

# Official Report (Hansard)

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# Northern Ireland Assembly

Tuesday 29 January 2013

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

*Members observed two minutes' silence.*

## Executive Committee Business

Business Improvement Districts Bill:  
Further Consideration Stage

**Mr Speaker:** I call the Minister for Social Development to move the Further Consideration Stage of the Business Improvement Districts Bill.

*Moved. — [Mr McCausland (The Minister for Social Development).]*

**Mr Speaker:** As no amendments have been tabled, there is no opportunity to discuss the Business Improvement Districts Bill at this stage. Further Consideration Stage of the Bill is, therefore, concluded.

## Committee Business

Welfare Reform Bill: Report of the Ad Hoc Committee on Conformity with Equality Requirements

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 15 minutes in which to propose the motion and 15 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes. I remind Members that cross-community support will be required when we come to the vote.

**Mr Lunn (The Chairperson of the Ad Hoc Committee on Conformity with Equality Requirements, Welfare Reform Bill):** I beg to move

*That this Assembly approves the report (NIA 92/11-15) of the Ad Hoc Committee set up to consider whether the provisions of the Welfare Reform Bill are in conformity with the requirements for equality and observance of human rights; and calls on the Minister for Social Development to consider its recommendations.*

The Ad Hoc Committee was set up under Standing Order 35 on 20 November 2012 to consider whether the provisions of the Welfare Reform Bill are in conformity with the requirements for equality and observance of human rights. Members are, obviously, aware that this is the first time that such a Committee has been established in the Assembly and that its task would not be an easy one, particularly in view of the timescale of 30 working days. I thank all the members of the Committee and, particularly, the staff for the way in which they approached the matter. We managed to complete our work within that timescale.

Initially, the Committee was able to use information and evidence provided by the Social Development Committee to familiarise

itself with the issues emerging from the Welfare Reform Bill. We then moved on to gather our own evidence on the specific areas of the human rights and equality implications of the legislation.

The Committee is indebted to the stakeholders and departmental officials who prepared written submissions and provided oral evidence at very short notice indeed. I thank them for their hard work. I would also like to refer to the Committee's request to the Office of the First Minister and deputy First Minister (OFMDFM) for a briefing from its equality unit. That request met with absolutely no response. I find it strange that, when conducting an exercise that majored on equality and human rights, we could not obtain input from OFMDFM's equality unit.

The Deputy Chairperson and I also travelled to Westminster to meet the Chair of the Joint Committee on Human Rights there. That was a very useful meeting, and it provided us with an insight not only into that Committee's views on its Welfare Reform Bill but into the way in which it carried out its scrutiny. If time permits, I might return to that later.

One of the most significant aspects of the Committee's deliberation was its consideration of the way in which the Department for Social Development (DSD) has discharged its duty under section 75 of the Northern Ireland Act 1998 to carry out an equality impact assessment (EQIA) on the potential impacts of the Welfare Reform Bill. The Department launched a public consultation on its draft EQIA in September 2011 and published the final version in May 2012. Although many of the respondents to the consultation indicated that they were unhappy with the assessment and the data on which it was based, the final EQIA remained largely unaltered from the original version. The Department for Social Development has acknowledged what it describes as data deficits and proposes that the EQIA be a living document. The Committee would encourage the Department to identify areas where more up-to-date information or relevant data have now become available and to use the data to update its EQIA. The Committee also agreed that the Equality Commission should closely monitor the EQIA as it develops as a living document, so that the Department can immediately identify and address any potential adverse impacts.

The Committee recognised that the Welfare Reform Bill, like so much social security legislation, is essentially enabling legislation and that any real impact on human or equality rights will, more than likely, result from the

application of the regulations that flow from the Bill. Because of the importance of maintaining the Assembly's control over those regulations, the Committee considered that any subordinate legislation relating to a policy change should be subject to the affirmative resolution procedure, as it is the strongest form of control available to the Assembly and offers Members the most effective scrutiny of the equality and human rights implications.

The Committee was also made very aware of the human rights implications of the more severe sanctions proposed under the Welfare Reform Bill. Members were very concerned that sanctions should not be overly punitive or disproportionate, as that could result in extreme hardship or even destitution for some vulnerable claimants. Accordingly, the Committee recommended that the Department for Social Development ensure that any sanctions that are imposed are mitigated to avoid the potential for extreme hardship or destitution for children, lone parents or those with mental health issues. Similarly, the Committee recommended that the Department should make the payment of benefits to the partner who has care of dependent children its default position, in order to minimise any potential adverse impacts on women and children. That arose from the Committee's concern that those who are in a violent or abusive relationship, as well as their children, should not suffer further financially as a result of benefits being paid to the other partner as a nominated claimant.

Although the Committee is fully supportive of the promotion of individual responsibility and the encouragement of people into work, it expressed reservations about certain aspects of universal credit, the new benefit that will replace existing working-age benefits and tax credits. A number of anomalies in the administration of that benefit were highlighted to the Committee. For example, the situation where a claimant who works no more than a few hours a week — in fact, I believe, no more than one hour a week — will lose 100% of their help with mortgage interest. This appears to act as a disincentive to work and runs contrary to the rationale of the Bill, which is surely to encourage people to come off benefits and seek work.

The situation of migrant workers also concerned some members of the Committee, as the Bill may adversely impact on claimants by reason of their ethnicity and may infringe European law. However, the Committee agreed that the Department for Social Development should closely monitor the outcome of current legal proceedings instituted

under EU law and that any resulting adverse impacts in relation to race should be mitigated.

The proposed payment intervals of universal credit — monthly rather than fortnightly, as at present — also concerned members. The Committee expressed reservations that the option for fortnightly payment was to be exercised by the Department, rather than the claimant, and that this may impact adversely on women and children.

Again, the possible impact on women and children of lone parent conditionality rules greatly concerned the Committee, in view of the lack of accessible and affordable childcare currently available in this country. In England and Wales, there is a statutory obligation for local authorities to provide childcare facilities, but, as yet, there is neither corresponding legislation nor an established childcare strategy in Northern Ireland. Although the Committee noted assurances from the Department for Social Development that claimants will not be sanctioned for lack of childcare, it nonetheless recommends that procedures should be put in place to monitor this and to identify and remedy any adverse impacts on women and children that result from lone parent conditionality.

The Bill also introduces a new benefit cap that will limit the total amount of benefits payable to a household. Although the Committee was largely in favour of a cap set at the level currently proposed, it agreed that the number of households affected should be quantified and assessed in line with section 75 groupings to ensure that no equality implications are identified.

The possible impact on disabled persons of the new provisions of the Welfare Reform Bill and the introduction of personal independence payments have given rise to a range of equality implications and suggested possible breaches of human rights. The Committee was greatly concerned to ensure that the assessment process to be used for personal independence payments, which are designed to support people with disabilities into leading a full and independent life, should accurately reflect their capabilities. Particular issues were identified in relation to those with fluctuating conditions or mental health problems, and the Committee believed that a more accurate representation would be obtained by the use of medical evidence in the first instance rather than at the appeal stage. In addition, there appears to be a degree of uncertainty regarding the position of private contractors engaged by the Department to carry out assessments. The Committee has recommended that legal clarity should be

provided in the Bill that such contractors are also subject to the Human Rights Act 1998.

One of the most far-reaching changes to be introduced by the Welfare Reform Bill relates to so-called underoccupancy penalties for housing benefit claimants who live in social housing. The changes will put tenants in social housing onto the same basis as those in the private rented sector, where entitlement to benefits is calculated according to the size of the dwelling required. The proposed changes will, however, pose particular difficulties in Northern Ireland, where the Housing Executive has stated that it would be completely unable to provide alternative accommodation for those who have been identified as underoccupying a dwelling. The Committee agreed that, to minimise any human rights implications, the Department should not apply sanctions to claimants who are unable to locate reasonable alternative accommodation. The Committee also recommended that, in its calculation of housing benefit, the Department should take into account the exceptional needs of some specific groups, such as disabled children and foster carers.

#### **10.45 am**

These issues and many more raised by stakeholders were considered by the Committee during its existence. It is fair to say that members found themselves on a steep learning curve in familiarising themselves not only with the provisions of the Welfare Reform Bill but with the complex, wide-ranging and sometimes conflicting requirements of human rights and equality laws. After intensive scrutiny, the Committee concluded that it could not identify any specific breaches of equality or human rights considerations in the provisions of the Welfare Reform Bill. However, all the areas that I have already outlined raised issues of concern, and it is for that reason that the Committee today calls on the Minister for Social Development to consider the recommendations that it has made.

I would like to make a few comments, in the time I have left, as the ex-Chairman of the Committee, which is now defunct. First, the time-limited nature of the Committee mandate meant that we were not able to receive all the groups that would have liked to present to us. For instance, I am sure that the Northern Ireland Commissioner for Children and Young People would like to have given a proper presentation, but there just was not time. We valued the written submissions from groups like that, but, with a 30-working day period that included Christmas, it was not easy.

Mr Swann and I visited Westminster and had an interesting discussion with Dr Hywel Francis, who chairs the Joint Committee on Human Rights at Westminster, which is a Standing Committee. He recommended to us that the Assembly could look at setting up a Standing Committee to look at these issues on an ongoing basis. I am not advocating for or against that. I am just relaying it and putting it on record that the Westminster Committee thinks that it would be a useful thing to have over here and in the other devolved Assemblies. I know that that would find favour with some bodies, such as the Human Rights Commission, which would strongly advocate that such a body should exist.

One of the major concerns among Committee members was that, although we could not find anything specific in the Bill that we could say was a breach or potential breach of human rights, it was fairly obvious that it is more to do with the regulations coming down the line. Those regulations, if they are policy matters, will be considered by affirmative resolution, and, if they are not, they will be considered by confirmatory resolution, which would mean a six-month gap, during which problems could arise. There is also no Standing Committee to look at those regulations when they are first proposed. I simply make the case that that is worth thinking about.

Beyond that, I am satisfied with the work that the Committee did and with the report. I hope that the House will perhaps agree with me. I have some doubts about that, but we will see what way the debate goes. I commend the motion to the House and look forward to hearing what the Minister has to say about our comments.

**Ms P Bradley:** I welcome the opportunity to speak on the findings of the Ad Hoc Committee.

The demographics of our society have changed significantly, as has the number of people needing to access public help in financially providing for themselves and their families. Welfare reform is necessary to ensure that we can continue to support the most vulnerable in our society. The same is true of our dealings as public bodies, and I want to go on record to say that the issues that were highlighted and addressed through the Ad Hoc Committee had been rigorously dealt with at Social Development Committee level, with much the same recommendations.

The report has comprehensively examined the equality and human rights implications of the Welfare Reform Bill that we are in the process

of passing. I, for one, want to see a system that is accessible to all in a manner that is easily understood and quick to complete. I want a system that people are not stigmatised for needing to access and that people realise is a safety net and not, as I stated in a debate yesterday, a viable career option. I also believe that, through the recommendations of the Committee, we have ensured that the most vulnerable in our society — for example, the ill, carers, children and women — will not be unduly disadvantaged because of circumstances that are beyond their control. For example, single parents should not be discriminated against because they do not have access to affordable childcare. A recent report by Employers for Childcare found the average cost of a full-time place in Northern Ireland to be £156 per week, and there was a substantial gap in supply and demand, with one place for every 7.4 children. That is why, in our recommendations, we ask that lone parents are not sanctioned because of a lack of childcare that is not only affordable but accessible.

The fact is that not everyone will be happy with the outcomes of welfare reform, but we are striving to ensure that no group in our society is disadvantaged. Through the course of the scrutiny of the Ad Hoc Committee and for me as a member of the Social Development Committee, there were recurrent concerns from almost all respondents: the impact on the disabled, women and children. With that in mind, the recommendations agreed in Committee should go some way towards alleviating many of those concerns and protecting those most vulnerable groups.

Austere times are here; that is a fact. No one wants to feel that they are being unfairly targeted or are the only ones who are affected. That said, if we do nothing, the outcome will be a lot worse as the welfare system will, eventually, collapse.

I believe that we have shown that the issues around equality and human rights have been robustly addressed and debated by the Ad Hoc Committee, with a majority of its members in agreement that the Bill does not breach equality and human rights requirements.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Sinn Féin sought the establishment of an Ad Hoc Committee because we believed that the Bill had human rights and equality implications. The evidence brought to the Committee has borne that out.

The Human Rights Commission, the Equality Commission, the Law Society, Cara-Friend,



NICEM and others brought a litany of concerns before the Committee. Many of those concerns reiterated issues that we had raised in a reasoned amendment at Second Reading. The Human Rights Commission said:

*"The Commission notes that the Department has not carried out a full equality impact assessment with respect to the categories of race, religion and sexual orientation."*

The Equality Commission criticised almost every aspect of the Department's EQIA. It highlighted the lack of up-to-date and relevant data, the failure to identify adverse impacts, the lack of mitigation to address obligations under section 75 and the Department's decision not to undertake impact assessments in relation to religion or belief, sexual orientation or race. The Council for Ethnic Minorities was concerned that aspects of the Bill breached European law. Disability Action and Mencap were concerned that the Bill did not meet obligations under the United Nations Convention on the Rights of Persons with Disabilities. Cara-Friend, representing the gay community, said:

*"Not only has the DSD so far failed to have its revised equality scheme approved by the ECNI; nor has it had its audit of inequalities and action plan approved."*

The only people who tell us that the Bill is compliant are the Minister, his Department and political representatives of unionism. When the Minister and his Department were asked to substantiate their claims, attempts were made to hide behind legal privilege and confidentiality. When the Department's EQIA was exposed as less thorough and in part reliant on opinion rather than evidence, it introduced the notion of a living document, as if, like fine wine, the EQIA would improve miraculously with age. Indeed, we have a letter from the permanent secretary, Mr Will Haire, to the Equality Commission, which says:

*"There is not, as yet, any suitable data sources to enable us to assess the impact accurately on the basis of religion or belief; sexual orientation or race."*

In other words, we have no data, we have no EQIA — damning words. If I were the Minister for Social Development I would be very worried by the permanent secretary's statement in writing.

Níl sé sin ceart. This is not good enough. We believe that the Minister and his Department

have been too quick to accept the operation of parity as no more than an exercise in rubber-stamping Westminster legislation and an excuse for the vulnerable in our society to be impacted. Let us hear the experts on so-called parity. Hewitt says that parity:

*"in practice seems to have developed into a system of bargaining where the Treasury and the Westminster government were anxious to accommodate any reasonable demands".*

Bradshaw says:

*"parity has never been a fixed notion and has been subject to interpretation over time in both theory and practice".*

Section 87 of the NI Act 1998 states that the Secretary of State and the NI Minister responsible for social security shall:

*"from time to time consult one another with a view to securing that, to the extent agreed between them".*

I was in the Scottish Parliament last week and saw the Scottish Minister taking a much more robust line than our Minister. That is unfortunate, although it is good to see the Scottish standing up for their citizens. The Department for Social Development has a duty to identify and demonstrate our specific circumstances and, where appropriate, seek mitigation for people here. So far, it has utterly failed to do so.

In light of all this, it is unfortunate that Committee members from the unionist community have decided to declare the Bill compliant. It is obvious that their starting point was "This Bill is compliant. We are not going to listen to the Human Rights Commission, the Equality Commission or NICEM. This is a compliant Bill, and we are going to support it". Sinn Féin MLAs were elected to protect our constituents from abuses of human rights and equality rights. In times of austerity, there is more of an onus on every Member in the House to do so. We will do it. We will stand up for our constituents and, indeed, the constituents who, so far, have not been represented by the Members on the unionist Benches. Sinn Féin will vote against the motion. Ní bheidh Sinn Féin ag tabhairt tacaíochta don rún seo.

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

**Ms Ruane:** I just want to let the House know that I have to go to the Assembly and Executive Review Committee now.

**Mr Elliott:** This is a very important aspect of the scrutiny of the Bill. I would like to place on record my thanks and those of the Ulster Unionist Party to the Committee staff, who did a very thorough job under extreme time pressure.

Irrespective of what the last Member said, we in the Ulster Unionist Party came at this from a very objective position. We looked at it in great detail. I am sure that all members of the Committee would accept that. We tried our best to establish the facts around equality and human rights, because that is what the Ad Hoc Committee was about. It was looking at the equality and human rights aspects of the Bill; it was not about any other aspects. We obviously strayed into other aspects at times, but what we had to do was look at the human rights and equality aspects.

I have to say that I sometimes felt sorry for the Chairman, because it was quite a difficult Committee to chair. However, he got through it in a very positive manner and tried to reflect as well as possible the views of all those on the Committee. There were very different views, but he took all of those on board.

In the very limited time available to me, I will deal with some of the specific issues, one of which is the benefit cap. I know that there are concerns that a small number of households may be affected by the benefit cap, but look at the proposals. The estimated benefit cap of £26,000 per annum is equivalent to £35,000 before tax, which is actually higher than the current Northern Ireland gross median wage of £450 a week. It is very difficult to argue that there are equality or human rights issues there. Some people will say that it affects a small number of households, but I am sure that an average wage of £450 a week affects quite a number of households as well. I cannot see how there is a massive issue there.

Housing benefit is another issue that was discussed quite a lot. Changes will be introduced to the calculation of housing benefit to replicate in social housing the size-related criteria that already apply to the private rented sector. A claimant's eligible rent will be restricted by a stipulated percentage if their dwelling has more bedrooms than they are deemed to require. What is important there is that the change will apply only to working-age claimants. That could be a huge concern for pensioners, and hopefully it will not have that impact.

The most significant issue that has arisen in respect of the provision is the context of the current housing stock in Northern Ireland.

The Equality Commission believes that there may be impacts on tenants' ability to move due to the segregation of social housing. We accept that, and those concerns exist.

