**(AQW 13371/11-15)**

**Mr Kennedy:** My Department's Roads Service is not aware of the use of Pay and Display machines that offer change in other regions of the UK. In the event that such machines were available, it is likely that their cost would be much greater than those currently used by Roads Service, and that the potential benefits of purchasing such machines would need to be carefully assessed, especially at a time when the Department is striving to identify further efficiencies in the provision of its parking enforcement and car park management services.

### Blue Badges

**Mr Allister** asked the Minister for Regional Development, in light of the National Audit Office findings that 7300 blue badges are being used despite the registered holder being deceased, what steps are being taken to address this issue.

**(AQW 13398/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the Northern Ireland Audit Office (NIAO) was reporting on the outcome of the 2010/11 National Fraud Initiative. This data matching exercise compared details on Blue Badge holders against death records. This exercise assisted in identifying those instances where the identity of a deceased person has been used to illegally obtain or renew a Blue Badge. Investigations carried out on these matches, indicated two such instances, which were reported to the police.

The NIAO report also identified the risk that a Blue Badge may be used by someone other than the named badge holder, to avoid parking costs or for easy parking.

Enforcement of Blue Badge use is undertaken by a team of dedicated Blue Badge Traffic Attendants. This team devotes the majority of its time to Belfast, however, every main town in Northern Ireland is covered on a rotational basis. Dedicated Blue Badge Traffic Attendants are easily identifiable by their high visibility waistcoats displaying the words "Blue Badge Parking Enforcement", which serves not only as a deterrent, but also a demonstration to legitimate Blue Badge holders that action is being taken to protect the proper use of Blue Badges. They are supported by the Blue Badge Unit in Enniskillen, which is able to verify badge details for the team on patrol so that they are able to carry out a more detailed level of investigation than the normal Traffic Attendant. Any suspicious activity relating to a Blue Badge is recorded and a Penalty Charge Notice is issued, if necessary, or the matter is referred to the police.

I can also advise that two recent surveys on the use of Blue Badges in Belfast in relation to street parking bays revealed no instances of misuse of deceased persons' Blue Badges.

### Concessionary Travel Passes

**Mr Allister** asked the Minister for Regional Development for his assessment of the number of concessionary travel passes which are not cancelled following the death of the registered holder; and the cost of any resulting losses.

**(AQW 13399/11-15)**

**Mr Kennedy:** My Department and Translink have been proactive in dealing with the deactivation of passes of deceased pass holders following the National Fraud Initiative (NFI) exercise. It is not a case that SmartPasses were issued to deceased individuals. Rather, there will always be a proportion of travel pass holders who regrettably pass away. The cases identified during the NFI exercise generally arose because their dependants have simply not realised that the passes should be returned for cancellation. Restrictions on data sharing have now been addressed as part of the NFI framework allowing this administrative issue to be addressed.

During the exercise, which identified approximately 15,000 possible cases there were 88 instances where a deceased customer's SmartPass was used to travel on Translink services after the reported date of death. It is estimated that the resulting cost of this was £4,593.39. These passes have since been deactivated. Existing controls over the use of Concessionary Fares mean that the individual using the card must purchase tickets and for the small percentage of cards used inappropriately it is not possible to pursue recovery of the loss incurred because the individual users cannot be identified.

### Roads: Severe Weather

**Mr D McIlveen** asked the Minister for Regional Development what research his Department has carried out on the resilience of the road network to severe weather.

**(AQW 13403/11-15)**

**Mr Kennedy:** I can confirm that my Department's Roads Service has not carried out any specific research in relation to the resilience of the road network to severe weather.

However, I can advise that a study was carried out, following the severe winter of 2009/10, to determine the extent of the damage caused to the network as a result of the severe winter. The study determined that a conservative estimate of damage caused by the repeated freezing and thawing would be in excess of £2m.

The study also concluded that the total cost of the damage, caused solely by the weather during that winter, may never fully be known, as it would not be practical, or indeed possible, to diagnose every failure that has already led to, or is likely to, contribute to damage in the future.

By and large, well maintained roads, in good condition, suffer relatively little damage from severe weather. But, where the surface is ageing, or has been damaged by excavation and reinstatement, water can penetrate into small cracks and other defects in

the surface. When the water freezes (often overnight) it expands, opening up the cracks. During daytime thaws, the ice melts and more water seeps in, before the next freeze. Repeated freeze thaw cycles gradually open cracks and create cavities and the surface deteriorates very quickly. Traffic soon displaces the loose aggregate and potholes form. Most of the damage caused to carriageways by severe weather is very obvious, is very localised (patchy), and occurs where there were already minor defects in the surface.

It is clear that the current level of funding for roads maintenance is no longer sustainable, as the cost of poor value for money reactive patching is climbing year on year. The underinvestment of previous spending periods has created a vicious circle, because as pavements deteriorate through a lack of planned maintenance, they require relatively expensive patching to avoid public liability claims and maintain road safety, which draws further funds away from good value resurfacing and surface dressing.

Furthermore, it is difficult to estimate how the level of patching would increase if underinvestment in structural maintenance continues, because, as the level of underfunding and backlog increases, the rate of deterioration and the need for patching is also likely to increase, as will the damage caused by severe weather.

### **Fair Employment Tribunal: NI Water**

**Mr McGlone** asked the Minister for Regional Development to detail the costs incurred by his Department in relation to the Fair Employment Tribunal case on the appointment of the Chair of NI Water, including a breakdown by legal fees, travel costs and all other expenses.

**(AQW 13421/11-15)**

**Mr Kennedy:** I refer to the answer I gave to AQW 13171/11-15 on 6 July.

The Department is continuing to consult with its legal advisors following the Tribunal's decision. As the process has not been concluded it is too early for me to comment further or to provide estimates in relation to the costs associated with this case.

### **Fair Employment Tribunal: NI Water**

**Mr Allister** asked the Minister for Regional Development, in light of the Fair Employment Tribunal ruling in Lennon v the Department for Regional Development, whether he has reviewed the appointment of the current Chairman of Northern Ireland Water; and what was the outcome.

**(AQW 13422/11-15)**

**Mr Kennedy:** I want to take some time to examine the implications of the decision with my officials and legal advisers. Any issues for follow up action will be considered after that as appropriate.

### **Active School Travel**

**Mrs D Kelly** asked the Minister for Regional Development what progress his Department has made against the Programme for Government targets on Active School Travel.

**(AQW 13436/11-15)**

**Mr Kennedy:** I can advise the member that my Department is currently assessing the costs, potential for funding partnerships as well as developing the necessary Business Case to enable the Active School Travel Project to begin.

In the meantime my Department has commissioned a one year interim sustainable school travel proposal to be delivered to 40 schools which will begin the process of delivering increases in sustainable transport choices made by school children in advance of the introduction of the full Active School Travel Scheme.

### **DRD: Disposal of Capital Assests**

**Mr Weir** asked the Minister for Regional Development to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13441/11-15)**

**Mr Kennedy:** The Department and its Arm's Length Bodies, Northern Ireland Transport Holding Company and Northern Ireland Water, regularly review the assets they hold to establish whether they are still required, will be needed for future projects / operational purposes or can be declared surplus to requirements.

This ongoing process of reviewing asset holdings results in a rolling programme of asset disposals.

The assets listed below were programmed for disposal by the Department and its Arm's Length Bodies from 2012/13 to 2014/15. However, given the ongoing review processes this list may be subject change. Where possible, indicative timescales for asset disposal have been noted below.

The Department and its Arm's Length Bodies are also considering other future asset efficiency opportunities.

#### **2012/13**

|   |                                      |   |                            |
|---|--------------------------------------|---|----------------------------|
| 1 | Land at Park Drive, Bangor           | 3 | 3 Belfast Road, Ballynure  |
| 2 | Land at 1A Station Road, Greenisland | 4 | 88 Shore Road, Greenisland |

- |   |   |
|---|---|
| 5. 21 Barnetts Road, Belfast                              | 35. Ballylane Lough, Lough Rd Glenanne Armagh                 |
| 6. 11 Liminary Road, Ballymena                            | 36. Ballyversall IR, Coleraine                                |
| 7. 87 Abbey Park, Belfast                                 | 37. Bessbrook SR, Ballynabee Road Bessbrook                   |
| 8. 9&11 Belfast Road Ballynure                            | 38. Blackstick Road PS, Killyhevlin, Enniskillen              |
| 9. 72 Kingsdale park, Belfast                             | 39. Boomers IR, Derriaghy Road, Lisburn                       |
| 10. 17 Barnetts Crescent, Belfast                         | 40. Carney Hill SR, Carney Hill Bellanaleck                   |
| 11. Land at Madison Avenue East                           | 41. Carrowshee PS, Carrowshee Park, Lisnaskea                 |
| 12. High Road, Portstewart                                | 42. Churchill SR, Drummenagh Beg, Churchill                   |
| 13. Land at Ballyduff/Beverley Road Newtownabbey          | 43. Clady WwTW, Kilrea Rd Clady                               |
| 14. 271 Shore Road, Belfast                               | 44. Cloghinny SR, Mountain Rd, Forkhill                       |
| 15. 52 Movilla Road, Portstewart                          | 45. Cloghoge Road WwTW, Cloghoge Road Tandragee               |
| 16. Land at Distillery Street/Westlink, Belfast           | 46. Clough SPS, Cloughwater Rd, Clough                        |
| 17. 15 Parkgate Avenue, Belfast                           | 47. Cockle Row SPS, Larne, Circular Rd, Larne                 |
| 18. 17a Parkgate Avenue, Belfast                          | 48. Craigahullier IR, Corbally Road, Portrush                 |
| 19. Land at A2 Dual Carriageway                           | 49. Craigmore SPS, Craigmore Rd, Newry                        |
| 20. Armagh Depot  | 50. Glenarm SR, Tully Road Glenarm, Antrim                    |
| 21. Enniskillen Depot                                     | 51. Hillcrest STW, Hillcrest Aghnacloy                        |
| 22. Downpatrick Depot                                     | 52. Irwins Quarry (STW), Gortgonis, Coalisland                |
| 23. Bessbrook Wastewater Treatment Works                  | 53. Ivy Bridge ST, Ivy Bridge Cottages, Newry Rd, Rathfriland |
| 24. Dungannon Depot                                       | 54. Jubilee Hill STW, Jubilee Hill Enniskillen                |
| 25. Ballymoney Depot                                      | 55. Kinallen WwTW (Old), Seagh Road, Kinallen, Dromara        |
| 26. Limavady Depot  | 56. Magherafelt Depot, Station Road Magherafelt               |
| 27. Cookstown Depot                                       | 57. Middletown SR, Rathtrillick Rd Middletown                 |
| 28. Land at Mealough                                      | 58. Railway View STW, Culnady Rd, Upperlands                  |
| 29. Straidkilly Pumping Station                           | 59. Rathfriland Rd ST, Rathfriland Rd Dromara                 |
| 30. North Road, Newtownards Reservoir                     | 60. Slievenalargy SR & BPT, Largy Rd, Castlewella             |
| 31. Donard Reservoir, Newcastle                           | 61. Stonefort SR, Derrin Mountain, Stonefort                  |
| 32. Slievenaman Break Pressure Tank                       | 62. Tully GT, Moorfields Rd Ballymena                         |
| 33. Ballintemple WTW, Ballintemple Rd Killeavy Co. Armagh | 63. Tullyglush ST/BPT, Ednego Rd, Dromore                     |
| 34. Ballydoolagh IR, Enniskillen                          | 64. Victoria Bridge STW, Fyfin Road, Strabane                 |

**2013/14**

- |   |  |
|---|--|
| 65. 34 - 46 Shore Road, Greenisland                             | 85. Conlig Depot, Green Way Conlig                       |
| 66. 180 Ballyeaston Road, Ballyclare                            | 86. Corbally BPT, Carnew Rd Shanrod                      |
| 67. Whitla Street/York Street, Belfast                          | 87. Crockacleaven Lough, Crockacleaven Clougher          |
| 68. 100 High Street, Belfast                                    | 88. Cullyhanna SR, Skeriff Road, Cullyhanna, Co Armagh   |
| 69. Charlestown Road, Portadown                                 | 89. Derg (WTW) original, Tievenny Road, Strabane         |
| 70. 147 Manse Road, Newtownabbey                                | 90. Drumolig BPT, Tamlagh Rd, Kilea                      |
| 71. Craigowen Lodge, Craigavad                                  | 91. Drumena SR, Drumena Rd, Castlewella                  |
| 72. Land at Saintfield Rd/Cairnshill Rd, Belfast                | 92. Dunalis IR, Coleraine                                |
| 73. Attesnahan SR & BPT, Moneynick Road, Randalstown            | 93. Dundrinne SR, Dundrinne Road Castlewella             |
| 74. Ballyboley IR, Larne area                                   | 94. Farrentemple Springs, Glebe Road Garvagh             |
| 75. Ballygawley SR, Lisbeg Road, Ballygawley                    | 95. Killea IR, Londonderry area                          |
| 76. Ballygrooby SPS, Barnish Rd, Randalstown                    | 96. Killough Ponds, Killough, Downpatrick Road, Killough |
| 77. Ballymaginaghy SR, Leitrim Rd, Castlewella                  | 97. Knockbracken IR, Belfast area                        |
| 78. Banbridge Local Office/Depot, Downshire Rd, Banbridge       | 98. Knockoneill SR, Laragh Rd, Swatragh                  |
| 79. Battery Hill SR, Roguery Road, Toome                        | 99. Lands at Knockagh Rd, Carrickfergus                  |
| 80. Carran Hill WTW (old), Carran Road, Crossmaglen             | 100. Lisbellaw SR, Tattymacall, Lisbellaw                |
| 81. Cashlandoo SPS, Turnberry Mews, Portstewart                 | 101. Lisnafin Park PS, Urney Rd, Lisnafin, Strabane      |
| 82. Castlecaufield SPS, Parkanaur Road Castlecaufield Co.Tyrone | 102. Lisnamuck BPT, Lisnamuck Rd, Aghadowey              |
| 83. Clonetrace BPT, Clonetrace Rd, Broughshane                  | 103. Loughgall WT, Orchard Pk, Loughgall                 |
| 84. Clontigora SR, Clontigora Hill, Killeen                     | 104. Milebush Depot, Carrickfergus, Carrickfergus        |
|   | 105. Moneyslane SPS, Dromara Road Moneyslane             |

106. Moneyslane WWTW, Dromara Road, Moneyslane  
 107. Murdock's Shallow Borehole, Mount Alexander Comber  
 108. Newtown-Cloghogue STW, Carn Rd, Newry  
 109. Rylands STW, Rylands, Omagh

110. Skea STW, Skea Arney Enniskillen  
 111. Slievegullion Intakes, Mountain Rd Drumintee  
 112. Tudor Lodge SPS, Lurgan Road Warringstown  
 113. Tullymacreeve PS, Carricknagavna Rd, Mullaghbawn

**2014/15**

114. Land at Frys Road, Ballymena  
 115. Land at Regent St/Clifton St, Belfast  
 116. 28 Shore Road, Carrickfergus  
 117. Land at Kilvergan Rd/Carbet Rd, Craigavon  
 118. Land at plot 4 & 5 Browning River, Londonderry  
 119. Land at Plot 26A Rossby, Londonderry  
 120. Land at Plot 26B Rossby, Londonderry  
 121. Land at Kilylyliss Road, Dungannon  
 122. Land at Crebarky Road, Dungiven  
 123. Land at Plot 4 Millenium way  
 124. Land at Plot 5 Millenium way  
 125. Land at A27 Tandragee Road  
 126. Castle Street, Portadown  
 127. Aghanloo STW, Crannagh, Limavady  
 128. Altmore IR, Pomeroy  
 129. Annesborough WwTW, Annesborough Co.Down  
 130. Babylon WPS, Mullaghglass Rd, Scarva  
 131. Ballintemple IR, Killeavy Co Armagh  
 132. Ballydoolagh WTW and Lough Intake, Ballydoolagh, Enniskillen  
 133. Balnamore STW, Drumawhiskey Rd Ballymoney  
 134. Bells Gate WPS, Ballintemple Rd, Meigh  
 135. Bendooragh STW, Bann Rd Ballymoney  
 136. Bolea Raw Water Intake, Bolea, Limavady  
 137. Capagh IR, Dungannon  
 138. Carnstroan SR, Carnalbanagh Rd Broughshane  
 139. Clontigora STW, Clontigora Rd Newry  
 140. Coleraine Depot, Lower Newmills Rd Coleraine  
 141. Cullen Hill SR, Cullen, Monea Enniskillen  
 142. Derrygonnelly SR, Dromore, Derrygonnelly

143. Derrylinn PS, Castlebarfor, Lisnaskea  
 144. Desertmartin STW (Land adj), Main St, Desertmartin  
 145. Dhu Varren Screening Chamber, West Strand, Portrush  
 146. Dromore Road SPS, Dromore Road, Lurgan  
 147. Drummallaght Rd WwPS, Off Ballinamore Rd Ballymoney  
 148. Dundoonan SPS, Gateside Road, Coleraine  
 149. Fernoyle and Springwell BPT, Macosquin, Coleraine  
 150. Glenhead WPS, Baranailt Rd, Limavady  
 151. Huntingdale Way WwPS, Doagh Rd Ballyclare  
 152. Killyberry SR, Killberry Rd, Bellaghey  
 153. Leathemstown IR, Dundrod  
 154. Leitrim SR, Newtown Rd, Hilltown  
 155. Lisnasure Tower, Lisnasure Rd, Donaghacloy  
 156. Lisnevenagh BPT, Lisnevenagh Rd Ballymena  
 157. Lough Cowey IR & WTW, Deerpark Road, Portaferry  
 158. Loughconnolly BPT, Camlough Rd, Broughshane  
 159. Loughgall STW (Old), Main St, Loughgall  
 160. Mallusk SPS, Old Coach Rd, Mallusk  
 161. Moneymore SPS, Moneyhaw Road Moneymore  
 162. Newtown-hamilton STW, Dundalk Rd, Newtownhamilton  
 163. Pinehill Road, Drumbo  
 164. Portrush SR, Lougestown Rd Portrush  
 165. Quolie Lower Impounding Reservoir, Longmore Road Broughshane  
 166. Rathview Gardens STW, Ballymoyer Rd Newtownhamilton  
 167. Slievenacappell SR, Carricknagavna Rd, Mullaghbawn  
 168. Sulltober Pond, Carrickfergus  
 169. Tanderagee BPT Tanderagee Road, Pomeroy  
 170. Whitehill PS, Whitehill, Limavady

**2012 - 15**

171. Steeple Road, Antrim  
 172. Land at Scrabo Street  
 173. 2A Smithfield Square, Lisburn

174. 109 - 111 Queen Street, Ballymena  
 175. 10a Belfast Road, Saintfield

**Key to Abbreviations**

|     |   |     |   |
|-----|---|-----|---|
| BPT | Break Pressure Tank (See Gauge Tank below)  | WTW | Water Treatment Works (potable)   |
| GT  | Gauge Tank (small storage tank for maintaining steady water pressure)             | STW | Sewage Treatment Works (may be large septic tank or small mechanised works) |
| IR  | Impounding Reservoir (usually with a dam for collecting raw i.e. untreated water) | WPS | Water Pumping Station (for transmission of potable water)                   |
| PS  | Pumping Station (for potable or raw water)  | WT  | Water Tank (for storage of potable water)                                   |
| SPS | Sewage Pumping Station (small station for pumping sewerage to a WwTw)             | ST  | Septic Tank (sewage treatment for 2 or more houses no machinery)            |

|    |   |       |  |
|----|---|-------|--|
| SR | Service Reservoir (large concrete cistern containing potable water used to maintain supply) | WwTw  | Waste Water Treatment Works (varies from small to large scale treatment of sewerage) |
| BH | Borehole (for raw water extraction)   | Lough | Lake manmade or natural area of water used as a raw water source                     |

### Traffic Volumes: A7

**Mr Hazzard** asked the Minister for Regional Development, pursuant to AQW 13017/11-15, for his assessment of the daily traffic flow on the A7 Downpatrick to Belfast road compares with traffic flow on all other ancillary roads into the city.

**(AQW 13451/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that traffic volumes are recorded at a number of permanent sites located throughout the Northern Ireland road network. The collection of traffic data contributes to the effective management of the road network, the allocation of Roads Service's financial resources and the development of future proposals for the network.

The most recent Annual Average Daily Traffic (AADT) traffic flow information, recorded on the major ancillary roads into Belfast including the A7 Downpatrick – Belfast Road, is provided in the table below:

| Route                      | Location                             | Aadt   |
|----------------------------|--------------------------------------|--------|
| A7 Downpatrick – Belfast   | Belfast Road at Quoile               | 11,214 |
| A24 Newcastle – Belfast    | Belfast Road, Ballynahinch           | 8,698  |
| A1 Hillsborough – Lisburn  | At Harry's Road                      | 39,197 |
| A30 Glenavy – Belfast      | Glenavy Road                         | 3,779  |
| A6 Antrim – Belfast        | Belfast Road, Antrim                 | 8,984  |
| A2 Carrickfergus – Belfast | Near Trooperslane Road               | 24,825 |
| A2 Bangor – Belfast        | At Cultra , East of Folk Museum      | 36,613 |
| A20 Newtownards - Belfast  | Upper Newtownards Road at Quarry Inn | 22,945 |
| A22 Comber – Belfast       | Comber Road, South East of New Line  | 10,866 |
| A23 Ballygowan – Belfast   | Ballygowan Road at Roselawn Cemetery | 11,930 |
| A52 Crumlin – Belfast      | Belfast side of Horseshoe Bend       | 8,766  |

The information indicates that traffic flows on the A7 are sixth highest out of the eleven roads listed above.

### Gully Inspections: South Down

**Mrs McKeivitt** asked the Minister for Regional Development how many inspections were carried out on gullies in South Down over the last three years.

**(AQW 13457/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it inspects, and cleans where necessary, all gullies in urban areas twice each year and gullies in rural areas once each year. This policy ensures that a reasonable level of maintenance is carried out to drainage systems, taking account of the Department's finite funding and staff resource levels.

In addition, and in accordance with Roads Service's Road Maintenance Standards for Safety, all public roads in the South Down area are inspected on a one, two or four monthly cycle, depending on the type of road.

Officials have indicated that during the course of these inspections any noticeable problems with the road drainage system are noted and, if necessary, remedial action is taken. As well as proactively identifying problems within the road drainage system, Roads Service also actively responds to representations made by elected representatives and members of the public, and will undertake further inspections upon receipt of any complaints.

### Transport Infrastructure

**Mr Eastwood** asked the Minister for Regional Development whether there is communication between InvestNI and his Department regarding potential investors' feedback on transport infrastructure; and whether this feedback is used to inform decision-making on transport investment.

**(AQW 13495/11-15)**



**Mr Kennedy:** In March 2012 my Department published a New Approach to Regional Transportation. This document outlines the High Level Aims and Strategic Objectives for the development of transportation in Northern Ireland and the processes that it will use to make them a reality. In developing the New Approach my Department engaged with other public bodies including DETI and InvestNI to ensure that transportation integrates with existing and emerging Executive strategies and policies.

In bringing forward any new transport infrastructure or policies my officials will continue to engage with key stakeholders in other Departments, local government, business and industry (including InvestNI) and transport operators who are contained within its Section 75 consultation contact list.

### A6 Dualling: Public Inquiry

**Mr Campbell** asked the Minister for Regional Development what is the estimated cost of the Public Inquiry on the proposed A6 dualling, which is due to be held at the Radisson Hotel, Limavady in September 2012.

**(AQW 13512/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the cost of holding the Public Inquiry at the Roe Park Resort, at the end of September 2012, is estimated at £150,000.

### Illegal Posters: Lisburn

**Mr Givan** asked the Minister for Regional Development how many illegal posters have been removed by the Roads Service in the Lisburn Council area, in each of the last five years; and to list the organisations that have been charged for such removals.

**(AQW 13528/11-15)**

**Mr Kennedy:** I can advise that 1,213 unlawful signs have been removed by my Department's Roads Service in the Lisburn Council area, within the past 5 years, an annual breakdown of which is shown below:

|                           |     |
|---------------------------|-----|
| ■ April 2007 – March 2008 | 601 |
| ■ April 2008 – March 2009 | 303 |
| ■ April 2009 – March 2010 | 203 |
| ■ April 2010 – March 2011 | 70  |
| ■ April 2011 – March 2012 | 36  |

Unfortunately, Roads Service does not hold information on cost recovery on a Council basis and the data is not easily extracted for a specific area. However, I have attached a list of those organisations charged by Roads Service's Eastern Division, which is mostly made up of Belfast, Castlereagh, Lisburn, Newtownabbey and Carrickfergus council areas.

#### Illegal Signs 2007 to 2009

|                                   |                                   |                                 |
|-----------------------------------|-----------------------------------|---------------------------------|
| ■ 1St Choice Taxis                | ■ Attention 2 Detail              | ■ Blue Sky Solar Heating System |
| ■ 4 X 4 Store                     | ■ Au Naturale                     | ■ Body Worx                     |
| ■ A Barton Co                     | ■ Autocabs                        | ■ Boland Reilly Homes Ltd       |
| ■ Aa Music                        | ■ Autowindcreens & Motorspares    | ■ Bookends                      |
| ■ Abbey Drains                    | ■ B & Q                           | ■ Bp Sew N Knit                 |
| ■ Abbey Real Estates              | ■ B Pure Beauty Salon             | ■ Breda Cabs                    |
| ■ Absolute                        | ■ Bada Bing Pizza                 | ■ Brian Blakely Contracts       |
| ■ Adl Group Ltd                   | ■ Bailie Stephen                  | ■ Brian Morton & Co             |
| ■ Adrian Mcquaid                  | ■ Ballynure Barbers               | ■ Brice & Co Estate Agents      |
| ■ Alan Newell                     | ■ Balmoral Estates                | ■ Brooke Taxis                  |
| ■ Alfresco Cafe                   | ■ Balmoral Tiles Ltd              | ■ Brunches                      |
| ■ Alison Gray Recruitment         | ■ Bangor Leisure Centre           | ■ Btw Cairns                    |
| ■ All Cabs                        | ■ Basc                            | ■ Btw Shiells                   |
| ■ Allied Carpets                  | ■ Beatties Chip Shop              | ■ Budget Cars                   |
| ■ Allstar Gym & Fitness           | ■ Belfast And District Motor Club | ■ Cafe Ceol/ Club Tao           |
| ■ Alternative Ulster              | ■ Belfast Cycle Shop              | ■ Cairns Office Design          |
| ■ Amb Plastics                    | ■ Belfast Property Agency         | ■ Campbell Cairns               |
| ■ Andersonstown News              | ■ Belfast Telegraph               | ■ Campbell Gillian              |
| ■ Antrim Road Cab Co.             | ■ Belfast Tile Company            | ■ Camphill Community Glenraig   |
| ■ Ar Graphics                     | ■ Bells Of Crossgar               | ■ Canine Design                 |
| ■ Ards Tourist Information Centre | ■ Belvoir Lettings                | ■ Carpetright Plc               |
| ■ Aria Property Solutions         | ■ Bih Housing Association         | ■ Carrickfergus Borough Council |
| ■ Arrow                           | ■ Bill Mckelvey                   | ■ Carrickfergus Fm              |
| ■ Atj's Professional Cleaning     | ■ Black Property Management       | ■ Castlereagh Cab Company       |