#### 11.00 am

Ms Ruane highlighted a number of organisations and groups that have concerns. We have concerns, which are well reflected in the report and stated in several places. However, when I asked the groups that came before the Committee, particularly the most vociferous group, whether they could point us to anything specific in the Bill that breached human rights or equality, they could not do so. Concerns have been raised and highlighted by witnesses and by the Committee, but when you ask them about the specifics, they could not tell you.

Although the Committee was a one-off, I imagine that when the regulations start to come forward, there will be other Ad Hoc Committees on the equality and human rights impacts of the regulations. There will be intense scrutiny of those issues because every group and organisation that gave evidence, and even those on the Committee, highlighted the regulations as being a key aspect that will follow on from the Bill. A lot of detail will come in the regulations, which will require as much scrutiny as the Bill.

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

**Mr Elliott:** The Ulster Unionist Party supports the report.

**Mr Eastwood:** I also put on record my thanks to the Chair, Trevor Lunn, and to the Committee Clerk and the staff. It was not the easiest Committee to administer or chair, and nor was it the easiest Committee to sit on. I have a new-found appreciation for members of the Social Development Committee. Some of us were learning a bit more than others, and it was not an easy task.

Welfare reform is a very complicated issue. It is clear to all of us that the reforms will be a massive change for the most vulnerable people in our society. It is coming down the tracks, but a lot of people do not realise what is coming down the tracks. The more detail you get into, the more worrying the real impacts of welfare

reform become. Yesterday we debated tackling social disadvantage, and we already have immense problems with social disadvantage and poverty. I fear that the impact of so-called welfare reform will only exacerbate the difficulties around that.

It is fair to say that there was quite a bit of agreement in the Committee, but on the fundamental issues of whether the Bill had a human rights and equality impact, the Committee was divided. We clearly see the impacts on many groups. I thank the groups that came to the Committee and those that provided written evidence. It is unfortunate that the one organ of the Executive that is supposed to look after equality issues — OFMDFM's equality unit — did not see fit to respond adequately to the Ad Hoc Committee. In fact, the unit's only response was a letter to say that it would not be responding. That is not good enough. We all have a duty to look after equality and human rights, especially the equality unit of OFMDFM. The unit will have to answer that question in the time coming.

It is clear that we have a specific set of circumstances in Northern Ireland. We have a real issue with housing. That concerns not only the lack of housing stock — in Derry, 2,000 people are on the housing waiting list — but segregation. If you live in certain parts of Northern Ireland, it is almost impossible to take up the opportunity of a new house when there is a peace wall between that house and your existing home. As a result of the conflict, a great many people are dealing with disability issues. Many of the impacts of the Welfare Reform Bill will have a severe impact on those people in particular.

It is difficult to address the issues in five minutes, but it is obvious that the EQIA was not adequate. It was not up to scratch. There is a data deficit, and that has been admitted all round. A number of the section 75 groups were not included in the EQIA, and that has to be rectified. I proposed an amendment for an updated EQIA that would be done properly and consider everybody. Unfortunately, that was not accepted by the Committee. Thankfully, the Committee accepted a sort of scrutiny role for the Equality Commission going forward. Hopefully, that will bear some fruit.

We were told by a number of groups who came to the Committee that the devil was in the detail and in the regulations. I hope that our proposal to ensure that the regulations are properly looked at will get agreement from the Department. It was suggested by some officials from the Department that that would be a waste

of the Assembly's time. I do not think that it would be a waste of the Assembly's time at all. We need to ensure that all the impacts of the Bill are properly looked at. That is our job, and that is what we should be about.

I will touch briefly on universal credit. We are told that the whole focus of welfare reform is to ensure that work pays and that being on benefits does not pay. The loss of mortgage interest payment for people who work for one or two hours a week goes completely and utterly against the assertion that work should pay. I do not understand it, and I hope that the —

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

**Mr Eastwood:** OK. I will leave the rest to my colleague Mr Durkan, who can fill in the blanks.

**Lord Morrow:** I pay tribute to the Committee staff, who had a very difficult task in dealing with this issue, and I pay my regards to the Chairman, who did a superb job under very difficult circumstances and in a very short time. He had to deal with an intensive situation that was very much thrown at the Committee.

Incidentally, it was a situation that was, to all intents and purposes — I do not like using the phrase — a waste of time. There is no other way to say it. That was not the fault of the Chairman, the Deputy Chairman or the staff, but the fault of those who insisted on having the Committee because what we did was a repetition of what the Committee for Social Development had done. There is not a doubt that the Committee for Social Development could and should have been allowed to get on with its job, and I saw our role, to some degree, as meddling and interfering in the tasks consigned to that Committee.

Maybe it is a learning curve for the future because those who sat on the Committee discovered very quickly that there was, in some cases, a political agenda at work. There were members who felt that they have all the concerns about those who live at the margins. I suspect that there is not an MLA in the Chamber today who does not work daily with those who live on the margins. We try to assist to the best of our ability and help those people to get their entitlements through social security benefit. However, one big point that was missed — I think that it was deliberately missed — at the start of the debate was that social security is not a devolved matter. It is a parity issue. Some do not have a full appreciation of

that, and getting that message over to some Members of the House is very difficult.

If you break parity on this issue, you will be forced to break parity on a lot of issues. I suspect that the London Government would be quite happy for that to happen because they will point to one instance and say, "You did it there and you can do it again". I ask those who have a genuine concern about welfare and people on benefit to keep in mind that they are not doing their constituents any favours at all by trying to meddle in things that the Assembly has no real powers over. When devolution came about, this was one of the issues that I earnestly believed that the Assembly should not deal with, and it has been demonstrated quite clearly that there are those who do not have the maturity to deal with social security issues. They need to remember that it is, in fact, a parity issue. That is the way it is, and that is the way it should be. I suspect that, if you were to drill down very deeply into this, you would find that all of us around this House would not want it any other way. If we do make it different, the people we claim we are trying to help will be disadvantaged very severely. I want to get that point on the record and ask the people who say that they are concerned to bear that in mind.

The Committee was tasked with submitting a report to the House by 22 January. We missed that by a short time. Although that is not a big issue, it is worth saying that, had it not been for the persistence of some on the Committee, we would not be debating the issue even today, because it appears that there is an agenda at work to drag this issue out, cause embarrassment and recklessly break parity. Anyone who sets themselves down that track will find out, to their cost, that they will have a lot of explaining to do to their constituents and to the people who are entitled to benefit. Some of us do not claim to have the monopoly on this, but others do. Members on this side of the House will be supporting the findings of this Ad Hoc Committee. I believe that it has not come up with anything that is very sensational —

**Mr Speaker:** Time is almost gone.

**Lord Morrow:** — and I believe that the House clearly understands that we should not be wasting time on irrelevancies and trying to take the Assembly down roads that it has no power over.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I thank the Committee staff and, indeed, the Chairperson, who prevailed under very difficult circumstances.

It is regrettable that Lord Morrow said that the human rights and equality rights issues are a waste of time; they are very important and fundamental issues to be dealt with and not an absolute waste of time. Welfare reform is a devolved matter, but he is confusing the difference between money and administration. Maybe we could talk about that some time. He needs to get that into his head, because, obviously, he is confused about that.

There has been much talk about the EQIA, and any of the stakeholders who we spoke to had serious reservations about it. My colleague Caitríona Ruane said that they possibly thought that the EQIA was like a good wine, but maybe it is a good wine that needs to breathe at room temperature for quite a long time. Possibly, the Minister needs to breathe into it occasionally and bring it up to scratch, and that appears not to have happened.

We have a number of specific concerns about the Bill, many of which, regardless of the vote today, are shared by most Members of the Ad Hoc Committee and the majority of MLAs. We have concerns about the adverse impact on women and children of the single household payment. The Committee recommends directing payment to the main carer as a matter of course.

Lord Morrow talked about people trying to embarrass other people. The only people who should be embarrassed are advocates of welfare reform as it stands. On frequency of payment, the Committee recommends that fortnightly payments should be a matter of claimant choice rather than being at the discretion of the Department. There was also talk about the discredited reassessment test for employment and support allowance, and the Committee recommended reform so that a much better regime be put in place for the transfer from disability living allowance (DLA) to personal independence payments (PIP).

The Committee also shared concerns about the proposed sanction regime and the likely adverse impact on lone parents, children and people with mental illness. The Committee is calling for hardship to be minimised and rejects destitution as an unacceptable outcome for anyone.

On the imposition of the underoccupancy rule, the Committee recommends no penalty where no reasonable alternative accommodation is available. The Housing Executive has stated very clearly, certainly to the Committee for Social Development that, if the underoccupancy rule were introduced in the morning, it simply

could not cope with it because it does not have the resources. Obviously, the Committee took that on board. The Committee also agrees that, as an enabling Bill, more regulation should be subject to affirmative resolution to allow proper scrutiny of the detail.

**11.15 am**

There has been a lot of talk about the devil in the detail in the regulations. This is an enabling Bill. If it is flawed then, by definition, the regulations will be flawed. So, it is important to get the Bill right. People need to be aware of that, and they should not dismiss it by saying, "It will all come right in the end, because the regulations will sort it out." The regulations need to be done by affirmative resolution procedure, and the Committee recommended that.

We, in Sinn Féin, have worked hard to identify difficulties and seek solutions by working within the Executive, the scrutiny Committee and the Ad Hoc Committee. Mr Elliott referred to the cap. Here again, I would say that there is this myth abroad that people on benefits are well-off and that benefits are wonderful things. I have been dealing with benefits, and people on benefits, for nearly 40 years and no one has ever said to me that they are happy on benefits. The problem that we have here is that we have a low-wage economy, and I think we need to get that into our heads. That is very important.

**Mr Eastwood:** I thank the Member for giving way. Does he agree with me that Lord Morrow's assertion that the Committee's work was not done in time is absolutely wrong? The report was laid where it should have been laid on the morning of 22 January.

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

**Mr Brady:** I thank the Member for his contribution. The Committee —

**Lord Morrow:** I thank the Member for giving way. In relation to the point that Mr Eastwood raised, it says here very clearly:

*"and to report to the Assembly by 22 January."*

**Mr Brady:** I think that Mr Eastwood may have been referring to the fact that the Committee did its work within the stipulated time. It did a very difficult job in very difficult circumstances.

I reiterate that Sinn Féin has worked hard to identify difficulties and seek solutions by working within the Executive, the scrutiny Committee, the Ad Hoc Committee and the Assembly. Obviously, the Bill will now return to the Social Development Committee, where we will continue to act as advocates not for the Bill but for the people we represent. We urge everyone to assist in this task.

Let me make this point in fairness to the Committee: Paula Bradley and I, as members of the Social Development Committee, had an advantage because it is a very complex area. In the circumstances, I found it educational. I just hope that the other members of the Committee did. Go raibh míle maith agat.

**Mr Weir:** I join with others in thanking both the Chair and the Committee staff for their hard work during this process. I find myself today following directly after Mickey Brady. It is a very familiar experience that I have had over the last two months; albeit, I suspect that, as in the Committee, my remarks may diverge somewhat from what Mr Brady was saying.

In looking at this report, one finds that there is a lot of detail in it and I hope to cover some of that in my remarks. However, we have to look at the central recommendation. Having weighed up the evidence, and having listened to a number of groups, we find that a number of groups had concerns, and indeed a lot of Committee members had concerns. However, the central point is that the Committee, on examination, came to the conclusion that there was no discernible breach of human rights or equality in the Bill. That is not to say that there are not concerns, and we need to be careful of regulations.

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

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

**Mr Agnew:** I appreciate the Member's giving way. It is unlikely that I will get another opportunity to speak in the debate. I was not a member of the Committee. Surely the situation in which separated parents are being charged extra for a second room when they need access to their children is a breach of the right to a family life?

**Mr Weir:** With respect, had the Member taken care to read the report he would have seen that that is one of the recommendations that we have put in place.

It is clear that that is not a breach of human rights. Indeed, the Human Rights Commission itself did not identify a specific breach in the Bill. We have to make sure that we do not invent evidence that is not there. We also have to realise that, with respect to welfare reform, with the best will in the world, we are not some sort of hermetically sealed region. We have to take parity into account and, indeed, from a financial point of view, we cannot be "ourselves alone". We cannot go a solo route, because the ultimate end of that, were we to be given full financial responsibility over social security, is something that would be very damaging.

The first Member to speak for Sinn Féin, Ms Ruane, praised the robust response of Scotland. Of course, Scotland's position is that it has absolutely no influence or control whatsoever over social security. It was simply decided at Westminster and imposed. So, it is very easy, and, I would say, that all of us in this House could well take that view — had we no role at all in social security — of being the armchair critics of the Scottish Government. That Government can complain without having to live, in any way, with the consequences. That is the fundamental difference between us and Scotland. I believe that parity is an important principle. However, where we can make a beneficial difference, we should, and that is reflected in the report. A number of concerns that have been raised in the report are things that the Minister for Social Development, through his work, has been able to address.

The Committee was united on the issue of bimonthly payments and on the opportunity for split payments. With regard to operational matters, those issues have been successfully negotiated by the Minister. The Committee was also united on other issues; for example, we welcomed the assurances given by the Department on sanctions. We highlighted concerns about the impact of sanctions on women and children, and on foster carers. I believe that those matters will be taken into account by the Minister.

Two key areas were raised on wider issues that go to the heart of welfare reform and, beyond that, within government. Those things need to be addressed and are being addressed. First, a number of Members, quite rightly, highlighted the different problems that we have with our housing market in Northern Ireland. There is no doubt that more can be done on how we look at tenancies, but the reality is that there will be a major barrier to fully implementing that, given the current housing market. That is why, in a different context, it is absolutely correct that the

Minister addresses the problems of the Housing Executive. We have housing stock that is not fit for purpose and does not fit the needs of our people. That is not only due to a shortage of housing but having the wrong type of housing, and that is an important issue to cover.

The other important issue for the Executive to deal with is the fact that we are behind the ball on childcare in Northern Ireland, and lag behind in other areas, and it is right that we highlight that there should not be any sanction on that basis. That is a very significant problem and it needs to be addressed on an Executive-wide basis. We had the opportunity to address it as part of the recommendations on welfare reform, but it will need to be embraced in a much more significant way than heretofore.

Concerns have been raised about policy changes. The regulations will be the crucial point. Therefore, we must ensure that anything that involves a policy change, as opposed to a mere technical change, is done by way of affirmative process. That must be embraced.

Members can reject the report — they can defeat it on a cross-community vote — but it does not stop the reality that there is no breach of human rights or equality regulations in the Bill. There are things that people are genuinely concerned about, and we need to take care with those, but let us not pretend that something is there that is not. I support the report.

**Mr Durkan:** It is with regret that the SDLP is unable to approve the report. I find it lamentable that, having opposed the establishment of the Ad Hoc Committee since it was first mooted by the SDLP, some parties appear to have entered that Committee with closed ears and closed minds in order to arrive at a predetermined outcome. That approach flies in the face of the issues that MLAs are hearing about on the ground and raising in Committee.

I acknowledge and welcome the limited recommendations in the report, particularly around the mitigation of the impact of sanctions on mental ill health sufferers and children. I also welcome the recommendation that the nominated claimant for universal credit be changed to the default position of the parent with caring responsibilities. It is vital that all flexibilities are explored and exploited to protect the vulnerable.

I agree that fortnightly or twice-monthly payments of universal credit will reduce the potential for further hardship. Although I

acknowledge the Committee's recommendation that medical evidence should be given primacy in PIP assessments, I am disappointed that further protections have not been sought for victims of the Troubles, severely disabled people and those with learning difficulties.

It is right that any calculation for housing benefit should permit exceptions — I am talking about underoccupancy — and those exceptions should exist for parents with joint custody, foster parents and those with a disability. I also agree strongly that sanctions should not apply where no reasonable alternative accommodation is available.

There are huge areas of concern around the report, however. Alarming, despite the majority of members accepting the Equality Commission's assertion that the EQIA had not considered relevant data or complied with the Department's statutory obligation, as no account was taken of four out of the nine section 75 groups — those concerning religious belief, political opinion, racial background and sexual orientation — it was still not accepted that the EQIA was inadequate.

The concern that the impact on those with disabilities has not been fully assessed has also been raised today. The view that the EQIA is a living document is remarkable. The Assembly will be asked to pass massively important legislation, without even having quantified its adverse impact on our citizens. The lack of a full EQIA, relevant data and analysis of the impact on this region means that the Assembly will effectively walk into welfare reform with its eyes shut.

There should be an obligation on the Department to provide that data and to be aware of its real impact in order to mitigate it, before we have to backtrack, as Westminster is now doing since it steamrolled through welfare reform. This was an opportunity for us to improve the Welfare Reform Bill, to get a better deal for our constituents and to ensure protections for the most vulnerable among them. That opportunity has, regrettably, been squandered, it seems. It will be up to the MLAs from those parties who have basically obstructed the process to explain to the public how they deem these welfare cuts to be fair.

**Lord Morrow:** Will the Member give way?

**Mr Durkan:** No, thanks. I do not have much time left. We have had senior party members peddling one message, and Back-Benchers peddling another. Does that sound familiar? Lord Morrow claimed that some MLAs were

doing their constituents no favours, but today has provided further evidence to me, as if it were needed after the past couple of months, of a huge disconnect between unionist MLAs and socially disadvantaged communities and people.

While we welcome and support the recommendations within the report, it omits more than it contains. Therefore it fails to address the concerns of many and will do little to change the Welfare Reform Bill. It is for that reason that we will vote against it, and we will continue, in the absence of substantial and fair changes, to oppose the Bill.

**Mr Ross:** Today's debate has given those who were not on the Committee a flavour of the sort of debate that we have had over the past number of weeks. It has highlighted the hugely different interpretation that Members have put on the same evidence: from Ms Ruane's opening statement of an absolute vindication of the position of Sinn Féin, to those on this side of the House who agree with the conclusions of the report that not one specific area where the Bill has been in breach was found and agreed by the Committee.