|  |                              |  |
|--|------------------------------|--|
| ■ Ccr Cabs                             | ■ Dv8                        | ■ Hilden Brewery                       |
| ■ Centra                               | ■ East Antrim Embroidery     | ■ Hillsborough Elim Pentecostal Church |
| ■ Charly's                             | ■ East Antrim Oven Cleaning  | ■ Holstein Uk                          |
| ■ Cherryvale Auction Rooms             | ■ Eddie Wray                 | ■ Home & Away Properties               |
| ■ Choice Flooring                      | ■ Elm Pentecostal Church     | ■ Home Buyers                          |
| ■ Christian Brothers Past Pupils Union | ■ Emoves                     | ■ Home Living                          |
| ■ Citi Golf Belfast                    | ■ Enkalon Motorcycle Club    | ■ Homepage Ltd                         |
| ■ City Property Services               | ■ Enterprise Rent A Car      | ■ Homelink                             |
| ■ Clandeboye Lodge Hotel               | ■ Esporta Health & Fitness   | ■ Howard Henderson Motor Works         |
| ■ Clarion Hotel                        | ■ Euroflowers                | ■ Hr Douglas & Sons                    |
| ■ Classic Carpets                      | ■ Eurospar                   | ■ Hss Hire                             |
| ■ Clifford Brown                       | ■ Eurotile                   | ■ Hunter Campbell                      |
| ■ Clifton Cabs                         | ■ Express Image              | ■ Hurst Charles                        |
| ■ Clifton Fuels                        | ■ Fast Cabs                  | ■ Huston Kerr                          |
| ■ Commercial Vehicle Auctions          | ■ Fernagh Cabs               | ■ Interior Solutions                   |
| ■ Cordiners Kitchens And Bedrooms      | ■ Fineart Ireland            | ■ International Property Sales         |
| ■ Corrigan's Vehicle Rentals           | ■ Fishing Tackle Shop        | ■ Irish Linen Company The              |
| ■ Country Estates                      | ■ Fitness First              | ■ Isys                                 |
| ■ Cowley Groves                        | ■ Flame Ministries           | ■ Jack Reid Cars                       |
| ■ Crawford Car & Commercial            | ■ Flooring Inspirations      | ■ Jeff Raine & Co                      |
| ■ Creative Tiles                       | ■ Floors & More Ltd          | ■ Jennifer Kelly                       |
| ■ Crumbs                               | ■ Floors-2-Go                | ■ Jet-Tec                              |
| ■ Curleys Supermarket                  | ■ Fortwilliam Car Valeting   | ■ Jjb Fitness Club                     |
| ■ Currys                               | ■ Fred Dalzell               | ■ Joe Deaneay                          |
| ■ Curves                               | ■ Furniture Sale             | ■ Johnnys Car Wash & Valeting Service  |
| ■ Custom Graphix                       | ■ Furniture Warehouse Outlet | ■ Jordanstown Real Estates             |
| ■ Daniel McGeown & Co                  | ■ G R Homes                  | ■ Joyce Estate Agents                  |
| ■ Davids Chip Shop                     | ■ Garden Show Ireland        | ■ Just Tiles                           |
| ■ Debenhams                            | ■ Garry Davison              | ■ Karacha Music Supplies               |
| ■ Deborah Yea Partnership              | ■ Gasta.Com                  | ■ Kidz Club                            |
| ■ Decora Blinds                        | ■ Gc Carpets                 | ■ Killead Lodge                        |
| ■ Delta Packaging                      | ■ General George             | ■ Kings Head                           |
| ■ Devenish Complex                     | ■ Glasgoven Contracts        | ■ Knockagh Lodge                       |
| ■ Dial A Digger                        | ■ Glitz Niteclub             | ■ Krystal Kleen Kars                   |
| ■ Diamond Coaches                      | ■ Gmc Properties             | ■ Kyle Suckling                        |
| ■ Dirtycarswanted                      | ■ Goldsmith Estates          | ■ L G Contracts & Ceilings Ltd         |
| ■ Discount Salon Supplies              | ■ Gone Fishing               | ■ La Fitness                           |
| ■ Dixons Contractors                   | ■ Graham Henry Estate Agent  | ■ La Gnosh                             |
| ■ Dnd Motorcycles                      | ■ Grant John                 | ■ Lagan Valley Leisureplex             |
| ■ Dogwood Pet Resort                   | ■ Green Chillli Restaurant   | ■ Laura Wood ( Carnwood B&B )          |
| ■ Donard Homes Ltd                     | ■ Greenaway Auto Electrics   | ■ Lavelle & Mcalinden                  |
| ■ Donnelly Bros                        | ■ Greggs Dog Grooming        | ■ Laverys Night Club                   |
| ■ Donnelly Cars                        | ■ H Ritchie & Sons           | ■ Liam Greenham                        |
| ■ Door Store                           | ■ Hagan Flooring Ltd         | ■ Lidl Northern Ireland Gmbh           |
| ■ Doorseps Gourmet Sandwiches          | ■ Halifax Estate Agents      | ■ Lighting Inspirations                |
| ■ Dorchester Limousine Co              | ■ Hampton Estates            | ■ Lindsay Ford & Mazda                 |
| ■ Downey Cars                          | ■ Harbour Point Bar          | ■ Lisburn Caravan Centre               |
| ■ Dreams Plc                           | ■ Harry Douglas Furniture    | ■ Lisburn Cathedral                    |
| ■ Dundonald Primary School             | ■ Harvey Norman              | ■ Lisburn Free Presbyterian Church     |
| ■ Dunelm Soft Furnishings Ltd          | ■ Harveys                    | ■ Logwood Plant Centre Ltd             |
| ■ Dunlop Homes Ltd                     | ■ Helen Kennedy Properties   | ■ Longstone Property Sales             |
| ■ Dunnes Stores Ltd                    | ■ Help Computer Centre       |  |
|  | ■ Hhi Building Products      |  |

|  |                                  |                                |
|--|----------------------------------|--------------------------------|
| ■ Lough & Quay                               | ■ Nation                         | ■ Rocklane Day Nursery         |
| ■ Love For Life Organisation                 | ■ Neill Estate Agents            | ■ Rockport School              |
| ■ Lynchs Flooring                            | ■ New Lifestyle Fireplaces       | ■ Roger Beaumont Estate Agents |
| ■ Mad 4 Doors                                | ■ Next Home                      | ■ Rogers Peter                 |
| ■ Magennis'S Bar                             | ■ North Down Model Railways      | ■ Rolf Tanya                   |
| ■ Managemint                                 | ■ North Down Motors              | ■ Ron Chandler                 |
| ■ Manor Interiors                            | ■ Ocean Blue                     | ■ Ross Glenn Mr                |
| ■ Martin & Co                                | ■ O'connor Gerry                 | ■ Rudolf Steiner School        |
| ■ Martin Phillips                            | ■ O'connor Kennedy Turtle        | ■ Salon Services               |
| ■ Matthews Mr                                | ■ Oil Direct                     | ■ Scales & Equipment Centre    |
| ■ McAfee Land & New Homes                    | ■ Omeya Day Spa                  | ■ Seymour Dugan Interiors      |
| ■ Mcalpine Estate Agents                     | ■ One Stop Property              | ■ Shanes Castle                |
| ■ McAuleys Kitchens                          | ■ One Stop Salon                 | ■ Shanks & Co Estate Agents    |
| ■ McCann Bill Estate Agency                  | ■ Optimum Real Estates           | ■ Shooter Property Services    |
| ■ McCleary Estate Agents                     | ■ Oregano Restaurant             | ■ Simply 4 Let                 |
| ■ McClelland And Salter                      | ■ Orginal Tile                   | ■ Simpson Property             |
| ■ Mccombe Pierce                             | ■ Osborne King                   | ■ Sleepmasters                 |
| ■ McCullagh Ian                              | ■ P & R Kitchens                 | ■ Sleepy Hollow Restaurant     |
| ■ McDonalds Restaurants Ltd                  | ■ P2 Kennels                     | ■ Slimming World               |
| ■ McGimpsey & Kane                           | ■ Papa's Ice-Cream Parlour       | ■ Smart Wash-In                |
| ■ McGrady Ltd                                | ■ Paradise Limos                 | ■ Soaks Bathrooms              |
| ■ Mcgranaghan Estate Agents.Com              | ■ Parkview Lodge B&B             | ■ Soil-Utions                  |
| ■ Mcmillan Estate Agents                     | ■ Patio Restaurant               | ■ Solid Bond Scooter Club      |
| ■ Mcquoids Commercial & Residential Property | ■ Pavilion Bar                   | ■ Space Real Estates           |
| ■ Mcw Residential                            | ■ Peter Coyle                    | ■ Spar                         |
| ■ Mercury Security Management                | ■ Philip Johnston And Company    | ■ Square Yard Tiles            |
| ■ Metro Barbers                              | ■ Pinkerton Murray               | ■ Stormont Exhaust Centre      |
| ■ Mfi  | ■ Pinpoint Property              | ■ Streamvale Open Farm         |
| ■ Mgi Builders                               | ■ Playgirl Limousines            | ■ Subway Sandwich Bar          |
| ■ Midas Touch                                | ■ Pooler Estate Agents           | ■ Supervalu                    |
| ■ Milebush Landscape Centre                  | ■ Pooler Watson                  | ■ Swift Cabs                   |
| ■ Millennium Stables                         | ■ Premier 1 Driving School       | ■ T&G Plastics                 |
| ■ Mind Your Paws                             | ■ Premier Meats                  | ■ T&G Plastics                 |
| ■ Minnis John Estate Agents                  | ■ Prestige Property              | ■ T&G Plastics                 |
| ■ Mitchell Property Management               | ■ Pro Pest Control               | ■ Templeton Robinson           |
| ■ Moira Drive Thru Internet Cafe             | ■ Project Planning International | ■ Thames Tile & Bathrooms Ltd  |
| ■ Molloy Fuels                               | ■ Property Directions            | ■ The Auld House               |
| ■ Monaghan Post                              | ■ Property Lets Ni               | ■ The Bed Shed                 |
| ■ Moore Signs                                | ■ Property Link (Armagh)         | ■ The Dufferin Cafe            |
| ■ Morris Estate Agents                       | ■ Property One                   | ■ The Frying Squad             |
| ■ Morrow Norman                              | ■ Property People                | ■ The Gellie                   |
| ■ Move Property                              | ■ Pyper Property Management      | ■ The Green Living Experience  |
| ■ Moving Estate Agents                       | ■ Re/Max Excel                   | ■ The Hopkins Partnership      |
| ■ Mplex                                      | ■ Re/Max Property Specialists    | ■ The Play Cafe                |
| ■ Mr A & Mrs C Lester                        | ■ Re/Max Select Properties       | ■ The Red Door Cafe            |
| ■ Mr Cardwell                                | ■ Rea Estates                    | ■ The Salvage Yard             |
| ■ Mr Johnathan Smith                         | ■ Reads                          | ■ The Soap Box                 |
| ■ Murray Sheds & Fencing                     | ■ Remax Property Sales           | ■ The Space Place              |
| ■ My Tiles                                   | ■ Remax Solutions                | ■ The Van Shop                 |
| ■ Mynt Bar                                   | ■ Rental Company The             | ■ The Windsor                  |
| ■ Naiscoil                                   | ■ Ride Safe                      | ■ Thompsons                    |
| ■ Naked Sun                                  | ■ Robert A Noble & Co            | ■ Tim Martin & Co              |
|  | ■ Robert Wilson Estate Agents    | ■ Tmc Estate Agents            |

|                                    |                                 |                                 |
|------------------------------------|---------------------------------|---------------------------------|
| ■ T-Met Ltd                        | ■ Ulster Transport Club         | ■ Wholesale Electrical Supplies |
| ■ Tms Homes                        | ■ Ultimate Cladding Solutions   | ■ Wholesale Fireworks           |
| ■ Tom Malloy                       | ■ Ultraplumb.Com                | ■ Wilsons Auctions              |
| ■ Toptan                           | ■ Unique Loft Conversions       | ■ Windrose Bar & Bistro         |
| ■ Trinity Methodist Church Lisburn | ■ Vision Property Agents        | ■ Wooden Floor Company          |
| ■ Trinity Partnership              | ■ Vivante                       | ■ Woodstoc                      |
| ■ Turning Point Estate Agents      | ■ Watson Property Sales         | ■ Workout Express               |
| ■ Tweedie Philip                   | ■ Well Gems Home Interiors Ltd  |                                 |
| ■ Ulster Property Sales            | ■ Wetherspoons (The Central Bar |                                 |

#### Illegal Signs 2009 to 2012

|  |   |                                      |
|--|---|--------------------------------------|
| ■ A R Graphics                         | ■ D & G Body Repair And Valet               | ■ Ivan Kerr Tyres                    |
| ■ A1 Boarding Kennels & Cattery        | ■ D B Tiles & Bathrooms                     | ■ Jack Reid Cars                     |
| ■ Abbe ' Co                            | ■ Daniel McGeown & Company                  | ■ Jenkins Butcher                    |
| ■ Abbey Kitchens & Bathrooms           | ■ Deborah Yea Partnership                   | ■ John Minnis Estate Agents          |
| ■ Abbey Real Estate                    | ■ Decora Blind Systems Ltd                  | ■ Jones The Butchers                 |
| ■ Adelboden Café                       | ■ Dicksons Garden Centre                    | ■ Jones The Butchers                 |
| ■ Adrenalin Karting                    | ■ Direct Furniture                          | ■ Jordanstown Real Estates           |
| ■ Adrian Mcquaid                       | ■ Docsol                                    | ■ Kitchens Direct                    |
| ■ Agar Murdoch & Deane Ltd             | ■ Douglas Huston                            | ■ Kpl Developments                   |
| ■ Alan Newell                          | ■ Dr Electrics                              | ■ Laura English                      |
| ■ Alloy Wheel Repair                   | ■ Dreams                                    | ■ Lautoria Boutique                  |
| ■ Apache                               | ■ Dunnes Stores Ltd                         | ■ Lidl                               |
| ■ Aria Property Solutions              | ■ Dv8 Belfast                               | ■ Lough & Quay                       |
| ■ B & Q                                | ■ Dw Sports                                 | ■ Lpc Caravan & Camping              |
| ■ Backstreet Bistro                    | ■ Dw Sports Fitness                         | ■ Maggie Fashions                    |
| ■ Bennett & Lisk                       | ■ Eco Friendly Ni                           | ■ Mcclearys Estate Agents            |
| ■ Bodrum Pizzar                        | ■ Eddie Ervine Sports                       | ■ Mcgimpsey & Kane                   |
| ■ Breda Cabs                           | ■ Educogym                                  | ■ Mcgranaghan Estate Agents          |
| ■ Broadway Taxis                       | ■ Fantastic Furniture                       | ■ Mcmillan Estate Agents             |
| ■ Btw Cairns                           | ■ Fawcett & Co                              | ■ Mcquaid Adrian                     |
| ■ Burn Restaurant                      | ■ Ferris Brian Mr                           | ■ Media On The Move                  |
| ■ Cannon Motors Limited                | ■ Fitness First                             | ■ Michael Chandler Property Services |
| ■ Carpetright Plc                      | ■ Floors & More Ltd                         | ■ Mitchell Property Management       |
| ■ Carrick Cab                          | ■ Forestside Tile & Bath                    | ■ Mono Bar & Restaurant              |
| ■ Carrickfergus Motorcycles            | ■ Frazer Kidd                               | ■ Morton Pinpoint                    |
| ■ Cbs Allotments                       | ■ Glenpark                                  | ■ Mossley Pavillion                  |
| ■ Century 21 Belfast                   | ■ Gordys Valeting Service                   | ■ Move Property                      |
| ■ Cfc Interiors                        | ■ Greenaway Auto Electrics                  | ■ My Tiles                           |
| ■ Charles Hurst Accident Repair Centre | ■ Greenisland Chippy                        | ■ Mynt Bar                           |
| ■ Choice Flooring                      | ■ Grow Coffee Shop                          | ■ Neill Estate Agents                |
| ■ Clandeboye Lodge Hotel               | ■ Happy Catz & Little Pawz                  | ■ Network 24 Taxis                   |
| ■ Clasic Car Wash                      | ■ Harbour Point Bar & Grill                 | ■ NI Skips                           |
| ■ Classic Carpets & Bedding Co         | ■ Harry Douglas Furniture                   | ■ O'Connor Kennedy Turtle            |
| ■ Classic Fireworks                    | ■ Harvey Norman                             | ■ O'Kane Devine Ltd                  |
| ■ Club 411                             | ■ Hibernian Antiques Fairs                  | ■ Pet Shop                           |
| ■ Cordiners Kitchens & Bedrooms Ltd    | ■ Hilton Templepatrick Hotel & Country Club | ■ Peter Rogers                       |
| ■ Country Cakes                        | ■ Homebase Ltd                              | ■ Philip Johnston & Co               |
| ■ Country Cakes Home Bakery            | ■ Hunter Campbell                           | ■ Philip Tweedie                     |
| ■ Country Estates                      | ■ Image Xpress                              | ■ Plm Promotions                     |
| ■ Curves                               | ■ Independent Property Estates              | ■ Poundworld                         |
|  | ■ Irene Johnston                            | ■ Prestige Property                  |
|  |   | ■ Primewood Sectional Buildings      |

|                                    |                            |                              |
|------------------------------------|----------------------------|------------------------------|
| ■ Propertyhop                      | ■ Ski And Sports Ltd       | ■ The Spinning Wheel         |
| ■ Protein Plus                     | ■ Sleepmaster              | ■ The Village Store          |
| ■ Quays Property Services          | ■ Sleepmasters             | ■ Thompsons                  |
| ■ R Stanley Laird & Son            | ■ Smart Wash-In            | ■ Tile Factory Outlet        |
| ■ Rain Night Club                  | ■ Spar                     | ■ Tim Martin & Co            |
| ■ Rdo Auto Electrics               | ■ Starplan                 | ■ Transform Kitchens         |
| ■ Regal Furniture                  | ■ Steve Hewlett Associates | ■ Ulster Property Sales      |
| ■ Romac Press Ltd                  | ■ Superior Car Valeting    | ■ Ultravibes                 |
| ■ Ron Chandler                     | ■ Tanglez Hair & Beauty    | ■ Victoria Hot Spot          |
| ■ Roskyle Ltd                      | ■ Templeton Robinson       | ■ Victoria Primary School    |
| ■ Royal Ulster Agriculture Society | ■ The Apache Tribe         | ■ Vision Property Agents     |
| ■ Rudolf Steiner School            | ■ The Bread Filler         | ■ Vivo                       |
| ■ Russell's Cellars                | ■ The Central Park         | ■ W & R Construction Limited |
| ■ S & R Electric Limited           | ■ The Chippy               | ■ Walk A Paws                |
| ■ Saintfield Nursery Centre        | ■ The Griffin              | ■ Wee Monkeys Day Nursery    |
| ■ Scallywags                       | ■ The Gym                  | ■ Wine World                 |
| ■ Self Build Ireland               | ■ The Loft Coffee Shop     | ■ Womans Touch               |
| ■ Sign Seeker.Com                  | ■ The Mill At Ballydugan   |                              |
| ■ Simply Beauty                    | ■ The Sign Co (Ni) Ltd     |                              |

## Built Environment

**Mr Agnew** asked the Minister for Regional Development what measures his Department is taking to ensure the built environment is adapted to changing climatic conditions; and whether he plans to introduce a climate change adaptation strategy.

**(AQW 13543/11-15)**

**Mr Kennedy:** The Regional Development Strategy recognises the importance of climate change adaptation in development planning.

My Department provides input to the development of the Northern Ireland Climate Change Adaptation Programme through the Cross Departmental Working Group on Climate Change (CDWG-CC). This group is chaired by the Minister of the Environment. My Department is represented at the CDWG-CC by its Transport Deputy Secretary. DRD Roads Service and Water Policy provide input through an Adaptation Sub-Group. The development of an Adaptation Programme by the CDWG-CC reflects a coordinated effort across departments to respond effectively to climate change. Therefore, I do not have plans to develop a separate climate change adaptation strategy.

Northern Ireland Water also maintains a Climate Change Adaptation Strategy, Action Plan and Monitoring Plan aimed at adapting its drinking water and waste water assets to the risks associated with climate change. My Department's Roads Service takes account of Climate Change factors in the built environment.

## Street Lighting

**Mr McGlone** asked the Minister for Regional Development whether there are currently any delays in repairing street lighting.

**(AQW 13574/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that there is currently no general delay in repairing street lighting. At present, Roads Service is operating its normal summertime cycle of street lighting night scouting, that is, lights are inspected once every four weeks, with follow up repairs carried out on any defects identified.

I would advise the Member that any street lighting faults, which occur outside of the inspection cycle, should be reported to the relevant Roads Service Division in the first instance.

## TEN-T Funding

**Mr Allister** asked the Minister for Regional Development what applications have been made for TEN-T funding following the EU Commission's call for applications in January 2012; and with what result.

**(AQW 13586/11-15)**

**Mr Kennedy:** The TEN-T Executive Agency announced an Annual Call for funding applications in January 2012 and my Department submitted applications for funding towards the following projects:

- (i) Coleraine to Londonderry Track Relay - funding support of approximately £4 million was sought ; and
- (ii) a study on developing the design of the York Street Inter-change - funding support of approximately £1 million was sought.

In addition, I can advise that my Department also submitted a joint application for funding with the Republic of Ireland's Electricity Supply Board. The application was submitted for funding of approximately €1.9million towards the installation of rapid charge points for electric vehicles, and a supporting IT system, on the TEN-T road network in Northern Ireland and the Republic of Ireland.

It is expected that the TEN-T Executive Agency will formally announce whether the applications have been successful by the autumn.

### Disused Railway Lines

**Mrs Overend** asked the Minister for Regional Development (i) to detail the total length of disused railway lines; (ii) for a list of unused railway tracks, broken down by (a) length; and (b) constituency; and (iii) to list the current owners of the land on which the disused railway lines are found; and (iv) whether there are plans to utilise that land.

**(AQW 13599/11-15)**

**Mr Kennedy:** Translink has advised that there are only two lines in public ownership that might fall under this description. They are Lisburn (Knockmore Junction) to Antrim and Greenisland to Monkstown. The former, which covers 18.5 miles, is in the South Antrim constituency and the latter, which is 1.5 miles long, is in the East Antrim constituency.

Translink has also advised that it has no plans to re-open the Lisburn to Antrim line within the timeframe of their current Corporate Plan but envisages the likelihood of re-opening the line in the medium-term future. It is currently maintained and used as a diversionary route in circumstances of emergency and on occasions for rail operations as part of driver training programmes.

Translink has advised that it has no plans or expectations to re-open the Greenisland to Monkstown line within the timeframe of the current Corporate Plan or medium-term future but would recognise a strategic benefit in retaining the alignment.

### Parking: North Down

**Mr Weir** asked the Minister for Regional Development how many applications have been received for disabled parking bays in North Down, in each of the last three years; and how many (i) were granted; (ii) were rejected; and (iii) are pending.

**(AQW 13630/11-15)**

**Mr Kennedy:** Details of applications for disabled parking bays in North Down received, granted, rejected and pending in the 2009/10, 2010/11 and 2011/12 financial years are set out in the table below:

| Parking Bay Applications | 2009/10 | 2010/11 | 2011/12 |
|--------------------------|---------|---------|---------|
| Applications received    | 12      | 10      | 8       |
| Applications granted     | 4       | 2       | 4       |
| Applications rejected    | 8       | 8       | 4       |
| Applications pending     | 0       | 0       | 0       |

### Traffic Volumes

**Mr Weir** asked the Minister for Regional Development to detail the average daily traffic volumes on the fifty busiest roads.

**(AQW 13632/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that traffic surveys are carried out on strategic and other specified routes as part of the Annual Traffic Census.

Details of the Annual Average Daily Traffic (AADT) on Northern Ireland's 50 busiest routes, or links along a route, in terms of traffic volume, as recorded in the 2009 Annual Traffic Census, are provided in the table below:

| Route no | Route | Location  | Channel 1  | Channel 2    | AADT   |
|----------|-------|---|------------|--------------|--------|
| 1        | A12   | Westlink, Belfast, South of Roden Street                | To M2      | To M1        | 80,980 |
| 2        | M1    | Broadway (Junction 1) - Stockman's Lane (Junction 2)    | To Belfast | From Belfast | 74,250 |
| 3        | M2    | Greencastle (Junction 2) – Sandyknowes (Junction 4)     | To Belfast | From Belfast | 64,010 |
| 4        | M1    | Stockman's Lane Junction (above roundabout)             | To Belfast | From Belfast | 61,260 |
| 5        | A2    | Sydneham By-Pass, at George Best Belfast City Airport   | To Belfast | From Belfast | 58,270 |
| 6        | M1    | Blacks Road (Junction 3) – Saintfield Road (Junction 6) | To Belfast | From Belfast | 51,850 |



| Route no | Route | Location   | Channel 1          | Channel 2                 | AADT   |
|----------|-------|--|--------------------|---------------------------|--------|
| 7        | M2    | Fortwilliam Interchange – Inbound (Junction 1)           | Main Carriageway   | -                         | 48,950 |
| 8        | M2    | Fortwilliam Interchange – Outbound (Junction 1)          | Main Carriageway   | -                         | 48,460 |
| 9        | A2    | Hollywood By-Pass, East of Belfast Road                  | To Belfast         | To Bangor                 | 45,100 |
| 10       | M2    | Sandyknowes (Junction 4) – Templepatrick (Junction 5)    | To Belfast         | From Belfast              | 43,630 |
| 11       | M2    | Rathbeg (Junction 6) - Templepatrick (Junction 5)        | To Belfast         | To Toome                  | 41,160 |
| 12       | A1    | Lisburn - Hillsborough (at Harry's Road)                 | To Lisburn         | To Hillsborough           | 40,190 |
| 13       | A12   | Westlink at Divis Street (To M2)                         | To M2              | On Slip                   | 39,210 |
| 14       | M2    | Rathbeg (Junction 6) – Dunsilly (Junction 1 on M22)      | To Belfast         | To Toome                  | 38,160 |
| 15       | A12   | Westlink, Clifton Street, towards M2                     | Main Carriageway   | Off Slip                  | 38,070 |
| 16       | A12   | Westlink at Divis Street (To M1)                         | To M1              | Off Slip                  | 37,070 |
| 17       | A55   | Upper Knockbreda Road, Belfast                           | To Saintfield Road | To Castlereagh Road       | 37,020 |
| 18       | A2    | Belfast - Bangor, at Cultra, East of Folk Museum         | To Belfast         | To Bangor                 | 36,660 |
| 19       | M1    | Junction 9 to 10 near Knockadoney Bridge                 | To Belfast         | To Portadown              | 36,130 |
| 20       | A2    | Strand Road, Londonderry                                 | To City Centre     | To Foyle Bridge           | 35,960 |
| 21       | A12   | Westlink, Clifton Street, towards M1                     | Main Carriageway   | On Slip                   | 35,620 |
| 22       | M1    | Lough Road (Junction 10) - Ballynacor (Junction 11)      | To Lurgan          | To Dungannon              | 35,100 |
| 23       | A55   | Stockmans Lane North West of Boucher Road                | Northbound         | Southbound                | 33,410 |
| 24       | M5    | Greencastle (Junction 2) - Whiteabbey                    | To Belfast         | From Belfast              | 32,500 |
| 25       | A515  | Foyle Bridge, Londonderry                                | To Culmore         | To Caw                    | 31,380 |
| 26       | A55   | Shaws Bridge, Belfast                                    | To Belfast         | From Belfast              | 30,970 |
| 27       | A26   | Antrim - Ballymena, North of Dunsilly                    | To Ballymena       | To Antrim                 | 30,640 |
| 28       | A24   | Belfast - Carryduff, at Baronscourt                      | To Belfast         | From Belfast              | 30,200 |
| 29       | A24   | Belfast, Saintfield Road (near Knockbracken Road at KFC) | To Belfast         | To Carryduff              | 29,250 |
| 30       | A2    | Duke Street, Londonderry                                 | To City Centre     | To Duke Street Roundabout | 29,200 |
| 31       | A29   | Coleraine Ring Road, at Sandelford Bridge                | To Limavady        | To Portrush               | 28,810 |
| 32       | A6    | Dungiven Road, Londonderry, at Altnagelvin Roundabout    | To City Centre     | To Drumahoe               | 28,730 |
| 33       | A2    | Shore Road South of Jordanstown Road                     | Northbound         | Southbound                | 28,550 |
| 34       | A2    | Limavady Road, Londonderry, at Gransha                   | To City Centre     | To Limavady               | 27,740 |
| 35       | A3    | Northway, Portadown, South of Seagoe Road link           | To Portadown       | From Portadown            | 27,140 |

| Route no | Route | Location  | Channel 1               | Channel 2                 | AADT   |
|----------|-------|---|-------------------------|---------------------------|--------|
| 36       | A6    | Dungiven Road, Londonderry, at Rosstown Roundabout        | To City Centre          | To Dungiven               | 27,020 |
| 37       | A1    | Newry By-Pass (Stage 2)                                   | To Border               | To Belfast                | 26,520 |
| 38       | A2    | Carrickfergus - Belfast                                   | To Belfast              | To Carrickfergus          | 25,500 |
| 39       | A514  | Crescent Link, Londonderry, at Caw                        | To Caw Roundabout       | To Altnagelvin Roundabout | 24,920 |
| 40       | A2    | Culmore Road, Londonderry, at St.Peters Church            | To City Centre          | To Foyle Bridge           | 24,740 |
| 41       | C/UC  | Boucher Road, Belfast, near Balmoral Road                 | To Stockmans Lane       | To Broadway               | 24,620 |
| 42       | A2    | Foyle Embankment, Between Foyle side and Bus Station      | To Guildhall Roundabout | To Craigavon Bridge       | 24,080 |
| 43       | A2    | Craigavon Bridge, Londonderry (upper deck)                | To City Centre          | To Duke Street            | 24,050 |
| 44       | M2    | Larne Road (Junction 10) - Broughshane Road (Junction 11) | To Ballymoney           | To Antrim                 | 23,420 |
| 45       | A29   | Coleraine Ring Road, between A26 - B67                    | To Limavady             | To Portrush               | 23,350 |
| 46       | A20   | Upper Newtownards Road, Belfast, at Quarry Inn            | To Belfast              | From Belfast              | 23,310 |
| 47       | A2    | Belfast - Bangor, at Springhill                           | To Bangor               | To Belfast                | 23,150 |
| 48       | A55   | Parkway, Belfast  | To Belmont Road         | To Hollywood Road         | 23,110 |
| 49       | A1    | Banbridge By-Pass, North of Old Manse Road                | To Dromore              | To Newry                  | 23,060 |
| 50       | B507  | Branch Road, at Branch Road Roundabout                    | To City Centre          | To Buncrana Road          | 22,720 |

### Craigtantlet Crossroads

**Mr Weir** asked the Minister for Regional Development what is the projected timescale for the proposed upgrade works on the Craigtantlet crossroads.

**(AQW 13633/11-15)**

**Mr Kennedy:** As the Member may be aware, a planning application for a proposed upgrade scheme at Craigtantlet crossroads was lodged on 16 January 2012. Details of the scheme are available through the DOE Planning Division portal at the following web address:

[http://epicpublic.planningni.gov.uk/PublicAccess/zd/zdApplication/application\\_detailview.aspx?caseno=LXY5VDSV30000](http://epicpublic.planningni.gov.uk/PublicAccess/zd/zdApplication/application_detailview.aspx?caseno=LXY5VDSV30000).

I should advise that DOE Planning Division is currently considering this planning application and there is still the opportunity for interested parties to comment on the proposed scheme. I also understand that a number of objections to the proposed scheme have already been received.

As the project is at an early stage, funding has not yet been allocated for the scheme, and therefore, I am unable to confirm the likely timescale for the commencement of construction work.

### Northern Ireland Water

**Mr Allister** asked the Minister for Regional Development whether he can confirm that the current Chairman of Northern Ireland Water claimed, in his application for the post, that at that time he was employed with a company which had been dissolved in 2010 and dormant for the previous twelve months; and what action was taken, or is being taken, by his Department in relation to that matter.

**(AQW 13639/11-15)**

**Mr Kennedy:** I have been advised that the application forms for the NI Water Chair position did not require applicants to provide information on their employment experience, this followed advice from the Office of the Commissioner for Public Appointments (OCPANI).

## Parking: Bangor

**Mr Agnew** asked the Minister for Regional Development whether he will review the revenue collected from the three car parks in Bangor, that were previously operated free of charge, within the next month, to ensure that the expected revenue is being raised; and if the revenue falls significantly below target, whether he will consider reversing his decision to end free parking at these car parks. **(AQW 13642/11-15)**

**Mr Kennedy:** The introduction of charges in a number of Roads Service car parks forms part of the budgetary Savings Delivery Plan relating to the review of car parking charges. The original projected total increase in revenue for year one of the Savings Delivery Plan (2011/12) was £1.865m. This total includes the additional revenue from both the tariff increases and the free to charged car parks.

The projected income for any individual car parks, which were originally free, cannot be considered, as demand and usage cannot be accurately predicted.

However, Roads Service carries out an annual review of parking charges, and in doing so, the individual parking needs of all towns, including Bangor, will be considered.

## Department for Social Development

### Jobseeker's Allowance

**Mr Flanagan** asked the Minister for Social Development to detail (i) how many staff are currently employed as a result of the entire Job Seekers Allowance process, including tasks such as registration/application, signing on and making payments; (ii) how this figures compares with each of the last ten years; and (iii) whether additional staff will be required in the near future. **(AQW 13241/11-15)**

**Mr McCausland (The Minister for Social Development):**

- i) The number of staff currently involved in the administration of Job Seekers Allowance processes is 1,564. This figure includes 478 staff in the Social Security Agency who process and maintain Jobseekers Allowance and 1086 staff in the Department for Employment and Learning who undertake a range of roles including Job Seekers Allowance in Jobs and Benefits Offices. The Department for Employment and Learning figure includes staff that provide a work focused service to clients in receipt of Incapacity Benefit (since 2005) and Employment and Support Allowance (since 2008) as well as those in receipt of Job Seekers Allowance.

Staffing levels in the Department for Employment and Learning are determined by the Department's workforce planning procedures and it is not possible to give a detailed breakdown of the staff currently employed to deliver the service to Job Seekers Allowance clients only.

- (ii) Comparative analysis is available for the most recent 6 years from 2007 to present as outlined in the following table.

| Financial Year | Social Security Agency (JSA) | Department for Employment & Learning (Employment Service) |
|----------------|------------------------------|---|
| 2012/2013      | 478                          | 1,086   |
| 2011/2012      | 449                          | 1,103   |
| 2010/2011      | 410                          | 1,029   |
| 2009/2010      | 420                          | 975   |
| 2008/2009      | 237                          | 869   |
| 2007/2008      | 253                          | 801   |

Social Security Agency staff resources have been established in line with statistical forecasts with growth in-built for increasing workloads.

The figures shown include the period associated with the increase in unemployment caused by the economic downturn and the corresponding increase in staff resources over this period.

The Social Security Agency will continue to assess the impact of all issues impacting Job Seekers Allowance including the ongoing impact of the economic downturn and the recovery of the economy along with Welfare Reform changes.

- (iii) Additional staff may be required by the Department for Employment and Learning to deliver a service to Universal Credit claimants, however staffing requirements for the new service are unclear at this stage.

## Dunluce Family Centre Site in Ballymagroarty, Derry

**Mr Durkan** asked the Minister for Social Development to detail the outcome of the Northern Ireland Housing Executive's pre-planning consultation on the future of the former Dunluce Family Centre site in Ballymagroarty, Derry.

**(AQW 13358/11-15)**

**Mr McCausland:** As the Dunluce Family Centre site is in an area of housing need, a detailed feasibility study was completed in order to determine the potential for social housing on the site. NIHE held pre application discussions (PAD) with the Planning Service on 1 December 2011.

Planning Service has subsequently confirmed that they would have no objection in principle to housing on this site subject to a number of issues around access, car parking, layout etc being satisfactorily addressed as part of any planning application.

## Parents of Foreign Nationals Receiving State Benefits

**Mr Clarke** asked the Minister for Social Development whether the parents of foreign nationals, who have come to live in Northern Ireland with their adult children, are entitled to receive social benefits if they are of pensionable age and have never contributed to the pension system.

**(AQW 13370/11-15)**

**Mr McCausland:** The availability of social security benefits for people coming to the United Kingdom depends initially on their immigration status. Immigration, asylum and relations with the European Union are excepted matters under Schedule 2 to the Northern Ireland Act 1998 and fall outside the legislative competence of the Assembly.

The presence of non-EU nationals in the United Kingdom is strictly regulated by the Home Office and immigration rules impact directly on entitlement to social security benefits. Persons subject to immigration control are not normally entitled to income-related and non-contributory benefits. People who have not lived and worked in the United Kingdom will not have paid National Insurance contributions and will not normally have entitlement to contribution-based benefits.

Northern Ireland, as part of the United Kingdom, has legal obligations to meet in respect of citizens of the European Union. Family members of EU nationals who are workers or self-employed have a right to reside in the United Kingdom and may be entitled to income-related benefits. This can apply to the parents of a person exercising rights under EU law, provided they are dependent on that person.

Entitlement to income-related benefits such as State Pension Credit also requires satisfaction of the habitual residence test. The test has two elements: a legal right to reside and an objective assessment of factual evidence of habitual residence.

The United Kingdom also has reciprocal agreements with a number of countries which may assist an individual to satisfy contribution or residence/presence conditions for entitlement to certain benefits.

## Blind or Visually Impaired Benefit Claimants

**Mr Durkan** asked the Minister for Social Development whether his Department has considered excluding claimants who are blind or visually impaired from having to undergo assessment for benefits, under the current proposals for personal independence payments.

**(AQW 13379/11-15)**

**Mr McCausland:** It is intended that the assessment for Personal Independence Payment will look at people as individuals rather than label them according to a particular impairment or disability. It has been designed to consider an individual's personal circumstances, enabling them to explain, in their own words, the impact their condition has on their everyday lives and the support they need. A face-to-face consultation will be a key part of the assessment process but it is important to ensure it is carried out in a sensitive and proportionate way and that individuals can, if appropriate, be helped through it by a family member or a support worker.

Where it is considered that there is already enough written evidence from the claimant, their GP or other people involved in supporting them from which an accurate assessment of the impact their condition has on their everyday life can be made, it may not be appropriate to require them to attend a consultation. Decisions on whether sufficient evidence has been gathered will be based on the circumstances of each case and guidance will be provided to support such decisions.

## Employment and Support Allowance

**Mr McGlone** asked the Minister for Social Development to detail the number of Employment and Support Allowance claimants being treated for (i) cancer; (ii) mental health issues; and (iii) phobias, whose benefits have been stopped following an examination by a nurse.

**(AQW 13407/11-15)**

**Mr McCausland:** The Department does not hold information on whether a customer is being treated at the time of their medical examination. Information is also not held on the medical conditions of disallowed customers.

### Customer First: Western District

**Ms Boyle** asked the Minister for Social Development, in light of the announcement on the roll out of Customer First in the Western District, whether any discussions have taken place between his Department and the Department for Employment and Learning on the provision of a 'One Stop Shop' in premises at a central location in Strabane which had been envisaged previously as part of the Benefits and Jobs Project which has not yet been fully implemented.

**(AQW 13477/11-15)**

**Mr McCausland:** The Jobs and Benefits service has been introduced into 27 offices across Northern Ireland, however at this juncture it is not possible to introduce it into the remaining 8 offices as no capital funding has been made available to the Department to complete the roll-out. While it is not possible to continue with the roll-out of new or substantially refurbished offices as originally envisaged, both my colleague, the Minister for Employment and Learning and I remain committed to maintaining and improving services to customers and will seek to take advantage of future opportunities to complete the introduction of the Jobs & Benefits service on an office by office basis. There is, however, no timeline for this work and progress will be subject to the identification of funding.

### Houses in Multiple Occupation: Foyle

**Mr Durkan** asked the Minister for Social Development for an update on houses in multiple occupancy registration in the Foyle constituency.

**(AQW 13505/11-15)**

**Mr McCausland:** 464 Houses in Multiple Occupation have been registered in the Foyle constituency between 1 April 2004 to 4 July 2012.

### Child Maintenance

**Mr Durkan** asked the Minister for Social Development whether he intends to impose an increase of the minimum Child Maintenance Payments.

**(AQW 13506/11-15)**

**Mr McCausland:** I am committed to encouraging and supporting parents to make their own family-based arrangements whenever possible and to also providing a much better and efficient statutory service.

I have not yet taken a decision as to whether the flat rate maintenance payments for child maintenance will be increased.

### Benefits: Sanctions

**Mr F McCann** asked the Minister for Social Development how many benefit customers have been reported to his Department to be sanctioned during the current mandate.

**(AQW 13524/11-15)**

**Mr McCausland:** 8,300 benefit customers were referred to my Department for consideration of applying a sanction from May 2011 to date.

### Benefits: Sanctions

**Mr F McCann** asked the Minister for Social Development how many benefit customers were reported to his Department to be sanctioned in each of the last three years.

**(AQW 13525/11-15)**

**Mr McCausland:** The information requested is not available as it was not routinely recorded prior to May 2011. I refer the member to written answer given to AQW 13524/11-15 in relation to the most recent year.

### Benefits: Sanctions

**Mr F McCann** asked the Minister for Social Development how many benefit customers have been sanctioned by his Department in the current mandate.

**(AQW 13529/11-15)**

**Mr McCausland:** 1325 sanctions were imposed on customers in receipt of benefit from May 2011 to date.

### Benefits: Sanctions

**Mr F McCann** asked the Minister for Social Development how many benefit customers were sanctioned by his Department during the last mandate.

**(AQW 13530/11-15)**

**Mr McCausland:** The information requested is not available as it was not routinely recorded prior to May 2011.

## Housing Associations: Subcontractors

**Mr Copeland** asked the Minister for Social Development to detail (i) how housing associations monitor payments from main contractors to sub-contractors that are working on new build social housing developments; and (ii) the consequences if a main contractor does not pay a sub-contractor.

**(AQW 13531/11-15)**

**Mr McCausland:** Housing Associations monitor contractors' performance through the use of Constructionline, inspections of contracts by Clerk of Works and by holding monthly site meetings with all key stakeholders including sub-contractors and suppliers. It is not incumbent upon any Association to directly monitor the work or payment of sub contractors as the Association is not a party to these domestic sub-contracts.

Part 4 of the Department's Housing Association Guide, requires Housing Associations to operate a prompt payment policy (current Departmental guidance requires payment to be made within 30 days) to all contractors and subsequently requires all contractors to make prompt payments to their sub-contractors. Compliance with this guidance is checked as part of the Department's Inspection Process. However, there is no legal liability on Housing Associations to enforce the prompt payment provisions in any sub-contract.

## Portrush: Station Square Public Realm Scheme

**Mr Allister** asked the Minister for Social Development to detail (i) how his Department ensures that all planning consents are in place before it allocates funding for public realm schemes; and (ii) whether the necessary steps were taken in regard to the Station Square Public Realm Scheme in Portrush.

**(AQW 13534/11-15)**

**Mr McCausland:** Any funding awarded by the Department to capital projects is subject to the applicant providing documentary evidence that all statutory approvals necessary have been obtained prior to the commencement of works.

In the Portrush scheme the Department issued a contract for funding on 17 May 2011 to Coleraine Borough Council and was provided with a copy of a Certificate for Lawfulness of Proposed Use or Development for the Station Square Scheme on 20 June 2011. This certificate was approved by Planning Service and satisfied the Department's requirement that statutory planning approval had been obtained for the Public Realm scheme.

The Department was also advised that separate planning applications would be required for a canopy and sculptural masts. These were subsequently taken forward by the appointed contractor to obtain the statutory approvals. The Department was content with this process and work commenced on 20 September 2011. Planning permission was subsequently granted for the canopy on 20 December 2011 and for the sculptural masts on 3 January 2012.

The Department did not make any financial payments to Coleraine Borough Council until all Planning Permissions were in place.

In the past few weeks it has transpired that there may be an issue with the planning status of the lighting columns. Discussions to resolve this issue are ongoing with Coleraine Borough Council and Planning Service.

## Housing Waiting List: North Down

**Mr Weir** asked the Minister for Social Development how many people in North Down, who are over the age of 55, are on the housing waiting list, broken down by housing type requested.

**(AQW 13542/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not hold waiting list information for applicants aged 55 years and above. However, figures are available for the Housing Executive's Bangor District Area regarding housing applications which includes households where a member is aged at least 60 years old and these are detailed in Table 1 below.

The Housing Executive collates information with regards to 26 separate household compositions and for reporting purposes groups them into six main household composition categories as detailed in Table 2 below. The Housing Executive determines the housing type required by the applicant on the basis of their housing need, household size and composition.

**Table 1**

|                                  | <b>Elderly</b> | <b>Large Adult</b> | <b>Large Family</b> | <b>Single</b> | <b>Small Adult</b> | <b>Small family</b> | <b>Total</b> |
|----------------------------------|----------------|--------------------|---------------------|---------------|--------------------|---------------------|--------------|
| Applicants not in Housing Stress | 262            | 20                 | 55                  | 497           | 90                 | 234                 | 1158         |
| Applicants in Housing Stress     | 380            | 17                 | 46                  | 423           | 64                 | 194                 | 1124         |
| Total Applicants on Waiting List | 642            | 37                 | 101                 | 920           | 154                | 428                 | 2282         |



**Table 2**

| Definition of Household types  | Household composition |
|--|-----------------------|
| 1 person 16 – 59 years old   | Singles               |
| Single aged 60+, 2 Adults either 60+ or 3 or more Adults 60+   | Elderly               |
| 2 Persons 16 – 59 years old  | Small Adult           |
| 1 or 2 Persons aged 16 or over, with 1 or 2 children   | Small Families        |
| 1 or 2 persons aged 16 or over, and 3 or more persons 0 – 15, or 3 or more persons aged 16 or over and 2 or more persons aged 0 - 15 | Large Families        |
| 3 or more persons aged 16 or over with or without 1 person aged 0 - 15   | Large Adults          |

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### Social Housing: Subcontractors

**Mr Copeland** asked the Minister for Social Development to detail (i) whether there have been any incidences since 2007 of main contractors, who are working on social housing developments, not paying sub-contractors; and (ii) what power he has to intervene in such circumstances.

**(AQW 13558/11-15)**

**Mr McCausland:** I assume the Member is referring to the Social Housing Development Programme. With regard to non-payments by a main contractor to a sub contractor, my Department and Housing Associations would not have any access to this information. Part 4 of the Department's Housing Association Guide, requires Housing Associations to operate a prompt payment policy (current Departmental guidance requires payment to be made within 30 days) to all contractors and subsequently requires all contractors to make prompt payments to their sub-contractors. Compliance with this guidance is checked as part of the Department's Inspection Process. However, there is no legal liability on Housing Associations to enforce the prompt payment provisions in any sub-contract.

### Housing Executive: Contractors

**Mr Agnew** asked the Minister for Social Development what plans he has to recover money from contractors employed to carry out maintenance work for the Housing Executive that was not done.

**(AQW 13564/11-15)**

**Mr McCausland:** I assume the Member is referring to the statement which I made in the Assembly on 3 July 2012 regarding the Northern Ireland Housing Executive's management of response maintenance contracts. The draft report, in relation to the forensic investigation I commissioned, is currently being considered. However, as I indicated in my Statement, where it has been identified that claims were made that were fraudulent, unfounded, inappropriate and improper, the Housing Executive will vigorously pursue the recovery of such monies under their contract management arrangements.

### Housing Executive: Maintenance Contracts

**Mr Agnew** asked the Minister for Social Development for the estimated cost to the Housing Executive of payments made on maintenance contracts for work that was not done.

**(AQW 13565/11-15)**

**Mr McCausland:** I assume the Member is referring to the statement which I made in the Assembly on 3 July 2012 regarding the Northern Ireland Housing Executive's management of response maintenance contracts. The draft report, in relation to the forensic investigation I commissioned, is currently being considered. This information is not therefore available at present. However, as I indicated in my Statement, where it has been identified that claims were made that were fraudulent, unfounded, inappropriate and improper, the Housing Executive will vigorously pursue the recovery of such monies under their contract management arrangements.

### Housing Executive: Risk Evaluation on Bonfires

**Mr McGlone** asked the Minister for Social Development whether his Department, or the Housing Executive, has carried out a risk evaluation on bonfires which are located on, or near to, Housing Executive property.

**(AQW 13573/11-15)**

**Mr McCausland:** A number of annual bonfires are located on Housing Executive land and the Housing Executive is responsible for the clean up of sites and the repair of any damage to Housing Executive properties. The Housing Executive adopts a good relations and community led approach to best manage bonfires. Local bonfire management initiatives are supported at a local level by Housing Executive District Offices and monitored and supported by the Housing Executive's Community Cohesion Unit.

The approach to dealing with bonfires aims: -

- To reduce the risk to the environment.
- To develop a partnership approach which allows the agencies involved to impact on the bonfire issue in a cohesive manner.
- To develop a graduated response to bonfires which involves consultation, shared understanding, negotiation and if necessary proportionate and legal use of enforcement methods.
- Promote a shared, inclusive community celebration.

The general benefits for the Housing Executive in providing support to improve bonfire management include: -

- Environmental damage through the burning of inappropriate material is reduced.
- Introduction of controls into the commencement of the collection of bonfire material.
- Reduced opportunities for fly tipping and the disposing of illegal waste.
- Reduced clean up costs.
- Engagement and supporting local communities.
- Reduced paramilitary and inappropriate displays of flags and effigies etc.
- Enhanced partnership working.
- Improved community cohesion and good relations.
- Reduced aggressive cultural displays.

The management of bonfires is the responsibility of a range of agencies and the Housing Executive works in partnership with local Councils, the PSNI, Fire Service and local communities. A large number of the bonfire initiatives are Council led and the Housing Executive supports these Council led initiatives in a partnership approach. This approach has proved very successful in areas such as Belfast, Newtownards and Antrim.

In addition the Housing Executive provides an estate warden service which monitors the condition of bonfire sites in a number of its estates.

## Passported Benefits

**Mr McCallister** asked the Minister for Social Development for an update on (i) the consultative forum established to consider the issues of passported benefits; and (ii) the Social Security Advisory Committee established to carry out a review of the implications of a change to passported benefits.

**(AQW 13604/11-15)**

**Mr McCausland:**

- (i) The Universal Credit consultative forum provides the opportunity for senior officials to consider and advise on cross departmental policy issues arising from the introduction of Universal Credit. This includes reviewing potential eligibility criteria and the technical solutions required to deliver specific passported benefits.

Via the consultative forum, my department has facilitated the analysis of potential costs and the impact on entitlement of identified demographics. This analysis will assist affected departments to determine the eligibility criteria that Ministers may choose to apply to the specific passported benefits for which they are responsible.

- (ii) The Social Security Advisory Committee was commissioned to complete a review of passported benefits in Great Britain and how they would interact with Universal Credit. At my request, this review was subsequently extended to include Northern Ireland. All departments that currently deliver passported benefits in Northern Ireland, and a number of customer representative groups, responded to the consultation. A report detailing the Committee's findings was published on 27 March 2012.

The report provided an analysis of current delivery across the UK and highlighted various methodologies that could be adopted for determining eligibility to the major passported benefits alongside the advantages and disadvantages of the detailed options. The report has been useful to inform discussions on the eligibility and delivery of passported benefits in Northern Ireland.

## Universal Credit

**Mr McCallister** asked the Minister for Social Development for his assessment of the projected additional uptake of benefits through Universal Credit, due to the simplifications which will be introduced to the rules governing the new benefit.

**(AQW 13605/11-15)**

**Mr McCausland:** It is estimated that up to 46,000\* households will be newly taking up or taking up more benefit as a direct result of Universal Credit. This is due to changes in entitlement, increases in take-up, and the integrated nature of the Universal Credit system.

This figure is made up of three main groups:

- Cases who were **not entitled** to current system benefits but are entitled and take up Universal Credit. For example in work, claimants aged under 25 who are not currently eligible for Working Tax Credits but will be eligible for Universal Credit.

- Cases who **are entitled** to current system benefits but do not take up any of their entitlement to these benefits in the current system, who are then expected to claim Universal Credit when it is introduced, due to an increase in entitlement or a simpler claim process.
- Cases who take up less than their full entitlement to current system benefits, but will receive the full amount of Universal Credit they are entitled to due to the integrated system. For example, a claimant may be entitled to Income Support and Housing Benefit but only claim Income Support. Under Universal Credit, a claimant will be assessed for all the elements at one time and will automatically receive the Housing Element if they are entitled to it.

\* Source of information: Northern Ireland version of the Department for Work and Pensions Policy Simulation Model.

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## Passported Benefits

**Mr McCallister** asked the Minister for Social Development to detail the passported benefits for which his Department has responsibility, including (i) how much of each benefit has been paid; and (ii) the number of recipients, in each of the last five years. **(AQW 13606/11-15)**

**Mr McCausland:** The Department for Social Development is responsible for three passported benefits, which form part of the regulated Social Fund. These benefits are Cold Weather Payments, Funeral Payments and Sure Start Maternity Grants.

Through the Northern Ireland Housing Executive, my Department is also responsible for several schemes providing support for people on low incomes. The provision of this financial assistance is dependent on existing entitlement to a social security benefit and/or the application of a test of an individual's ability to meet costs (means testing). The benefits offered are the Disabled Facilities Grant, the Home Repairs Assistance Grant, the Replacement Grant, the Renovation Grant, Group Repair and Warm Homes Scheme.

- (i) & (ii) The tables below show the amounts paid and the number of recipients for the last five years in respect of Cold Weather Payments, Funeral Payments and Sure Start Maternity Grants.

### Cold Weather Payments

| Year    | Amount £m | Number of recipients |
|---------|-----------|----------------------|
| 2011/12 | Nil       | Nil                  |
| 2010/11 | 16.81     | 672,520              |
| 2009/10 | 16.87     | 672,000              |
| 2008/09 | 1.84      | 73,520               |
| 2007/08 | Nil       | Nil                  |

### Funeral Payments

| Year    | Amount £m | Number of recipients |
|---------|-----------|----------------------|
| 2011/12 | 2.41      | 2421                 |
| 2010/11 | 2.59      | 2639                 |
| 2009/10 | 2.53      | 2612                 |
| 2008/09 | 2.57      | 2657                 |
| 2007/08 | 2.37      | 2508                 |

### Sure Start Maternity Grants

| Year    | Amount £m | Number of recipients |
|---------|-----------|----------------------|
| 2011/12 | 2.02*     | 3994*                |
| 2010/11 | 5.31      | 10453                |
| 2009/10 | 5.02      | 9904                 |
| 2008/09 | 5.12      | 10064                |
| 2007/08 | 4.48      | 8842                 |

\* Grants restricted to first child born on or after 11 April 2011

It is not possible to provide the requested information in respect of those benefits administered by the Northern Ireland Housing Executive.

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### **Housing: Girdwood Site**

**Mr Copeland** asked the Minister for Social Development how the current transformation plans for the Girdwood site will address the current inequality in housing impacting on the Catholic community in North Belfast.

**(AQW 13609/11-15)**

**Mr McCausland:** The Social Housing Development Programme for the current year includes a gross programme of 333 units that could be delivered across a number of locations in North Belfast. Each of these will meet housing need.

When plans for Girdwood are at a stage where they can be included in the programme, this will further contribute to meeting housing need in North Belfast.

### **Housing: Girdwood Site**

**Mr Copeland** asked the Minister for Social Development how many new homes will be built on the Girdwood site; and how these will mitigate the housing inequality in North Belfast.

**(AQW 13610/11-15)**

**Mr McCausland:** No feasibility has yet been undertaken to identify the type of housing or density that could be accommodated on this site.

Once that work has been undertaken I would be happy to advise the member accordingly.

### **Housing: Girdwood Site**

**Mr Copeland** asked the Minister for Social Development whether the current plans for social housing on the Girdwood site will be opened for public consultation.

**(AQW 13611/11-15)**

**Mr McCausland:** The draft master plan for the Girdwood site was subject to public consultation in 2007. An Equality Impact Assessment was carried out on the proposals for the site in 2008/09 and was also subject to public consultation.

### **Housing: Girdwood Site**

**Mr Copeland** asked the Minister for Social Development whether an equality screening exercise has been carried out on the plans for social housing on the Girdwood site, as per the Department's legal obligations; or when such an exercise will be undertaken.

**(AQW 13612/11-15)**

**Mr McCausland:** The draft master plan for the Girdwood site was subject to public consultation in 2007. An Equality Impact Assessment was carried out on the proposals for the site in 2008/09 and was also subject to public consultation.

### **Housing: Girdwood Site**

**Mr Copeland** asked the Minister for Social Development to outline the timeframe for the progression of each stage of the plan for social housing on the Girdwood site.

**(AQW 13613/11-15)**

**Mr McCausland:** No feasibility has yet been undertaken to identify the type and density of housing that could be accommodated on this site. Once this is completed I will be in a better position to outline a timeframe for progress and will be happy to respond to the member at that time.

### **Housing: Girdwood Site**

**Mr Durkan** asked the Minister for Social Development for an update on the number of social houses planned for the Girdwood site, North Belfast.

**(AQW 13646/11-15)**

**Mr McCausland:** No feasibility has yet been undertaken to identify the type of housing or density that could be accommodated on this site.

Once that work has been undertaken I would be happy to advise the member accordingly.

## Publicly Funded Jobs in the Voluntary Sector

**Mr Durkan** asked the Minister for Social Development to detail the procedures followed by his Department when monitoring publicly funded jobs in the voluntary and community sectors.

**(AQW 13647/11-15)**

**Mr McCausland:** The Department for Social Development does not directly fund jobs in the voluntary and community sector. It does however provide funding to voluntary and community groups for the employment of individuals to deliver agreed outputs/outcomes. As the Department is not the employer, responsibility for monitoring the individual employed rests with the relevant voluntary and community group.

## Benefits: Ulster Bank

**Mr McGlone** asked the Minister for Social Development what alternative arrangements have been considered for the payment of benefits to claimants who use the Ulster Bank, until normal service at the bank is resumed.

**(AQW 13657/11-15)**

**Mr McCausland:** The Social Security Agency has fully discharged its responsibility by ensuring that benefit payments have been lodged to customers' designated bank accounts. It is therefore inappropriate to make replacement payments. Agency officials continue to liaise with the Ulster Bank to ensure, where necessary, validation of entitlement to benefit is confirmed thereby enabling the Bank to make the necessary payment.

## Housing: Girdwood Site

**Mr Humphrey** asked the Minister for Social Development, in relation to the plan for social housing on the Girdwood site, to detail (i) what instructions his Department gave to Apex Housing Association and when; (ii) who prepared the plan for Apex and when they were commissioned to prepare it; (iii) what instructions they were given; (iv) the cost of preparing the plan and who met the cost; (v) when the plan was completed and given to his Department; (vi) whether a planning application was submitted; (vii) whether an Equality Impact Assessment was carried out in relation to the plan; and (viii) whether the plan mirrors the original vision.

**(AQW 13690/11-15)**

**Mr McCausland:** Apex Procurement Group were appointed by the NIHE on 8 July 2010 to bring forward a scheme for the Girdwood site that would deliver social housing in 2 phases; the first for 100 homes in 2011/12, and the second for a further 100 homes in 2012/13. This action was taken on foot of advice to the NIHE that the department would be making land available on the Girdwood Park site and that a Housing Association/Procurement Group should be appointed to take this work forward.

Apex Procurement Group subsequently invited design teams, from their framework agreement for professional construction related services, to view the site and submit proposals to design and manage the construction of social housing on the Girdwood Park site. McAdam Design was appointed following this exercise on 6th October 2010.

The design, which was developed to RIBA Stage C, was launched by my ministerial predecessor on 14 March 2011.

The design, which included housing proposals for the majority of the Girdwood site, was not subject to an Equality Impact Assessment and was not submitted for planning approval. The 2007 Master plan Conceptual Framework for Girdwood (revised in 2010) envisaged housing provision as one of the physical uses on the site within a mixed-use comprehensive development to include other uses.