As Members have said, it has, at times, been a rather painful experience. Perhaps some of that vintage wine that Ms Ruane was talking about could have helped us in the process. Like others, I pay tribute to Mr Lunn for the way in which he handled the chairing of the Committee, which, at times, was very difficult, and to the staff who, at times, had to try to find a way of wording the discussions that we had.

As Lord Morrow said, at times the Ad Hoc Committee strayed into the territory of the Committee for Social Development. Even a cursory glance over the recommendations that our report includes shows that the vast majority, if not all, of those recommendations are issues that have been raised by the Social Development Committee. They have been discussed, debated or decided on by that Committee, and, indeed, now that the Bill will go back to the Committee for Social Development for scrutiny, that Committee can continue discussing some of the issues. I think that is why Lord Morrow said that perhaps the Ad Hoc Committee was not required. The issues that we were discussing in our Committee should have been discussed in the Committee for Social Development and, indeed, that would have given it more time. I think that is an important point.

**11.30 am**

Concerns have been raised about the Bill, not just by Members from the nationalist community but from right across the Chamber, at various stages in its process. However, the bulk of concerns that we have heard, both in the Committee from the vast range of written and oral evidence that we received and, indeed, from Members on the opposite Benches, have been about the policy behind the Bill as opposed to any equality or human rights impact. Of course, they are entitled to different views on policy, but, again, the place for that discussion was not in an Ad Hoc Committee.

Out of all the recommendations, a few issues have been highlighted during the debate that, perhaps, need further attention. Nationalists particularly were exercised about the EQIA. We have, indeed, mentioned that in recommendations 1 and 2. I have heard numerous Members refer to the fact that not all section 75 categories were addressed, but there is a very logical reason for that: what relevance at all do religious belief, political opinion, sexual orientation or race have on whether an individual has an entitlement to claim welfare benefits? That, of course, is why those areas —

**Mr Brady:** I thank the Member for giving way. In an analysis done by the Equality Commission, those four groups were highlighted as being most vulnerable and most likely to be impacted on by the draconian measures of welfare reform.

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

**Mr Ross:** Thank you, Mr Speaker. I stick to the point that I fail to see how those four areas of section 75 prevent anyone getting welfare payments in any way.

Regulations are addressed in recommendation 3 of the report. The crux of the issue — I know that Mr Brady had a particular interest in this, and Mr Weir referred to the fact in his comments — is that the Bill, in itself, is effectively enabling legislation. That means that many of the concerns that have been raised will arise with the regulations that follow it. The Bill itself has no specific equality or human rights impact. It is important that that point is made. We had quite a bit of discussion on that in Committee.

Other points that were raised during the debate and in the course of the Ad Hoc Committee included concerns about the nominated claimant. At Second Stage, I spoke about

some of the concerns that were raised at that time. The Minister must be given credit for his discussions and the flexibilities that he has already secured. We know that he has secured split payments, for example. If Members feel that the Minister should have further discussions on certain areas, that can be discussed when the Bill goes back to the Committee for Social Development, which is the appropriate place for that to happen.

With regard to recommendations 6 and 7 on universal credit, concern was raised by Members and the Human Rights Commission, for example, about the monthly payments. At Second Stage, I said that I understood the rationale behind it: we want to promote individual responsibility, and we want to ease the transition from receiving welfare to getting into paid work. Therefore, when you get monthly payments, you must learn how to budget. However, I also recognise that specific concerns have been raised. Again, it is important that the House recognises the work that the Minister has already done to secure the flexibility to have fortnightly payments. Members should be grateful for the position that he has taken.

I am comfortable with the report's findings. I, along with others on this side of the House, have sympathy with the argument that, perhaps, the Ad Hoc Committee was not the best way in which to deal with the issues. I must say in closing that I am disappointed with the conduct of one Member in particular, who tried to divide on absolutely everything, even after we had agreed the report line by line, and did not have faith in the officials' accurately reflecting that. That is disappointing. I hope that the House will show pragmatism and support the report.

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

**Mr Ross:** The report is a factual reflection of the discussions that we had in Committee.

**Mr McCausland (The Minister for Social Development):** I am grateful for the opportunity to address the Assembly on the report of the Ad Hoc Committee on the conformity of the Welfare Reform Bill with human rights and equality obligations.

The Bill was referred for scrutiny to the Ad Hoc Committee in respect of human rights and equality issues following concerns raised by various stakeholders at the Committee for Social Development. I am pleased to see that the Ad Hoc Committee has reported within the



timescale and has concluded that the Bill is, indeed, compatible with our equality obligations. Hopefully, Members will have had a chance to consider the report and its recommendations.

I take this opportunity to thank the Ad Hoc Committee for its work. When the Committee was being established, I registered my concerns over the potential for delay in our legislative process and any resulting financial consequence. Although I do not wish to underplay the significance of those concerns, the level of interest shown in these matters, I believe, demonstrate the strength of feeling around the Westminster reform agenda, Members' concerns for vulnerable individuals in our society and our desire to get welfare reform right for Northern Ireland. Against that backdrop, I welcome the Ad Hoc Committee's report, in particular its conclusion that the Bill's provisions conform with our obligations under the European Convention on Human Rights and our equality duties. I will consider the recommendations in detail as we move forward now, as I believe we must, to implement reform.

Before the establishment of the Ad Hoc Committee, the Social Development Committee had done some good work in scrutinising the Bill to ensure clarity of understanding and to put together some suggestions that Members considered might be desirable to protect certain interests or to facilitate claimants as reforms were introduced. When I spoke to yesterday's motion to extend Committee scrutiny to 19 February, I urged the Committee to complete its scrutiny as quickly as possible to ensure that Northern Ireland does not suffer a financial penalty as a result of breaching parity with the rest of the United Kingdom. To facilitate that process, I am due to meet the Social Development Committee this Thursday to go through the issues that have been raised and to set out my position as Minister, taking account of the financial and logistical challenges that the reform agenda poses. I am well aware of the challenges that we all face, but I assure the Assembly that I will continue to work with my ministerial counterparts in Westminster, my departmental Committee and all stakeholders to ensure that Northern Ireland's circumstances are taken into account, that, when we need operational flexibilities, we are afforded those and that, where there are potential financial consequences, we secure the best possible deal for Northern Ireland.

I turn now to the report's recommendations, and I am conscious that Members have had only a short time to consider them. I do not intend to cover each recommendation, but I want to

highlight a few issues that I consider Members need to be aware of.

A number of recommendations are made on perceived data deficits, which relate to the equality impact assessment carried out on the Bill. In response to various Assembly questions and debates, I have repeatedly outlined the work that I have commissioned and which the Department for Social Development is undertaking to ensure that the data to which we look to inform decisions around reforms is the most robust possible. I reiterate that sentiment today and advise that work is progressing well on the policy simulation model. We hope to be in a position soon to update the tables in the published EQIA with data drawn from the most recently available family resources survey — 2011 — and the latest module of the PSM.

The Committee recommends that the Assembly adopt the affirmative resolution procedure for regulations where policy is changing, as opposed to the confirmatory process that we would ordinarily use. Although I recognise the sentiment that has given rise to the recommendation, I will have to consider how that would work in practice, particularly when time-critical regulations are being made that could in turn give rise to additional IT and operational costs, as well as having the potential to disadvantage claimants in Northern Ireland — for example, when uprating claims, which occurs at least on an annual basis.

Moving on through the report, I note that the Committee makes recommendations around payments — for example, who gets paid and when. Those issues are not new. I have previously advised the Assembly of discussions that I have had with Lord Freud and others around the operational flexibilities that will be available for claimants in Northern Ireland. We must now consider how we apply those flexibilities, as that will have a direct impact on things such as IT costs. I will discuss that in more detail with the Social Development Committee when we meet on Thursday.

The Committee has also raised issues about the arrangements for the personal independence payment that is due to replace DLA. I am happy to note those as the process evolves, in particular, how the assessment process works in practice. Let me assure Members that I will charge my officials to provide me with assurances that the process is operating as intended and is fit for purpose.

On housing, members of the Committee have raised issues about certain individuals and groups who, they consider, may need added

protection to ensure that their rights are not threatened. As Minister with responsibility for social housing and social security, I am well aware of the issues that may arise in that arena. Members will be acquainted with some of the work that I have commissioned to better inform the position on these matters, and I advise that that work will continue in order to achieve the best outcome possible. However, I caution that there are no easy solutions to any of the difficulties that we face. Extremely difficult choices will have to be made by me as Social Development Minister and by Executive colleagues in the wider context of welfare reform.

In my remaining time today, I want to turn to some specific points raised by a number of Members. A point was raised about the EQIA's data deficit and the issue of collating and analysing additional data. I have previously acknowledged the EQIA's data limitations. However, we continue to work on that. We are also developing the household income administrative database, which links individual benefit scans and tax credit data with HMRC earnings and savings data. I believe that that will be a major benefit to informing future EQIAs in the area of welfare.

When we published the equality impact assessment for the Welfare Reform Bill in May 2012, we made it clear at that stage that we could publish only on the basis of the material available and that further work was needed. That further work continues, and we are updating as additional information becomes available. That is the context in which people speak about a living document. Some folk seem to have difficulty understanding that concept, but that is its meaning and its significance. I hope that folk find that explanation helps their understanding. The information in the published EQIA was based on outputs from the PSM, which used information from the 2008-09 family resources survey and, therefore, has coverage of the same section 75 groupings as the main survey. Further to a point made by my colleague Alastair Ross, I should explain that benefits are awarded on an entitlement basis, not by section 75 group. Therefore, there are instances in which information may not be immediately available.

Paula Bradley made the important point that much of the ground covered by this Committee had been covered by the Social Development Committee, and it was natural that that was going to be the case. Therefore, Mickey Brady and Paula Bradley were at an obvious advantage in that they had already been

through the process with the Social Development Committee. I think that the members of that Committee are truly immersed in the process. I take on board Paula's points.

I will just pick up on what Caitríona Ruane said. I must say that she certainly excelled herself today — she was big on rhetoric and low on content. I see that she has disappeared again. What she said sounded to me like an extract from some revolutionary Marxist magazine. It was Caitríona Ruane in best form, but I have difficulty taking what she said seriously. I was disappointed that she went down the road of "Oh, those awful people on the other side of the Chamber, those awful unionists", as though the people on her side of the Chamber were the only people with compassion in their heart. That is really what she was saying. I think that the divisive sectarianising of the issue that Ms Ruane indulged in —

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

**11.45 am**

**Mr McCausland:** No, I am running out of time, and I have a lot of points still to cover. I found that approach distinctly unhelpful.

Tom Elliott made an important statement about the benefit cap of £26,000. If you scale that up for tax, it is £35,000 in real terms. That is an important point. He also raised the issue of the housing stock. The issue there is not segregation, as is sometimes suggested; the issue is that smaller-scale accommodation is needed in unionist and nationalist areas, but the Housing Executive failed over the years to provide the sort of accommodation that was needed. That is the point. It is needed in unionist areas; it is needed in nationalist areas. It is nothing to do with segregation; it is simply that the social housing development programme was wrongly constructed. That point has been made in the past. Again, this year, the point has been made: people have come forward with social housing development programmes that do not take account of welfare reform. There is a need in unionist areas and nationalist areas for the appropriate size of accommodation. That is not an equality issue; it is simply a failure and shortcoming of the past. I am glad that, as a result of an intervention that I made with the Housing Executive and housing associations, we are now putting a focus on producing in the housing development programme the right size of accommodation. Colum Eastwood dealt with that point as well, and I responded to it.

I want to pick up on the term "concerns and fears". People talk about so-and-so or this group or that group coming forward with concerns and fears. The fact is that fears can be well founded or unfounded. Mark Durkan referred to the victims of the Troubles. That is why I met Kathryn Stone, the Commissioner for Victims and Survivors, and why I met victims she brought to state their case. One was a victim of the Abercorn bombing in the early days of the Troubles and the other a victim of a more recent terrorist attack. I wrote to her in December and received a very good letter in response. That meeting was not just with me; it happened on a day when Lord Freud was over. We were both able to reassure the commissioner and the two victims, who were visibly distressed. It turned out that the things that were causing them distress were fears that were unfounded. We all need to keep it in mind that fears can be well founded or unfounded. I was glad that we were able to reassure those victims and the commissioner in regard to the concerns they had. A word of caution needs to be given there: people should not raise unfounded fears.

Mickey Brady made the point that it is important to get the Bill right. I agree with him entirely. The point was made well by Peter Weir that we are not in some way hermetically sealed. I will go back to a point that was made about Scotland. In Scotland, it is not a devolved matter; here, it is. We are able to make changes. The changes and flexibilities that I have secured are flexibilities that other parts of the United Kingdom wish they had. That has been said clearly on a number of occasions. That is why I found Caitríona Ruane's comments particularly disappointing and reprehensible. It is widely acknowledged that we have secured flexibilities in Northern Ireland that no other part of the United Kingdom has. People can talk about these things and dismiss them. The fact is we are not hermetically sealed, as Peter Weir said. We are part of the United Kingdom —

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

**Mr McCausland:** — and we are entitled to the same benefits and conditions as elsewhere.

I conclude by thanking the Committee for its work on the Bill and note my assurances.

**Mr Swann:** I thank the Minister for his response. It was clear from the debate that the Welfare Reform Bill is one of the most important Bills to come through the Assembly. Therefore,

it is vital, in our role as Members of the Assembly, to ensure that it is properly constructed. I thank the Minister for acknowledging that the Committee and its staff completed their work on time. As we heard, the Ad Hoc Committee was established after the Social Development Committee and very well-respected stakeholders brought forward genuine concerns that areas of the legislation may not conform with equality requirements and observance of human rights.

Like other Members, I want to give special commendation to the staff of the Ad Hoc Committee. As the Chairman said, this is the first time that we have had an Ad Hoc Committee. It was a very difficult situation for the staff, and they handled that very well. I am sure that Members heard the different opinions expressed in the debate in the House today, and that is a reflection of what happened in the Committee itself. I commend the staff for being able to pull together the report within a specific time frame.

In his opening remarks, the Chairperson of the Committee, Mr Lunn, outlined the background to the report and explained the reasoning behind and structure of the Ad Hoc Committee's consideration of the issues. Although I do not intend to revisit all those issues, I feel that it is important to emphasise that the Ad Hoc Committee highlighted, questioned and considered the issues that raised concerns about the Bill's non-conformity and, I believe, reached a fair and conclusive outcome.

I fail to see how any Member sitting in the Chamber today would encourage infringement of or seek to infringe in any way a person's human rights or rights to equal treatment. What the Committee heard during its evidence gathering was that some provisions of the Welfare Reform Bill "may infringe" or "could possibly impact".

As has been discussed here today, the regulations, which are not yet in place, were a particular concern. Where concerns were raised, the Committee put forward recommendations that it felt would address those concerns, should they prove accurate, and I thank the Minister for reflecting on the recommendations. It is the regulations that the majority of Committee members and Members in the House are concerned about — that argument has been well put forward here today.

Before moving on to the contributions from Members and the Minister, I want to draw Members' attention to paragraph 5 of the

executive summary, which I feel sums up the majority of the Committee's decisions. It states:

*"The Committee believed that its scrutiny had revealed a number of areas of concern and accordingly it made recommendations which it considers will promote the continued monitoring of equality and human rights considerations in the on-going introduction of Welfare Reform. The Committee, however, concluded that it cannot identify any specific breaches of equality or human rights aspects of the Welfare Reform Bill."*

As was the case for most of our discussions, that decision was reached by majority vote.

At times, the Committee was lively, interesting, dreary and time-consuming — a fact that has been reflected here today. You could use any adjective you can think of to describe different aspects of the Committee. I commend the members, because I found the Committee to be one of the most robust in debating a very important subject that I have either sat on or witnessed in the House. It was unfortunate that, on the final day of deliberations, we had to divide on so many issues. As Members have indicated, there was consensus and agreement in the Committee on a number of very serious and major issues, and members around the table were prepared to debate the issues as mature MLAs. The Committee was in closed session for the majority of the time, because what we were doing was quite sensitive either to members or their parties or to the groups that presented evidence to us, which we dissected and discussed. Some of the evidence was hard-hitting, and it was hard to comprehend how this would be brought forward and affect our constituents.

I will move on, if I may, to some of the Minister's comments. As he covered and reflected on Members' comments, I will not go over those as well.

At the outset, the Minister commended the Committee, although I know that his party was not in favour of setting it up. The Ulster Unionist Party was in favour — I say that as an Ulster Unionist member of the Committee — even though I know it has been said that we often went over the same ground twice. However, given the situation with welfare reform and the issues that we are dealing with, we thought that taking 30 days out of the timescale to make sure that we examined those issues in detail was not a big ask of the Committee or the House.

The Minister noted with concern the delay that that could cause to the Welfare Reform Bill. I think that everybody on the Committee took that into consideration and was prepared to put in two days a week or even more if necessary. The Chairman and I put in extra time to meet other groups, as well as travelling to Westminster with the Committee Clerk to meet Hywel Francis to make sure that we were getting the full evidence available. I am glad that the Minister is to meet the Committee for Social Development on Thursday to discuss the Ad Hoc Committee's recommendations. That shows that the work that we did was not in vain but was the start of a continuing process to highlight the concerns raised by the Committee for Social Development and the Ad Hoc Committee, as well as by every MLA, given the number of questions raised with the Minister about the EQIA, housing stock provision or any other aspect of welfare reform. Do not be under any illusions: as MLAs, we are the ones who will see how the legislation affects members of our society.

**Mr McCarthy:** I am grateful to the Member for giving way. He mentioned housing stock. Does he agree that the Minister was rather dismissive of the progress made by the Housing Executive, which has served Northern Ireland for over 40 years, when he said — I forget his words — that it was not providing the right accommodation to the right people at the right time? I assure the Minister that, when I required accommodation, I was privileged to accept a three-bedroom house for my family. That is not going to happen —

**Mr Speaker:** Order. Let us not stray from the debate.

**Mr Swann:** I take the Member's concerns on board. I must say that housing was one of the most emotive subjects that the Committee dealt with. There was a recognition of that by the Minister, who has acknowledged that the right housing is not in place for when the bedroom tax comes in. The implication is there.