Housing Associations would normally recoup fees associated with scheme designs in the overall housing grant payable at the completion of a scheme. As the social housing scheme at Girdwood did not proceed as anticipated, design costs of £119,674.49 were paid by NIHE on behalf of DSD in August 2011.

## Northern Ireland Assembly Commission

### Cost of Securing the Report on the Unauthorised Disclosure of a Draft Report of the Public Accounts Committee

**Mr Allister** asked the Assembly Commission what was the total cost of securing the Report on the Unauthorised Disclosure of a Draft Report of the Public Accounts Committee.

**(AQW 13342/11-15)**

**Mr Cree (The Representative of the Assembly Commission):** There was no cost to the Assembly Commission for securing the interim Assembly Commissioner for Standards' report on the Unauthorised Disclosure of a Draft Report of the Public Accounts Committee. The interim Assembly Commissioner for Standards has advised the Assembly Commission that the total cost to the Ombudsman's office for completing the report has been calculated at £5,891.66. This is based on the staff time involved in completing the investigation.

# Northern Ireland Assembly

Friday 27 July 2012

## Written Answers to Questions

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

#### Child Poverty

**Mrs Overend** asked the First Minister and deputy First Minister what targets they have in place for reducing the levels of severe child poverty.

**(AQW 11382/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The Child Poverty Act 2010 describes the statutory targets against which the Executive is under an obligation to measure poverty reduction here.

These include:

- the relative low income target
- the combined low income and material deprivation target
- the absolute low income target and
- the persistent poverty target

Although there is no target in the Act for 'severe' poverty, the Executive has made a commitment to support those in greatest need. Our Delivering Social Change framework has been developed to help support this work.

#### Social Investment Area Steering Groups: Membership

**Mr Lyttle** asked the First Minister and deputy First Minister which type of elected representatives will be considered, in conjunction with the d'Hondt mechanism, for membership of Social Investment Area Steering Groups.

**(AQW 13518/11-15)**

**Mr P Robinson and Mr M McGuinness:** On 17 May 2012, Executive Ministers agreed the operation of the Social Investment Fund (SIF), which included the process to form the steering groups across all nine zones.

Our officials have carried out an analysis of the elected representatives per zone and applied the D'Hondt method to determine political party membership. We will write to Party leaders shortly to ask for representation to the groups within their specific allocations.

Party leaders will nominate. There will be a maximum of 4 political representatives per Steering Group.

More information on SIF is available at <http://www.nidirect.gov.uk/sif>.

#### Winter Fuel Payments

**Mr Lyttle** asked the First Minister and deputy First Minister how the criteria were set for cancer patients' entitlement to winter fuel payments; and whether they will consider widening these criteria in the future.

**(AQW 13591/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Executive established the Social Protection Fund to assist those most in need within the wider community.

Last year it agreed to prioritise fuel poverty through this fund and committed the entire £20 million budget to a Winter Fuel Poverty Payment Scheme, brought forward by DSD and DHSSPS, under the Financial Assistance Act.

Among those entitled to Winter Fuel Poverty Payments last year were people in receipt of cancer treatment, who met separate eligibility criteria, determined by DHSSPS.

Future Social Protection Fund Programmes are subject to the identification of future revenue streams during budgetary exercises. Each scheme under the Social Protection Fund should be treated as an exceptional, stand alone scheme.



## Department of Agriculture and Rural Development

### Central Investigation Service

**Mr Allister** asked the Minister of Agriculture and Rural Development why the civil servant investigated in the Deloitte report into the Central Investigation Service in July 2010 was not subject to any disciplinary action, given the adverse findings.

(AQW 12909/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The Department is not in a position to discuss individual members of staff. However, I can advise that the Department is completely satisfied that all appropriate action was taken as a result of the findings in the Deloitte Report.

### Ministerial Appointments

**Mr Campbell** asked the Minister of Agriculture and Rural Development to detail the number and percentage of people (i) considered for inclusion; and (ii) successful, in all ministerial appointments since 2007, broken down by perceived community background.

(AQW 13173/11-15)

**Mrs O'Neill:** There have been 46 ministerial appointments made to DARD -sponsored Non Departmental Public Bodies (NDPBs) since May 2007. Of these, 24 appointees (52%) declared community background as Protestant, 20 appointees (43%) as Roman Catholic and 2 appointees as "Neither". A total of 247 applications were received in respect of competitions held for these appointments, of which 159 (64%) declared community background as Protestant, 74 (30%) as Roman Catholic, 12 (5%) as "Neither" and 2 (1%) were unknown.

### Ministerial Appointments

**Mr Allister** asked the Minister of Agriculture and Rural Development, in relation to ministerial appointments, what the respective success rates have been for Protestant and Catholic applicants since May 2007.

(AQW 13288/11-15)

**Mrs O'Neill:** There have been 46 ministerial appointments made to DARD -sponsored Non Departmental Public Bodies (NDPBs) since May 2007. Of these, 24 appointees (52%) declared community background as Protestant, 20 appointees (43%) as Roman Catholic and 2 appointees as "Neither". A total of 247 applications were received in respect of competitions held for these appointments, of which 159 (64%) declared community background as Protestant, 74 (30%) as Roman Catholic, 12 (5%) as "Neither" and 2 (1%) were unknown.

### Countryside Management Scheme

**Mr Weir** asked the Minister of Agriculture and Rural Development what funding is available to councils through the Countryside Management Scheme.

(AQW 13580/11-15)

**Mrs O'Neill:** Funding for measures that promote environmental benefit is available to councils that are participants in the new NI Countryside Management Scheme (NICMS) or the legacy Countryside Management Scheme and Environmentally Sensitive Area Schemes.

This funding aims to enhance biodiversity, improve water quality, reduce the impact of climate change and enhance the landscape.

The next application period for such agri-environment schemes will be during the NI Rural Development Programme 2014 - 2020.

### Rural Development Programme

**Mrs Overend** asked the Minister of Agriculture and Rural Development how many groups or individuals have been awarded funding under the Rural Development Programme to create cycle paths from disused railway tracks or revamp existing cycle paths.

(AQW 13600/11-15)

**Mrs O'Neill:** Under the Rural Development Programme 2007/2013 funding has not been provided to any projects to create cycle paths from disused railway tracks. However funding has been awarded to one project to replace a bridge on an existing walking/cycling pathway along a disused railway track.

### Dundonald House: Flooding

**Mr Frew** asked the Minister of Agriculture and Rural Development, in relation to the flooding on 27 and 28 June 2012, (i) what (a) paper; (b) data; and (c) equipment was stored in the basement of Dundonald House; (ii) what was destroyed by the flooding; (iii) how the data and information will be recovered; (iv) how this will impact on the work and recording of her Department; and (v) for her assessment of the impact on the agriculture industry or other sectors for which her Department is responsible.

(AQW 13636/11-15)

**Mrs O'Neill:**

- i. (a) A large number of mostly pre-2007 paper files and the data held therein were stored in the basement of Dundonald House.
- (b) Besides the data held within the paper files, there was no other data (e.g. computer backup tapes) held in the basement.
- (c) A small amount of replacement IT supplies and some redundant equipment such as printers were stored in the basement.
- ii. It is clear that most of the paper files and equipment have been destroyed by the flooding. There has also been extensive damage to the electrical, heating and air ventilation services to Dundonald House.
- iii. Recovery of any information held solely on the paper files in the basement is unlikely.
- iv. There has been some impact on my Department due to re-locating a large number of staff from Dundonald House, but it is functioning as normal.
- v. External facing IT services were taken down as a precaution for a short period, but no additional impact for the agricultural industry or related sectors is anticipated.

**Wildlife Intervention Programme**

**Mr Swann** asked the Minister of Agriculture and Rural Development what discussions she had with the Minister of the Environment prior to announcing her Department's Wildlife Intervention Programme.

**(AQW 13653/11-15)**

**Mrs O'Neill:** As the badger is a protected species, any wildlife intervention research here will be subject to the agreement of the Environment Minister and to the issue of the necessary licences. As I shall explain, considerable preparatory design work needs to be completed before we will be in a position to submit such a licence application to the Minister of the Environment. Therefore a meeting at this stage in relation to the bovine TB wildlife intervention research, which I announced on 3 July 2012, would be premature. However, our respective officials maintain regular contact in relation to bovine TB and wildlife related issues.

Following recent discussions with industry stakeholders and informed by the views of the external experts who attended the International Vaccination Symposium in Belfast in May 2012, I asked my officials to design specific wildlife intervention research. This approach would involve testing live badgers; vaccinating and releasing the test negative badgers; and removing the test positive ones.

This wildlife intervention research would focus on removing diseased badgers and protecting uninfected ones. This balanced approach would avoid killing uninfected badgers and could lead in time to a healthier badger population and a reduction in transmission of TB to cattle.

The aim of this wildlife intervention research would be to test the effectiveness of this approach on the level of TB in badgers and in cattle in the north.

I have asked my officials to start work straight away to design and cost this wildlife intervention research. This is a new approach. We expect the design for such a study will be complex and we want to be sure that we get it right. There are a number of key steps to be completed.

The first step is to commission the necessary modelling using information from the north. This initial modelling will help to ensure that the subsequent design is scientifically robust. The modelling will help us identify the optimum location and size for the study, and how long it would need to run. It will also help to identify the costs of this wildlife intervention research more clearly.

When we have the results of the initial modelling, the next step will be to design the study proposal. There are a number of other preparatory actions that will be necessary. These include completing the necessary business case; securing the necessary funding; and, at the appropriate time, to seek the agreement of the Environment Minister and the issue of the necessary licences.

**Rivers in the Foyle System: Establishment of Fish Hatcheries**

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she intends to allow the establishment of fish hatcheries on rivers within the Foyle system.

**(AQW 13656/11-15)**

**Mrs O'Neill:** Salmon and inland fisheries operational management within the cross border Foyle system is a role of the Loughs Agency. The Agency has reviewed research into the role that hatcheries might play in conservation of the wild fisheries in the catchment and angling development. The common theme emanating from all these studies is that while hatcheries may have a place in stock rebuilding in certain circumstances they are not currently appropriate for the Foyle salmon fisheries.

Rather, the Agency undertakes a programme of habitat protection and restoration geared to optimising the production of indigenous genetically 'fit' fish. Evidence indicates that these wild fish demonstrate better survival through the salmon's life cycle – from egg to egg – than hatchery raised fish. The current low marine survival of salmon from post smolt to adult is the predominant factor impacting low runs of salmon. Consequently helping create conditions in freshwater to optimise the numbers of these wild smolts is the more sustainable biological approach to maximising returns of adult salmon to their natal rivers.

This strategy has been communicated to stakeholders.

## Foyle System: Buy-out of Remaining Nets

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she will consider a buy-out of the remaining nets on the Foyle system.

**(AQW 13658/11-15)**

**Mrs O'Neill:** The Department with the other Sponsor Department of the Loughs Agency, the Department of Communication, Energy and Natural Resources, provided funding to the Loughs Agency in 2007 for the provision of a hardship package to commercial salmon fishermen.

This was made available to all licence holders who were prepared to permanently cease fishing for salmon in the Foyle Area. Of the 162 licences available in 2007 134 of the licensees opted for the package leaving 18 drift net licences to operate in Lough Foyle and 10 draft nets to operate in the tidal River Foyle.

The Regulations introduced by the Agency in association with this rationalisation of the exploitation of salmon require defined escapement targets to be achieved if the commercial fishery is to operate. These have not been achieved in recent years. The commercial fishery for salmon has therefore been suspended and will only reopen if the escapement targets are achieved in 4 of the previous 5 years.

In light of this, and prevailing budget pressures, I do not believe it is appropriate to consider such an action at this time.

## Wind Turbines

Mr Elliott asked Minister of Agriculture and Rural Development to detail (i) the number of applications for financial support for the erection of wind turbines in each of the last five years; and (ii) the amount of funding awarded to successful applicants.

**(AQW 13659/11-15)**

**Mrs O'Neill:** The only funding available within my Department for the installation of wind turbines is through Axis 3 of the Rural Development Programme. The information you have requested is as follows:-

(i) Number of applications by year:

| 2009 | 2010 | 2011 | 2012 |
|------|------|------|------|
| 18   | 5    | 23   | 75   |

(ii) The amount of funding awarded to successful applicants so far is £618k of which £117k is for the completion of feasibility studies. These may lead to further projects for the installation of wind turbine equipment.

## Rural Development Programme

**Mr Elliott** asked the Minister of Agriculture and Rural Development whether any successful applications for funding under the Rural Development Programme have yet to receive funding; and if so, (i) what is the value of the funding in each case; and (ii) by what date will this backlog be cleared.

**(AQW 13663/11-15)**

**Mrs O'Neill:** I am interpreting this question to refer to Axis 3 of the Rural Development Programme.

- (i) Currently under Axis 3 there are 137 projects worth £9.1 million that have been approved for funding by Local Action Groups (LAGs) and ratified by Joint Council Committees (JCCs) but await issue of Letters of Offer (LOOs). A list detailing each can be provided if required.
- (ii) Given the need to accelerate spend, all clusters issue letters of offer as quickly as possible after approval by the JCC. Once this has been done there is a requirement for cluster staff to discuss with promoters, the terms and conditions attached to the LOO, the promoter then has four weeks to consider whether or not to accept the Letter of Offer. Opening calls and processing applications is an iterative process and as a result there will always be a number of projects at this stage of the processing. This coupled with the autonomous nature of the terms of the delivery contract means that each JCC and its LAG manage their own administrative arrangements. With these arms length management arrangements this contract focuses on the outcomes, including investment milestones which are to be achieved and does not therefore collate information on average processing time.

## Wildlife Intervention Programme: Testing Badgers

**Mr McCallister** asked the Minister of Agriculture and Rural Development to detail the procedure for testing badgers as part of the Wildlife Intervention Programme for addressing bovine TB, including (i) the type of diagnostic test to be used; (ii) the staffing requirement to conduct or oversee the diagnostic test; (iii) the timescale from the diagnostic test being administered to the result being obtained.

**(AQW 13697/11-15)**

**Mrs O'Neill:** Following recent discussions with industry stakeholders and informed by the views of the external experts who attended the International Vaccination Symposium in Belfast in May 2012, I have asked my officials to design specific wildlife

intervention research. This approach would involve testing live badgers; vaccinating and releasing the test negative badgers; and removing the test positive ones.

This wildlife intervention research would focus on removing diseased badgers and protecting uninfected ones. This balanced approach would avoid killing uninfected badgers and could lead in time to a healthier badger population and a reduction in transmission of TB to cattle. The aim of this wildlife intervention research would be to test the effectiveness of this approach on the level of TB in badgers and in cattle in the north.

I have asked my officials to start work straight away to design and cost this wildlife intervention research. This is a new approach: we expect the design for such a study will be complex and we want to make sure we get it right. There are a number of key steps to be completed.

The first step is to commission the necessary modelling using information from the north. This initial modelling will help to ensure that the subsequent design is scientifically robust. The modelling will help us identify the optimum location and size for the study, and how long it would need to run. It will also help to identify the costs of this wildlife intervention research more clearly.

When we have the results of the initial modelling, the next step will be to design the study proposal. The design of the study will include consideration of the type of diagnostic test to be used; the staffing requirement to conduct or oversee the diagnostic test; and the timescale from the diagnostic test being administered to the result being obtained.

## The MMV Ostrea

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for a breakdown of expenditure on the MMV Ostrea in each year since it was procured.

**(AQW 13699/11-15)**

**Mrs O'Neill:** The Loughs Agency vessel, the MMV Ostrea was procured from New Zealand and arrived in England in April 2009 at a total cost of some £807k. Subsequent expenditure on running costs, maintenance and upgrades for the vessel has been:-

|      | Running costs<br>£ | Maintenance<br>£ | Upgrades<br>£ |
|------|--------------------|------------------|---------------|
| 2009 | 9546               | 358              | 59,712        |
| 2010 | 19,488             | 27,589           | 3262          |
| 2011 | 18,022             | 19,515           | 0             |
| 2012 | 11,818             | 2,439            | 20,417        |

(Rounded to the nearest pound)

## Department of Culture, Arts and Leisure

### Language Strategies: Irish and Ulster Scots

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to list the organisations and individuals who have received the (i) draft Strategy for Ulster-Scots Language, Heritage and Culture; and (ii) draft Strategy for Protecting and Enhancing the Development of the Irish Language, prior to their release for public consultation.

**(AQW 13675/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Ministerial Colleagues, and the Chair and Members of the Committee for Culture, Arts and Leisure, received the draft strategies prior to their release for public consultation.

- (i) Foras na Gaeilge received an early working draft of the Irish language strategy
- (ii) The Ulster-Scots Agency and the Ministerial Advisory Group on the Ulster Scots Academy (MAGUS) received early working drafts of the Ulster Scots language, heritage and culture strategy.

### Language Strategies: Irish and Ulster Scots

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure to list the organisations and individuals that her Department consulted on the development of the (i) draft Strategy for Ulster-Scots Language, Heritage and Culture; and (ii) the draft Strategy for Protecting and Enhancing the Development of the Irish Language.

**(AQW 13676/11-15)**

**Ms Ní Chuilín:** My department consulted with:

- (i) Pobal for the draft Irish language strategy
- (ii) Ulster-Scots Agency and Ministerial Advisory Group on the Ulster Scots Academy (MAGUS) for the draft Ulster Scots language, heritage and culture strategy.

### Arts Council: Annual Funding Programme

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 11441/11-15, to detail the organisations in the Derry City Council area that (a) received grants from the Annual Funding Programme in 2012/13 and the grants they received; and (b) unsuccessfully applied for grants from the Annual Funding Programme in 2012/13 and the grants for which they applied. **(AQW 13715/11-15)**

**Ms Ní Chuilín:** Organisations in the Derry City Council area that (a) received grant awards through the Annual Funding Programme 2012/13 and the grants they received are attached at Annex A and (b) unsuccessfully applied for grants from the Annual Funding Programme in 2012/13 and the grants for which they applied are attached at Annex B.

#### Annex A

##### Awards through the Annual Funding Programme 2012/13

| Organisation Name   | Grant Amount |
|---|--------------|
| An Gaelaras Ltd   | £143,850.00  |
| Contre for Contemporary Art Derry - Londonderry (Formerly, Context Gallery) | £91,187.00   |
| Derry Theatre Trust   | £132,994.00  |
| Echo Echo Dance Theatre Company   | £113,153.00  |
| Guildhall Press   | £48,638.00   |
| North West Play Resource Centre (The Playhouse)                             | £267,023.00  |
| Sole Purpose Productions  | £35,565.00   |
| The Nerve Centre  | £158,995.00  |
| The Void Art Centre   | £147,183.00  |
| Verbal Arts Centre  | £263,398.00  |
| Voluntary Arts Network (for Voluntary Arts Ireland)                         | £98,590.00   |
| Waterside Theatre Company Ltd   | £134,979.00  |

#### Annex B

##### Unsuccessful applications to the Annual Funding Programme in 2012/13

| Organisation Name                 | Grant Amount |
|-----------------------------------|--------------|
| Greater Shantallow Community Arts | £63,230      |
| Walled City Music Trust           | £119,050     |

Both of the above organisations have since been funded through other appropriate Arts Council programmes.

## Department of Education

### Schools: Admissions

**Mr Allister** asked the Minister of Education, pursuant to AQO 1954/11-15, how the current residency policy could be contrary to obligations, under the Treaty on the Functioning of Europe, given that education is a member state competence, and that the height of the EU's role, under Article 165, is to encourage co-operation between member states.

**(AQW 11731/11-15)**

**Mr O'Dowd (The Minister of Education):** As I have previously stated, it is my view that school admissions should reflect the way families along the border access services within modern concepts of mobility. In that context the current residency requirement raises the question whether such a requirement is compatible with EU law.

### **Jubilee Garden Party: Tickets**

**Mr Allister** asked the Minister of Education how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the Minister; (ii) his Department; and (iii) its arm's-length bodies.

**(AQW 13400/11-15)**

**Mr O'Dowd:** The Department of Education was allocated 150 tickets, of these 76 were allocated to Departmental staff and their families, 66 tickets were allocated to the Department's arm's-length bodies. The remaining 8 tickets were allocated to other organisations within the wider education sector. There was no separate allocation of tickets made to Departmental Ministers.

The NIO also made separate allocations to the Education and Library Boards.

## **Department of Enterprise, Trade and Investment**

### **Gas Boiler Flues in Voids: Health and Safety Executive Recommendations**

**Mr Weir** asked the Minister of Enterprise, Trade and Investment whether financial assistance will be available to pensioners, and people on low incomes, to meet the Health and Safety Executive recommendations on gas boiler flues in voids.

**(AQW 13673/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The Health and Safety Executive for Northern Ireland will not be making financial assistance available to pensioners or people on low incomes to meet its recommendations on gas boiler flues in voids.

### **Gas Boiler Flues in Voids: Health and Safety Executive Recommendations**

**Mr Weir** asked the Minister of Enterprise, Trade and Investment whether the Health and Safety Executive recommendations on gas boiler flues in voids will be compulsory for home owners and tenants; and whether any guidance will be issued to the owners of such boilers.

**(AQW 13674/11-15)**

**Mrs Foster:** Whilst the recommendations regarding the visual examination of gas boiler flues in voids are not legally binding on homeowners and tenants, they are strongly advised to follow them. Related guidance is available from the gas supply companies or from HSENI.

### **Executive Subgroup on the Economy**

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment to outline the forward work programme of the Executive Sub Group on the Economy and to provide a summary of its meetings and achievements to date.

**(AQW 13705/11-15)**

**Mrs Foster:** The primary focus of the Executive Sub-Committee on the Economy, from its establishment in March 2010, was the development of the NI Economic Strategy. The Strategy was published on 13 March 2012 following agreement by the Executive and endorsement by the NI Assembly.

In addition to developing the NI Economic Strategy, the Sub-Committee also received regular updates on key policy issues including: the work of the Joint Ministerial Working Group on the NI Economy (Corporation Tax); Regional Aid and the contribution of Skills & Employability. Members of the Sub-Committee also received briefings from other Executive Ministers on the role of the agri-food sector; planning reform and welfare reform.

At its most recent meeting, held in June 2012, members of the Executive Sub-Committee on the Economy met with the EU R&D Commissioner, Máire Geoghegan-Quinn.

Going forward, the key focus of the Sub-Committee will be on monitoring the implementation of the Economic Strategy and its impact on the performance of the local economy. The Sub-Committee will also take the opportunity to discuss any relevant, wider economic issues that may arise.

The next meeting of the Sub-Committee is planned to take place in September 2012.



## Executive Subgroup on the Economy

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment how the Executive Sub-Group on the Economy's top five priorities were identified which focus on key research markets.

**(AQW 13708/11-15)**

**Mrs Foster:** The NI Economic Strategy recognises that in order to deliver the Executive's economic vision we must build a larger and more export focused private sector. To do this we must build upon our existing strengths as well as exploit new opportunities in the global economy by targeting resources and support towards those sectors which have the greatest potential for growth.

The NI Economic Strategy identifies five key R&D intensive and high technology global markets which have significant potential for growth and which have been identified as areas where Northern Ireland already has established key strengths in research, skills and exports. They were identified by MATRIX, the Northern Ireland Science Industry Panel, following an extensive process of research and consultation. We have also established a unit within DETI which will work closely with MATRIX, business leaders, academia and other departments to identify emerging market and technology opportunities for the NI economy over the next decade and beyond, and will develop a strategic approach to exploiting these.

The Economic Strategy has also prioritised business and financial services, creative industries, tourism, the social economy and the rural economy in recognition of the significant and ongoing contribution these areas make to the Northern Ireland economy.

## FP7 Applications

**Mr Cree** asked the Minister of Enterprise, Trade and Investment to detail the number of successful FP7 applications from collaborations between Northern Ireland and the Republic of Ireland.

**(AQW 13709/11-15)**

**Mrs Foster:** Analysis of the most recent data provided indicates that there have been 553 Collaborative Applicants (216 Northern Ireland and 337 Ireland) in 197 proposals to November 2011 of which 137 applicants (54 Northern Ireland and 83 Ireland) have proved successful securing funding of €40,171,045 for 50 proposals (€9,948,297 Northern Ireland and €30,222,748 Ireland).

The largest areas of successful activity are Marie Curie, AgriFood, Research for the Benefit of Small and Medium Enterprises, Health, Security, Nanosciences, Nanotechnologies, Materials and New Production Technologies (NMP) and Information Communication Technology.

InterTradeIreland will continue to work in partnership with Invest NI, businesses and the universities to encourage more collaboration in the Framework programme and the future Horizon 2020 programme.

## Department of the Environment

### Leases for Facilities on Land

**Mr McMullan** asked the Minister of the Environment what consultation has taken place with the Crown Estate in relation to leases for facilities on land.

**(AQW 11059/11-15)**

**Mr Attwood (The Minister of the Environment):** The Department does lease some areas of foreshore from the Crown Estate for management within statutory nature reserves and a Country Park. NIEA leases some areas of foreshore from the Crown Estate in Strangford Lough, in Lough Foyle and at the west end of Rathlin Island for management as part of statutory nature reserves and at Crawfordsburn and Helen's Bay for management as part of the Country Park. No recent consultation has taken place on these; consultation is generally confined to the period leading up to renewal of the lease. NIEA does, however, receive annual invoices for payment under the leases.

I have requested a full schedule of the leases, renewal dates (etc) and will consider the matter further.

Some of the areas so leased include slipways but no other 'facilities' are involved.

The Crown Estate also consults NIEA on the implications for nature conservation of the issuing of new leases or the renewal of existing leases to third parties of the sporting rights over foreshore areas in Northern Ireland.

### Local Government: Capital Spending

**Mr McMullan** asked the Minister of the Environment whether he intends to put a cap on capital spending by local government prior to its reform.

**(AQW 11156/11-15)**

**Mr Attwood:** Councils need to act responsibly and prudently in considering whether or not to incur capital expenditure in the period leading up to local government re-organisation. Indeed, the Regional Transition Committee, which I chair, is arranging for the provision of further guidance encouraging them to do so and to liaise closely on this matter with the councils with which they will be amalgamating in 2015. This inter-council liaison will be initially managed through the Voluntary Transition Committees, which I have reinstated, in order to promote a pragmatic and responsible approach to the future needs of the enlarged councils.

Provision has already been made, in the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, which will enable the Statutory Transition Committees to exercise control on capital expenditure contracts, non capital contracts, and the disposal or acquisition of land owned by the existing councils. The key requirement is for the councils to seek the written consent of their relevant Statutory Transition Committee before entering into contracts or disposal / acquisition of land which exceed sums to be specified by the Department.

The Regional Transition Committee will also be reviewing these controls and considering whether or not they need to be extended to embrace the use of council reserves and loans. I will consider if legislation is required and will monitor closely the situation.

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

**Mr McCartney** asked the Minister of the Environment, in relation to the letter he received, dated 12 September 2011, from the River Faughan Anglers on their environmental concerns about the extensive unauthorised sand and gravel extraction which is affecting the River Faughan Special Area of Conservation, why, after eight months, he has not replied and when he will reply.  
**(AQW 11487/11-15)**

**Mr Attwood:** The letter of 12 September 2011 from the River Faughan Anglers was passed by my Private Office to planning officials, for a reply to issue on my behalf. Departmental officials acknowledged receipt of this letter on 5 October 2011 and indicated that a number of issues required further investigation and that a comprehensive response would issue once those investigations were completed.

Let me make it clear – the delay in reply is unacceptable and the fact that a draft AQ has been forwarded to me on 6 July 2012, six weeks after the AQ has been submitted also raises questions. I have instructed that a comprehensive reply is issued by 10 July 2012 and I would be happy to meet the River Faughan Anglers on the related issues. I have asked my head of planning to look at the management of the correspondence.

I am also looking at the issues and questions raised in the members series of questions and, if appropriate, I shall advise the member further. There are a range of complex matters that will require further assessment by me.

### **Minerals Extraction or Minerals Plant/Machinery: Planning Applications**

**Mr Agnew** asked the Minister of the Environment how many planning applications for minerals extraction or minerals plant/machinery, which have been approved in the last five years, were retrospective.  
**(AQW 12163/11-15)**

**Mr Attwood:** In the last five years the Department approved 153 applications for minerals extraction or minerals plant/machinery. With regard to establishing those that were approved retrospectively in the period covered by this question, the Department does not hold this information in a form that is readily available and could only be compiled at a disproportionate cost. However the interrogation of a smaller sample of recent applications suggests that at any time between 40 and 50% of applications of this type may have been retrospective. I have asked further details on why and how up to 50% may have been retrospective.

### **Climate Change Adaptation Measures**

**Mr Agnew** asked the Minister of the Environment what climate change adaptation measures are being taken; and for his assessment of whether these are sufficient to meet Northern Ireland's obligations under the UK Climate Change Act 2008.  
**(AQW 12862/11-15)**

**Mr Attwood:** Government departments are taking action to adapt to our changing climate through existing and new policies and strategies. The Department of the Environment has contributed to a Preliminary Flood Risk Assessment, published in December 2011, enabling flood risk up to the year 2030 to be assessed. Furthermore, the Department's planning policy minimises flood risk to property by restricting development in flood plains and in areas of flood risk.

The Cross-Departmental Working Group on Climate Change (CDWG), which I chair, provides the platform that will facilitate effective control and monitoring of adaptation actions across all departments and ensure that we meet our legal obligations under the UK Climate Change Act 2008. The Working Group is currently assisting in the preparation and delivery of a cross cutting Adaptation Programme for Northern Ireland, which should be presented to the Executive in early 2013. This programme will provide a cross departmental response to the risks and opportunities identified in the Northern Ireland Climate Change Risk Assessment.

Whilst adaptation is an important issue, mitigation is also equally as important as this deals with the causes of climate change and looks at the challenges we face in dealing with greenhouse gas (GHG) emissions and the potential means by which Departments, working together, might tackle these challenges.

While all of the parties represented in the Assembly agree on the need to address the issue of greenhouse gas emissions, there are differences of opinion on the best way to achieve this. There is considerable political support for a Northern Ireland Climate Change Bill with robust targets but it is by no means universal. In this regard I have extended an invitation to my Executive colleagues to meet with me to discuss this important matter and how best we can take the legislation forward while at the same time helping Northern Ireland make the transition towards a low carbon economy.

When considering the desirability of introducing a Northern Ireland Climate Change Bill to the Assembly, I sought independent advice from the Committee on Climate Change, a UK wide body established under the Climate Change Act 2008. The Committee's report, "The Appropriateness of a Northern Ireland Climate Change Act", was published in November 2011 and sets out the

benefits of legislation. The report was subsequently reinforced in a follow up letter from the Chief Executive of the Committee in which he stated 'legislation in Northern Ireland would help signal political commitment and improve the investment climate, and would therefore complement the UK Act in providing a basis for action'.

To progress a Northern Ireland Climate Change Bill I intend to bring forward policy proposals for a Climate Change Bill for consideration by the Executive in the autumn, followed by a public consultation. The outcome of the public consultation exercise will inform the final content of the Bill, including targets for greenhouse gas emissions. I hope to introduce the Bill to the Assembly in April 2014 though I will attempt to accelerate the timescale if possible.

### **Northern Ireland Environment Agency: Inspection of the Exploration Oil and Gas Wells**

**Mr Agnew** asked the Minister of the Environment to detail, since 1990, on what date the Northern Ireland Environment Agency, or other bodies, inspected each of the exploration oil and gas wells.

**(AQW 13102/11-15)**

**Mr Attwood:** The Northern Ireland Environment Agency, or its predecessors, have not had any involvement in exploration oil or gas wells requiring any inspections to be carried out.

I am given to understand that any person who wants to explore for, drill for, or extract oil or gas in Northern Ireland must hold a Petroleum Licence granted by the Department of Enterprise, Trade and Investment (DETI) under the Petroleum (Production) Act (Northern Ireland) 1964.

You may wish to contact the Minister for Enterprise, Trade and Investment as her Department may have had a role in inspecting oil or gas wells.

### **Wind Farms: Planning Applications**

**Mr Beggs** asked the Minister of the Environment to detail (i) how many planning applications for wind farms are with the Northern Ireland Environment Agency (NIEA) and awaiting a decision; and (ii) what is the average time taken by the NIEA to make a decision.

**(AQW 13193/11-15)**

**Mr Attwood:** The NIEA is an agency within the DOE and provides expert advice on environmental issues. The Department currently has nineteen windfarm applications awaiting internal advice from the NIEA. This figure however does not equate to the number of consultations received as there may be multiple consultations for each application.

The average time to provide a consultation response from the Built and Environmental Protection Directorates is two weeks. The Natural Heritage Directorate receives a significantly higher number of windfarm applications, some requiring input from a number of specialist staff. In 2011/12, 152 consultations arising from 57 windfarm applications were received by the Natural Heritage Directorate. 143 of these have been responded to, the average response time being eleven weeks, with a range of one to thirty one weeks. A dedicated windfarm team has been set up within the Natural Heritage Directorate in view of the complexity and increasing number of windfarm consultations.

The Department continues to work with applicants and agents, particularly in respect of renewable energy, and participates in strategic meetings with wind farm and single turbine developers to improve communication and the quality of applications submitted in a bid to reduce delays caused by inadequate information.

### **North Down Borough Council Area: Planning Enforcement Actions**

**Mr Weir** asked the Minister of the Environment how many planning enforcement actions are currently being administered in the North Down Borough Council area.

**(AQW 13279/11-15)**

**Mr Attwood:** The Department is currently pursuing seven enforcement actions in North Down Borough Council area. It is important to note that the term enforcement action refers to the service of an enforcement notice or direct summons.

At present there are 160 investigations in the North Down Borough Council area.

### **Capital Assets: Disposal**

**Mr Weir** asked the Minister of the Environment to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13440/11-15)**

**Mr Attwood:** The Department's main capital assets relate to the land and buildings managed by the Northern Ireland Environment Agency. There are currently no plans to dispose of any significant assets in the next three years. However, the Agency also manages smaller assets such as vehicles and scientific equipment which are disposed of mainly by sale at auctions when they become obsolete and are no longer fit for purpose. Given the nature of the bidding process at auctions it would be very difficult to put a value on the potential sales over the next three years of these smaller assets however the residual values are usually quite low. Very few of these smaller assets are scrapped.

## Flooding: Planning Requirements

**Mr Agnew** asked the Minister of the Environment whether he intends to introduce planning requirements to ensure that (i) new buildings are not developed in flood prone areas: (ii) Sustainable Urban Drainage Systems are adopted.

**(AQW 13550/11-15)**

**Mr Attwood:** Planning Policy Statement (PPS) 15 'Planning and Flood Risk' introduced in June 2006 already seeks to minimise the risk of flooding by requiring that in all but the most exceptional of circumstances new development is not located within the flood plains of rivers or the sea where it may be at risk itself or cause or worsen the effects of flooding in the locality.

I am currently reviewing PPS 15 to take account of new information and experience in the implementation of flood risk policy.

In addition, following the Northern Ireland Environment Agency (NIEA) publication 'Managing Stormwater – A Strategy for Promoting the Use of Sustainable Drainage Systems (SuDS) within Northern Ireland' in September 2011, a Stormwater Management Group has been established to drive forward recommendations published in this Strategy. The most likely legislative vehicle which will drive the implementation of stormwater management is the 'Floods Regulations' which are being taken forward by Rivers Agency.

It is my intention that future stormwater is managed in a more sustainable way, moving away from traditional underground piped drainage systems. This is underpinned by PPS 15 which promotes an integrated and sustainable approach to the management of development and flood risk. Any changes to the planning requirements as a result of this proposed legislation will be taken into account in the review of PPS 15.

I anticipate that this integrated and catchment based approach to stormwater management will deliver multiple sustainable and economic benefits.

## Bangor West to Ballywooley Lane, Bangor: Proposal to Extend

**Mr Agnew** asked the Minister of the Environment what consideration he has given to the Planning Appeals Commission's proposal to extend Bangor West to Ballywooley Lane, Bangor.

**(AQW 13554/11-15)**

**Mr Attwood:** I took a decision in June 2012 to depart from normal practice and publish the reports from the Planning Appeals Commission (PAC) that relate to the objections heard at the BMAP Public Inquiry, in advance of the adoption of the Plan.

In the Ministerial Statement that accompanied the release of the PAC Reports, I explained that I had taken this decision in order to introduce further certainty about potential development opportunities in the Belfast Metropolitan Area, in the interim period before BMAP is finalised.

In this Statement, I stressed that while the PAC reports contain the recommendations of the Commission, they do not give the final position with regard to the objections to the Draft Plan. In cases where the PAC recommend changes to the draft Plan, my Department is carefully considering these recommendations as part of the adoption process.

The PAC has recommended such a change to draft BMAP in relation to lands at Ballywooley Lane in Bangor, and therefore no assumption should be made as to the development status of this land until such times as the PAC recommendations have been considered, and BMAP is finalised.

I also made it clear in my Ministerial Statement that in order to allow the focus to remain on adopting BMAP, neither I nor my officials will be entering into any discussions relating to the recommendations contained in the PAC Reports.

## Article 20 of the Planning Order and Article 7(1) of the 1993 General Development Order

**Mr Allister** asked the Minister of the Environment to outline the importance of the requirements in Article 20 of the Planning Order and Article 7(1) of the 1993 General Development Order, that drawings and information furnished as part of a planning application should adequately describe the intended development; and if they are inadequate, what are the consequences.

**(AQW 13589/11-15)**

**Mr Attwood:** The requirements in relation to the form and content of planning applications are laid down in planning legislation and in application forms and guidance documents published by the Department.

The main relevant legislative requirements, governing the submission of planning applications and description of proposed development are Articles 20 of the Planning (Northern Ireland) Order 1991 and Article 7 (1) of the Planning (General Development) Order (Northern Ireland) Order 1993.

Applications for permission to develop land are made on Form P1 or on one of a series of other application and supplementary forms depending upon the nature of a development. The forms and the Department's publication entitled 'Explanatory Notes on Applying for Planning Permission, Approval of Reserved Matters and Other Planning Consents' advise applicants as to what is required in relation to a planning application, including scaled plans and drawings, identifying the site to be developed and providing a full and accurate description of the proposal. It is essential that drawings are clear and precise and thus avoid misinterpretation.

Not only is planning application information required by the Department for validation and determination reasons, it is needed to inform the public and those who wish to make representations, including local Council and other political representatives, and to

allow consultees to assess proposals and make their responses. It is, therefore, incumbent upon applicants and their agents to supply adequate and accurate scaled drawings and other information.

The implications of an incomplete and/or inaccurate application form, plans and planning fee can mean the return of the application due to it being made invalid or furthermore possible delay caused to the processing of the application and the potential for the application to be refused on the grounds that insufficient information has been provided and/or additional information requested has not been forwarded to allow the Department to determine the application.

It is of paramount importance that the adequacy and accuracy of drawings and other information required for a planning application meets the legislative and administrative process requirements of the Department and facilitate the planning system to operate efficiently and effectively in the interests of applicants and the public.

Another important part of processing a planning application is its advertisement in the press. Under Article 21 of the Planning Order 1991, the Department shall publish notice of an application in at least one newspaper circulating in the locality of the application site. The proposal description should make all aware of the location and nature of the proposal for which planning permission is being sought. If the MLA has a case or cases where there are issues I would wish to hear further.

### **Wildlife Intervention Programme: Consultation with Minister of Agriculture and Rural Development**

**Mr Swann** asked the Minister of the Environment what consultation was carried out with the Minister of Agriculture and Rural Development prior to her announcing the launch of her Departments Wildlife Intervention Programme.

**(AQW 13662/11-15)**

**Mr Attwood:** The announcement by the Minister of Agriculture and Rural Development concerned 'wildlife intervention' research to address the important issue of bovine tuberculosis. The programme anticipates the trapping and testing for bovine TB in the field of live badgers; those testing negative would be vaccinated and released; those testing positive would be removed from the population.

For several years both Departments have been involved in gathering and sharing information on badgers and bovine TB, with the most recent meeting between officials having taken place on 1 June 2012.

My Department was not specifically consulted about the research programme announced by Minister O'Neill on 3 July 2012. However I note that in her announcement the Minister stated that any wildlife intervention research must comply with the relevant legislation and would require the issue of the necessary licences. Any licence application to NIEA to trap and test badgers, then to vaccinate or 'remove' them, would be assessed against the evidence presented at the time.

### **Wind Turbines: Planning Applications**

**Mr Elliott** asked the Minister of the Environment to detail the number of planning applications for wind turbines that are yet to be approved, broken down by divisional planning office.

**(AQW 13664/11-15)**

**Mr Attwood:** Table 1 overleaf sets out the number of live planning applications for wind turbines in each Area Planning Office as of 9 July 2012. Live applications refer to those planning applications which are currently being processed by DOE Planning and have not yet been decided. The figures include applications for single wind turbines, wind farms and meteorological masts.

Table 1: Live wind turbine applications by Area Planning Office (APO)

| <b>APO</b>   | <b>Number of applications</b> |
|--------------|-------------------------------|
| Belfast      | 52                            |
| Northern     | 212                           |
| South Antrim | 94                            |
| Southern     | 149                           |
| Strategic    | 169                           |
| Western      | 256                           |
| <b>Total</b> | <b>932</b>                    |

**Source:** Planning, DOE

**Please note:** This information has been sourced from a live database, is subject to change following validation, and will not equate to any finalised official statistics which may be later published on the topic.

The Department acknowledges the importance of processing these types of planning applications in a timely manner.

## Car and Trailer Test

**Mr McKay** asked the Minister of the Environment why the Car and Trailer Test can only be provided in three driving test centres; and whether there are plans to extend it to other centres.

**(AQW 13665/11-15)**

**Mr Attwood:** Category B + E car and trailer tests are currently conducted in four of the 15 Driver & Vehicle Agency test centres: Belfast, Londonderry, Craigavon and Omagh.

The towing element of the B + E test includes an off-road reverse manoeuvre, a controlled stop, and uncoupling and coupling of the trailer, in addition to driving on the road, and tests of this type can therefore be offered only in centres where suitable areas or spaces are available in which to carry out the manoeuvring requirements.

A key aspect of delivering driving tests to high and consistent standards is that of maintaining skills levels amongst driving examiners, and that in turn requires tests to be conducted on a regular basis by the examiners involved. The demand for B + E tests is still relatively low, as the table below shows, and that is reflected in the number of examiners involved and the number of centres from which the test can be delivered.

| Car + Trailer (Category B+E) | Tests Conducted |             |             |
|------------------------------|-----------------|-------------|-------------|
|                              | 2009-10         | 2010-11     | 2011-12     |
| Belfast                      | 240             | 300         | 315         |
| Craigavon                    | 235             | 574         | 710         |
| Londonderry                  | 69              | 126         | 190         |
| Omagh                        | n/a             | n/a         | 418         |
| <b>Totals</b>                | <b>544</b>      | <b>1000</b> | <b>1633</b> |

The table indicates that the demand for these tests is increasing, and that was why Omagh was added as an additional centre in 2011-12.

Management in DVA are keeping the situation under review, and additional centres may be added in line with demand and the associated accommodation, training and quality control requirements.

## Listed Buildings and Structures

**Lord Morrow** asked the Minister of the Environment what financial assistance is available to meet the approved expenditure for listed buildings and structures.

**(AQW 13695/11-15)**

**Mr Attwood:** Under Article 106 of the Planning (NI) Order 1991 'The Department may make grants or loans towards the whole or part of any expenditure incurred or to be incurred in the repair or maintenance of a listed building.'

The Department's listed buildings grant-aid scheme is available for 35% of the costs of eligible repairs of secular listed buildings and listed churches at Grade B+ and above. Assistance is also available for up to 75% of eligible professional fees and for works of repair to thatch roofs. Enhanced grant-aid may be available to owners of listed buildings in receipt of Income Based Job Seekers Allowance, Income Support, or Guaranteed Pension Credit.

Generally, the Department can offer grant-aid assistance towards the repair and maintenance of the original fabric of historic listed buildings, where it can be demonstrated that the works are necessary. At present, grant-aid is capped at £150,000 per scheme with a total budget available in 2012-13 of circa £2.6 million.

Applicants who are not eligible for grant-aid under the Department's listed buildings scheme include:

- Government/Public Bodies;
- Housing Associations funded by public monies;
- Large commercial organisations (for grant purposes this applies to listed buildings owned by Financial Institutions, for example, banks, building societies, insurance companies); and
- Multi-national companies.

Full details of the listed buildings grant-aid scheme may be found at the following link [http://www.doeni.gov.uk/niea/historic\\_buildings\\_grants-2.htm](http://www.doeni.gov.uk/niea/historic_buildings_grants-2.htm)



## Listed Buildings

**Lord Morrow** asked the Minister of the Environment to detail the obligations and responsibilities of an owner of a listed building in relation to (i) repairs and maintenance; (ii) preservation; and (iii) alterations, internally and externally.

**(AQW 13696/11-15)**

**Mr Attwood:** The Department's Planning Policy Statement (PPS) 6: Planning, Archaeology, and the Built Heritage provides detailed guidance on the upkeep and repair of listed buildings, as well as guidelines for their alteration, extension and maintenance. I have provided a link to the document at the end of this answer. However, to paraphrase the policy (briefly) in relation to your specific questions, I offer the following response:

- (i) Repair and maintenance is essential to the conservation of historic buildings. Owners who inspect their buildings regularly and are prepared to carry out routine maintenance and necessary repairs, can prevent much more expensive work becoming necessary at a later date.
- (ii) Although there is no specific duty on owners to keep their buildings in a good state of repair, it will normally be in their interests to do so. However the Department has statutory powers to take action where the condition of a listed building is giving cause for concern. In practice, officials will normally try to enter into discussion with the owner before resorting to legal action. Annex D of PPS6 - The Upkeep and repair of Listed Buildings - provides detailed and helpful guidance on page 53.
- (iii) In relation to alterations, it is important to realise that every listed building has its own characteristics, which are usually related to an original or subsequent function, and these should be respected when proposals for alteration are put forward. There is considerable guidance contained in Annex E of PPS6 - Guidelines for the Alteration, Extension and Maintenance of Listed Buildings on page 56. The link to the document is as follows:-

[http://www.planningni.gov.uk/index/policy/policy\\_publications/planning\\_statements/pps06-archaeology-built-heritage.pdf](http://www.planningni.gov.uk/index/policy/policy_publications/planning_statements/pps06-archaeology-built-heritage.pdf)

## Department of Justice

### Bloody Sunday Deaths: Police Investigation

**Mr Allister** asked the Minister of Justice what are the budgetary implications of the decision to launch a four year police investigation on the 'Bloody Sunday' deaths.

**(AQW 13669/11-15)**

**Mr Ford (The Minister of Justice):** The scope and remit of criminal investigations is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board. You may therefore wish to direct your question to the Police Service of Northern Ireland.

### Bloody Sunday Deaths: Police Investigation

**Mr Weir** asked the Minister of Justice for his assessment of the projected cost of the PSNI's criminal investigation into the deaths on 'Bloody Sunday'.

**(AQW 13679/11-15)**

**Mr Ford:** The scope and remit of criminal investigations is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board. You may therefore wish to direct your question to the Police Service of Northern Ireland.

### Bloody Sunday Deaths: Police Investigation

**Mr Weir** asked the Minister of Justice whether any funding has been ring-fenced for the PSNI criminal investigation into the deaths on 'Bloody Sunday'.

**(AQW 13680/11-15)**

**Mr Ford:** The scope and remit of criminal investigations is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board. You may therefore wish to direct your question to the Police Service of Northern Ireland.

### Serious Case Reviews

**Lord Morrow** asked the Minister of Justice, pursuant to AQW13110/11-15, (i) whether he ordered the serious case review, (ii) why a serious case review was deemed unnecessary in the first instance; (iii) why it was June 2012 before a serious case review was instigated, given the numerous representations provided; and (iv) whether he can give an assurance that any agency or staff member found to have been in default in monitoring will face disciplinary action.

**(AQW 13682/11-15)**

**Mr Ford:** In response to parts (i) to (iii), I refer the Member respectively to the answers I gave to AQW 12823/11-15, AQW 9331/11-15, and AQW 13008/11-15.

In response to part (iv), agencies have their own individual disciplinary and capability procedures. In the event of being initiated, these procedures involve due process; it would therefore not be appropriate for me to comment further.

## Department for Regional Development

### A2 Bangor to Belfast Road and the Craiganlet Crossroads: Daily Traffic Volume

**Mr Weir** asked the Minister for Regional Development to detail the average daily traffic volume on (i) the A2 Bangor to Belfast road; (ii) the Craiganlet Crossroads.

**(AQW 13631/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that it collects data from approximately 300 automatic traffic counting sites located throughout the Northern Ireland road network.

Details of the Annual Average Daily Traffic (AADT) traffic flow information, recorded at various locations on the A2 Bangor to Belfast road and at Craiganlet Crossroads, are provided in the table below:

| Census point      | Location  | AADT (7Day) | Year      |
|-------------------|---|-------------|-----------|
| 209               | A2 Sydenham Bypass at George Best City Airport                  | 58,270      | 2009      |
| 501               | Hollywood Bypass, east of Belfast Road                          | 45,100      | 2009      |
| 502               | Belfast – Bangor, at Cultra, east of Folk Museum                | 36,660      | 2009      |
| 506               | Bangor Ring Road at Clandeboye                                  | 19,260      | 2008      |
| 903               | Belfast Road, Bangor, at Coach Hill Bend                        | 15,180      | 2009      |
| 905               | Belfast Road, Bangor, before Springhill junction                | 11,190      | 2009      |
| 907               | Belfast Road, Bangor, Bangor side of Ballyrobert Road junction  | 14,503      | 2010      |
| 908               | Belfast Road, Bangor, Belfast side of Ballyrobert Road junction | 16,880      | 2009      |
| 910               | Belfast Road Cultra, before Whinney Hill                        | 18,627      | 2010      |
| 915               | Bangor Road, west of Ballymoney Road at Devil's Elbow           | 17,211      | 2010      |
| Temporary Counter | Ballymiscaw Road, Craiganlet                                    | 9,775       | Sept 2011 |
| Temporary Counter | Dunlady Road, Craiganlet  | 5,971       | Dec 2011  |
| Temporary Counter | Hollywood Road, Craiganlet                                      | 7,068       | Oct 2011  |
| Temporary Counter | Craiganlet Road, Craiganlet                                     | 9,155       | Oct 2011  |
| Temporary Counter | Whinney Hill Road, Hollywood                                    | 7,627       | Dec 2010  |

### Newcastle, Co. Down: Sustainable Urban Drainage System

Mr Hazzard asked Minister for Regional Development for his assessment of the performance of the retention tank and Sustainable Urban Drainage System in Newcastle, Co. Down during the flooding on Thursday 5 July 2012.

**(AQW 13666/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the recently constructed storm retention tank and associated wastewater pumping station at Castle Park, Newcastle are currently being commissioned and have not yet transferred over to NIW. In the circumstances no telemetry data is available to assess detailed performance but an inspection by NIW shortly after the rainfall event on 5 July 2012 found the retention tank performed as designed during the incident and the pumping station had started to return the captured flow back to the sewerage system.



# Northern Ireland Assembly

Friday 31 August 2012

## Written Answers to Questions

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

#### Nomination Form for an Honour

**Mr Lyttle** asked the First Minister and deputy First Minister to detail the how their Office determines which nomination form for an honour to submit to the Cabinet Office when a person who resides outside Northern Ireland submits a form to their Office.  
(AQW 2681/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Where the nominee is resident in Northern Ireland and the activities for which recognition is being sought relate wholly or primarily to here, the nomination is referred to the Honours Secretariat in the Office of the First Minister and deputy First Minister.

Nominations where the activities relate to elsewhere are referred to the Cabinet Office for consideration.

#### Travel Costs

**Mr Dallat** asked the First Minister and deputy First Minister to detail the travel costs incurred by (i) the First and deputy First Minister; and (ii) departmental officials in the last 12 months.  
(AQW 3697/11-15)

**Mr P Robinson and Mr M McGuinness:** The following table sets out the costs incurred by the Office of the First Minister and deputy First Minister in relation to travel costs in respect of the twelve months ended 30 September 2011.

|  | Year ended 30 September 2011 |
|--|------------------------------|
| First Minister and deputy First Minister | £41,569                      |
| Departmental Officials                   | £262,879                     |

#### Her Majesty's Diamond Jubilee

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 4775/11-15, whether the Executive is currently making any plans to mark the occasion of Her Majesty's Diamond Jubilee, in consultation with the Department for Culture, Media and Sports.  
(AQW 5595/11-15)

**Mr P Robinson and Mr M McGuinness:** At its meeting on 31 May the Executive agreed to present a gift to mark the Queen's Diamond Jubilee.

#### Evangelical Alliance Paper 'Seeking Peace and Prosperity'

**Mr Lyttle** asked the First Minister and deputy First Minister for their assessment of the Evangelical Alliance paper 'Seeking Peace and Prosperity' which includes the proposition that the Programme for Government should set out a broader concept of prosperity to include well-being and a commitment to fostering good relationships.  
(AQW 5989/11-15)

**Mr P Robinson and Mr M McGuinness:** There are five overarching and inter-connected priorities in the draft Programme for Government which, collectively, will help us work towards our vision of a shared and better future. Priority two, "Creating Opportunities, Tackling Disadvantage and Improving Health and Wellbeing" and priority four, "Building a Strong and Shared Society" are intended to deliver interventions that encourage personal and community development both socially and economically.

## Number of Children Living in Poverty

**Mr Moutray** asked the First Minister and deputy First Minister to detail the number of children in the (i) Upper Bann; (ii) Banbridge; (iii) Lurgan; and (iv) Portadown areas who were deemed to be living in (a) relative poverty; (b) mixed poverty; and (c) absolute poverty in each of the last five years.

**(AQW 6636/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department for Social Development, Analytical Services Unit publishes annually the Households Below Average Income report.

## WAVE Trauma Centres

**Mr Cree** asked the First Minister and deputy First Minister, pursuant to AQW 9649/11-15, whether the WAVE Trauma Centres are in a position to provide the services necessary for military personnel who have medical problems and mental health issues as a result of active service overseas.

**(AQW 10515/11-15)**

**Mr P Robinson and Mr M McGuinness:** WAVE receives funding from our Department via the Community Relations Council to be used for the benefit of Victims and Survivors who have suffered as a result of the conflict here. The definition of those who can be assisted is contained within Article 3 of the Victims and Survivors (Northern Ireland) Order 2006.

WAVE does not receive funding from any other government provider.

## AQW 8311/11-15

**Mr Eastwood** asked the First Minister and deputy First Minister why AQW 8311/11-15, which was due for answer on 23 February 2012, remains unanswered.

**(AQW 10644/11-15)**

**Mr P Robinson and Mr M McGuinness:** A response to AQW 8311/11-15 was issued on 14 May 2012.

## Peter Hain Controversy

**Mr Allister** asked the First Minister and deputy First Minister, in light of the Peter Hain controversy, whether the Attorney General still enjoys their confidence.

**(AQW 10832/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Attorney General is statutorily independent of the Office of the First Minister and deputy First Minister, the Northern Ireland Executive and the Northern Ireland Departments.

The Attorney General enjoys the confidence of the First Minister and deputy First Minister.

However, any individual proceedings undertaken by the Attorney are a matter for the Attorney alone.

## Interministerial Groups

**Mr Swann** asked the First Minister and deputy First Minister how many Inter-Ministerial Groups are in existence.

**(AQW 11353/11-15)**

**Mr P Robinson and Mr M McGuinness:** There are currently 10 Inter-Ministerial Groups in existence.

## Interministerial Group

**Mr Swann** asked the First Minister and deputy First Minister how many times each Inter-Ministerial Group has met in each of the last five years.

**(AQW 11354/11-15)**

**Mr P Robinson and Mr M McGuinness:** The number of meetings of each Inter-Ministerial Group is set out in the following table:

| Title of Group   | Number of Meetings<br>in the last 5 years |
|--|---|
| Executive Sub-Committee on the Economy                       | 8   |
| Ministerial Road Safety Group                                | 4   |
| Inter-Ministerial Group on Domestic and Sexual Violence      | 3   |
| Ministerial Group on Mental Health and Learning Disabilities | 5   |
| Ministerial Co-ordination Group on Suicide Prevention        | 3   |

| <b>Title of Group</b>                                   | <b>Number of Meetings<br/>in the last 5 years</b> |
|---|---|
| Executive Sub Group on Welfare Form                     | 5   |
| Budget Review Group                                     | 15  |
| Ministerial Sub-Committee on Children and Young People  | 8   |
| Executive Sub-Committee on Poverty and Social Inclusion | 3   |
| Programme for Government                                | 1   |

### Interministerial Group

**Mr Swann** asked the First Minister and deputy First Minister which Minister has lead responsibility for each Inter-Ministerial Group. (AQW 11355/11-15)

**Mr P Robinson and Mr M McGuinness:** The lead Minister or Ministers for each Inter-Ministerial Group is set out in the following table:

| <b>Title of Group</b>  | <b>Lead Minister(s)</b>                               |
|--|---|
| Executive Sub-Committee on the Economy                       | Minister of Enterprise, Trade and Investment          |
| Ministerial Road Safety Group                                | Minister of the Environment                           |
| Inter-Ministerial Group on Domestic and Sexual Violence      | Minister of Health, Social Services and Public Safety |
| Ministerial Group on Mental Health and Learning Disabilities | Minister of Health, Social Services and Public Safety |
| Ministerial Co-ordination Group on Suicide Prevention        | Minister of Health, Social Services and Public Safety |
| Executive Sub Group on Welfare Form                          | Minister for Social Development                       |
| Budget Review Group  | First Minister and deputy First Minister              |
| Ministerial Sub-Committee on Children and Young People       | Junior Ministers OFMDFM                               |
| The Executive Sub-Committee on Poverty and Social Inclusion  | First Minister and deputy First Minister              |
| Programme for Government Programme Board                     | First Minister and deputy First Minister              |

### Interministerial Group

**Mr Swann** asked the First Minister and deputy First Minister who is responsible for calling a meeting of an Inter-Ministerial Group. (AQW 11357/11-15)

**Mr P Robinson and Mr M McGuinness:** It is the responsibility of the lead Minister or Ministers to call a meeting of an Inter-Ministerial Group.