The matter of housing also proved to be one of those numerous instances when the Committee found consensus. We agreed to include foster carers in the recommendations because of evidence that we had taken. The Minister addressed many of the concerns that Members raised, but I will cover them briefly.

Paula Bradley said that the most vulnerable — children, the elderly and women — will not be disadvantaged and that the report's recommendations will help to ensure that.

When the recommendations are taken in their entirety, I think that I can say that we did the job of work that we were asked to do by MLAs and the Assembly to make sure that concerns were addressed. The Minister talked about fears, but unfortunately that is what we deal with as constituency MLAs — the fears and concerns of our constituents. That is what we were reflecting on in our work in Committee. Hopefully, the regulations will take the recommendations into consideration, whereas the Bill itself may not. That is the work that needs to be done now.

Caitríona Ruane said that the assessment under section 75 was not fully carried out, as the Department left out four categories. I think that the Minister has addressed that. It is an argument that Caitríona made well on numerous occasions in Committee in the time that she was there.

DSD's failings in its responsibility to look into other actions, such as the policy and the outworkings of the social model, were explained to the Committee as well, but we need to see the outworkings of that. That is why we state at paragraph 13:

*"The Committee recommends that the Department for Social Development should continue its efforts to address the data deficits".*

It is not only about addressing those data deficits but about making sure that they do not have adverse effects on any section 75 group, whether covered in the original EQIA or not.

Tom Elliott explained our party position going into this. We went in with an open mind to make sure that we were doing our best. That is why we as a party supported the establishment of the Ad Hoc Committee. I tried to establish the facts around human rights and equality provisions in the Bill.

The concerns about the benefit cap were well rehearsed in Committee. Mickey Brady made a valiant argument for there being no necessity for a benefits cap. That was a point that Mickey raised in Committee and again today. However, when put into perspective, the figure of £26,000 — £35,000 before tax or £450 a week — may affect only a small number of families, but we need to make sure that they are not adversely affected.

**12.00 noon**

Colum Eastwood raised the point that this was a massive change for the most vulnerable in our society. As I have often said in here, we are here to give the voice to those who do not have the voice. I take exception to the Members who said that this was a unionist push-through because the unionist MLAs are not connected to their working class or the socially vulnerable. I will be quite honest with you: if any Members from other parts of the House want to come down and spend a day in my office in Harryville because they think that we are disconnected, you are more than welcome to come down with me, folks. I assure you that I could share the workload.

Lord Morrow's contribution to today's debate here in regard to the Ad Hoc Committee and how he viewed its usefulness and purpose was well rehearsed in the Chamber today. He paid tribute to the Chair, Trevor Lunn, for how he handled the Committee. It was not easy at times, because it was such an emotive issue. I am glad that Lord Morrow paid tribute to the Chairman, because it was him who caused most of it at times. *[Laughter.]* And Caitríona, but in her absence I was not going to mention her.

**Lord Morrow:** Unfair.

**Mr Swann:** I will think about retracting it.

The Minister referred to the additional input that can come because we had members of the Social Development Committee on the Committee as well. There was additional input that was either beneficial or a hindrance at times. I assure you that having a barrister on the Committee when we were talking about the Human Rights Commission and other European legislation was not helpful at all, Peter.

**Mr Weir:** It was obviously above your head, Robin.

**Mr Swann:** No.

Mark Durkan had concerns. Although he was critical of the report, he welcomed the recommendations that the Committee put forward. All that I can say to Mr Durkan is that I take on board the concerns that you are raising, but make sure that your Social Development Committee rep carries those concerns forward. That is where the job of work has to be done next: on the Social Development Committee.

In conclusion, for the reasons that I have outlined today, I call on the Assembly to support the motion and call on the Minister for Social

Development to take forward all the recommendations in their entirety as stipulated in the report.

**Mr Speaker:** I remind the House again that the motion requires a cross-community vote under Standing Order 60.

*Question put.*

*The Assembly divided:*

*Ayes 53; Noes 38.*

**AYES**

**UNIONIST:**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, 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 McClarty, 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 Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

**OTHER:**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

**NOES**

**NATIONALIST:**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

**OTHER:**

*Mr Agnew.*

*Tellers for the Noes: Mr Brady and Mr Eastwood.*

*Total Votes 91 Total Ayes 53 [58.2%]*

*Nationalist Votes 37 Nationalist Ayes 0 [0.0%]*

*Unionist Votes 45 Unionist Ayes 45 [100.0%]*

*Other Votes 9 Other Ayes 8 [88.9%]*

*Question accordingly negatived (cross-community vote).*

## Private Members' Business

### Rose Energy

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion has 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Clarke:** I beg to move

*That this Assembly notes the importance of the poultry sector to the Northern Ireland economy; further notes with regret the decision by the Minister of the Environment to refuse planning permission for the Rose Energy incinerator project; and calls on the Ministers to outline the action being taken to find an alternative viable solution for disposing of poultry litter.*

It is interesting that others have chosen to propose an amendment to remove the words "with regret". However, it is with regret that we must have this motion about Rose Energy. We have had discussions in the Chamber previously, and we are all very aware of the importance of the poultry sector here in Northern Ireland, where there is a reliance on over 7,000 jobs in the sector. Shame on the Department of Agriculture and Rural Development for not moving more quickly to produce something for the industry that would enable it to move forward in Northern Ireland.

Another thing that makes me regretful is that only one large producer here in Northern Ireland is now responsible for all of the poultry industry. What scares me — I am sure that it scares many who have invested hugely in their farms and livelihood — is that Moy Park will be saying today that Northern Ireland is not serious about the poultry industry, and so it will look elsewhere. We cannot forget that Moy Park is owned by a Brazilian company, which, I am sure, does not take kindly to the fact that we have continually stalled on delivering for the poultry sector in Northern Ireland.

I am fearful that Moy Park, or whoever else may come in the future, will look at other regions for investment and remove their money from Northern Ireland. Shame on the Agriculture Minister and the Environment Minister because there was a proposal on the table for the

industry. Given the reliance on jobs in the sector, the Department should have led on that. Unfortunately, however, the industry had to find a solution itself and spent many hundreds of thousands of pounds putting that project together and taking it through the planning stages.

**Mr Agnew:** I thank the Member for giving way. I find it surprising that he and his colleagues have not taken the opportunity to welcome the good work done by his Minister, Arlene Foster, along with the Agriculture Minister, in putting forward proposals under the small business research initiative (SBRI) to find a local solution to a Northern Ireland problem.

**Mr Clarke:** I thank the Member for his intervention. I do welcome the work that the Minister from our party is doing, but I still say that it is a shame on Agriculture Ministers, past and present, and the Department itself, that they have not delivered for the sector. This is nothing new for Northern Ireland. We have known for some time that it was coming and have failed to deliver on a project.

I am not looking forward to listening to some Members today because I will hear of all their aspirations for other technologies, which the Department of Agriculture and Rural Development's science division has disproved. In the Committee a few months ago, its representatives were asked a straight question about the science. They said that they believed, at that stage, that this project was the only show in town. So, today we are going to hear what other Members think we can do, but let us look at what the scientists say. This was the only show in town; this was the only application that was put forward by the industry, for the industry, and it has been turned down by the Department of the Environment, which is regrettable.

We have to remember that many young farmers in Northern Ireland have made decisions about whether to stay in farming. Thankfully, many have chosen a career in farming and to keep that legacy. Some of them have borrowed hundreds of thousands of pounds to put up new poultry houses, but with an industry that is looking uncertain because of the Environment Minister's recent decision to refuse this application, their investment could be lost.

If that happens in the months to come, it will be interesting to note what the other parties will say and whether they will call on the Executive to take responsibility for helping those farmers. The Executive should have taken responsibility

for that application now to deliver on the proposal that was put forward.

Let us wind the clock back to last year to the talks about the Presbyterian Mutual Society. No one saw the disaster coming for that organisation. However, the difference between that situation and farming is that, at least, the Presbyterian Mutual Society found a way out because the Executive, rightly, helped its investors. Unfortunately for the agricultural sector, what is going to happen to all those people who invested hundreds of thousands of pounds in poultry houses?

The Department of the Environment and the Department of Agriculture and Rural Development regularly disagree about farm diversification. We cannot get a joined-up approach from either of those Departments on alternative uses of farms. What will those poultry houses be used for in the future?

**Mr Bell:** I thank Mr Clarke for giving way and for securing the debate on such an important subject. Is it not the case that Moy Park is now Northern Ireland's largest employer, with over 10,500 employees and that this House's priority should be jobs and growth? The motion should be our priority because it will lead to jobs and growth.

**Mr Clarke:** I thank the Member for his intervention. That is the reason for having this debate. I fear for those who have invested. We have turned our backs on that investment in growth and on the only producer that we have in Northern Ireland. As I said in my opening remarks, I am concerned that, in the future, those people will say that Northern Ireland has not been serious.

The First Minister, the deputy First Minister and the Minister of Enterprise, Trade and Investment are continually going further afield to bring investment to Northern Ireland. Here we have investment in Northern Ireland, but two of the parties in the Executive have refused to do something to deliver for those who are currently investing here, to secure 10,000 jobs for the future of Northern Ireland and to protect the livelihood of the farmers whose legacy has been handed down over generations. That is a worrying development.

In tabling its amendment, I wonder how Sinn Féin will square the circle of removing the words "with regret" from the original motion. How can it say today that it has no regret that we have not delivered something for the agricultural sector in Northern Ireland? What is it going to say that is positive for those who

have invested much of their livelihoods in farming and who have signed their farms over to the banks in order to secure the money that they have had to borrow to continue to invest in Northern Ireland?

Let us be honest with people here today: the farmers have done their bit to invest in Northern Ireland for the future, but some Ministers in the Executive, and their Departments, have failed to assist them in that.

It is interesting that we had an intervention earlier from the Green Party. The application for the Rose Energy plant was for a renewable energy project that could have delivered power and removed the need for the land spread, which, again, I would have thought would have fed into the aspirations of many of those who say that they have green credentials.

Some said that they were fearful of the pollution that the plant might cause in Lough Neagh. What about the pollution that continues daily because of the land spread that is making its way to the watercourse as it stands today? The most that this project was doing was removing water from Lough Neagh to cool the plant. No sediments were ever going to make their way to the watercourse. Let us also bear in mind that that watercourse at Lough Neagh is also used for the water system in the greater Belfast area. So, those who have refused to help deliver this project must recognise that the pollution of Lough Neagh will continue because they refused to accept the project as it stood.

Finding a viable solution is referred to in our motion, but I fear that this has been a foot-dragging exercise by the Department of Agriculture and Rural Development. It has looked at possible solutions over the past number of years. Although, we are calling on the Department today to come up with solutions, I still think that there is an opportunity for us to revisit the proposed solution that was on the table.

It is interesting that some Members were whipped up by a small number of people who live in the vicinity of the proposed project. I suppose that, if it were built beside me, I would probably not be particularly happy either. However, we have to look at the greater good of Northern Ireland. We have to look at the investment that I referred to earlier. Thousands of people may have signed petitions, but there was a very well-organised group that went out and lobbied across Northern Ireland to try to block this project. We could be looking at another project in a more heavily populated



area. What would we do then? Would we turn it down too?

I call on the Minister to be honest with the Chamber today and say what consultation her Department has had with the Department of the Environment in relation to this project. Last week, I listened to Anna Lo talk about the complexities of the Planning Bill and the Minister of the Environment say that he was proud of his interference in this project. That is part of the problem. Science has been put forward in relation to this project, but there has been too much interference from politicians without any knowledge of the harm that they are doing by stalling it further. Maybe the Minister will tell us today what representations she or her Department made to the Planning Service and whether the Planning Service is content to support the project or is part of the problem.

**Mr Speaker:** The Business Committee has arranged to meet immediately on the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. The next Member to speak in this debate will be Mitchel McLaughlin, who will propose the amendment.

*The debate stood suspended.*

*The sitting was suspended at 12.27 pm.*

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

**2.00 pm**

## Oral Answers to Questions

### Employment and Learning

#### ApprenticeshipsNI

1. **Mr McNarry** asked the Minister for Employment and Learning to outline how he assesses the target levels of the different skills areas set for the 11,000-plus apprenticeships in the ApprenticeshipsNI programme. (AQO 3253/11-15)

**Dr Farry (The Minister for Employment and Learning):** I thank Mr McNarry for his question. ApprenticeshipsNI is a demand-led programme, and, hence, employers in Northern Ireland create apprenticeship places on the basis of their business need. Each apprentice follows an industry-recognised framework, which is agreed with the relevant sector skills council or industry-led representative body. Those bodies represent the employers in the sectors and determine the skills, knowledge and relevant standards that are required. There are almost 11,000 apprentices on the programme. That number is a testimony to the value that employers place on the programme. Apprentices have employment in a range of sectors, including engineering, electrical, motor vehicle, care and retailing.

The apprenticeship training package on offer to employers is attractive, in that my Department meets direct training costs. This can range from £1,300 to £10,800, depending on the age of the apprentice and the level and occupational area of study. On successful completion of the training, an incentive bonus of up to £1,500 is also paid to the employer. I think that that represents a fair balance of employer and departmental investment. Funding for apprenticeship training for those who are over 25 years old focuses on the priority skill sectors that will contribute most to the rebalancing of the economy.

I plan to make a statement in the Assembly in February on a fundamental review of the future of apprenticeships and youth training provision.

**Mr McNarry:** I look forward to the Minister's forthcoming statement. His reply has been very helpful. However, polls suggest that only 10%

of the public believe that ICT and engineering are important career paths. Does the Minister agree that improving public perceptions is very important and more is required to promote skills shortages in ICT and engineering?

**Dr Farry:** I thank Mr McNarry for his supplementary. First of all, the two specific sectors that he mentions, ICT and engineering, are areas where Northern Ireland has considerable strengths and, moreover, considerable potential for growth. So, it is important that we invest in the skills for those areas. Recently, I formed an ICT working group, which produced an action plan for the sector last June. I am also chairing an engineering and advanced manufacturing skills working group that will hopefully report in the very near future.

It is important that we invest in proper careers advice to indicate to young people where the potential for jobs and the future of our economy lie. Often, those jobs are some of the better paid ones. More generally, it is important that we talk about how apprenticeships are relevant to the modern, 21st-century economy. They are not simply about the old notion of metal bashing; they can be applied to a range of activities.

For a number of reasons, I have decided to undertake a review of apprenticeships in Northern Ireland. One of the outcomes that I would like to see is a much better understanding of the potential for apprenticeships and consideration of the development of higher-level apprenticeships beyond the pilots that, coincidentally, we have in both ICT and engineering. I would also like to see alternative pathways to higher-level skills emerging.

**Mr F McCann:** Go raibh míle maith agat, a LeasCheann Comhairle. I thank the Minister for his answers so far. I agree that apprenticeships are as important today as they have ever been. In the present economic climate, they are probably more important. Will he explain to us what procedures are in place to ensure that apprentices go into full-time employment after they come out of their apprenticeship training?

**Dr Farry:** I agree with Mr McCann about the importance of apprenticeships. Indeed, there is real potential and a real opportunity in Northern Ireland to have a new beginning in this area. The beauty of apprenticeships is that they are on-the-job training. An employer will have taken a decision to create an apprenticeship opportunity, and that employer will have a real

sense that what is best for their company or organisation is to have someone trained on the job so that they become skilled and can play a role in their workforce. The whole purpose of an employer training apprenticeship is to have that apprentice working with the company beyond the end of the apprenticeship. Moreover, an apprenticeship gives the person in question the ability to obtain proper, accredited qualifications that, in turn, will be transferable.

**Mr Cree:** The Minister previously announced a substantial cut in adult apprenticeships aside from the main economically important sectors. Can he outline how many apprenticeships have been created in those specific sectors and the nature of those apprenticeships?

**Dr Farry:** I am happy to clarify the situation on adult apprenticeships and to provide all the relevant figures to Mr Cree in writing. It is worth stressing that, when I assumed office as Minister for Employment and Learning, zero budget was available for adult apprenticeships. The decision had been taken, on the basis of budget assumptions, that we would eliminate that provision entirely. Of course, that decision was taken by my predecessors, and I shall not say which party they came from. However, we have restored 50% of the funding but redirected it to the priority growth sectors for our economy. It was also clear that there was some overprovision in the amount of money that was being paid out. Adults, given their existing education and some of their skills and employability skills, were often able to complete their apprenticeships much more quickly than young people. There was a real risk to public money through overpayments, and hopefully we have rectified that with the new scheme for adult apprenticeships. In Northern Ireland, unlike in some other parts of the UK, we continue to have adult apprenticeships for those over 25.

## NEETs Strategy

2. **Ms Fearon** asked the Minister for Employment and Learning what action his Department is taking to ensure that no one is left behind in the roll-out of the strategy for young people not in education, employment or training. (AQO 3254/11-15)

**Dr Farry:** I thank the Member for her question. Pathways to Success is the Executive's strategy for young people not in education, employment or training, otherwise known as NEET. When I assumed office in May 2011, there was no ring-fenced or clearly defined

budget to target the growing number of NEETs in Northern Ireland. Following a period of intense work to develop the Pathways to Success strategy, I was able to secure a substantial budget of over £25 million over the 2012-15 period that will make a significant difference to the lives and prospects of our young people. That includes £10 million to fund the NEETs strategy generally; an additional £5 million to fund projects under the collaboration and innovation fund, which is an overall commitment of £9 million; an additional £4 million to extend the family support programme to 500 families; and over £6 million to extend existing European social fund projects and to fund 16 new projects.