### Key Achievements of the Executive

**Mr Mitchel McLaughlin** asked the First Minister and deputy First Minister, on the fifth anniversary of the restoration of the political institutions, to outline the key achievements of the Executive in the past five years. (AQO 1878/11-15)

**Mr P Robinson and Mr M McGuinness:** Since the restoration of the political institutions five years ago, we have been through a very tough economic period. In spite of that, we delivered a range of key achievements which are benefiting people now and will do so for many years into the future. We exceeded our targets in terms of promoting investment and jobs; securing almost £2.6 billion in investment commitments and £487 million in annual salaries; promoting 15,565 new jobs; safeguarding 5,329 existing jobs and supporting 8,267 new local business starts between 2007/08 and 2009/10. A total of £4.8 billion was delivered in gross capital investment through our Investment Strategy during the period 2007/08 up to 2009/10 and in addition, a number of major road schemes were completed, improving journey times and safety on our Key Transport Corridors. Investment of more than £1 billion in water improvements has been delivered during the previous Programme for Government, as well as a range of new Health and Social Care developments, including over £500 million worth of investment in completed and ongoing works in our hospitals.

Our achievements reaffirm the importance the Executive attaches to supporting economic recovery and providing the foundations for tackling disadvantage. Our achievements to date promise a stronger, more qualified, healthier environment and have set the foundations to re-balance the economy, tackle disadvantage and promote fairness and equality. The recent agreement of a



challenging, balanced and extensive Programme for Government, with a clear focus on tangible delivery of economic and social goals, clearly shows the desire to further enhance the pace of delivery.

More information on important initiatives which have been delivered since 2008 are also outlined in the current Programme for Government 2011-2015.

### **The Gathering: An Irish Homecoming**

**Mrs D Kelly** asked the First Minister and deputy First Minister whether they intend, at the next North/South Ministerial Council meeting, to raise the collaborative opportunities which the The Gathering: An Irish Homecoming offers the Northern Ireland economy. (AQO 1931/11-15)

**Mr P Robinson and Mr M McGuinness:** We can confirm that The Gathering was raised at the North South Ministerial Committee Plenary meeting held on 15 June 2012. It was agreed that the Tourism Ministers would meet to discuss how benefits from this can be maximised for both jurisdictions.

### **Ministers' Hospitality, Gifts, Meetings and Overseas Travel**

**Mr Allister** asked the First Minister and deputy First Minister whether any arrangements, similar to those prevailing at Westminster, exist whereby information on Ministers' hospitality, gifts, meetings and overseas travel is published quarterly; and, if not, whether they will consider introducing such arrangements.

(AQW 12439/11-15)

**Mr P Robinson and Mr M McGuinness:** The Northern Ireland Executive has not introduced such arrangements but may consider doing so at a future date.

### **Foyle Pride Festival 2012 in Derry**

**Mr Eastwood** asked the First Minister and deputy First Minister to detail (i) the level of funding their Department has allocated to the Foyle Pride Festival 2012 in Derry; and (ii) if their Department has not allocated funds to the event, how much it is willing to provide towards the running costs of £15,000.

(AQW 13229/11-15)

**Mr P Robinson and Mr M McGuinness:** OFMDFM has not allocated funding to the Foyle Pride Festival 2012.

### **Community Relations Council Staff**

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 12129/11-15, what action has been, or is planned to be, taken against the Community Relations Council staff member who failed to declare a relevant interest.

(AQW 13353/11-15)

**Mr P Robinson and Mr M McGuinness:** The Community Relations Council has advised us that no staff member failed to declare a relevant interest where and when required.

### **Equality Commission Survey into Discrimination**

**Mr P Ramsey** asked the First Minister and deputy First Minister for their assessment of the recent Equality Commission survey into experiences of, and attitudes towards, discrimination.

(AQO 2293/11-15)

**Mr P Robinson and Mr M McGuinness:** We welcome the research as it contributes to greater understanding and information in relation to the experiences of, and attitudes towards, discrimination.

### **Fuel Payments for Cancer Patients**

**Mr Lyttle** asked the First Minister and deputy First Minister whether winter fuel payments will be made available to cancer patients next year.

(AQW 13590/11-15)

**Mr P Robinson and Mr M McGuinness:** Each scheme under the Social Protection Fund should be considered as exceptional, stand alone schemes. Future funding allocations will be decided on the basis of need, priorities and proposals.

## Department of Culture, Arts and Leisure

### Illegal or Unlicensed Nets

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 6140/11-15, how officials from her Department were able to identify the persons to whom the warning letters were issued.

**(AQW 7295/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** When Fisheries Protection Officers speak to any individual in connection with a potential breach of fisheries legislation they will ask them for some form of identification to confirm their identity.

If individuals do not have any identification available there are a number of checks that the officers may carry out to verify the identity of an individual.

### Centenary of the Formation of the Royal Ulster Constabulary

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether the centenary of the formation of the Royal Ulster Constabulary will be included in the decade of commemorative anniversaries which the Executive is co-ordinating.

**(AQW 11545/11-15)**

**Ms Ní Chuilín:** The political, social and cultural consequences of what happened during the decade of 1912-22 reverberate to this day. The Executive agreed that it was appropriate and necessary to set an inclusive tone to examining major centenaries such as, for example, the Ulster Covenant, the Easter Rising, World War 1, the rise of the Labour Movement, Universal Male and Limited Women's Suffrage, and Partition.

These significant events influenced or were the direct cause of multiple developments such as the establishment of the Civic Guard (later renamed the Garda Síochána na hÉireann); the Irish Citizen Army; the Ulster Volunteer Force; the Irish Volunteer Force; and the formation of other groupings. I therefore have no doubt that these wider developments will be examined by a diverse range of organisations and interested individuals as a result of the major centenaries and the inclusive approach being advocated by the Executive.

### Ministerial Appointments

**Mr Campbell** asked the Minister of Culture, Arts and Leisure to detail the number and percentage of people (i) considered for inclusion; and (ii) successful, in all ministerial appointments since 2007, broken down by perceived community background.

**(AQW 13174/11-15)**

**Ms Ní Chuilín:** The tables below sets out information on ministerial appointments made since 2007.

**Table 1 Ministerial Appointments**

|                           | Community Background |          |                    |
|---------------------------|----------------------|----------|--------------------|
|                           | Protestant           | Catholic | Neither or Unknown |
| Applications              | 310                  | 224      | 74                 |
| Number successful         | 53                   | 44       | 37                 |
| % successful              | 17.10                | 18.75    | 52.70              |
| % of overall appointments | 39.55                | 32.84    | 27.61              |

### Boxing Strategy

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether the upcoming Boxing Strategy will directly address the factors which are perceived to discourage Protestant and Unionist participation in the sport, including the selection of venues for competitions, such as that experienced by the Sandy Row Boxing Club.

**(AQW 13501/11-15)**

**Ms Ní Chuilín:** My boxing strategy initiative, together with the associated business case for funding, is intended to help the sport directly address any factors that evidence indicates act as barriers to participation in boxing. The initiative should also assist the sport to promote inclusivity, including at venues selected for competition, so that anyone, regardless of community background, who wishes to take part in boxing at participative and competitive levels is clearly not discouraged from doing so.

## Boxing in Northern Ireland

**Mr Allister** asked the Minister of Culture, Arts and Leisure if the present governing body for boxing in Northern Ireland fails to take adequate steps to address sectarian barriers to participation, whether she will take steps to compel governance changes, as was the case with the Irish Football Association.

**(AQW 13504/11-15)**

**Ms Ní Chuilín:** Neither I nor my Department has or can compel governance changes on any sports governing body, including the Ulster Provincial Boxing Council (UPBC) and the Irish Football Association. However, through Sport NI, the Department will seek to exert influence in order to encourage a sport to undertake governance changes where it deems this to be necessary. In the case of boxing, this process is already ongoing. Sport NI has invited the UPBC to be one of the first organisations to go through the new Equity Standard for sport. This is a mechanism for encouraging better governance and administration, widening access and increasing participation in sport by under-represented individuals, groups and communities.

## Ministerial Appointments

**Mr Allister** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 2324/11-15, what positive measures are being put in place to address the disparity in the number of Protestants who are successful ministerial appointments.

**(AQW 13587/11-15)**

**Ms Ní Chuilín:** There is no disparity to address in terms of the number of Protestants who are successful in ministerial appointments.

All DCAL's public appointments are made in line with the Code of Practice issued by the Commissioner for Public Appointments NI. Appointment competitions are regulated by the Commissioner for Public Appointments.

## Department of Education

### Equality Impact Assessment on Preparatory Schools Funding

**Mr Weir** asked the Minister of Education, pursuant to AQW 11155/11-15, why the publication of the Equality Impact Assessment on preparatory schools did not occur when expected.

**(AQW 12679/11-15)**

**Mr O'Dowd (The Minister of Education):** Unfortunately the completion and presentational issues on the final EQIA report took slightly longer than anticipated with staff involved in this exercise also dealing directly with a range of queries from schools, prior to and immediately following schools' closures for the summer.

The Final Equality Impact Assessment on the Proposal to Withdraw Funding from the Preparatory Departments of Grammar Schools has now been published on the Department's website. Respondents to the EQIA have been advised that this Report is now available.

## Department of Enterprise, Trade and Investment

### Electricity Bills that are in Excess of £1 Million per Annum

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment what progress is being made to assist employers whose electricity bills are in excess of one million pounds per annum and whose competitors' bills in other nations are considerably lower.

**(AQW 9220/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** My Department does not have a direct role in the setting of electricity tariffs; however my Department, along with the Utility Regulator, strives to create market conditions to put downward pressure on prices for all consumers.

I have been examining the feasibility of Invest NI providing financial assistance to a limited number of Large Energy Users who could show that by making a significant capital investment, they could reduce their energy costs. As I advised the Assembly on 13 March, Invest NI is willing to consider providing financial assistance on a pilot basis, under its normal Selective Financial Assistance schemes, to Large Energy Users who have proposals for capital expenditure which will make a significant impact on energy efficiency and therefore reduce their costs and improve competitiveness.

Additionally, the UK Government has announced proposals to assist Energy Intensive Industries through provision of a £250m fund to help offset the costs associated with decarbonisation of electricity generation. Individual companies will have to make a case for inclusion in the scheme.

## Fusion and Acumen Programmes

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how many jobs were created under the Fusion and Acumen programmes; and how many of these jobs still existed after the Intertrade Ireland subsidy had ended.

**(AQW 13667/11-15)**

**Mrs Foster:** Analysis for the period 2008 to 2011 shows that 313 jobs were created through the Acumen programme.

During this same period a total of 419 jobs were created through Fusion projects.

## Fusion and Acumen Programmes

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to detail the total cost of the Fusion and Acumen programmes, including staff, PR and marketing costs; and how the success of the programme is being monitored.

**(AQW 13668/11-15)**

**Mrs Foster:** InterTradeIreland has commenced three phases of each of its Fusion and Acumen programmes. The third phase of each is currently on-going while the first and second phases of each have concluded.

The expenditure to date is as follows:

|                             | Fusion - £'000 | Acumen £'000 |
|-----------------------------|----------------|--------------|
| Phase 1*                    | 3,651          | 2,445        |
| Phase 2*                    | 10,788         | 2,658        |
| Phase 3 (To 30th June 2012) | 9,093          | 1,481        |

The success of both programmes is monitored through mid-term and final evaluations for each phase. These evaluations are conducted by independent consultants who are appointed through a competitive tendering process. Evaluations are conducted in accordance with departmental guidelines. In addition, conclusion reports are completed for each project and InterTradeIreland carries out monitoring visits with each of the companies up to three years after completion.

## Department of the Environment

### Peatlands

**Ms Lo** asked the Minister of the Environment (i) what action his Department is taking to preserve peatland; and (ii) for his assessment of the potential carbon emissions that may result from the destruction of peatlands.

**(AQW 7268/11-15)**

**Mr Attwood (The Minister of the Environment):** The Department undertakes a wide range of actions to preserve semi-natural peatland habitats. The best examples of peatland habitats have been designated and are managed as Special Areas for Conservation (SACs) or Areas of Scientific Interest (ASSIs). Published habitat action plans for blanket bog and lowland raised bog deliver positive actions for peatland across Northern Ireland. The implementation of these plans is being co-ordinated by the Peatland and Upland Biodiversity Delivery Group chaired by NIEA.

The estimated stock of carbon held in soils in Northern Ireland is 386 million tonnes with 162 million tonnes (42%) occurring in peatland habitats. Peat extraction for fuel (mainly from blanket bog) was estimated to have released between 75,936 and 126,623 tonnes of carbon a year (tC/yr) in 1990 – 1991. This fell to between 6,481 and 10,807 tC/yr in 2008. However, peat extraction for horticulture increased from an estimated 30,000 tC/yr in 1990-1991 to 36,000 tC/yr in 2007-2008.

A range of other land management activities affect carbon emissions from peatlands including drainage, land reclamation, afforestation, burning, over-grazing and development. These are difficult to quantify but can result in significant emissions of carbon.

### Tree Preservation Orders

**Mr Agnew** asked the Minister of the Environment to detail the number of trees felled between the application for, and the imposition of, Tree Preservation Orders in each of the last three years.

**(AQW 7366/11-15)**

**Mr Attwood:** When an application for a Tree Preservation Order is received, sites are prioritised in terms of known threats to the trees, and site inspections are undertaken by a small dedicated team in Planning Headquarters.

Since the purpose of the Tree Preservation Order legislation is to protect trees which have high amenity value, felled trees do not form part of the consideration, when trees on a site are being assessed.

## Transfer of Planning Functions to Local Councils

**Mr Weir** asked the Minister of the Environment for an update on the proposed transfer of planning functions to local councils. (AQW 9433/11-15)

**Mr Attwood:** Planning powers will transfer to councils in circumstances to be determined by the Executive. A sustainable planning system will be handed over to councils – my officials are developing a work force planning model and reviewing fees to make sure that the right number of people are in the right offices and that there is sufficient income to cover costs.

My Department is committed to working with councils to ensure a smooth transition – this includes pilot projects to test different aspects of the proposed arrangements, capacity building, and formal training for councillors.

The reforms to the planning system contained within the Planning Act (Northern Ireland) 2011 will result in a modernised system transferring to councils with quicker local development plans, faster decisions on planning applications, faster and fairer appeals, and tougher and simpler enforcement.

In advance of the transfer of powers to councils my Department is bringing forward a Bill that will accelerate the implementation of a number of those reforms, to be administered by the Department. My Department intends to introduce the Bill in this Assembly session and is working on the associated subordinate legislation required to implement the reforms pre transfer of planning powers. This will maintain the momentum of planning reform by allowing the planning system to benefit from these reforms at the earliest possible date.

## Planning Application F/2010/0092/F

**Mr Dickson** asked the Minister of the Environment for an update on planning application F/2010/0092/F. (AQW 11316/11-15)

**Mr Attwood:** Ornithology information required by NIEA was received on 2 April 2012, and advertised as a second addendum for this application on 20 April 2012. Roads clarification was received on 12 April 2012. Environmental Health clarification was received on 17 May 2012.

To date 447 objections have been received for this application, no objections have been received in response to the 2nd Addendum.

This application was presented to Larne Council on 18 June 2012 as an approval. A deferral was requested and granted for this application. The deferred office meeting was held on 28 June 2012. Reconsideration is ongoing and it is anticipated that this application will be re-presented to Larne Council on the 6 August 2012.

## Road Haulage Operators

**Mr Allister** asked the Minister of the Environment what action is taken against road haulage operators, in relation to their operations within Northern Ireland, who are found to be using illegal fuel outside Northern Ireland, or who are otherwise breaking the law. (AQW 12038/11-15)

**Mr Attwood:** No licences have yet been refused or revoked because of the use of illegal fuel. This is primarily because to date it has been the policy normally of HM Revenue & Customs (HMRC) not to prosecute operators found to be using illegal fuel, and instead to rely on the use of fixed penalties. It has also been HMRC's policy not to provide information to my Department on any other penalties imposed, on the grounds that they have no authority to do so. That said, officials in the DVA know of at least one case where an operator received a penalty, that HMRC refused to confirm and that DVA did not take further action in relation to an operator licence. I have asked DVA to explain this approach and how many similar cases have been brought to their attention.

However, as provision of this information would enable the use of illegal fuel to be taken into account when determining an application for an operator's licence, or when considering whether a licence should be retained, I instructed officials to contact HMRC again to seek the sharing of information and to tell HMRC my views, and I can confirm that a memorandum of understanding is now being drafted that will provide for enforcement information to be shared between HMRC and the Driver & Vehicle Agency in the future. I consider the previous approach by HMRC as an impediment to enforcement.

Any other breaches of the law are taken into account in determining an applicant's or licence holder's repute, and such breaches can lead to the refusal of a licence or the revocation of an existing licence.

## Planning Applications for Minerals Extraction or Minerals Plant/Machinery

**Mr Agnew** asked the Minister of the Environment how many planning applications for minerals extraction or minerals plant/machinery, which have been refused in the last five years, were retrospective. (AQW 12164/11-15)

**Mr Attwood:** In the last five years the Department refused 9 applications for minerals extraction or minerals plant / machinery. Of these 9 applications, 2 were retrospective. I have instructed officials to provide further details on all cases and I will forward same to the Member.

## Sustainable Charcoal

**Mr D McIlveen** asked the Minister of the Environment what action his Department has taken to promote the use of sustainable charcoal produced in the UK.

**(AQW 12280/11-15)**

**Mr Attwood:** I am aware of this issue and research around sustainable charcoal. An intervention that reduces carbon emissions, helps address climate change and helps employment would have my backing. DOE has no particular legal vires on the issue but I will write to DETI and OFMDFM advising of your interest.

## Vehicle Excise and Registration Act 1994

**Mr A Maginness** asked the Minister of the Environment, pursuant to AQW 4075/11-15, for an update on the Department for Transport bringing vehicle licensing services in Northern Ireland into line with those provided in Britain.

**(AQW 12567/11-15)**

**Mr Attwood:** The Driver and Vehicle Licensing Agency in Swansea have been examining how they can deliver an integrated IT system to Northern Ireland that would bring vehicle licensing services here into line with those in Britain and provide online applications, more services from Post Office and other enhanced services to motorists. I enclose a copy of the statement of Mike Penning (DoT) which has updated the position.

A separate study is also examining options for the future delivery of vehicle licensing services following systems integration. I believe that NI drivers should have the full range of services.

I have written to Justine Greening, Secretary of State for Transport, expressing my support for the delivery of these services to customers in NI but emphasising my opposition to any reduction in jobs in NI as a consequence of these changes. I have been assured that no decisions will be made without further consultation with me.

I have met also the Department for Transport Minister, Mike Penning twice; and provided a dossier to London on how to protect local DVA jobs; have met the Secretary of State, Owen Patterson, to urge that he support my argument; have written to the NI MP's to urge they use their influence and so on.

I believe I have made a full case for the retention of DVA jobs or the retention of the full profiled jobs at Coleraine. I hope my argument will prevail. I have kept the Union informed of my actions.

## Exemption of Pre-1960 Classic and Historic Vehicles from MOT Testing

**Mr Frew** asked the Minister of the Environment why pre-1960 classic and historic vehicles are subject to annual MOT tests, when Westminster will be removing this requirement on 18 November 2012.

**(AQW 12981/11-15)**

**Mr Attwood:** The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing and the Environment Committee, at its meeting on 22 March 2012, considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which was to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles.

There have been significant European Commission (EC) policy developments since that time. On 13 July 2012, the EC published a 'Roadworthiness Package' that, amongst other things, addresses periodic roadworthiness tests for motor vehicles, therein, making changes to the rules that apply to historic vehicles. The proposals are expected to be introduced no earlier than August 2014.

If implemented as currently drafted, the proposals will narrow the parameters within which the department can provide for exemptions to historic vehicles, as the definition of a historical vehicle is more prescriptively described.

The Department's policy intentions remain the same; that is to make exempt pre-1960 vehicles from the MOT regime, but I have to have regard changing legislative context, to ensure that any changes we make are not made redundant by incoming EC Regulations.

I expect to be in a position to provide further clarification on the Department's position in September, but subject to the above, would wish to take forward exemptions for certain categories.

## Black and Minority Ethnic Network 'BME Link'

**Ms Lo** asked the Minister of the Environment, in relation to the Black and Minority Ethnic Network 'BME Link' set up by the Department of Justice, what consideration he has given to introducing a similar network within his Department.

**(AQW 13094/11-15)**

**Mr Attwood:** I have asked officials to provide further details on the BME Link, the Lesbian, Gay, Bisexual and Transgender network and the Carers network in place in DOJ. I consider these structures have importance and impact. I will look closely at the models and advise the member further.



## Tony Bazley's Involvement with Tamboran

**Mr Agnew** asked the Minister of the Environment to detail (i) whether he and his Department were aware of Tony Bazley's involvement with Tamboran prior to October 2011; (ii) whether he declared an interest at the Council for Nature Conservation and the Countryside meetings; and (iii) if not, whether his position will be reconsidered.

**(AQW 13396/11-15)**

**Mr Attwood:** Dr Tony Bazley informed the Chairman of the Council for Nature Conservation and the Countryside (CNCC) of his involvement with Tamboran Resources in writing on 28 October 2010. This was proper and good practice and it should be acknowledged as such. Indeed the chair of CNCC has written to me, advised me that the interest was stated and that Dr Bazley confirmed that he would withdraw from CNCC if appropriate.

The Department became aware of Dr Bazley's connection with Tamboran when he gave a presentation to CNCC on shale gas on 30 September 2011.

I understand no further reason has arisen for Dr Bazley to declare an interest at CNCC since that time.

Dr Bazley is an acknowledged geologist. The potential conflict of interest must be and must be seen to be managed properly. I have informed officials and the CNCC that this is the case, but I want to make it clear that there is currently no basis for Dr Bazley to conclude his membership of the council. The CNCC advises me that it intends to produce a public register of declared conflicts. I have asked that other bodies under my control do likewise.

The Chairman of CNCC, Patrick Casement, has consistently responded to queries of this nature that the potential conflict of interest is being managed properly and that Dr Bazley remains a committed and valuable member of the Council.

Moreover, I have to say that it is an incongruous place for the argument presented by some that a person otherwise well qualified for a position, should be excluded because of one aspect of their wider work. That is not a good standard to operate against and diminishes the contribution of CNCC ordinary members, who are also voluntary.

That said there is an issue that, having declared an interest, CNCC then agreed to have a presentation from that member on the very issue where an interest had been stated, and in the knowledge that the issue was contentious and may give rise to public concern. Patrick Casement has informed me that it was the Council which requested this presentation. Nonetheless I have advised the Chair that I do not consider that this was a wise course of action.

## Planning Applications in areas Formerly Designated as Green Belt Land

**Mr Agnew** asked the Minister of the Environment how many planning applications have been (i) received; and (ii) approved, in areas that were formerly designated as green belt land in the draft (a) Belfast Metropolitan Area Plan ; (b) Magherafelt Area Plan; and (c) Banbridge, Newry and Mourne Area Plan, since the introduction of PPS 21,

**(AQW 13553/11-15)**

**Mr Attwood:** Based on a spatial search, all planning applications falling wholly within the greenbelt designations from the relevant plans have been identified. Within the period 1 June 2010 to 6 July 2012, 2672 planning application have been received and 2476 have been approved by the Department within Green belt locations associated with (a) Belfast Metropolitan Area Plan; (b) Magherafelt Area Plan; and (c) Banbridge, Newry and Mourne Area Plan. This data is broken down by Area Plan in the table overleaf.

| Relevant Area Plan                         | Applications Received | Applications Approved |
|--|-----------------------|-----------------------|
| Belfast Metropolitan Area Plan 2015        | 1452                  | 1266                  |
| Magherafelt Area Plan 2015                 | 96                    | 89                    |
| Banbridge, Newry and Mourne Area Plan 2015 | 1124                  | 1121                  |

**Source:** DOE Planning

**Please note:** This information has been sourced from a live database, is subject to change following validation, and will not equate to any finalised official statistic which may be later published on the topic.

It is important to note that applications received in the year may not have had a decision issued within the same time period and applications decided in the year may not have been received in the same time period. Therefore direct comparisons between figures cannot be made.

## Shale Gas: Radioactive Substances

**Mrs Overend** asked the Minister of the Environment, pursuant to AQW 10298/11-15, in relation to the extraction of shale gas by hydraulic fracturing, to detail (i) what constitutes a minor use of radioactive substances; (ii) how the benefit of the use is assessed; (iii) how an industry is defined as local; and (iv) how the legislation effects foreign-owned companies.

**(AQW 13691/11-15)**

**Mr Attwood:**

- i) A minor use of a radioactive substance is one where the level of risk associated with its use is sufficiently low to make it suitable for control under the Radioactive Substances Exemption Order regime.
- (ii) The Exemption Orders are a mechanism for providing a “light touch” level of regulation over those beneficial uses of radioactive substances that are of low risk to people and the environment. In the case of hydraulic fracking there is no direct “use” of radioactive substances. The radioactivity, in the form of naturally occurring radioactive material arises incidentally in one of the waste streams generated during the extraction process and would be defined as radioactive waste. It is unlikely that this waste would be “out of scope” of the legislation or suitable for control under the Exemption Order regime. Based on experience elsewhere in the UK it is proposed that an authorisation under the Radioactive Substances Act 1993 would be required to accumulate and/or dispose of this waste.
- (iii) The Radioactive Substances Exemption (Northern Ireland) Order 2011, the Radioactive Substances Act 1993 and the Radioactive Substances Act 1993 (Amendment) Regulations (Northern Ireland) 2011 apply to any activity taking place in Northern Ireland whether carried out by a “foreign-owned” company or a locally registered one.

## Department of Finance and Personnel

### Miscellaneous Educational Services

**Mr Kinahan** asked the Minister of Finance and Personnel, in relation to the Miscellaneous Educational Services budget, to detail what discussions he has had with the Minister of Education (i) regarding the lack of detail available on the budget; and (ii) to ensure that there is effective budgetary oversight in relation to the expenditure of the £13.771 million.

**(AQW 13024/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** I have had no discussion with the Minister of Education specifically in relation to the Miscellaneous Educational Services budget that the question refers to. However, I can inform the member that this category includes provision for the Sports Initiative, spend on certain Special Educational Needs activities, pupil support and counselling, Young Enterprise schemes, the Exceptional Circumstances Body and certain payments in relation to the School Improvement Programme. Further, a draft paper on the Review of the Financial Process, which proposes the Department of Education provides more detailed information on its budget than is currently the case, has been circulated to Ministerial Colleagues. The aim of the Review is to create a more transparent public expenditure process that meets the needs of the Assembly and the Executive.

### Unfunded Costs

**Mr Cree** asked the Minister of Finance and Personnel to outline the individual nature of all unfunded costs to which the Executive have made a commitment, for which there is no provision within the current budget.

**(AQW 13592/11-15)**

**Mr Wilson:** The Executive's key commitments are defined within the Programme for Government. In addition, the Executive may agree further commitments on an ongoing basis as part of its normal business. OFMdFM is the only department with full insight into the totality of Executive commitments. For that reason I am not in a position to comment on any ‘unfunded costs’ in this respect.

## Department for Social Development

### Disposal of Capital Assets

**Mr Weir** asked the Minister for Social Development to detail the capital assets of which his Department intends to dispose in each of the next three years.

**(AQW 13439/11-15)**

**Mr McCausland (The Minister for Social Development):** The capital assets which the Department currently intends to dispose of in the next three years are detailed at Annex A. Values shown are current estimates and are subject to review.

#### Annex A

| Capital Asset for Disposal          | 2012/13 Current estimated value - subject to review. | 2013/14 Current estimated value - subject to review. | 2014/15 Current estimated value - subject to review. | Surplus (S) Development (D) Transfer (T) |
|-------------------------------------|--|--|--|--|
| Plots 15 & 16 Birchill Road. Antrim | £1,310,000   |  |  | S  |
| 4 Ballycraig Road, Antrim           | £10,000  |  |  | S  |

| <b>Capital Asset for Disposal</b>                   | <b>2012/13 Current estimated value - subject to review.</b> | <b>2013/14 Current estimated value - subject to review.</b> | <b>2014/15 Current estimated value - subject to review.</b> | <b>Surplus (S) Development (D) Transfer (T)</b> |
|---|---|---|---|---|
| Land adjacent to Belfast Road, Antrim               | £130,000  |   |   | S   |
| Belmont Road, Antrim.                               |   | £2,000,000  |   | S   |
| Steeple Road, Antrim                                | £63,750   |   |   | S   |
| Springfarm Road, Antrim                             | £140,250  |   |   | S   |
| Ballykeel House, Larne Link Road, Ballymena         | £2,550,000  |   |   | S   |
| Land surrounding built South West Distributor Road. | £70,000   |   |   | S   |
| Ballee Road West, Ballymena                         |   |   | £7,000,000  | S   |
| Tullygarley Road, Ballymena                         |   |   | £1,700,000  | S   |
| Ballee Rd East, Ballymena                           | £4,000,000  |   |   | S   |
| Wyncroft, 18 Antrim Road.                           |   | £12,750   |   | S   |
| Land beside M1/M12 Motorway, Craigavon              | £450,000  |   |   | S   |
| 22 Carbet Road Portadown                            |   |   | £255,000  | S   |
| Lands at Tamnificarbet Craigavon                    |   |   | £701,250  | S   |
| Charlestown Road, Portadown                         | £510,000  |   |   | S   |
| Lands at Lisniskey, Portadown                       |   | £3,000,000  |   | S   |
| Plot B, Kernan, Portadown                           | £119,000  |   |   | S   |
| Phase II, Knockmenagh, Portadown                    | £1,360,000  |   |   | S   |
| Site at Westacres, Craigavon                        | £255,000  |   |   | S   |
| Lands at Drumgask/ Moyraverty, Craigavon            | £297,400  |   |   | S   |
| Ardowen, Craigavon                                  |   | £170,000  |   | S   |
| Tannaghmore Nth Rd, Lurgan                          | £40,000   |   |   | S   |
| Ballynamoney Lane, Lurgan                           | £200,000  |   |   | S   |
| Carbet Road, Portadown                              | £25,500   |   |   | S   |
| Drumgor Park, Craigavon                             |   | £12,750   |   | S   |

| <b>Capital Asset for Disposal</b>                              | <b>2012/13 Current estimated value - subject to review.</b> | <b>2013/14 Current estimated value - subject to review.</b> | <b>2014/15 Current estimated value - subject to review.</b> | <b>Surplus (S) Development (D) Transfer (T)</b> |
|--|---|---|---|---|
| Knockrammer Park, Lurgan                                       | £17,950   |   |   | S   |
| Tarsan Lane, Portadown   | £748,000  |   |   | S   |
| Small site at Franklyn Park, Lurgan                            |   | £85,000   |   | S   |
| Derryvore Lane, Seagoe, Portadown                              | £20,000   |   |   | S   |
| 10 Ballynamoney Lane, Lurgan                                   |   |   | £70,000   | S   |
| Lands at 57 Carbet Road, Portadown                             | £23,000   |   |   | S   |
| Lands at the roundabout of Eastway and Silverwood Road, Lurgan | £12,750   |   |   | S   |
| Ballinaor, Portadown   | £36,200   |   |   | S   |
| Site at 55 Carbet Road, Portadown                              | £20,000   |   |   | S   |
| Lands at Tannaghmore West Rd, Lurgan                           | £100,000  |   |   | S   |
| Parkmore, Craigavon  | £170,000  |   |   | S   |
| Drumellan, Craigavon   | £63,750   |   |   | S   |
| Carn Industrial Estate, Charlestown Road, Portadown            | £120,000  |   |   | S   |
| Land adjacent to 36 Gobhan Close, Portadown                    | £1,500  |   |   | S   |
| Curran St, Portadown   | £200,000  |   |   | S   |
| Transfer of 100 Folios to DRD Road Service <sup>1</sup>        | N/A   | N/A   | N/A   | T   |
| Parkview Road, Castlederg                                      | £30,000   |   |   | S   |
| Richmond Chambers, The Diamond, Londonderry                    | 1,250,000 to 2,250,000                                      |   |   | S   |
| Harbour Square, Londonderry (part) <sup>2</sup>                | 1000  |   |   | T   |
| Score Site, Dock Street, Strabane <sup>3</sup>                 |   |   |   | D   |
| Fort George, Londonderry <sup>4</sup>                          |   |   |   | D   |
| 232 Newtownards Road, Belfast                                  | £17,500   |   |   | D   |
| Land at Shore Road/ Mill Road, Belfast                         | £5,000  |   |   | D   |

| <b>Capital Asset for Disposal</b>                                 | <b>2012/13 Current estimated value - subject to review.</b> | <b>2013/14 Current estimated value - subject to review.</b> | <b>2014/15 Current estimated value - subject to review.</b> | <b>Surplus (S) Development (D) Transfer (T)</b> |
|---|---|---|---|---|
| Land at Poleglass, Belfast  | £250,000  |   |   | D   |
| 11A Ormeau Avenue, Belfast  |   | £2,000,000  |   | D   |
| Lanark Way / Mayo Link, Belfast                                   |   | £230,000  |   | D   |
| Shankill Rd / Lanark Way, Belfast                                 |   | £91,000   |   | D   |
| 124/138 Peters Hill, Belfast                                      |   | £90,000   |   | D   |
| 17/25 Battenberg Street, Belfast                                  |   | £75,000   |   | D   |
| 118/120 Antrim Road, Belfast                                      |   | £70,000   |   | D   |
| 308-312 Shankill Road, Belfast                                    |   | £50,000   |   | D   |
| Lemberg Street / Rydalmere Street, Belfast                        |   | £30,000   |   | D   |
| Peter's Hill/Greenland Street, Belfast                            |   | £30,000   |   | D   |
| Land at Bereford Street, Belfast                                  |   | £20,000   |   | D   |
| 157-161 North Street, and 40 -44 Kent Street Belfast <sup>1</sup> |   | £500,000  |   | D   |
| Car park at Carrick Hill, Belfast <sup>5</sup>                    |   |   | £300,000  | D   |
| 35-37 Carrick Hill and land to rear Belfast <sup>5</sup>          |   |   | £400,000  | D   |
| SS Nomadic <sup>6</sup>   | £1,900,000  |   |   | T   |
| Parcel of land at Girdwood Park <sup>7</sup>                      | £100,000  |   |   | D   |

**Note 1:** Relates to a perfecting title exercise where some 100 folios of land, consisting of road bed, are wrongly held under DSD title and are to be transferred to DRD. Total acreage of this land is 79 acres.

**Note 2:** This is a small portion of land being transferred to Derry City Council to facilitate the construction of Guildhall terrace and ramp to Harbour Museum.

**Note 3:** Strabane Score site will be marketed through the issue of a Development Brief later this year/early next year. However, even if a preferred developer is identified through this process, the land will not transfer to the developer until the proposed development is complete, possibly towards the end of 2015.

**Note 4:** The Fort George site comprises 14 acres providing a major regeneration opportunity within the central area of Londonderry. Ilex urban regeneration company are responsible for its redevelopment. An outline planning application was submitted in July 2012 with a Development Framework which demonstrates the overall urban design concept for the site. The Department plans to lease part of the site to the North West Regional Science Park in 2013/14 however DSD will retain the freehold for the site, but the land will be controlled by the Science Park.

**Note 5:** assets acquired in relation to Northside Urban Village Regeneration Framework; to be disposed off via development brief.

**Note 6:** asset transferred to the SS Nomadic Charitable Trust on 2 April 2012; transaction treated as 'capital grant-in-kind'.

**Note 7:** asset comprising approximately 1.78 acres of 14.1 acre site to be transferred to Belfast City Council (BCC) for the development of the Girdwood Community Hub; transfer subject to BCC obtaining SEUPB funding.

## Neighbourhood Renewal

**Mr Eastwood** asked the Minister for Social Development to detail (i) the level of funding allocated to; and (ii) the per capita spend in, each Neighbourhood Renewal area in the 2011/12 financial year.

**(AQW 13521/11-15)**

**Mr McCausland:** The table below details the level of funding allocated to, and the per capita spend in each Neighbourhood Renewal Area in the 2011/12 financial year.

| Neighbourhood Renewal Area  | 2010 Population Estimates | Total Spend    | Total Spend Per Capita |
|-----------------------------|---------------------------|----------------|------------------------|
| Andersonstown               | 8,801                     | £1,313,132.76  | £149.20                |
| Colin                       | 16,307                    | £2,245,358.00  | £137.69                |
| Crumlin/Ardoyne             | 13,680                    | £1,437,078.00  | £105.05                |
| Greater Falls               | 16,060                    | £1,579,601.56  | £98.36                 |
| Greater Shankill            | 18,394                    | £1,856,637.22  | £100.94                |
| Inner East                  | 22,331                    | £4,688,296.09  | £209.95                |
| Inner North                 | 11,891                    | £817,973.92    | £68.79                 |
| Inner South                 | 7,024                     | £681,936.59    | £97.09                 |
| Lenadoon                    | 7,906                     | £950,228.25    | £120.19                |
| Ligoniel                    | 1,935                     | £230,218.00    | £118.98                |
| Rathcoole                   | 7,085                     | £385,109.00    | £54.36                 |
| South West                  | 6,181                     | £742,126.95    | £120.07                |
| Tullycarnet                 | 2,215                     | £239,698.00    | £108.22                |
| Upper Ardoyne/Ballysillan   | 2,935                     | £338,693.59    | £115.40                |
| Upper Springfield/Whiterock | 10,858                    | £1,423,801.00  | £131.13                |
| BRO Total                   | 153603                    | £18,929,888.93 | £123.24                |
| Triax                       | 16,581                    | £5,195,000.00  | £313.31                |
| Outer North                 | 15,427                    | £873,000.00    | £56.59                 |
| Outer West                  | 9,175                     | £647,000.00    | £70.52                 |
| Strabane                    | 6,394                     | £676,000.00    | £105.72                |
| Waterside                   | 9,251                     | £1,584,000.00  | £171.22                |
| Limavady                    | 2,468                     | £486,000.00    | £196.92                |
| NWDO Total                  | 59296                     | £9,461,000.00  | £159.56                |
| Armagh                      | 4,871                     | £427,170.72    | £87.70                 |
| Ballyclare                  | 1,035                     | £55,804.85     | £53.92                 |
| Ballymena                   | 4,297                     | £287,381.61    | £66.88                 |
| Bangor                      | 2,935                     | £198,259.45    | £67.55                 |
| Brownlow                    | 8,137                     | £1,380,352.41  | £169.64                |
| Coalisland                  | 1,921                     | £71,958.79     | £37.46                 |
| Coleraine                   | 6,050                     | £334,111.18    | £55.22                 |
| Downpatrick                 | 5,468                     | £268,638.76    | £49.13                 |
| Dungannon                   | 1,247                     | £665,529.78    | £533.70                |
| Enniskillen                 | 2,802                     | £507,180.11    | £181.01                |



| Neighbourhood Renewal Area | 2010 Population Estimates | Total Spend          | Total Spend Per Capita |
|----------------------------|---------------------------|----------------------|------------------------|
| Lurgan                     | 10,020                    | £486,207.07          | £48.52                 |
| Newry                      | 10,791                    | £753,847.29          | £69.86                 |
| NW Portadown               | 3,132                     | £380,417.65          | £121.46                |
| Omagh                      | 3,121                     | £912,123.09          | £292.25                |
| <b>RDO Total</b>           | <b>65,827</b>             | <b>£6,728,982.76</b> | <b>£102.22</b>         |

### Welfare Reform Bill: Royal Assent

**Mr McCallister** asked the Minister for Social Development what is the timescale for the Welfare Reform Bill to receive Royal Assent before any breach of parity occurs.

**(AQW 13603/11-15)**

**Mr McCausland:** It is normal practice for a Northern Ireland Social Security Bill be introduced as soon as possible after the corresponding Westminster Bill has received Royal Assent, in this case, the Welfare Reform Act 2012 received Royal Assent on 8th March 2012.

The Department for Work and Pensions accept that some delay between the Great Britain Act and the corresponding Northern Ireland Act is inevitable, as Northern Ireland legislation can only be introduced to the Assembly after the Great Britain legislation has achieved Royal Assent and a number of pre-introductory legislative processes are completed. On previous occasions, this delay was not regarded as a breach of parity as our aim has always been to facilitate the passage of the Bill and obtain Royal Assent in as timely a fashion as possible here.

I should explain that the pre-introductory legislative processes include seeking confirmation from the Departmental Solicitor's Office and the Attorney General that any proposed Bill is within the legislative competence of the Assembly, as well as seeking the consent of the Secretary of State for Northern Ireland on the inclusion of provisions which deal with excepted matters under section 4(1) of, and Schedule 2 to, the Northern Ireland Act 1998. These approvals and consents have all been received and I can confirm that I have issued a paper to the Executive seeking their agreement to introduce the Bill to the Assembly. However, this agreement will not be secured until after the summer recess.

### Local Advice Services

**Mr P Ramsey** asked the Minister for Social Development to detail (i) where funding for local advice services will originate after March 2013; (ii) who will administer the funding; and (iii) how funding will be allocated to bodies.

**(AQW 13643/11-15)**

**Mr McCausland:** Funding for local advice services in 2013/14 will continue to be provided through my Department's Community Support Programme. Local Councils will continue to administer that funding, taking responsibility for the commissioning of advice services in their local areas.

### Funding for Advice Services

**Mr P Ramsey** asked the Minister for Social Development whether a consultation exercise will be carried out with stakeholders on the delivery of funding for advice services from March 2013.

**(AQW 13644/11-15)**

**Mr McCausland:** My Department has no plans to carry out a consultation exercise with stakeholders on the delivery of funding for advice services from March 2013.

Funding for advice services will continue to be made available in 2013/14 through my Department's Community Support Programme, with local councils continuing to take responsibility for the administration of funding and the commissioning of local advice services.

### Welfare Reform Bill

**Mr Durkan** asked the Minister for Social Development for an update on the timescale for the introduction and implementation of the Welfare Reform Bill.

**(AQW 13645/11-15)**

**Mr McCausland:** At this stage no date has been arranged for introduction and implementation of the Welfare Reform Bill to the Assembly as I am awaiting the Executive's consideration of the final policy proposals of the Bill and for its agreement to the introduction of the Bill to the Assembly.

## Funded Posts in the Community and Voluntary Sectors

**Mr Durkan** asked the Minister for Social Development to detail (i) the number of jobs currently funded (a) in full; and (b) in part by his Department; and (ii) how many of the posts are in the community and voluntary sectors.

**(AQW 13648/11-15)**

**Mr McCausland:** My Department supports a broad range of services directly through the core Department, and also through the core Department, and also through the Northern Ireland Housing Executive and local councils. Given the broad range of services and initiatives supported, the information requested is not readily available.

In the interest of helpfulness it has been identified that, as a result of funding provided directly by the core Department, approximately 961 individuals are employed by the voluntary and community sector as part of service delivery arrangements. Detail as regards those funded in (a) full, and (b) in part, is not available.

## Employment and Support Allowance Appeals

**Mr McGlone** asked the Minister for Social Development, pursuant to AQW 13259/11-15, given the impact that further medical evidence may have on Employment and Support Allowance appeals, what consideration has been given to introducing a questionnaire to enable claimants' GPs or specialists, to provide further opinion and evidence before a decision is made.

**(AQW 13671/11-15)**

**Mr McCausland:** The customer is responsible for providing Employment and Support Allowance with all relevant medical evidence in support of their claim to the benefit. However, there is a procedure in place to obtain further evidence from a claimant's GP in cases where it is likely that the evidence may allow the healthcare professional to advise either that significant disability is likely or that Support Group criteria are likely to apply. On some occasions, this will remove the need for the customer to attend a medical examination. In addition, customers are provided with two opportunities to provide further evidence that may prevent their claim progressing to an appeal. Social Security Agency Decision Makers contact customers before making a disallowance decision if the existing medical evidence does not support an award of Employment and Support Allowance, in order to give the customer the opportunity to supply additional medical evidence. The decision maker will take this new evidence into account before making a final decision. The Social Security Agency also contacts customers upon receipt of an appeal. This is to provide the appellant with the opportunity to supply any additional evidence that may result in the disallowance being reconsidered and therefore remove the need for an appeal.

## Work Capability Assessments for Employment and Support Allowance

**Mr McGlone** asked the Minister for Social Development, pursuant to AQW 13259/11-15, what consideration his Department has given to (i) providing assistance to Employment and Support Allowance claimants for the costs associated with providing further medical evidence; (ii) the responsibilities of GPs, hospitals and others for providing the evidence; (iii) the quality and the cost of the evidence; (iv) the non-return rate, of evidence sought; and (v) the onus for seeking additional material resting with the decision maker and his Department, as the claimant may well be under stress due to their health situation.

**(AQW 13672/11-15)**

**Mr McCausland:**

- i) In accordance with the legislation governing eligibility and payment of Employment and Support Allowance, it is the customer who is responsible for providing all relevant medical evidence in support of their claim to benefit. As the provision of letters of evidence is regarded as a private service, it is a matter for the GP to decide what fee they wish to charge for providing a letter of evidence.
- ii) GPs and Hospital Consultants are independent contractors. Therefore, under the terms of the General Medical Services contract there is no requirement for them to provide letters of evidence in respect of an individual claim for Employment and Support Allowance.
- iii) As the provision of letters of evidence is regarded as a private service, and as GPs are independent contractors, the cost and quality of evidence provided is a matter for the individual GP.
- iv) The information requested is not available.
- v) Throughout the process for claiming Employment and Support Allowance the responsibility remains with the customer to provide all relevant medical evidence in support of their claim to benefit. The Social Security Agency does ensure customers have a number of opportunities to supply this evidence. The Social Security Agency Decision Maker considers all available evidence in relation to a customer's claim before making a decision to entitlement. This will include information from the medical questionnaire, the healthcare professional's assessment and any other relevant information provided. The requirement to seek GP and/or further medical evidence is dependent on the circumstances of each individual case. As a safeguard for vulnerable customers, the Atos healthcare professional will seek further medical evidence where it is likely that the evidence may allow them to advise either that significant disability is likely or that Support Group criteria are likely to apply. On some occasions, this will remove the need for the customer to attend a medical examination. It is also usual for the Atos healthcare professional to request further medical evidence in cases where the available evidence suggests the customer is particularly vulnerable, for example, where there is noted to be an appointee, or where there is a diagnosis of a severe and enduring mental health condition.



# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Revised Written Answers

## Employment and Learning

### Arm's-length Bodies and Quangos

*In Bound Volume 75, page WA 235, replace the answer to question AQW 12227/11-15 asked by **Mr Gardiner** with:*

**Dr Farry (The Minister for Employment and Learning):** There are currently fifteen bodies classified as NDPBs of the Department for Employment and Learning.

From 2008 until October 2009, there were officially seven such bodies: three NDPBs, three tribunal NDPBs, and one non-executive advisory committee. The latter was abolished in October 2009, leaving six NDPBs.

The role of NI Adviser for Employment and Skills was established in October 2008, however the Department of Finance and Personnel officially classified the post as an Advisory NDPB in November 2011, bringing the total number of NDPBs back to seven.

The Office of National Statistics reclassified the six Further Education Colleges and the two University Colleges as NDPBs from an administrative perspective from 1 April 2012. The addition of these eight bodies results in the current total of 15 NDPBs.

The Certification Officer for Northern Ireland is classed as a Statutory Office Holder, rather than an Arm's Length Body.

Further information may be found in the 'Public Bodies & Public Appointments Annual Report 2010-11', published by OFMDFM. This is available from the Assembly Library under Reference number R351.41609 NOR. The next edition of the Annual Report will reflect the new classification of the NI Adviser for Employment and Skills.

### University of Ulster and Queen's University, Belfast: Sick Absence

*In this Bound Volume, page WA 28, replace the answer to question AQW 12212/11-15 asked by **Mr P Ramsey** with:*

**Dr Farry (The Minister for Employment and Learning):** As the Department does not hold the information requested, my officials contacted Queen's University and the University of Ulster. The information has been placed in the Assembly Library and on my Department's website <http://www.delni.gov.uk/>.

## Environment

### MOT Test: Pre-1960 Vehicles

*In this Bound Volume, page WA 181, replace the answer to question AQW 12348/11-15 asked by **Mr Elliott** with:*

**Mr Attwood (The Minister of the Environment):** The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing and the Environment Committee at its meeting on 22 March 2012 considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which is to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles. The Department is progressing its detailed consideration of the appropriate way forward, to ensure that the requirements of the Directive are met in the detail of the policy.

I have instructed officials, however, to proceed to exempt certain category of vehicles independent of what the EU finally determines. I understand that this is the approach being adapted by the Department for Transport in London.

### Wind Turbines/Farms

*In this Bound Volume, page WA 174, replace the answer to question AQW 8648/11-15 asked by **Mr Kinahan** with:*

**Mr Attwood (The Minister of the Environment):** In the response issued on 25/06/2012 there was a mistake in the column for the 2010/11 year in relation to Carrickfergus Local Government District (LGD). There was in fact only 1 single turbine approval in the Carrickfergus LGD and not 10 as previously stated.

This typographical error was brought to light when the Carrickfergus Advertiser asked for location details in the Carrickfergus area and the statistician in Planning revisited the data.



# Health, Social Services and Public Safety

## Northern Ireland Fire and Rescue Service: Scrap Cars for Training

In Bound Volume 75, page WA 278, replace the answer to question AQW 12121/11-15 asked by **Mr McMullan** with:

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

(i) (a) Northern Ireland Fire and Rescue Service expenditure for scrap cars from 2007/2012.

| Area                   | 2007/08<br>£ | 2008/09<br>£ | 2009/10<br>£ | 2010/11<br>£ | 2011/12<br>£ |
|------------------------|--------------|--------------|--------------|--------------|--------------|
| Northern               | -            | 21,000       | 28,450       | 19,440       | 22,535       |
| Southern               | -            | 15,900       | 33,160       | 17,695       | 23,240       |
| Eastern                | 12,650       | 10,310       | 21,530       | 15,300       | 10,790       |
| Western                | -            | 24,335       | 35,680       | 22,020       | 19,230       |
| Training Centre        | -            | 12,830       | 9,690        | 17,190       | 13,060       |
| Community Development  | -            | 990          | 1,890        | 2,960        | 2,175        |
| Driving Change Project | -            | -            | -            | -            | 700          |
| Yearly Expenditure     | 12,650       | 85,365       | 130,400      | 94,605       | 91,730       |

(b) NIFRS does not purchase missing parts for scrap vehicles

(ii) The table below outlines the suppliers of scrap cars for the period September 2005 to October 2012, broken down by Command Area

### SUPPLIERS OF SCRAP CARS BY COMMAND AREA September 2005 – October 2012

| Northern                | Southern                | Eastern                 | Western                   | Training Centre         | Community Development   |
|-------------------------|-------------------------|-------------------------|---------------------------|-------------------------|-------------------------|
| Agnew Recovery Services | Agnew Recovery Services | Agnew Recovery Services | Alcorn Recovery           | Abbey Car Breakers      | Agnew Recovery Services |
| Beatties Recycling      | B&C McKeown             | Beatties Recycling      | Beatties Recycling        | Agnew Recovery Services | Alcorn Recovery         |
| B&C McKeown             | Beatties Recycling      | B&C McKeown             | C Russell                 | B&C McKeown             | B&C McKeown             |
| C Russell               | C Russell               | C Russell               | Darcy Bros                | Beatties Recycling      | C Russell               |
| Gavin's Recovery        | D&A Garages             | Gregg Hyndman           | Hilltop                   | C Russell               | Lakeland Recovery       |
| Hilltop                 | Gavin's Recovery        | I Ross                  | John Beers Recovery       | John Beers Recovery     | Ruddell Metals          |
| John Beers              | John Beers              | John Beers              | Lakeland Recovery         | PPE Group               | Temple Auto Salvage     |
| J Tinnelly              | J Tinnelly              | PPE Group               | Morrow Recovery           | Gavin's Recovery        | Two Trees               |
| PPE Group               | PPE Group               | Roy Nixon               | PPE Group                 | RR Recovery             |                         |
| RR Recovery             | RR Recovery             | Ruddell Metals          | Robert McDaid Carbreakers | Temple Auto Salvage     |                         |
| Temple Auto Salvage     | Ruddell Metals          | T-Met                   | Temple Auto Salvage       | T-Met                   |                         |
| T-Met                   | Temple Auto Salvage     | Temple Auto Salvage     | T-Met                     | Two Trees               |                         |
| Two Trees Recovery      | T-Met                   | Two Trees               | Two Trees Recovery        |                         |                         |

| Northern | Southern                 | Eastern                 | Western | Training Centre | Community Development |
|----------|--------------------------|-------------------------|---------|-----------------|-----------------------|
|          | Two Trees Recovery       | Ultra Building Products |         |                 |                       |
|          | Watson 24 Hour Breakdown |                         |         |                 |                       |

We are advised that the Equality Commission is complying with the requirements of equality legislation and that they continue to take a range of measures to try and resolve their current employee balance.

## Regional Development

### Roads Service: Vesting of Land

*In Bound Volume 75, page WA 174, replace the answer to question AQW 11648/11-15 asked by **Mr Weir** with:*

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that the lands acquisition process is governed by the Roads Service Policy and Procedure Guide RSPPG SO\_31. This sets out the procedures outlined in my reply to the Member's Assembly Question, AQW 11647/11-15. Roads Service officials are willing to make a copy available to the Member if he contacts a local Divisional office.

### Roads Service: Vesting of Land

*In Bound Volume 75, page WA 174, replace the answer to question AQW 11649/11-15 asked by **Mr Weir** with:*

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that it has received a number of requests to improve visibility for drivers exiting the Ballyvester Road junction in Donaghadee. These include one from the Donaghadee Road Safety Committee with support from the PSNI and residents of both the Millisle and Ballyvester Roads.

When assessed, the scheme was determined to be high priority, and accordingly was included in a programme of improvement works. However, the scheme requires the acquisition of land from adjacent landowners.

For various reasons, it is becoming common practice for Roads Service to acquire land for road schemes through the vesting process, particularly where there are multiple landowners and where there is unregistered land, as in this case. This ensures clear title to land and helps to ensure that schemes are progressed in a timely fashion.

### Roads Service: Vesting of Land

*In Bound Volume 75, page WA 174, replace the answer to question AQW 11650/11-15 asked by **Mr Weir** with:*

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that initial contact was made with residents of Millisle Road and Ballyvester Road following a site survey by the design engineers in April 2009. Following progress on the design of the scheme, Roads Service officials met with landowners in March 2011. Further meetings have taken place and all residents have been offered an opportunity to respond to the Department's proposals prior to the Notice of Intention to Vest.

Further consultation included a Freedom of Information request from a resident seeking all information relating to the proposal. In addition, a number of letters of objection were received during April and May 2011 and each reply contained a description of the proposal and an offer to meet to discuss residents' concerns. All those who submitted objections declined the offer of a meeting with officials.

However, the Department's offer to meet with residents is still available, should they wish to discuss the proposed scheme.



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## **Kerr, Mr Angus (Department of the Environment)**

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# Journal of Proceedings



# Minutes of Proceedings



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# Northern Ireland Assembly

Monday 25 June 2012

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Resignations

The Speaker informed Members that he had received letters from Mr Pat Doherty, Ms Michelle Gildernew, Mr Paul Maskey and Mr Conor Murphy resigning as Members of the Assembly with effect from noon on Monday 2 July 2012. The Speaker advised that he had notified the Chief Electoral Officer, in accordance with Section 35 of the Northern Ireland Act 1998.

## 3. Executive Committee Business

### 3.1 Motion - Suspend Standing Orders

#### Proposed:

That Standing Orders 10(2) to 10(4) be suspended for 25 June 2012.

*Minister of Finance and Personnel*

The Question being put, the Motion was **carried** with cross-community support nemine contradicente.

### 3.2 Statement - Capital Investment: The Next Steps

The Minister of Education, Mr John O'Dowd, made a statement regarding Capital Investment: The Next Steps, following which he replied to questions.

### 3.4 First Stage - Business Improvement Districts Bill (NIA 9/11-15)

The Minister for Social Development, Mr Nelson McCausland, introduced a Bill to make provision for business improvement districts and for connected purposes.

Bill passed First Stage and ordered to be printed.

### 3.5 First Stage - Criminal Justice Bill (NIA 10/11-15)

The Minister of Justice, Mr David Ford, introduced a Bill to amend the law relating to sex offender notification, sexual offences prevention orders and human trafficking and to provide for the destruction, retention, use and other regulation of certain fingerprints and DNA samples and profiles.

Bill passed First Stage and ordered to be printed.

### 3.6 Motion - Draft Corporate Manslaughter and Corporate Homicide (2007 Act) (Commencement) Order (Northern Ireland) 2012

#### Proposed:

That the draft Corporate Manslaughter and Corporate Homicide (2007 Act) (Commencement) Order (Northern Ireland) 2012 be approved.

*Minister of Justice*



*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### **3.7 Motion - Draft Race Relations Order 1997 (Amendment) Order (Northern Ireland) 2012**

#### **Proposed:**

That the draft Race Relations Order 1997 (Amendment) Order (Northern Ireland) 2012 be approved.

*First Minister and deputy First Minister*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

### **3.8 Second Stage - Inquiry into Historical Institutional Abuse Bill (NIA 7/11-15)**

The junior Minister, Mr Jonathan Bell, moved the Second Stage of the Inquiry into Historical Institutional Abuse Bill (NIA 7/11-15).

*Debate ensued.*

*The debate was suspended for Question Time.*

## **4. Question Time**

### **4.1 Justice**

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

### **4.2 Regional Development**

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

## **5. Question for Urgent Oral Answer**

### **5.1 Benefit claimants affected by ongoing problems at the Ulster Bank**

The Minister for Social Development, Mr Nelson McCausland, responded to a Question for Urgent Oral Answer, tabled by Mr Phil Flanagan.

### **5.2 Backlog of unreported x-rays at Royal Victoria Hospital**

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, responded to a Question for Urgent Oral Answer, tabled by Ms Sue Ramsey, Chairperson of the Committee for Health, Social Services and Public Safety.

## **6. Executive Committee Business (Cont'd)**

### **6.1 Second Stage - Inquiry into Historical Institutional Abuse Bill (NIA 7/11-15) (Cont'd)**

*Debate resumed on the motion.*

*The Principal Deputy Speaker (Mr Molloy) took the Chair.*

The Inquiry into Historical Abuse Bill passed Second Stage.