I want to focus on the collaboration and innovation fund that recently commenced and will explore new approaches to address the specific and general barriers faced by those in the NEET category. Eighteen organisations across Northern Ireland, drawn from the community, voluntary and educational sectors, will provide much-needed support to over 5,500 disadvantaged young people who are NEET over the next two years. Working in partnership to ensure that the voice of the voluntary and community sector was heard, my Department established the NEETs strategy forum. The voluntary and community sector is best placed to engage with NEETs, and that is now a formal part of the organisational arrangements for taking forward the strategy. Those initiatives will ensure much better targeting of activities to prevent young people across Northern Ireland becoming NEET and to address the needs of those already in that position.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer so far, but can he give assurances that young people living in deprived rural communities, in particular, will not be bypassed by the NEETs strategy?

**Dr Farry:** I concur with the comments made by the Member. Indeed, a question from Mr McCallister later will address that particular aspect. We are talking about rolling out the community family support pilot not just in west and east Belfast and Newtownabbey but in Strabane and Cookstown. Also, a number of the projects that were successful under the collaboration and innovation fund are based in rural areas and have rural catchment areas. It is important to stress to the House that enormous strides have been made by the Executive and my Department in that area, and we are rolling out a wide range of new programmes. I expect that that will be an ongoing commitment from the Executive over

coming mandates, and we will certainly seek to expand and build on good practice from the initial interventions.

**Mr Eastwood:** The Minister will be aware that one of the key elements of the Committee's report and inquiry on this area was that all Departments and all Ministers should work together. Is the Minister confident in and content with the response that he is getting from all Departments?

**Dr Farry:** Yes, very much. The NEETs strategy is a real success story of collaboration in the Executive, and we now have to move on to ensure that we deliver on that in the coming years. The Member rightly referred to the report that was produced by the previous Employment and Learning Committee, and, in the strategy, we have reflected how we have taken on board all the recommendations that that Committee made. There is buy-in from all Departments of the Executive, and we are working together on this. Of course, the NEETs strategy forms part of the wider Delivering Social Change narrative that the Executive are taking forward. Indeed, we have secured additional resources from that project fund for some NEETs projects.

**Mrs Overend:** The youth employment scheme has an important role to play in reaching the young people who are most in need of employment, education and training. Can the Minister outline whether the scheme is on target for placements, employer subsidies and training places?

**Dr Farry:** I thank the Member for her question. She is probably stealing the thunder of other Members who will have questions on that specific programme later on. We have targets through to March, and we are making considerable progress towards meeting those. It is important to stress that we have a full spectrum of interventions for young people. The NEETs strategy addresses the people who face the biggest barriers to participation in the labour market, and we want to see progression of those young people from very direct NEETs schemes into other programmes, such as the youth employment scheme, and, obviously, into proper full-time education and, indeed, full-time employment. The youth employment scheme is geared towards people who, if it were not for the current economic situation, we would expect to be in work today but are in real danger of losing their employability skills or losing opportunities to get on the first rung of the ladder of employment. It is important that

the state intervenes to assist those young people.

## Northern Regional College

**3. Mr Storey** asked the Minister for Employment and Learning for an update on the Northern Regional College outline business case on its analysis of estate needs including for Ballymoney and Ballymena. (AQO 3255/11-15)

**Dr Farry:** The Northern Regional College has produced a high-level strategic overview for its future estate needs. It was approved by my Department and the Department of Finance and Personnel in April 2011. It is the curriculum plan that will determine the actual type of accommodation and the locations required by the college in the future. The college is close to finalising its curriculum plan for the future delivery of further and higher education to support the needs of the people and the economy in the northern area. The plan will enable the college to explore the various options required to deliver the necessary infrastructure in more detail in an outline business case. The value-for-money options for Ballymoney and Ballymena will be considered as part of that process. Overall, the options include refurbishment of all sites; a single newbuild to replace the Ballymena campuses; and a single newbuild to replace facilities at Ballymoney and Coleraine. Assessment and approval of the outline business case is expected by the end of this academic year.

**Mr Storey:** I thank the Minister for his answer and for his interest in the issue and the discussions and correspondence that we have had. He links the issue of the curriculum plan to the capital build. Can he tell the House, to bring to an end the uncertainty, particularly for the young students at the Ballymoney campus, and because of the deficits in capital and structural provision in Ballymena and Ballymoney, the timescale for a real proposal to be put on the table that is in line with the area plan, the entitlement framework and the area learning communities? To date, those three links have not really been made.

**Dr Farry:** I thank Mr Storey for his supplementary, and I recognise that he has been particularly dogged in speaking up for the Northern Regional College and particularly the case for Ballymoney. To sum it up, it is clear that form must follow function. We have to get the functions right and clear and understand what we need to provide for the community in

the northern part of Northern Ireland. On timescales, we want the college to be proactive in producing the outline business case. It is its responsibility to produce that, although my Department and officials are happy to assist.

I appreciate that there has been relative underinvestment in the Northern Regional College compared with some other parts of Northern Ireland over the past number of years. As we develop a new capital investment programme for the further education sector, that will be very clear in our minds. I expect to make bids for investment in the northern area as part of that. The precise nature of those bids will be determined when we see the full business case.

**Mr Allister:** I am glad to hear the Minister acknowledge that there has been underspend in the Northern Regional College. Can he tell us, in terms of future capital build, whether he anticipates that taking place within this budgetary period, or will there be further slippage in that regard? Can he tell us what crossover, if any, there is with the area planning of post-primary education that the Department of Education is conducting?

**Mr Deputy Speaker:** Members, please remember it is one question.

**Dr Farry:** I will address the points made by Mr Allister. Certainly we recognise that there is a need for capital investment in that area. There is not so much slippage happening during this CSR period, because there are limited budgets available for capital spend. Certainly, if I see the opportunities for making early bids for resources — if resources become available at Executive level — I will not be shy in putting myself forward for resources in that regard. In reality, we are probably talking about the next CSR period, but it will be a priority for the Department, and, of course, it is important that the further education sector is linked with area planning. Further conversations in that regard are required. This is not about one type of institution as against another; it is about the best interests of young people and ensuring that young people, right across Northern Ireland, have access to the best-rounded education and are able to mix and match the subjects that are best suited to them, their career progression and the future needs of our economy.

**Mr Beggs:** There has been a scarcity of education outreach courses provided by the Northern Regional College in Larne, Carrickfergus and Moyle district council areas.

Will the Minister assure me that new capital investment will not occur at the expense of education outreach courses where there is underprovision?

**Dr Farry:** I am happy to reflect on the points that the Member makes and to discuss them with the Northern Regional College. However, I do not expect that the two issues will cut across each other: one is a revenue expenditure, the other a capital investment. It is important that we move ahead on a broad front and explore all the options where the further education sector can make a contribution to the community.

## Graduate Returners

4. **Mr Ross** asked the Minister for Employment and Learning how many graduates who studied in Great Britain have returned home over the last five years. (AQO 3256/11-15)

**Dr Farry:** I thank the Member for his question. Latest figures show that, in the 2011-12 academic year, approximately one third of Northern Ireland-domiciled full-time first-year undergraduates — around 5,000 people — left the region to study at a higher education institution in Great Britain. Research has indicated that, in the main, those who opt for a university place in Great Britain do so on the basis of choice. The most important reason cited was that the student considered a particular institution as being the best place to undertake their chosen course. Issues of reputation and location were also important to respondents. In that respect, a large number of those students are determined leavers.

Data on those who returned can be sourced from the higher education destination survey. The survey shows that, of those who go away to study, over one third return to Northern Ireland for work. Specifically, over the last five years, between 35% and 39% of Northern Ireland-domiciled full-time leavers from higher education who studied in Great Britain and were in employment six months after graduation returned to Northern Ireland for work.

**Mr Ross:** I am sure that the Minister agrees that we want our most talented people to come back to Northern Ireland and to contribute to our local economy. Obviously, the best way to do that is to have the graduate opportunities here. I know that he and other Executive Ministers are working hard to ensure that those opportunities exist. Will the Minister outline to the House the type of work that his Department, working perhaps with other agencies, does in

going across to universities in Great Britain and participating in job fairs and employment seminars to encourage graduates from Northern Ireland to return home and seek employment back in Northern Ireland?

**Dr Farry:** Mr Ross has, quite rightly, identified a number of issues that we need to be very mindful of. First, the effect of the Executive's decision to freeze tuition fees in Northern Ireland has been enormously helpful in encouraging our students to stay in Northern Ireland. If they stay in Northern Ireland, they are more likely to build their career here as well. We have also sought to expand the number of undergraduate places in Northern Ireland — we have, perhaps, had the biggest rise in provision in over a decade — and all of those are in STEM subjects, which are of most relevance to the future needs of our economy.

I certainly take on board the Member's point about the need to encourage companies from Northern Ireland to go to jobs fairs at universities in Great Britain and, in particular, to target those who have a particular interest in Northern Ireland, because it remains their home, and might consider building their career here. Overall, that leads to consolidating what the Executive are doing around the economic strategy and building a prosperous economy here where there are plenty of opportunities for highly skilled graduates to build a career and a life in this society.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. It is possible, if not probable, that the Minister cannot give me the information on my question today, but perhaps he might come back to me in writing. Will he indicate how the pupils and students who go to Great Britain to take degree courses fare, compared with those who stay at home to do so, both in terms of completing their degrees and passing them?

**Dr Farry:** I will certainly come back to the Member with the very specific figures. However, it is worth stressing that the universities in Northern Ireland have very high retention rates. Overall, higher education retention in Northern Ireland compares favourably with that elsewhere in the world, for different reasons. For example, the United States has very low graduation rates, because a lot of people tend to drop out, sometimes for economic reasons. The continental European model tends to have a very flexible approach to entry. Large numbers of people will enrol, but a lot of people drop out when they discover that the course is not for them. The approach in

these islands is probably the best balance between those extremes. I am more than happy to give the Member the very detailed figures.

**Mr A Maginness:** The Minister gave a very interesting answer about the impact of freezing fees on student numbers. Will he quantify that impact on students here?

**Dr Farry:** Again, I am happy to write to the Member to give him the specific figures. Fees for university applications have been frozen for two years, and we are just going through the second year as we speak. The indications are that the number of local students applying to local universities has been protected. That contrasts with a drop in overall applications to universities across the UK as a whole. Clearly, the higher-level fees in the UK as a whole have deterred some students from going to higher education, whereas the protective measures that were taken in Northern Ireland have led us to maintain the number of people who are applying to our local institutions. That can only be good for the future of our economy.

**Mr Lyttle:** How important is the delivery of a shared society to encouraging talented young graduates to choose Northern Ireland as a place to build a life and career or business?

**Dr Farry:** The Member puts his finger on a very important theme. We need to recognise that there is a range of reasons why young people will want to stay in Northern Ireland for higher education and to build their career here. A shared society is very clearly part of that, along with job opportunities and quality of life, and we must be mindful of all those issues. Clearly, what has happened in Northern Ireland over recent months has impacted on people's thinking. It is important that we move rapidly to ensure that what has happened is a blip in the progression of our political and peace process and not a major regression, because the consequences for people's choices and for the future of the Northern Ireland economy could be very dramatic if we get this wrong. For now, however, it is vital that we stress the importance of young people continuing to build their future in Northern Ireland, and it is important that they understand that they can have a good job and a good lifestyle and, indeed, live in a peaceful society.

## Youth Employment Scheme

**5. Mr Durkan** asked the Minister for Employment and Learning for an update on the youth employment scheme. (AQO 3257/11-15)

**6. Ms Brown** asked the Minister for Employment and Learning for his assessment of the youth employment scheme. (AQO 3258/11-15)

**Dr Farry:** Mr Deputy Speaker, with your permission, I will group questions 5 and 6, and I request an additional minute for the answer.

Since I launched the youth employment scheme, our primary focus has been on encouraging employers to agree to offer opportunities to young people. We have had significant success in that regard. As at 25 January, 725 employers had signed agreements to participate in the scheme. To date, 781 opportunities have been secured. I have also engaged with Executive colleagues and public sector organisations, such as district councils, to secure additional opportunities. I have been encouraged by their response so far. This year, my Department has added 50 opportunities, and that will rise to 150 next year and the year after. I am confident that the youth employment scheme will generate over 1,000 opportunities by the end of March.

At the same time, almost 1,600 young people have shown interest in the scheme and have been referred to at least one opportunity. The quality of the work experience for young people is vital to making the scheme work. The key challenge is this: we need to ensure that we match the right young person to the right opportunity as quickly as possible. That is central to achieving our objective of reducing youth unemployment.

My assessment is that we have been successful in developing and implementing the scheme in just seven months. We have also demonstrated that employers are willing to offer opportunities in the numbers required to make a step change in the unemployment rate for 18- to 24-year-olds. Indeed, I have been greatly encouraged by the support of employers and their representative bodies, especially the CBI. On the demand side, therefore, we are delivering what we set out to achieve.

On the supply side, of the 781 opportunities secured, 177 young people have availed themselves of those to date, and 75 of them are in full-time employment. Members should recall that participation in the scheme is entirely voluntary so we will market and promote the scheme very effectively to young people over the next few months. To further increase the impact of the scheme, we recently commenced the First Start initiative, which will give 500 young people six months' valuable paid work experience this year. Over 150 of those posts

have already been filled. On 31 May 2012, I secured Executive endorsement for the Pathways to Success strategy for NEETs and additional funding to deliver the strategy. The Department is working its way through the delivery of the strategy.

I urge all Members to encourage businesses in their area to support the youth employment scheme and all the various NEETs initiatives and to encourage their young unemployed constituents to avail themselves of the opportunities on offer.

**Mr Durkan:** I thank the Minister for his answer. I welcome his Department's good work on the issue and the Minister's enthusiasm for the scheme. Is the Minister satisfied that the resources allocated to the scheme can ensure maximum outreach and impact?

**Dr Farry:** I thank the Member for his question and his recognition of the Department's good work. I also recognise the strong interest shown by a number of Members. The Executive have invested considerable resources in the scheme. It is worth reminding the House that, although we secured Barnett consequential for the youth contract across Great Britain, those were unhypothecated allocations; I stress that since the Finance Minister is here. Nonetheless, the overall quantum of funding from the Executive on a pro rata basis turned out to be greater than the amount invested elsewhere in the UK. It is, therefore, clear that the Executive are investing a greater proportion of resources in addressing youth unemployment than are other parts of the country. That is an indication of what we are doing. A lot of that has gone into investing in front line staff who work directly with young people.

**Ms Brown:** I thank the Minister for his answers so far. Will he outline what plans, if any, he has to increase the duration of the work experience element, given that a longer period of work experience may help to cement the vital skills gained while on placement and lead to employment?

## 2.30 pm

**Dr Farry:** I thank the Member for her question. It is worth stressing that the scheme includes a number of different elements. The first is a two-to eight-week — a sampler, almost — work experience opportunity. We expect a large number of young people to go through that. Also on offer is a longer work experience opportunity focused on the economy's priority

skills sectors. Therefore, beyond that, there are opportunities for young people, and a young person can take up any of those options, whichever best suits his or her particular needs.

Again, beyond that, it is worth stressing that a very generous wage subsidy of over £5,000 is available to employers, so an employer who is willing to give a young person a job through the scheme will receive a considerable amount to help with paying that young person's wages. In particular, perhaps, for small businesses that operate on the margins and, in this uncertain economic climate, are not clear whether they can take the risk of employing new members of staff, I hope that the scheme will give them the comfort blanket of knowing that they can take on young people, see that those young people add to the bottom line of their businesses and, in turn, give them the confidence to give those young people full-time jobs at the end of it all.

## Finance and Personnel

**Mr Deputy Speaker:** Question 3 has been withdrawn and requires a written answer.

## Land and Property Services

1. **Mr Cree** asked the Minister of Finance and Personnel to outline his Department's plans to ensure that Land and Property Services delivers on its targets for 2012-13. (AQO 3268/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** I am sure that the Member will agree that the work of Land and Property Services (LPS) is essential to the delivery of the objectives of the Programme for Government for Northern Ireland. Of course, LPS is tasked with the job of collecting Northern Ireland's rates income, which adds about £1.1 billion to the amount that the Executive have to spend on services and other activities in Northern Ireland. For that reason, it is a priority for my officials to ensure that they meet the set targets. The performance of LPS is scrutinised and monitored regularly through the key targets contained in the Department of Finance and Personnel (DFP) and LPS scorecards, and my Department reports on those regularly. It should be noted that, despite the tough economic times, between 2008-09 and 2011-12, the amount collected increased by £125 million a year.

**Mr Cree:** I thank the Minister for his comprehensive reply. During the next few years, LPS will face additional challenges

because of the review of public administration (RPA), non-domestic revaluation and even welfare reform. Is the Minister satisfied that LPS in its present form will be able to cope with that extra workload?

**Mr Wilson:** Of course, we look continually at the staffing complement required. This year, we have increased the staffing complement to almost the maximum that we are allowed in order to deal with the difficulties caused by, for example, the increased demand for housing benefit claims and the greater difficulties that the recession has presented when it comes to collecting rate debt. There are a lot of challenges ahead. The Member pointed out the changes that will result from welfare reform. We will have to develop a new rates rebate scheme for elderly people, those on low incomes, disabled people, etc. With RPA, of course, there will be work to be done with councils, although, basically, the same rates structure will still be in place regardless of the units on which those rates, especially at district level, are calculated.

**Mr Dunne:** What actions has LPS taken to address the issue of rates, as he mentioned previously? What proposed actions have been put in place?

**Mr Wilson:** As far as recovering rates and ensuring that we collect rates are concerned, the first thing to do is to ensure that timely and accurate bills go out to people so that they know exactly what their rate liability is. The vast majority of people now use direct debits or pay upfront. Therefore, by and large, most of the rates are collected without any fuss. Where there is a genuine difficulty, we will of course seek to help people, but we will go after people who have just decided that they are not going to live up to their obligations. That involves offering opportunities and terms for people who really do find it difficult, so that they can spread their payments over a period of time. The next step is the court process, where we would obtain court decrees and refer debt to the Enforcement of Judgments Office. On rare occasions, we will go for bankruptcy proceedings.