### **6.2 Second Stage - Budget (No.2) Bill (NIA 8/11-15)**

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Second Stage of the Budget (No.2) Bill (NIA 8/11-15).

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Budget (No.2) Bill passed Second Stage with cross-community support.

## 7. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.43pm.*

**Mr William Hay**

**The Speaker**

25 June 2012

# Northern Ireland Assembly

## Papers Presented to the Assembly on 20 - 25 June 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Legislative Consent Memorandum - Local Government Finance Bill (DFP)
  - Department of Enterprise, Trade and Investment Disposal and Retention Schedule (DCAL/PRONI)
5. Assembly Reports
  - Report on the Unauthorised Disclosure of a Draft Report of the Public Accounts Committee (NIA 60/11-15) (Committee on Standards and Privileges)
  - *Report on the Inquiry into the Criminal Justice Services available to Victims and Witnesses of Crime in Northern Ireland (NIA 31/11-15) (Committee for Justice)*
6. Statutory Rules
  - S.R. 2012/241 The Plant Health (Amendment No.2) Order (Northern Ireland) 2012 (DARD)

**For Information Only:**

  - S.R. 2012/242 The Road Races (Armagh Motorcycle Race) Order (Northern Ireland) 2012 (DRD)
  - S.R. 2012/243 The Waiting Restrictions (Londonderry) (Amendment) Order (Northern Ireland) 2012 (DRD)
  - S.R. 2012/245 The Industrial Training Levy (Construction Industry) Order (Northern Ireland) 2012 (DEL)
7. Written Ministerial Statements
8. Consultation Documents
  - Consultation on Proposals to Extend the Use of Live Links in Court (DOJ)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly

Tuesday 26 June 2012

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

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement - Publication of the refresh of the Northern Ireland Suicide Prevention Strategy – “Protect Life - A Shared Vision”

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the publication of the refresh of the Northern Ireland Suicide Prevention Strategy Protected Life - A Shared Vision, following which he replied to questions.

### 2.2 Statement - North South Ministerial Council meeting in Education sectoral format

The Minister of Education, Mr John O'Dowd, made a statement regarding the North South Ministerial Council meeting in Education sectoral format, following which he replied to questions.

### 2.3 Statement - Public Expenditure 2012-13: June Monitoring

The Minister of Finance and Personnel, Mr Sammy Wilson, made a statement regarding Public Expenditure 2012-13: June Monitoring, following which he replied to questions.

### 2.4 Consideration Stage - Budget (No.2) Bill (NIA 8/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Consideration Stage of the Budget (No. 2) Bill.

No amendments were tabled to the Bill.

#### Clauses

The question being put, it was **agreed** without division that Clauses 1 to 8 stand part of the Bill.

#### Schedules

The question being put, it was **agreed** without division that Schedules 1 to 4 stand part of the Bill.

#### Long Title

The question being put, the Long Title was **agreed** without division.

Bill NIA 8/11-15 stood referred to the Speaker.

*The sitting was suspended at 12.29pm.*

*The sitting resumed at 2.00pm with the Deputy Speaker (Mr Dallat) in the Chair.*

## 3. Question Time

### 3.1 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

### 3.2 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 4. Committee Business

### 4.1 Motion - Public Accounts Committee Reports and Memoranda of Reply

#### Proposed:

- That this Assembly takes note of the following Public Accounts Committee Reports:
- Report on Campsie Office Accommodation and Synergy e-Business Incubator (01/10/11R)
- The Management of Substitution Cover for Teachers: Follow-up Report (20/10/11R)
- The Administration and Management of the Disability Living Allowance Reconsideration and Appeals Process (25/10/11R)
- Report on Arrangements for Ensuring the Quality of Care in Homes for Older People (39/10/11R)
- Measuring the Performance of NI Water (37/10/11R)
- Procurement and Governance in NI Water (40/10/11R)
- Improving Adult Literacy and Numeracy (60/10/11R)
- Report on Managing Criminal Legal Aid (NIA 20/11-15)
- Report on Reducing Water Pollution from Agricultural Sources – The Farm Nutrient Management Scheme (NIA 21/11-15)
- Report on Creating Effective Partnerships between Government and the Voluntary and Community Sector (NIA 24/11-15)
- Report on the Use of Locum Doctors by Northern Ireland Hospitals (NIA 37/11-15)
- and the following Department of Finance and Personnel Memoranda of Reply:
- Report on Campsie Office Accommodation and Synergy e-Business Incubator
- The Management of Substitution Cover for Teachers: Follow-up Report
- The Administration and Management of the Disability Living Allowance Reconsideration and Appeals Process
- Measuring the Performance of NI Water
- Procurement and Governance in NI Water
- Report on Arrangements for Ensuring the Quality of Care in Homes for Older People
- Improving Adult Literacy and Numeracy
- Report on Managing Criminal Legal Aid
- Report on Reducing Water Pollution from Agricultural Sources – The Farm Nutrient Management Scheme
- Report on Creating Effective Partnerships between Government and the Voluntary and Community Sector
- Report on the Use of Locum Doctors by Northern Ireland Hospitals.

*Chairperson, Public Accounts Committee*

*Debate ensued.*

*The Principal Deputy Speaker (Mr Molloy) took the Chair.*

The Question being put, the Motion was **carried** without division.

**4.2 Motion - Review of the Number of Members of the Northern Ireland Assembly****Proposed:**

That this Assembly notes the Report of the Assembly and Executive Review Committee on the Review of the Number of Members of the Northern Ireland Legislative Assembly and on the Reduction in the Number of Northern Ireland Departments: Part 1 - Number of Members of the Northern Ireland Legislative Assembly (NIA 52/11-15).

*Chairperson, Assembly and Executive Review Committee*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

**4.3 Motion: Prayer of Annulment S.R. 2012/203****Proposed:**

That the Penalty Charges (Prescribed Amounts) (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/203) be annulled.

*Chairperson, Committee for Regional Development*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **negatived** (Division 1).

**5. Adjournment**

Mr Chris Lytle spoke to his topic on Primary education provision in East Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.50pm.*

**Mr William Hay**

**The Speaker**

26 June 2012



# Northern Ireland Assembly

26 June 2012

Division 1

**Prayer of Annulment S.R. 2012/203 - Motion**

**Proposed:**

That the Penalty Charges (Prescribed Amounts) (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/203) be annulled.

The Question was put and the Assembly divided.

Ayes: 36

Noes: 49

**AYES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Doherty, Mr Durkan, Mr Eastwood, Mr Flanagan, Ms Lo, Mr Lynch, Mr Lyttle, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKevitt, Mr Mitchel McLaughlin, Mr McMullan, Mr McNarry, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Ó hOisín, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Flanagan and Mr Rogers.*

**NOES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Hussey and Mr Kinahan*

The Motion was **negatived**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 26 June 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
  - Business Improvement Districts Bill (NIA Bill 9/11-15)
  - Criminal Justice Bill (NIA Bill 10/11-15)
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Answering the Call - An Inspection of the Police Service of Northern Ireland's Contact Management Arrangements (DOJ)
5. Assembly Reports
  - Report on the Legislative Consent Motion: Local Government Finance Bill (the power for HM Revenue and Customs to supply information for purposes of rates in Northern Ireland) (NIA 61/11-15) (Committee for Finance and Personnel)
6. Statutory Rules
  - S.R. 2012/244 The Tobacco Advertising and Promotion (Specialist Tobacconists) Regulations (Northern Ireland) 2012 (DHSSPS)
  - S.R. 2012/246 The Tobacco Advertising and Promotion (Display) Regulations (Northern Ireland) 2012 (DHSSPS)

**For Information Only:**
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
  - The Industrial Injuries Advisory Council Annual Report 2011-2012 (DSD)
10. Agency Publications
11. Westminster Publications
  - Sentence Review Commissioners Annual Report 2011-12 (HC)
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 26 JUNE 2012

### 2011-2015 Mandate

#### Executive Bills

| Title &<br>Bill Number   | First<br>Stage | Second<br>Stage | Comm.<br>Stage to<br>Conclude | Report<br>Ordered<br>to be<br>Printed | CS       | FCS      | Final<br>Stage | Royal<br>Assent |
|--|----------------|-----------------|-------------------------------|---------------------------------------|----------|----------|----------------|-----------------|
| /Budget (No. 2) Bill<br>NIA Bill 1/11-15                       | 13.06.11       | 20.06.11        | N/A                           | N/A                                   | 21.06.11 | 27.06.11 | 27.06.11       | 25.07.11        |
| /Rates (Amendment)<br>Bill NIA Bill 2/11-15                    | 16.01.12       | 24.01.12        | N/A                           | N/A                                   | 31.01.12 | 06.02.12 | 07.02.12       | 28.02.12        |
| Pensions Bill NIA Bill<br>3/11-15                              | 23.01.12       | 31.01.12        | 13.03.12                      | 08.03.12                              | 27.03.12 | 24.04.12 | 08.05.12       | 01.06.12        |
| /Budget Bill NIA Bill<br>4/11-15                               | 13.02.12       | 14.02.12        | N/A                           | N/A                                   | 20.02.12 | 21.02.12 | 27.02.12       | 20.03.12        |
| Marine Bill NIA Bill<br>5/11-15                                | 21.02.12       | 05.03.12        | 06.07.12                      |                                       |          |          |                |                 |
| Superannuation Bill<br>6/11-15                                 | 12.03.12       | 26.03.12        | 28.09.12                      |                                       |          |          |                |                 |
| Inquiry into Historical<br>Institutional Abuse<br>Bill 7/11-15 | 12.06.12       | 25.06.12        | 01.10.12                      |                                       |          |          |                |                 |
| /Budget (No. 2) Bill<br>8/11-15                                | 18.06.12       | 25.06.12        | N/A                           | N/A                                   | 26.06.12 |          |                |                 |
| Business<br>Improvement Districts<br>Bill 9/11-15              | 25.06.12       |                 |                               |                                       |          |          |                |                 |
| Criminal Justice Bill<br>10/11-15                              | 25.06.12       |                 |                               |                                       |          |          |                |                 |

**2011-2015 Mandate****Non-Executive Bills**

| <b>Title &amp;<br/>Bill Number</b> | <b>First<br/>Stage</b> | <b>Second<br/>Stage</b> | <b>Comm.<br/>Stage to<br/>Conclude</b> | <b>Report<br/>Ordered<br/>to be<br/>Printed</b> | <b>CS</b> | <b>FCS</b> | <b>Final<br/>Stage</b> | <b>Royal<br/>Assent</b> |
|------------------------------------|------------------------|-------------------------|--|---|-----------|------------|------------------------|-------------------------|
|                                    |                        |                         |  |   |           |            |                        |                         |

/ Bill progressing by accelerated passage



# Northern Ireland Assembly

Monday 2 July 2012

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Committee Chairperson and deputy Chairperson Appointments

The Speaker informed Members that he had been notified by the nominating officer of Sinn Féin of a number of changes of Committee Chairpersons and Deputy Chairpersons.

Ms Michaela Boyle replaced Mr Paul Maskey as Chairperson of the Public Accounts Committee; Mr Daithí McKay replaced Mr Conor Murphy as Chairperson of the Committee for Finance and Personnel; Mr Seán Lynch replaced Mr Pat Doherty as Deputy Chairperson of the Committee for Regional Development; and Mr Phil Flanagan replaced Mr Daithí McKay as Deputy Chairperson of the Committee for Enterprise, Trade and Investment, all with effect from Monday 2 July 2012. The Speaker confirmed the appointments.

## 3. Speaker's Business

### 3.1 Public Petition - Save our Townlands

Mr Seán Lynch was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to the use of Townland names in addresses.

## 4. Assembly Business (Cont'd)

### 4.1 Motion - Nomination to the Regional Chamber of the Congress of Local and Regional Authorities of the Council of Europe Proposed:

That this Assembly nominates Mr Stewart Dickson to be a substitute member of the Regional Chamber of the Congress of Local and Regional Authorities of the Council of Europe with effect from October 2012.

*Mr P Weir  
Ms C Ruane  
Mr R Swann  
Mr P Ramsey*

The Question being put, the Motion was **carried** without division.

## 5. Executive Committee Business

### 5.1 Motion - Suspend Standing Orders 10(2) to 10(4)

**Proposed:**

That Standing Orders 10(2) to 10(4) be suspended for Monday 2 July 2012.

*First Minister and deputy First Minister*

The Question being put, the Motion was **carried** with cross-community support nemine contradicente.



**5.2 Statement - British-Irish Council Summit Plenary meeting**

The First Minister, Rt Hon Peter Robinson, made a statement regarding the British-Irish Council Summit Plenary meeting, held in Scotland on 22 June 2012, following which he replied to questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

**5.3 Statement - Youth Employment Scheme and NEETs Initiatives**

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding the Youth Employment Scheme and NEETs Initiatives, following which he replied to questions.

**5.4 Statement - Early Years Strategy Consultation Responses**

The Minister of Education, Mr John O'Dowd, made a statement regarding the Early Years Strategy Consultation Responses, following which he replied to questions.

**5.5 Statement - Access to Justice Review**

The Minister of Justice, Mr David Ford, made a statement regarding the Access to Justice Review, following which he replied to questions.

*The sitting was suspended at 2.10pm.*

*The sitting resumed at 2.30pm, with the Speaker in the Chair.*

**6. Speaker's Business (Cont'd)**

The Speaker informed Members that he had been notified by the Chief Electoral Officer that Ms Megan Fearon had been returned as a Member of the Assembly for the Newry and Armagh constituency to fill the vacancy that resulted from the resignation of Mr Conor Murphy; that Mr Declan McAleer had been returned as a Member of the Assembly for the West Tyrone constituency to fill the vacancy that resulted from the resignation of Mr Pat Doherty; that Ms Rosaleen McCorley had been returned as a Member of the Assembly for the West Belfast constituency to fill the vacancy that resulted from the resignation of Mr Paul Maskey; that Ms Bronwyn McGahan had been returned as a Member of the Assembly for the Fermanagh and South Tyrone constituency to fill the vacancy that resulted from the resignation of Ms Michelle Gildernew.

*Ms Fearon, Mr McAleer, Ms McCorley and Ms McGahan signed the Roll of Membership on 2 July 2012 in the presence of the Speaker. The Speaker confirmed that the Members had signed the Roll and had entered their designations of identity.*

**7. Question Time****7.1 Office of the First Minister and deputy First Minister**

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

**7.2 Education**

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

**8. Question for Urgent Oral Answer****8.1 Reducing the risk of flooding**

The Minister for Regional Development, Mr Danny Kennedy, responded to a Question for Urgent Oral Answer, tabled by Mr Stewart Dickson.

**9. Executive Committee Business (Cont'd)****9.1 Statement - Maternity Strategy for Northern Ireland**

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the Maternity Strategy for Northern Ireland, following which he replied to questions.

*The Deputy Speaker (Mr Beggs) took the Chair.*

**9.2 Statement - North South Ministerial Council meeting in Environment sectoral format**

The Minister of the Environment, Mr Alex Attwood, made a statement regarding the North South Ministerial Council meeting in Environment sectoral format, held on 15 June 2012, following which he replied to questions.

**9.3 First Stage - Charities Bill (NIA 11/11-15)**

The Minister for Social Development, Mr Nelson McCausland, introduced a Bill to amend the Charities Act (Northern Ireland) 2008; to transfer certain functions of the Department for Social Development to the Charity Commission for Northern Ireland; and for connected purposes.

Bill passed First Stage and ordered to be printed.

**9.4 Further Consideration Stage - Budget (No.2) Bill (NIA 8/11-15)**

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Further Consideration Stage of the Budget (No.2) Bill (NIA 8/11-15).

No amendments were tabled to the Bill.

Budget (No.2) Bill stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

**9.5 Motion - Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012****Proposed:**

That the Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 be approved.

*Minister for Social Development*

*Debate ensued.*

*The Principal Deputy Speaker (Mr Molloy) took the Chair.*

The Question being put, the Motion was **carried** (Division 1).

## 10. Committee Business

**10.1 Motion - Archaeological Artefacts****Proposed:**

That this Assembly notes that there are gaps in the policy frameworks and legislation relating to the excavation of archaeological artefacts from planning-led developments, particularly in relation to the long-term curation and storage of such items; and calls on the Minister of Culture, Arts and Leisure and the Minister of the Environment to address these issues, which straddle their Departments, and to gain a greater understanding of the material that has been excavated to date.

*Chairperson, Committee for Culture, Arts and Leisure*

*Chairperson, Committee for the Environment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 11. Private Members' Business

**11.1 First Stage - Civil Service (Special Advisers) Bill (NIA 12/11-15)**

Mr Jim Allister introduced a Bill to amend the law on special advisers in the Northern Ireland Civil Service.

Bill passed First Stage and ordered to be printed

## 12. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.33pm.*

**Mr William Hay**

**The Speaker**

2 July 2012

# Northern Ireland Assembly

2 July 2012  
Division 1

**Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 - Motion**

**Proposed:**

That the Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 be approved.

*Minister for Social Development*

The Question was put and the Assembly divided.

Ayes: 42

Noes: 37

**AYES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Cree, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr G Robinson, Rt Hon P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Ms P Bradley and Ms Brown.*

**NOES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Brady and Mr F McCann.*

The Motion was **carried**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 27 June - 2 July 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Security Industry Authority - Annual Report and Accounts 2010-11 (DOJ)
  - Security Industry Authority - Annual Report and Accounts 2011-12 (DOJ)
  - The Northern Ireland Assembly Members' Pension Scheme Valuation as at 31 March 2011 (Assembly Commission)
  - Legislative Consent Memorandum - Charities Small Donations Bill (DSD)
  - Office of the First Minister and deputy First Minister Resource Accounts for the year ended 31 March 2012 (OFMDFM)
  - Northern Ireland Authority for Utility Regulation Annual Report for 2010/11 (DETI)
  - Northern Ireland Ambulance Service Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - Belfast Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - General Teaching Council for Northern Ireland Annual Report and Accounts for 2009/10 (DE)
  - Northern Ireland Policing Board Annual Report and Accounts for the period 1 April 2011 - 30 March 2012 (DOJ)
  - Northern Ireland Judicial Appointments Ombudsman Annual Report 1 April 2011 to 31 March 2012 (DOJ)
  - Council for Healthcare Regulatory Excellence Annual Report and Accounts and Performance Review Report 2011/12 (DHSSPS)
  - The Health and Social Care Board Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - Public Health Agency Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - Northern Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - Southern Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - South Eastern Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - Western Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
  - Northern Ireland Statistics and Research Agency Annual Report and Accounts for the year ended 31 March 2012 (DFP)
  - Belfast Services Organisation Financial Statements for the year ended 31 March 2012 (DHSSPS)
5. Assembly Reports
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

  - S.R. 2012/248 The Community Drivers' Hours Regulations (Northern Ireland) 2012 (DOE)

- S.R. 2012/249 The Licensing (Requirements for Conference Centre) (Amendment) Regulations (Northern Ireland) 2012 (DSD)
- S.R. 2012/250 The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/254 Agriculture (Student Fees) (Amendment) Regulations (Northern Ireland) 2012 (DARD)
- S.R. 2012/255 The Health and Safety (Fees) Regulations (Northern Ireland) 2012 (DETI)
- S.R. 2012/256 The Goods Vehicles (Licensing of Operators) (Exemption) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/257 The Goods Vehicles (Qualifications of Operators) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/258 The Goods Vehicles (Enforcement Powers) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/259 Optical Charges and Payments (Amendment) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/260 The Goods Vehicles (Licensing of Operators) (Fees) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/261 The Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/268 The Criminal Legal Aid (Recovery of Defence Costs Orders) Rules (Northern Ireland) 2012 (DOJ)
- S.R. 2012/270 The Pension Protection Fund (Miscellaneous Amendments) Regulations (Northern Ireland) 2012 (DSD)

**For Information Only:**

- S.R. 2012/247 (C.22) The Goods Vehicles (Licensing of Operators) (2010 Act) (Commencement No.1) Order (Northern Ireland) 2012 (DOE)
- S.R. 2012/251 The Loading Bays on Roads (Amendment No.2) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/252 The Traffic Weight Restriction (Amendment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/253 The Off-Street Parking (Amendment No.2) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/262 (C.23) The Goods Vehicles (Licensing of Operators) (2010 Act) (Commencement No.2 and Transitional Provisions) Order (Northern Ireland) 2012 (DOE)

## 7. Written Ministerial Statements

- 2012 Annual Report on the Concordat between the Voluntary and Community Sector and the Northern Ireland Government (DSD)
- Framework 7: The European Union Programme for Research and Innovation (DETI)

## 8. Consultation Documents

- Proposal for Mandatory Wearing of Helmets on Quadricycles (DOE)
- Glen Road Development Framework and Related Equality Impact Assessment - Public Consultation Exercise (DSD)

## 9. Departmental Publications

- The Institute of Public Health in Ireland Limited Accounts for the year ended 31 December 2011 (DHSSPS)
- Department of Finance and Personnel Memorandum on the Fifth Report from the Public Accounts Committee Mandate 2011-2015 - Use of External Consultants by Northern Ireland Departments: Follow-Up Report (DFP)

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications





# Northern Ireland Assembly

Tuesday 3 July 2012

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion - Committee Membership

#### **Proposed:**

That Mr Alex Maskey replace Mr Pat Doherty as a member of the Committee on Standards and Privileges.

*Ms C Ruane*

*Mr R McCartney*

The Question being put, the Motion was **carried** without division.

## 3. Executive Committee Business

### 3.1 Statement - Proposals for Primary Legislation for the 2012-13 Assembly Session

The junior Minister, Mr Jonathan Bell, made a statement regarding the Proposals for Primary Legislation for the 2012-13 Assembly Session, following which he replied to questions.

*The Deputy Speaker (Mr Beggs) took the Chair.*

### 3.2 Statement - Update on Transforming Your Care

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding progress on the implementation of Transforming Your Care, following which he replied to questions.

### 3.3 Statement - Contract Management in the Northern Ireland Housing Executive

The Minister for Social Development, Mr Nelson McCausland, made a statement regarding Contract Management in the Northern Ireland Housing Executive, following which he replied to questions.

### 3.4 Statement - Severance and Remuneration Arrangements for Councillors

The Minister of the Environment, Mr Alex Attwood, made a statement regarding Severance and Remuneration Arrangements for Councillors, following which he replied to questions.

*The Principal Deputy Speaker (Mr Molloy) took the Chair.*

*The sitting was suspended at 1.55pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Molloy) in the Chair.*

## 4. Question Time

### 4.1 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

### 4.2 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

#### **4.3 Assembly Commission**

Questions were put to, and answered by, Members of the Assembly Commission.

### **5. Question for Urgent Oral Answer**

#### **5.1 Ulster Bank Crisis**

The Minister of Finance and Personnel, Mr Sammy Wilson, responded to a Question for Urgent Oral Answer, tabled by Mr Phil Flanagan.

### **6. Executive Committee Business (Cont'd)**

#### **6.1 Second Stage - Criminal Justice Bill (NIA 10/11-15)**

The Minister of Justice, Mr David Ford, moved the Second Stage of the Criminal Justice Bill (NIA 10/11-15).

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Criminal Justice Bill passed Second Stage

*The Principal Deputy Speaker (Mr Molloy) took the Chair.*

#### **6.2 Final Stage - Budget (No.2) Bill (NIA 8/11-15)**

The Minister of Finance and Personnel, Mr Sammy Wilson, moved that the Final Stage of the Budget (No.2) Bill (NIA Bill 8/11-15) do now pass.

*Debate ensued.*

Budget (No.2) Bill passed Final Stage with cross-community support nemine contradicente.

#### **6.3 Legislative Consent Motion - Local Government Finance Bill**

##### **Proposed:**

That this Assembly agrees, in principle, that the UK Parliament should consider amendments to the Local Government Finance Bill, as introduced in the House of Lords on 22 May 2012, to make provisions for HM Revenue and Customs to supply information for purposes of rates in Northern Ireland.

*Minister of Finance and Personnel*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

#### **6.4 Motion - The Draft Labour Relations Agency Arbitration Scheme (Jurisdiction) Order (Northern Ireland) 2012**

##### **Proposed:**

That the draft Labour Relations Agency Arbitration Scheme (Jurisdiction) Order (Northern Ireland) 2012 be approved.

*Minister for Employment and Learning*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

**6.5 Motion - The Draft Local Government Best Value (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2012****Proposed:**

That the draft Local Government Best Value (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2012 be approved.

*Minister of the Environment*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

## 7. Committee Business

**7.1 Motion - Report on the Inquiry into the Criminal Justice Services available to Victims and Witnesses of Crime****Proposed:**

That this Assembly approves the Report of the Committee for Justice (NIA 31/11-15) on its Inquiry into the Criminal Justice Services available to Victims and Witnesses of Crime; and calls on the Minister of Justice to implement the recommendations contained in the Report as part of the new 5-year strategy for victims and witnesses of crime.

*Chairperson, Committee for Justice*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.45pm.*

**Mr William Hay**

**The Speaker**

3 July 2012

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 3 July 2012**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
  - Charities Bill (NIA Bill 11/11-15)
  - Civil Service (Special Advisers) Bill (NIA Bill 12/11-15)
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Northern Ireland Ombudsman Annual Report 2011-2012 (OFMDFM)
  - Rivers Agency Annual Report and Accounts for the year ended 31 March 2012 (DARD)
  - Probation Board for Northern Ireland Annual Report and Accounts for the year ended 31 March 2012 (DOJ)
  - Council for Catholic Maintained Schools Annual Report and Accounts for the year ended 31 March 2012 (DE)
  - Minute to the Assembly advising of the transfer of the SS Nomadic from DSD to the Nomadic Charitable Trust (DSD)
  - Forensic Science Northern Ireland Annual Report and Accounts 2011-2012 (DOJ)
5. Assembly Reports
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

**For Information Only:**

  - S.R. 2012/269 The Road Races (Eagles Rock Hill Climb) Order (Northern Ireland) 2012 (DRD)
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
  - The Commissioner for Public Appointments Northern Ireland Annual Report 2011-12 - Guardian of the Public Appointments Process (OFMDFM)
  - Teacher Workforce Statistics in Grant Aided Schools in Northern Ireland 2011-12 (DE)
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 3 JULY 2012

### 2011-2015 Mandate

#### Executive Bills

| Title &<br>Bill Number  | First<br>Stage | Second<br>Stage | Comm.<br>Stage to<br>Conclude | Report<br>Ordered<br>to be<br>Printed | CS       | FCS      | Final<br>Stage | Royal<br>Assent |
|---|----------------|-----------------|-------------------------------|---------------------------------------|----------|----------|----------------|-----------------|
| /Budget (No. 2) Bill<br>NIA Bill 1/11-15                                | 13.06.11       | 20.06.11        | N/A                           | N/A                                   | 21.06.11 | 27.06.11 | 27.06.11       | 25.07.11        |
| /Rates (Amendment)<br>Bill NIA Bill 2/11-15                             | 16.01.12       | 24.01.12        | N/A                           | N/A                                   | 31.01.12 | 06.02.12 | 07.02.12       | 28.02.12        |
| Pensions Bill NIA Bill<br>3/11-15                                       | 23.01.12       | 31.01.12        | 13.03.12                      | 08.03.12                              | 27.03.12 | 24.04.12 | 08.05.12       | 01.06.12        |
| /Budget Bill NIA Bill<br>4/11-15  | 13.02.12       | 14.02.12        | N/A                           | N/A                                   | 20.02.12 | 21.02.12 | 27.02.12       | 20.03.12        |
| Marine Bill NIA Bill<br>5/11-15   | 21.02.12       | 05.03.12        | 06.07.12                      |                                       |          |          |                |                 |
| Superannuation Bill<br>NIA Bill 6/11-15                                 | 12.03.12       | 26.03.12        | 28.09.12                      |                                       |          |          |                |                 |
| Inquiry into Historical<br>Institutional Abuse<br>Bill NIA Bill 7/11-15 | 12.06.12       | 25.06.12        | 01.10.12                      |                                       |          |          |                |                 |
| /Budget (No. 2) Bill<br>NIA Bill 8/11-15                                | 18.06.12       | 25.06.12        | N/A                           | N/A                                   | 26.06.12 | 02.07.12 | 03.07.12       |                 |
| Business<br>Improvement Districts<br>Bill NIA Bill 9/11-15              | 25.06.12       |                 |                               |                                       |          |          |                |                 |
| Criminal Justice Bill<br>NIA Bill 10/11-15                              | 25.06.12       | 03.07.12        | 09.10.12                      |                                       |          |          |                |                 |
| Charities Bill NIA Bill<br>11/11-15                                     | 02.07.12       |                 |                               |                                       |          |          |                |                 |



**2011-2015 Mandate****Non-Executive Bills**

| <b>Title &amp;<br/>Bill Number</b>                | <b>First<br/>Stage</b> | <b>Second<br/>Stage</b> | <b>Comm.<br/>Stage to<br/>Conclude</b> | <b>Report<br/>Ordered<br/>to be<br/>Printed</b> | <b>CS</b> | <b>FCS</b> | <b>Final<br/>Stage</b> | <b>Royal<br/>Assent</b> |
|---|------------------------|-------------------------|--|---|-----------|------------|------------------------|-------------------------|
| Civil Service (Special<br>Advisers) Bill 12/11-15 | 02.07.12               |                         |  |   |           |            |                        |                         |

/ Bill progressing by accelerated passage