Another thing we need to do is ensure that we have an up to date register for the properties on which rates are payable. That is where we use information from the Land Registry and the likes of Building Control, local councils and other sources.

**Mrs D Kelly:** Does your Department offer any measures or incentives to help those in rates arrears to pay their arrears?

**Mr Wilson:** We do offer payment arrangements. Quite often, we seek to be as flexible as we can in stretching those arrangements. If, for example, it was a debt stretching back three years, we would give people three years to pay that debt. That means, of course, that our debt figures, which get quite a lot of scrutiny from the Assembly, will go up. One should consider that 40% of the current debt figure is made up of people who have made arrangements to pay over a period of time. That amounts to about £60 million, by the way. So, you can see that we do make considerable efforts, and quite a lot of money is outstanding as a result of the arrangements we have made. However, I think all Members would agree that, in the current recession, the last thing we would want to do is make things more difficult for those who want to pay but have genuine difficulty in being able to pay.

## Peace III: Evaluations

2. **Mr P Ramsey** asked the Minister of Finance and Personnel to outline the formal evaluations that have been commissioned on Peace III in relation to lessons learned from previous projects. (AQO 3269/11-15)

**Mr Wilson:** Six formal evaluations have been commissioned. Sometimes, I think that there are more evaluations on Peace III than there are projects. However, they are necessary; the European Union requires us to carry out those evaluations. The evaluations are as follows: an implementation analysis of the Peace III and INTERREG IVa programmes, which was for July 2009; a review of the implementation of theme 1, building positive relations at local level; a review of implementation of theme 1.2, acknowledging and dealing with the past; the community uptake analysis; the attitudinal survey; and the midterm evaluation, which is due in April 2013. A considerable amount of expenditure goes into those. Some are done in-house, through the Northern Ireland Statistics and Research Agency — I cannot give you a figure for what that costs — and others are done by outside consultants. Four evaluations have been done by outside consultants, and have cost probably about £128,000 altogether; I think that was the figure I was given.

**Mr P Ramsey:** I thank the Minister for his detailed reply. Given the Minister's response, one can only understand the concern and frustration at the system. Will the Minister



outline what specific measures he could bring forward to reduce bureaucracy and delay in the processes? Is his Department looking at those measures?

**Mr Wilson:** As far as the evaluations are concerned, there is probably not a great deal we can do. All those evaluations are required by Europe to show that the money that has been spent has been spent in a way that is acceptable and meets the objectives, etc. Some of those evaluations will then be used to inform decisions on future European moneys. For example, we are going through a consultation at present about what happens beyond the current EU spending period. Will we have a Peace IV programme? What should the next INTERREG programme look like? Some of those evaluations will help to inform that.

I ask the question all the time: do we really need to do those evaluations and do we need yet another set of consultants? The answer that comes back is that the evaluations are done only because we have to be able to provide information to Europe that the money is being spent effectively and meets the objectives. Until Europe reduces some requirements, it will be difficult to remove some of the evaluations.

**Mr I McCrea:** I am sure that the Minister heard, as I did, complaints in the Protestant community that it does not receive its fair share of Peace funding. Can the Minister give a view on that? Does he have the figures to provide us with the precise percentage of Peace funding that the Protestant community gets for its projects?

**Mr Wilson:** I should have the figures here. If one looks at the various Peace programmes — Peace I, Peace II and Peace III — the maximum drawn down by groups from the unionist community was 47%. In Peace I, there was a 44% uptake by groups from the Protestant community. In Peace II, it was 47%, and although we are not at the end of Peace III, it stands at 46%. It is something that has concerned me, and I have been saying to the Special EU Programmes Body (SEUPB) that it has to address that situation. I am critical of the SEUPB in many other ways, but there has been a considerable effort to try to get applications from the unionist community and to work with groups in the unionist community where there is very little capacity; groups such as the Orange Order, the various police organisations, etc.

I have to say that it annoys me sometimes when I hear ill-informed comments, such as,

"we get nothing", coming from people who seek to agitate. Let us just look at some of the money that has gone in. In east Belfast, where some of this agitation has come from, the Skainos project is a magnificent regeneration project. It has received £6 million as a result of money from Peace III. The Grand Orange Lodge got nearly £1 million for its stepping towards reconciliation and positive engagement. The Grand Orange Lodge got another £3.6 million, and the Apprentice Boys of Londonderry got £2 million. All those things have gone to unionist-orientated groups, and I just wish that some of the people who complain that they get nothing would actually look at the facts.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister have any plans to seek other European funding streams that are not being tapped into currently?

**Mr Wilson:** The Executive set themselves a target to maximise the amount of money that comes from Europe, and the Minister of Enterprise, Trade and Investment will be responsible for some of it. We know that there is a vast amount of money available for research and development, albeit that some of that money has to be awarded on the basis of collaboration between firms and universities here and those in other European countries. There is a vast amount of money to be tapped into there, and I know that the Minister of Enterprise, Trade and Investment has been looking at how we might draw down some of that. My job is to make sure that we do not lose out on any of the money available under the Peace programme and INTERREG, and all the indications are that we are on target to draw down all the money that will be available during this spending period.

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

## Executive: Revenue

4. **Ms Boyle** asked the Minister of Finance and Personnel for an update on performance against the Budget review targets for raising additional revenues. (AQO 3271/11-15)

**Mr Wilson:** Members will recall that in the 2011-15 Budget, the Executive explored a wide range of initiatives that might generate additional revenue, and we identified £900 million of additional revenue-raising measures over the four-year period. Those measures are regularly reviewed by the Budget review group. To update on performance, although we have

set no specific targets in relation to future revenue-raising options, we regularly consider what other options might be available and monitor how well we are progressing on the money that we have already built into the Budget for the 2011-15 period.

**2.45 pm**

**Ms Boyle:** Go raibh maith agat. I thank the Minister for his answer. Is he confident that the Programme for Government's revenue-raising commitments will be met?

**Mr Wilson:** If one looks at some of the things that we have built into the programme so far, one will see that, first of all, we had a £142 million target for capital receipts for the current year and that we have raised £170 million. So, we are ahead there.

The target for the first year for the asset management unit was £10 million. At an early stage, we could not really identify sufficient assets, so we reduced that target to £2.5 million, which we met. The target for this year is £22.5 million, because we simply took last year's figure and added it on. We are on target to meet that.

We met the amount of money on the additional rates in line with inflation and the rating of empty homes. Some things we are not on target for. I said at the time that we would not include things that were risky. The House knows that the money that we were expecting to get from the Harbour Commissioners is not likely to be realised. That means that the Department for Regional Development will have to look at how it will deal with that pressure of £40 million.

**Mr Ross:** Will the Finance Minister agree that, whenever some Members on the opposite Benches talk about revenue-raising powers, they actually mean tax increases for already hard-pressed businesses and households across the Province? Does he also agree that that is not the direction in which the Executive should be going and that many of the areas for revenue raising that Members on the opposite Benches have identified would come at a huge cost to the block grant?

**Mr Wilson:** I think that I have always made my position clear in the House. That position is that I do not believe that we ought to be taking money from the public if there are ways of making savings in the public sector that we have charge of at the moment. For that reason, we have frozen rates in Northern Ireland in real

terms to the end of this Budget period. They were frozen during the last period.

I hear all these things about the Assembly discussed, such as taxes and everything else. We actually have a very good record — it is the best record of anywhere in the United Kingdom — in that, where we have tax-raising powers, we have not exercised them to the detriment of people in the middle of a recession. I think that we ought to be proud of that, and I also think that those who continually complain about the Assembly's performance ought to bear it in mind. We are a low-tax Assembly, and that is the way that I want to keep it.

## Rates: Low-income Households

**5. Mr Buchanan** asked the Minister of Finance and Personnel for an update on his plans for future rate support for low-income households. (AQO 3272/11-15)

**Mr Wilson:** The Member will be aware that, under welfare reform, council tax benefit will be localised in Great Britain and expenditure on that will have to be reduced by 10%. In other words, the money that comes from central government has been reduced by 10%

We face the same situation in Northern Ireland, as the rate rebate element of housing benefit being devolved to Northern Ireland means that it will no longer be paid for out of annual managed expenditure, which was just based on the demand for expenditure under the scheme. As a result, we will lose £13 million in the first year. Had we kept the scheme on, the cost would have risen quite dramatically with the increased demand, as well as simply with normal inflationary increases.

The Executive have agreed to cover the shortfall for the first year. I think that all Members should have received a letter about this by now, but we have issued a high-level consultation on the way forward. We have to ask what groups we want to protect, because we cannot keep on doing what we are doing, first, because of the cost, and, secondly, given that, once universal credit comes in, we will not have the systems that we used to in order to identify individuals. So, that high-level consultation will take place for the next 12 weeks. After that, we will have to devise a new scheme on the basis of the outcome of that consultation.

**Mr Buchanan:** Does the Minister have any plans to introduce an increase for those who

are on low benefits and in low-income households?

**Mr Wilson:** We asked a whole lot of questions in the consultation document to see what the new scheme would look like, such as: who should be protected; should we find new ways of raising money; should we increase rates to raise money to fill the shortfall; and are there priority groups?

One of the priority groups will be those on low income. However, if we decide to protect those on low income and do not put additional money into the scheme, somebody else will not get the same level of cover that they have currently. If we decide that we want to protect everybody to the same level that we do at the minute, we have to find the money from somewhere. As I say, within two years, that will increase to £40 million, and it will keep increasing year on year. We will have to look at that decision once we have finished the consultation.

**Mr Copeland:** Will the Minister outline the current situation with respect to the replacement of housing benefit for rates following the implementation of the welfare reform plans?

**Mr Wilson:** The situation is that we will have less money available. We currently get, I think, £130 million. That is the expenditure for the rate rebate scheme. That, of course, was automatically paid by the Treasury, but as it will now be devolved, it will be cut by 10%. So, immediately, the current scheme, which costs us £130 million, will be £13 million short. The Executive have decided that they will make £13 million available for the next year from general money that is available in Northern Ireland. In other words, we will keep money for that rather than spending it on something else.

That is what the consultation is about — what will we do after that happens? We know that the cost will escalate in, I think, two years' or three years' time to £40 million, and it will keep going up if we do not change the scheme. We have to change the scheme anyway, because we currently work out who is eligible from some of the information that comes from the social security arrangements. When those arrangements go, we will not have the information to work out who is eligible, so the scheme itself will need to be changed. The question is this: will that be changed in a way that means we do not spend additional money, which then means that we will have to exclude some people? That is what the consultation is

about — who should be excluded? In other words, who should have the highest priority?

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his answers. Has the Minister had discussions with Minister of the Environment about the element of the rates for which councils are responsible that keeps rising year on year?

**Mr Wilson:** The Minister in England said that if councils there want to increase rates above 2%, they should have a referendum and let local ratepayers decide.

I hope that the Environment Minister is emphasising to local councils that if we at Executive level are freezing the regional rate in real terms, they should be doing the same. Freezing the regional rate in real terms means that we have had to forgo some money for additional services and pressures. If that is true for us, councils cannot say, "Ratepayers want us to do this, this and this, so we need to raise rates" and hide behind that. They have to take the same attitude as us. If people are finding it difficult to pay their rates in the current recession, do not spend money on certain things. I hope that the Environment Minister is saying that to councils. Ultimately, he cannot stop them, but I hope that he is trying to give them some guidance and saying, "Try to keep rates down, with no increase in real terms". I believe that that would be a great relief to many domestic and non-domestic ratepayers who are finding life difficult at present.

## Construction: Contracts

6. **Mr McGlone** asked the Minister of Finance and Personnel to outline the anticipated benefits of the new measures in the Construction Contracts Exclusion Order (Northern Ireland) 2012 and the Construction Contracts (Amendment) Act (Northern Ireland) 2011 in providing more safeguards for subcontractors in the construction industry by closing legal loopholes and providing default contractual terms. (AQO 3273/11-15)

**Mr Wilson:** The new legislation updates measures in the Construction Contracts (Northern Ireland) Order 1997. It does a number of things. It introduces greater transparency in the amounts to be paid and the dates for payment. It removes loopholes that major contractors were using in order not to pay subcontractors. It also means that subcontractors on PFI contracts will no longer be excluded.

The new legislation is important because it will lead to a better allocation of adjudication costs. In the past, many subcontractors were afraid to go to adjudication because they sometimes had in their contract clauses that said that if they go to adjudication, they bear all the costs of that adjudication. That has now been ruled out. The whole idea behind the legislation is to try to create a fairer and more level playing field for those subcontractors who rely on main contractors to pay them when they have done work for which they rightfully should be paid.

**Mr McGlone:** I thank the Minister for his answer. Perhaps the Minister can elaborate a wee bit on the issue of project bank accounts and the roll-out of those in his Department, with a view to facilitating and helping subcontractors.

**Mr Wilson:** The Member raised that issue with me some time ago, and I undertook to look at it. I took it to the procurement board and, from the beginning of this year, we have an arrangement in place whereby for any construction contract worth more than £1 million and in which there is a substantial amount of subcontracting, project accounts will be used, provided it is a project that is overseen by the Central Procurement Directorate (CPD), although we are going to encourage other centres of procurement excellence (COPEs) to use project accounts.

The idea is this: money will go into the project account. As a result, within five days of that money being deposited, the various subcontractors should be paid from the account. Therefore, no longer will the money go to main contractors, who might then have decided to hold it back, use it as working capital and pay subcontractors at their leisure. That will be an important development in helping subcontractors. Of course, it applies only to those contracts that CPD puts out. They have to be construction contracts, have a substantial number of subcontractors involved and be for over £1 million.

As far as private contracts are concerned, some of the other legislation that I referred to — on adjudication, and so on — should make it easier for companies that feel that they are being hard done by, even over private sector contracts.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers and for his work on the issue.

In response to a question from the Member for Mid Ulster behind him, the Minister said that he is sick of hearing people crying about getting

nothing. However, there are an awful lot of subcontractors who have got nothing. Has the Minister any plans to expand or reduce the amount at which the project bank is initiated, because £1 million contracts are for larger contractors, whereas an awful lot of smaller subcontractors are taking the hit?

**Mr Wilson:** First, if the contract is worth less than the amount that I stated, it is unlikely that there will be a large number of small contractors involved in it anyway. If it is a very small amount of money, the project will probably be done by one company. That was why the threshold was set.

However, do not forget that we have done other things to try to help subcontractors. In a main contract, it is now the responsibility of the contractors to report to the project manager bills that have been sent in by subcontractors; to indicate whether they are happy that the work has been done for which the bill was allocated; and to explain whether payment has been delayed and, if so, why. Ultimately, if a main contractor has a bad payment record, we can stop that contractor from applying and tendering for public sector contracts for the next year.

On top of the project bank accounts, considerable work has been done to try to ensure that subcontractors are not held to ransom by main contractors who simply try to use them as a bank.

**Mr G Robinson:** What are the benefits of project bank accounts?

**3.00 pm**

**Mr Wilson:** There are a number of benefits of bank accounts. The first thing I would say is that it is fairer. It should ensure that people who do work for main contractors as subcontractors put in a bill when the work has been done and, when the main contractor is satisfied that the work has been done and has then submitted that bill to the Department, are paid. That has a number of benefits. First of all, apart from being fairer, it means that they have a better cash flow. Secondly, it probably means that they will require less working capital. If they have a good cash flow, they do not need to go to the banks for working capital because they have money lying out for a long time. It also reduces the subcontractor's dependency on the main contractor; the main contractor cannot hold them to ransom any more. That is important because, very often, subcontractors were afraid to complain because they thought that, if they complained, the

contractor would never employ them again to do another job as a subcontractor. Those are the benefits for subcontractors. I thank the all-party group on construction, which brought this forward to me. I hope that it will at least acknowledge that I have responded to the arguments that it made and that we will now begin to see this all coming to fruition.

**Mr McNarry:** On a point of order, Mr Deputy Speaker. In his answer to question 2, the Finance Minister gave the impression that the Grand Orange Lodge of Ireland moaned about receiving money. That is not correct; it did not moan about funds —

**Mr Deputy Speaker:** Sorry, that is not a point of order. I ask the Member to resume his seat.

## Private Members' Business

### Rose Energy

*Debate resumed on motion:*

*That this Assembly notes the importance of the poultry sector to the Northern Ireland economy; further notes with regret the decision by the Minister of the Environment to refuse planning permission for the Rose Energy incinerator project; and calls on the Minister to outline the action being taken to find an alternative viable solution for disposing of poultry litter. — [Mr Clarke.]*

**Mr Mitchel McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I beg to move the following amendment: Leave out “with regret”.

I support the amendment and oppose the motion. Trevor Clarke, in introducing the motion, spoke about the decision to turn down the application as a threat to the industry. He produced no evidence at all to support that assertion. This issue has been in the Planning Service and in the development phase for something like five years. Clearly, over that time, the fears about the future of the industry have not materialised. There is a lot of common cause across the Chamber on, first, the importance of the industry. There should be no gainsaying that. Secondly, there is in the motion — I welcome this — a recognition of the need to produce a viable alternative treatment for the chicken waste. We strongly support that, and I suspect that every party in the Chamber wishes to see a treatment that is environmentally sustainable and friendly and effective in dealing with the issue.

There is an issue that Trevor Clarke brought up. In his typically honest and direct fashion, he told us that he understood why local people had objected and that, had it been in his back yard, he would have objected. That goes to the core of why there was such a significant campaign. Almost 13,000 representations were made on the issue. That is completely unprecedented in any other development proposal. We see that, quite clearly, there were very strong opinions and concerns —

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

**Mr Mitchel McLaughlin:** Sure.

**Mr Clarke:** The Member refers to the 15,000 representations. Surely he will accept that the

people in and around that area number only about 3,000.

**Mr Mitchel McLaughlin:** To be honest, I do not know whether he has more detail than would be available to most of us. I really do not know where they all come from. What I do know is that we had a volume of opinion: 13,000, with a majority opposing the application. People who have a genuine interest in the environment, irrespective of whether they live adjacent to the proposition, are certainly entitled to express that view. That was done in a fairly systematic and, generally speaking, calm and reasoned way.

There is another way of looking at whether this represents a threat to the industry, which is that we have no confidence in the genius or ability of our scientific and engineering communities to come up with a viable proposition as an alternative to incineration. I have confidence that alternative propositions are available, but those have not been properly explored. To that extent, three Ministers have a direct input into this discussion. I think that they have addressed the issue in a way that is environmentally responsible, while being mindful of safeguarding the future of this important industry. We will hear from the Minister eventually.

Trevor Clarke raised an important point about the relatively modest nature of the amendment. It is a modest amendment and deliberately so. In tabling the amendment, we sought to produce a proposition that all the parties in the Assembly could support. My party was directly involved in making representations, as was I as an elected representative, and I accept absolutely that people with a different perspective supported the proposition. However, we should try to find ways to agree in the Assembly.

In truth, the application was always going to fail the planning and environmental tests. Locating a massive £100 million incinerator on the shores of Lough Neagh, an area of outstanding scenic beauty —

**Mr Frew:** I thank the Member for giving way. The application was on a massive scale and would have done great good for the industry. Does he realise that, by refusing the application, we could well have small sites springing up all over the Province? That could lead to more problems and more objections all over the Province.

**Mr Mitchel McLaughlin:** As far as anaerobic digestion is concerned, for instance, I strongly

support the idea of having clusters. I do not think that there is a commercially available single-site solution, but I do think that there are environmentally friendly solutions, and we should not be afraid to look at those. I do not think that anyone is arguing that every poultry farm should have its own anaerobic digester. However, they may decide that there is an economic argument for that, and that is their business. This proposition would have seen the construction of a monster, which would have very quickly dealt with the chicken waste issue. That brings us to the issue of importing waste product material to feed that monster, which I suspect lay behind the original business plan assessment. A sensible and wise decision was taken to refuse it. A proportionate and properly scaled response is available. All the parties could take a look at the —

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

**Mr Mitchel McLaughlin:** OK, yes.

**Mr Clarke:** I accept what the Member has said about a certain size and scale of proposal perhaps coming forward. A total of 6,400 people supported this project, and 6,800 people rejected it. Does the Member not share the industry's frustration? It has waited for the Department for a number of years, but that solution has not come forward.

**Mr Mitchel McLaughlin:** I referred to the involvement of three Ministers. I want to acknowledge the input of the Minister of the Environment; the Minister of Enterprise, Trade and Investment, a colleague of yours in the DUP; and the Minister of Agriculture and Rural Development, who is a colleague of mine. They have co-operated in bringing forward alternative propositions, including, as previously mentioned, the SBRI initiative. That competition provides a platform for those in our region and economy who believe that they can provide an environmentally sound and viable alternative to incineration.

The industry may have constructed all this. For example, I am very interested by the fact that Moy Park claimed ownership of the chicken litter in its contracts with suppliers. Was it building up a stock and creating a problem so that it could justify an argument for an incinerator? We will leave it to Moy Park to answer that, but I have my suspicions.

The use of locally developed solutions was the appropriate way from the very beginning. However, we were not given that opportunity initially. We had a high-powered proposition

that was dealt with appropriately. I would have been quite content for it to go to a full public inquiry because we would have benefited from hearing about many issues.

I want to return to the simple proposition in the amendment, and I hope that the Members opposite will reflect on the fact that we can all support the amended motion. Let us recognise the importance of the industry. Let us note the fact that the incinerator has failed the planning application test. Let us then encourage the development of alternative treatment solutions. It is on that basis that we can all support the amendment. Otherwise, another message will go out about a unnecessarily divided Assembly. The competition is proceeding. It is jointly sponsored by a Minister from your party and one from mine. I think that it will produce a solution that, I am confident, will satisfy the requirements of the European nitrates directive. I recommend that the House give careful consideration to a straightforward tactical amendment to make it possible for your party, as well as the rest of those in the House, to support the amendment.

**Mr Elliott:** I thank the Members for tabling the motion. Initially, I seek clarification of why the Agriculture Minister appears to be going to respond to the debate, as opposed to the Environment Minister. The motion specifically mentions him. I would be grateful for an explanation at some stage of why that is.

It never fails to amaze me how many people from a political perspective reject significant investment that could not only improve the capacity for further investment and economic benefits but assist the environment. Why do people continue to reject those? I am surprised that people have the audacity to stand up here and say that they support the economy and industry and at the same time reject a proposal such as this that would help the economy. There are huge opportunities for investment in the poultry sector and its spin-offs: processing plants in Northern Ireland. I know that those involved in the industry, whether in processing or the front line, are absolutely astounded that they cannot progress it any further in Northern Ireland without the help of the Assembly and the Executive. They continue to ask why it is that we have the opportunity to invest and help the environment.

I hear people saying that this will be negative for the environment, but I understand that it is trying to help the environment. A nitrates directive came in, I think, in 1991. This application has been in place since 2008, and it has taken almost five years to get a decision.

The issue went through a number of Ministers without any decision being made, and I have yet to hear anybody tell us what the alternatives are.

**Mrs D Kelly:** Will the Member give way?

**Mr Elliott:** I listened to Mr McLaughlin say that a properly scaled response is available. What is it? Sorry, I will give way to Mrs Kelly.

**Mrs D Kelly:** I am sure that the Member shares the concerns that a number of dwellers in the area and I have that the road infrastructure for that site is not suitable.

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

**Mr Elliott:** Thank you very much, Mr Deputy Speaker. If the road infrastructure was the only issue in boosting the economy in Northern Ireland, we would get round that. They are happy, maybe, to improve the infrastructure to build a conflict transformation centre at the Maze. They were happy to improve the road infrastructure around many out-of-town shopping centres. I am sure that they would have improved the road infrastructure for a development such as this.

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

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

**Mr Allister:** Does the Member also agree that, under article 40 of the Planning (Northern Ireland) Order 1991, it would have been quite possible to impose an obligation on the developer to improve aspects of the road and that that is a transparent excuse and not a reason for refusal?

**3.15 pm**

**Mr Elliott:** The Member makes a valid point. It would not be the first time that a developer has had to improve the road infrastructure at the behest of Roads Service. Most of them are normally quite happy to do that for such an investment.

I have spoken to several poultry farmers over the past number of years, particularly over the past few weeks. Many are willing to invest much more of their own money in increasing their production and in new houses. That would help the processors, who say that they are willing to invest further but cannot because we continue to have a European derogation that

allows the storage and disposal of poultry waste. However, I can tell you, folks, that the European derogation will not last for ever. At some point, Europe will clamp down on us, and then, folks, it will be you to blame for turning down the proposal. It will be you to blame for destroying the poultry industry and destroying that economy. The agribusiness sector is the fastest growing and most sustainable sector in the Northern Ireland economy, and what do you want to do? You want to destroy it.

**Mr Frew:** I thank the Member for giving way. Does the Member agree with me that we have only one more year of certainty with that derogation? Where will that leave us? We are already too late.

**Mr Elliott:** I thank the Member for his intervention. My simple answer is that I do not know where it leaves us. It leaves us with a huge problem, and nobody has any answers. There were answers coming forward about a waste-to-energy plant. If you are turning waste or what some people call waste into energy, why do you not accept that doing so will help our environment?

I want to finish by saying that I support the motion. I support the proposals that were on the table from Rose Energy, and I wanted those to be developed. I am hugely disappointed that, over the past four and a half years, nobody took the decision to help these people.

**Mr Byrne:** This is a thorny issue that has been around for a long time. It is fair to say that all in the Assembly would be in favour of some way of successfully treating chicken waste. The promoters of the Rose Energy project proposed the construction of a biomass-based incinerator that would have burned meat, bone meal and poultry litter. Currently, there are about 260,000 tons of waste litter every year, which is likely to rise to 400,000 tons in the next five years.

It is true that Moy Park is the biggest poultry producer in these islands. It needs some way of disposing of waste in the future. The question, however, is whether the Rose Energy project was viable and economically and environmentally sustainable. There were open questions about that. The Minister, in the notice of opinion contained in his refusal of the application, stated that he was rejecting the project in the context of fundamental planning issues concerning the scale of the development in the open countryside; sustainability in the context of the aims and objectives of PPS 21;

and the associated adverse visual impact and threats to residential amenity.

There is no doubt — Mr Clarke referred to this, as did Mr McLaughlin — that strong opposition to the project was organised and managed. The project's scale and size were causing undue concern, particularly about the environmental aspects. However, the reasons for refusal focus on the characteristics of the site and the surrounding area. Given the proximity of the site to Lough Neagh and the potential danger of damage to the environment, the Minister had to take cognisance of those issues. In addition, the Rose Energy proposal was to co-fire poultry litter with animal by-products, which would mean the end product being subject to further regulation and restriction on its use as fertiliser.

In previous submissions on the Rose Energy proposal, it was noted that the debate on alternative technologies raised an issue of best environmental practice. That is the real issue. It is no good building a waste-to-energy incinerator if we are going to run into environmental problems with the EU in the future. The time has come to reassess the entire waste-to-energy debate in Northern Ireland. We need a waste-to-energy plant that meets technology standards that are sustainable and adheres to environmental standards.

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

**Mr Byrne:** I will.

**Mr Clarke:** Does the Member accept that, sometimes, when we consider some of these projects, we should look at other regions? It was before the Member's time, but the Committee for Agriculture and Rural Development went to Fife in Scotland and to Belgium to look at identical plants, neither of which had a problem. Three thousand residents lived within a 10-mile radius of the Fife plant, yet not one objection or concern was raised when that plant was up and running. What would the Member say about other regions that have had the same facility up and running for a number of years?

**Mr Byrne:** Yes, I recognise what you are saying, Mr Clarke, but there was such concern in the locality and such a professionally orchestrated and managed campaign. *[Interruption.]* The MP for Lagan Valley, as I understand it, also objected to the proposal.



**Mr Deputy Speaker:** Order, please. Remarks are not to be made from a sedentary position.

**Mr Byrne:** We are where we are. I have contended for a long time that the waste-to-energy business in Northern Ireland is very long-winded. Decisions have been slow in the past. Previous Ministers, as has been mentioned, were reluctant and very slow to make decisions. We had the same thing with refuse waste management in Northern Ireland. We have been waiting for proposals for over 10 years, but they still have not come forward. We have had the cross-border groups, Arc21 and the north-west group. Recently, the Minister has decided in favour of one project, which is welcome.

It is important to note that the small business research initiative, which is a joint project between DARD and the DETI, offers a future pathway towards tackling this issue. Collectively, the House needs to get behind that joint initiative to ensure that we have a viable project or projects going forward to meet the needs of the poultry industry.

**Mrs D Kelly:** I thank the Member for giving way. I just want to put it on record that, almost a year and a half ago, when I was Deputy Chairperson of the Agriculture Committee, the Chairperson of that Committee and I met the Minister and her officials to ask for a plan B. We warned her that, in the event that the application was not approved, there was an onus on the industry, the Department and the Minister to have a plan B.

**Mr Byrne:** Absolutely. There was a general reluctance to face this issue head on, earlier on. Everybody put their eggs in the one basket while they waited for the deliberations over the Rose Energy project. There are question marks over the technology and the sustainability of the project, as well as question marks over the environmental standards.

We have to strike a balance between economic interests, environmental interests and, in particular, the interests of the poultry industry going forward. We support the amendment. We feel that there is a way forward if the House and DARD and DETI collectively, in conjunction with the DOE, can resolve the matter.

**Ms Lo:** I speak on the motion as an Alliance MLA. We support the amendment.

The proposal to construct a large energy-from-waste facility to incinerate chicken litter in Glenavy has proven contentious. Northern

Ireland produces 260,000 tons of poultry litter each year but can only sustainably manage 100,000 tons, mainly through land spreading locally. The poultry industry, on the other hand, plays an important role in our economy. There is a definite need to find alternative sustainable means of disposing of the waste that is produced. However, the Minister of the Environment's decision to refuse planning permission for the Rose Energy incinerator project was the correct one.

I understand that, even if the planning application had been approved, there was a view held by many in the agriculture sector that the proposal would not have helped Northern Ireland to meet the commitments required of it by the EU nitrates directive to prevent water pollution by nitrates from agricultural sources. The proximity of the proposed plant to Lough Neagh caused a great deal of concern from an environmental point of view. Furthermore, the application could have negatively impacted on the surrounding community in the form of increased heavy traffic on rural roads, as was explained earlier by Mrs Dolores Kelly. The application was also deemed by the Environment Minister to be contrary to rural planning policy given the impacts that it would have on other businesses and industry. Those are valid concerns and should not be dismissed as acts of Nimbyism.

The fact is that we produce more chicken litter than we can dispose of. The result, apart from the build-up of phosphorus in the soil, is that there is not enough capacity for the storage and spreading of the litter under the EU directive. The current position is not sustainable, and a solution needs to be found. I would be extremely reluctant to explore the option of exporting the litter elsewhere, so it appears that technology is the best option. I am interested in hearing from the Minister of Agriculture and Rural Development about the alternatives that are being explored.

Last week, I got the distinct feeling that the Environment Minister was not overly pleased with my comments regarding the additional clauses in the Planning Bill, specifically the focus on economic development. The planning application by Rose Energy Ltd was designated under article 31 of the Planning (Northern Ireland) Order in September 2008. In 2010, the then Environment Minister, Edwin Poots, announced his intention to approve the application.

There are two points that I wish to make. First, given the nature of our political system and the turnover of Ministers, it is imperative that

legislation is robust enough to ensure that economic arguments are balanced against the protection of the environment. Secondly, I am aware of Minister Attwood's determination to clear the backlog of article 31 applications. However, the Rose Energy application is an example of decisions on such applications taking far too long. Had the application been refused sooner, we might already have an alternative in place that could deal with the issue appropriately.

I wholeheartedly agree that a viable solution for disposing of chicken litter should be found. However, it needs to balance protection of the environment with meeting the needs of the industry in a sustainable manner. I hope that the presence of the Minister of Agriculture and Rural Development today indicates a cross-departmental commitment to deal with the issue.

**Ms Brown:** I support the motion. Members will be only too aware of the importance of the agrifood sector to our local economy. It accounts for a huge proportion of our exports. This project, in itself, would have provided many benefits. It would have not only provided jobs but generated electricity and, therefore, contributed to sustainable biomass energy supply for Northern Ireland. Energy output was obviously one of the main purposes and functions behind the application. However, it had another major purpose, namely agricultural.

The project was central to the disposal of chicken waste. The refusal to grant planning permission, therefore, brings into question how chicken waste will be disposed of. Given that the poultry industry is required to comply with the EU nitrates directive, there is a need for the Minister of the Environment to act and meet the industry immediately to assist it in meeting what is demanded of it by Europe.

A review commissioned by the Minister of Agriculture and Rural and Development and published in January 2012 argued much of this. It pointed out that the level of poultry litter is likely to increase in the years to come due to a decline in the mushroom industry and the expansion of the poultry industry. This raises the question of what we do with poultry litter. How will the House ensure that the industry can meet the demands of the EU nitrates directive?

As a Member for South Antrim and as a representative of the area of Glenavy, I respect and support the views of the residents who live there. I know about the major campaign that was led and developed by the community against the proposal. I shared many of their

concerns about the increase in traffic, the use of the roads by heavy transport vehicles and the impact of the development of such a plant on the local environment.

Some 13,000 representations were made to the Northern Ireland Planning Service. Of those, 6,800 were against the application and 6,400 were in support of it. That is believed to be the largest number of representations ever made on a planning application in Northern Ireland.

### 3.30 pm

The decision to be made was, therefore, not to be taken lightly, as, regardless of the way that it went, it would certainly cause discontent. The decision has been made, and it has ultimately been good for the people of Glenavy who opposed the application. However, there is now a need for the Minister responsible to look at the alternative options that are available to support the poultry industry here in Northern Ireland. Time is of the essence, as the decision is a major concern among those in the poultry industry. It also sends out a negative message about how we in Northern Ireland support local industry.

I trust that the Minister will address the issue as a matter of urgency and will, indeed, find an alternative viable solution to the disposal of poultry litter.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt ar son an leasaithe agus in aghaidh an rúin. I will speak in favour of the amendment and against the motion.

I have some sympathy for the industry and what it has to endure with the directives that Europe has sent down. I listened to some of the comments that have been made. Mr Clarke opened the debate, and he referred to his own motion by using the word "regret". He then used the word "regrettable". He is correct to use the word "regrettable", but it is incredible that, in modern times, we are thinking of incineration as a way to address the issue. In 2012-13, it is incredible that litter waste is carted from all over the country to one spot to incinerate it.

Everybody here knows that there is not much that you can do about the establishment of a business once that has been done, but I have serious doubts about whether the business plan that was put forward in this case would stack up and show that the proposal would make a viable business. I have serious fears that other

materials would be brought to the site and that it would be used as a dumping and incineration ground.

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

People talk here about jobs, and I agree that the proposal would create jobs. However, if you looked at the area, you would see that Randox, which is a major world leader in biodiagnostics, is based there. So, are we saying that we are going to create jobs in one industry to displace jobs in another? Is it one versus the other?

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

**Mr Boylan:** Yes, go on ahead.

**Mr Clarke:** The Member makes a valid point about Randox, which is in South Antrim. We would be very supportive of its leading the way in the market that it is involved in. However, Randox joined the wrong campaign. Given that it is located beside Belfast International Airport, surely to goodness the amount of fuel fumes coming out of the aeroplanes as they take off would have as much, if not more, effect on its operation than the proposed plant ever would have.

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

**Mr Boylan:** Thank you very much, Mr Principal Deputy Speaker.

Mr Clarke, I will put this question to you, because you are talking about jobs and sustainable jobs. If any jeopardy were put on any company to the extent that it could move out, why would we do that? I will put it to you that way.

I want to talk about incineration and the other technologies. I welcome that other Ministers are getting round the table to send out a message and that they are trying to see whether there are any better technologies. If I talk about anaerobic digestion or gasification, that is not to say that I support them. However, some of these methods that we are talking about have been around for a couple of hundred years, and we still have not improved them. We need a proper system to deal with this. Whenever we talk about incineration, we are going back to the days when people burned coal and slack and threw it out the back on drills and everything else. We are going back by

saying, "We will incinerate it and fire the ash back out."

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

**Mr Boylan:** No, I gave you an opportunity. You had your own 10 minutes.

**Mr Principal Deputy Speaker:** Please make all remarks through the Chair.

**Mr Boylan:** I will give the man an opportunity, but I just want to pick up on a couple of points.

The interesting thing is that we have this resource, and we should be using it properly. However, we are not. In your proposals, the support was there to just burn it off and throw it out onto the land. There is good potential in that resource, and it would help the economy if we got it.

I want to make a couple of other points. I listened to the Minister for Employment and Learning at Question Time earlier, and a question was asked about technologies. Surely to God, we should be working with universities on engineering to try to come up with a solution? You need not bother saying to me that there are no opportunities for people to come forward, be it private companies or otherwise. That is the way to go. I do not believe that incineration is the way forward, and we, as a party, do not support it.

I commend the mover of the amendment; it is very hard to follow in his footsteps, given how he delivered that amendment. I congratulate him on that. I also want to talk about small clusters and co-operatives and opportunities to deal with it instead of having a single plant. It is not about having four or five plants across the North but about giving opportunities, and people out there are leading the way on that. I commend the Minister for what she is trying to do with the Minister of Enterprise, Trade and Investment and DOE to come up with a solution.

**Mr Irwin:** At the outset, I declare an interest as a farmer who has close ties to the industry.

I know that this issue has been a source of great concern among everyone involved in the poultry sector in Northern Ireland, and it had been on the table for a considerable time prior to the Minister's unfortunate decision. The project was viewed by many in the industry as a realistic way of addressing the EU's nitrates and integrated pollution prevention and control directives and, therefore, providing a very

stable footing on which the poultry sector could move forward.

The Minister of the Environment's decision to reject the application was a blow for the poultry sector and a blow for Rose Energy, which has invested significant resources in the research and development of the proposed plant. The fact that we are now no further forward in addressing the issue of poultry litter in an effective and efficient manner is of growing concern among many in the industry. It could lead to EU disallowance, and, if we do not find a solution and restrictions are placed on industry, it could be very negative for the industry.

The poultry sector supports in the region of 7,000 jobs directly and indirectly and continues to be a positive performer in economic terms, as, indeed, are many others in the agriculture sector. However, poultry waste is a subject of intense EU scrutiny, and that by-product must be disposed of in a manner that does not breach the regulations. The Rose Energy proposal represented a high-tech solution to the issue, and I have visited a number of plants in the UK and Holland, all of which have given no problems and are based near large areas of population. I remain of the opinion that the Minister was wrong in his planning judgement and that, as a result of that negative decision, the poultry industry is worse off.

I am interested to know whether DARD made any recommendations to the Planning Service about the proposal. DARD should have used its resources to ensure that the Department of the Environment was fully aware of the importance of such a facility in dealing with the thousands of tons of poultry litter and, most importantly, sustaining the poultry sector into the future. I want the Minister of Agriculture and Rural Development to give assurances that she represented the views of the poultry sector at the highest level on the application. Although the Environment Minister has ultimately taken the decision based on what he believes are environmental impacts, he has not fully taken into account the issues associated with failing to deal with the thousands of tons of poultry litter produced every year. If it is left unresolved, that will have a huge environmental impact and huge impacts on Northern Ireland because of EU regulations.

Mr Attwood is on record as stating that he urges interested parties to work with his Department to find what he describes as "proper solutions" and "more sustainable methods of disposal". Given that he has rejected a proper and sustainable solution, I will be very interested to

hear the Minister's comments and his efforts to date to push forward and really put his weight behind finding another solution. Can the Minister assure the House that he will work harder on the very real and important work of ensuring that the public are fully aware of the seriousness of the situation, and the real need to find a solution that will both deal with poultry litter and address renewable energy commitments? We are without a solution to the issue, and it is up to the Minister to lead the charge in finding that solution. I support the motion.

**Mrs Dobson:** I welcome the opportunity to speak on the motion. The local poultry industry forms an essential element of the Northern Ireland agriculture industry. Its importance for job creation and, indeed, export potential cannot be overstated. This is especially true in my constituency, where Moy Park remains Northern Ireland's largest food-processing company. If we are ever to see green shoots of recovery, the Executive need to respond far quicker to the needs of business. In December, I described the Minister's Rose Energy decision as a "body blow" for the Northern Ireland poultry industry and the wider agrifood sector as a whole. This is a general symptom of what is wrong with the Executive's current attitude towards business in Northern Ireland.

The agriculture industry needed a cross-departmental approach from the Department of the Environment, the Department of Agriculture and Rural Development and the Department of Enterprise, Trade and Investment to find a suitable alternative site. Instead, the industry was met with indecision and opposition and is now left with an uncertain future, fuelled by the Minister's refusal. Stormont Departments must urgently put their collective shoulders to the wheel to begin to help to solve problems, rather than continue to place obstacles in the way of economic recovery.

Poultry producers are still counting the cost of increasing energy and feed bills. Is it right that they should be further forced to pay to transport their litter to Scotland? The Department of Agriculture and Rural Development appears to have no plan B other than to start an expensive exercise to reinvent the wheel. That exercise will allow it to adopt its time-honoured position of researching an issue to death, without ever doing anything about it — a position that continually exasperates the agricultural community in Northern Ireland, and one that shows very little sign of improving.

The outright rejection of Rose Energy's proposal is a missed opportunity to help to solve a problem.

**Mrs Overend:** I thank the Member for giving way. Does the Member agree that the agrifood sector is vital to the economy in Northern Ireland and has been one of the sectors that has helped this economy through the economic downturn, especially considering that its annual output is £1.5 billion? Does the Member also agree that Moy Park is one of the top companies in Northern Ireland and, therefore, is on form for expansion? This decision could mean that expansion will happen elsewhere; not in Northern Ireland.

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

**Mrs Dobson:** The Member makes very good points. Our agrifood industry is ideally placed to help us to weather the recession, but we need to support the industry to allow for expansion and job creation.

This is a missed opportunity for cross-departmental co-operation and for the Executive to work with business to find a more amicable solution, rather than working against it. Poultry producers are ready and willing to expand their businesses, production and, ultimately, jobs. The Assembly has a duty to make that process easier, not harder.

We all know the significant impact that the 1991 EU nitrates directive, which my colleague Mr Elliott spoke about earlier, has had on our local farmers, not least because our poultry industry produces 485,000 tons of nitrate-rich slurry and bedding every year. This presents a problem that Rose Energy would, in part, have addressed. It is a problem that, at present, necessitates the constant transport of thousands of tons of chicken litter to Scotland. The added costs associated with that transportation act as a straitjacket on the expansion of our local industry.

### 3.45 pm

The Department of Agriculture and Rural Development's annual census tracks local poultry numbers, and it shows a year-on-year decline during the years of indecision from 2008, when the initial Rose Energy planning application was submitted. It was welcome to see the numbers rally in 2011, and the preliminary indications for 2012 show a 6% rise in laying hens. That is much to the credit of our farmers, who have had little in the way of help

from Stormont Executive Departments. In a press statement in December, the Minister said that he would work with the industry to take forward developments and job prospects. Perhaps he could update the House on the work that has been undertaken since that statement was made to help the industry continue to grow and expand.

Until this Assembly does an about-turn and throws its efforts full-square behind business and the creation of jobs, I fear that we will return to this Chamber to discuss yet more missed opportunities. We need to adopt a can-do, and not a won't-do, approach to economic recovery. With that in mind, the construction and service sectors, alongside the agriculture industry, are most deserving of our support as we continue to build a Northern Ireland that looks to the future with confidence, a Northern Ireland that is open for business.

I support the motion and the future economic success of the agrifood industry.

**Mr Allister:** The Executive like to congratulate themselves on how intensely interested they are in supporting business and how wholly committed they are to job creation. Yet, here we have an example of an Executive across Departments who have dragged their feet on this issue, to finally repudiate and reject a most worthwhile job-creating prospect. It is such a kick in the teeth for the agriculture industry that I think it is beyond belief. For five years, this application has been vital to the future of the poultry sector because of the imminent problem of phosphate pollution that comes from poultry litter, under the pressure of EU directives. For five years, a solution has been on the table, and the source of the least help and encouragement for finding such a solution has been the very Department of Agriculture that proclaims itself the champion of farming.

The Department of Agriculture's behaviour in this matter has been beyond contempt. Last year, the Department, with AFBI, said that there were two alternatives. One was export of litter to Scotland — 200 kilotonnes, rising to 400 kilotonnes per annum. When I asked how much that would cost, the Department conceded that it would not in fact be viable, as it would cost £4 million to £6 million. The Department's other big idea was a gasification plant. When asked whether there was any viable working gasification plant on a commercial basis anywhere in the world dealing with poultry litter, the Department had to concede that there was not. However, somewhere in North America, there is a small

plant dealing with the litter of 800,000 hens per annum.

**Mr Clarke:** I thank the Member for the point he makes. I would hate him to stray off one of those alternatives, the first one he referred to, if it had been viable to go to Scotland. Will he remind the House what the plant in Scotland is and what purpose it was to be used for? What is the similarity between that and the proposed application?

**Mr Allister:** Yes. There are plants, and the Member referred to that earlier. I know that from my previous life. There are two very successful litter incineration plants in mainland Europe and one in Scotland, functioning very adequately and exactly as this one could and would have done. However, the Executive sadly had no interest in the job promotion and the help that it would be to the industry. This industry is on its knees in many respects, and, in its wider roll-out with the poultry sector, the industry commands something like 7,000 jobs. Yet the Department is grossly disinterested in helping that sector, and now begins to scratch its head and say, "Oh, well, what will we do? We will have to come up with something." Does it not know that 2014, when the present exemption runs out, is just next year, or does it not care? It seems to me that the Department, under the Sinn Féin Minister, is so hooked up on the ideology that opposes incineration that it will sacrifice any jobs and do anything to maintain that sacred ideological commitment opposed to incineration. Sadly, in the past, they were not so opposed to incineration at the La Mon Hotel and other such examples. On this occasion, they most certainly are.

**Mrs D Kelly:** I thank the Member for giving way. Is there not confusion in the DUP ranks? There were photographs of the MP Jeffrey Donaldson on the steps with CALNI opposing the incinerator.

**Mr Allister:** That is a fair point, and it is regrettable on two fronts: the DUP, through its MP in Lagan Valley, opposed the application, and its councillors in the main on Lisburn City Council — as far as I understand it — joined in opposition to this; and when the DUP had two, if not three, Environment Ministers in charge in DOE, it passed up on the opportunities and indulged in the feet-dragging that went on over Rose Energy, and the opportunity to promote the application and get it approved was not taken. There are more parties than Sinn Féin and the SDLP at fault in this, and I readily recognise that. However, the people who are

suffering the most are, undoubtedly, those in the industry.

Just listen to what Tony O'Neill of Moy Park said a short time ago to 'The Belfast Telegraph':

*"We have been in a state of limbo for the last four years ... awaiting a decision ... There is increasing demand for locally grown poultry in our markets but because of the delays ... this growing capacity is being met by our English operations instead of here in Northern Ireland."*

That is what this Executive have done to this sector, and that is what this Executive is going to continue to do to this sector, in the case of the Minister, in pursuit of a foolish ideological opposition to incineration.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Someone asked earlier why I was addressing the motion when it specifically named the Minister of the Environment. As the Minister of Agriculture and Rural Development, I obviously represent the interests of the poultry sector but also the rights of rural dwellers, who also lobbied me around their concerns. The people of Glenavy also need to have their views represented. Therefore, it is ideal that I address the motion today.

I welcome the fact that there is a debate about finding a solution and that people are engaging in that. As many Members have highlighted, the issue is of supreme importance to our agrifood sector, the economy and the environment. Since 2005, my Department has been involved in numerous research studies on technologies for processing poultry litter, and my Department has been at the forefront of that issue. Many Members highlighted the fact that the broiler/poultry sector is a significant part of the local economy, providing over a quarter of the total jobs in local food processing. It is a key part of our agrifood industry and an important contributor to the local economy. The sector has the potential to expand, but I have been concerned that it has been constrained due to lack of progress in securing a long-term solution to utilise poultry litter.

Traditionally, the local poultry industry has relied on spreading poultry litter on agricultural land as an organic fertilizer as its primary method for management. However, such practices are no longer sustainable at current levels. In short, there is not sufficient land available to use the nutrients in all the poultry litter that is produced here, because poultry

litter is high in phosphorus and many soils across the North already have excess levels of phosphorus. That impacts on water quality, as the nutrients can get into the water and cause pollution. There is also the risk of spreading botulism to cattle, and precautions need to be taken. Spreading poultry litter on pasture is not recommended. If it is spread on pasture, animals should not be allowed on that pasture until the following grazing season at least. Again, that is a significant constraint on finding suitable land for spreading poultry litter.

Alternatives to land spreading are needed to ensure that the poultry sector and the wider agrifood industry can develop. However, I have been concerned about the lack of progress with alternatives. As a result of that, coupled with the concerns that the residents of Glenavy highlighted around their personal situation and the impact that this would have on them, I took a decision over a year ago — before the planning decision was made — to commission a review of poultry litter management options. The Department and the Agri-Food and Biosciences Institute took that forward, and the review was published in April last year. Pam Brown referred to that. The review highlighted the fact that emerging technologies have developed in recent years, technology has advanced and science has changed. We have to be mindful of all that and take it into account.

Having met a range of stakeholders, I now believe that there are potential options that need to be tested. That is why I, along with the Minister of Enterprise, Trade and Investment, launched the small business research initiative (SBRI) competition. We launched it to explore the potential for those emerging technologies. That competition opened on 10 December. It is important that I let Members know about the competition and that they are aware of the ins and outs. The applications for phase 1 of the competition will close on 20 February this year. Contracts will be awarded to those selected in May 2013, for completion within six months. If phase 1 identifies viable proposals for a phase 2 to develop and evaluate prototypes, phase 2 will commence in autumn 2013.

There has been significant interest in the SBRI so far. Earlier this month, DARD and DETI hosted an open day in Belfast for potential applicants, which was attended by 46 companies. As of last week, 65 organisations had registered for the competition. That is the scale and wealth of information that is out there. People think that they have a solution to this problem.

The formal review process for our nitrates action programme with the EU Commission starts in autumn 2013. We must be able, therefore, to demonstrate progress and find alternatives to the land spreading of poultry litter. The European Commission is aware that the Rose Energy planning application has been refused and that we are taking action to find alternatives through the SBRI. It is also aware that the poultry sector provides thousands of jobs and is a key part of our agrifood industry. We are not subject to infraction proceedings, but we need to demonstrate to the Commission, and continue to demonstrate, that we are taking action to resolve the poultry litter issue.

There is a very clear message from the Commission. It is keen to see sustainable technologies that are resource efficient and that recycle nutrients, particularly phosphorus. The Commission is not wedded to any particular technology and is keen for new technologies to develop. Phosphorus is an essential nutrient for food production, but it is a finite resource because the world's supplies are limited. It will, therefore, be increasingly important to have technologies that recycle that vital nutrient. I understand that the Commission is preparing a position paper on the sustainable use of phosphorus.

Although the Rose Energy planning application has been refused, we have a structured and managed process in place to progress alternatives through the SBRI. That will provide evidence for the Commission that government and the industry recognise that we have an issue with poultry litter and that we are working to find solutions that are sustainable and resource efficient. Officials will be meeting the Commission in the coming months to discuss the actions that we are taking on poultry litter, and we will update it on the SBRI.

**Mrs Overend:** Will the Minister give way?

**Mrs O'Neill:** I am happy to give way.

**Mrs Overend:** Will the Minister clarify what action she has taken to speak to Brussels to try to extend the derogation?

**Mrs O'Neill:** That is an ongoing part of our discussion. Obviously, this derogation has gone on since 2008 and will continue to 2014. It is vital that we keep in communication with the Commission to let it know how we are progressing. It is interested in the fact that we have an SBRI in place and are trying to find alternatives. I think that that will stand in our favour if we have to slip beyond 2014.

Hopefully, given the SBRI timescale that I outlined, we will be in a better position come the end of that process.

Some Members picked up on the issue of contact between DARD and DOE. Obviously, being in communication with DOE is part of my everyday role. DARD has provided the Planning Service with reports and analyses on technologies for utilising poultry litter and subsequent updated developments with technologies. DARD has also provided the Planning Service with input on biosecurity, veterinary issues and the importance of the poultry industry to the agrifood sector.

I do not wish to repeat lots of things that were said today, but there are alternatives. In fact, there is a wide range of alternatives: 65 people have come forward to offer solutions; there is a clear action plan in place to address the issue; no one sat back and waited for the planning decision; I took forward the initiative with DETI; and the SBRI process is in place. There is a range of technologies, which I am happy to run through very quickly, but given the fact that we are in a competitive process, I do not want to set out one in particular.

**Mr Frew:** I thank the Minister for giving way. Will she give us more detail on the 46 companies and the 65 people who have come forward with regard to the SBRI? Will she confirm that some of those projects involve combustion?

**Mrs O'Neill:** I am not going to get into the detail of each project; I do not have that detail with me. However, I can say that a wide range of technologies have come forward. It is a competitive process, but I suppose I can highlight some of the things that have come forward. There are initiatives on drying it and using it as pellets for use in organic fertiliser and on incorporating it in compost for horticultural use.

We have seen anaerobic digestion as a pre-treatment phase, a range of thermal treatments and export for land spread. All those initiatives are coming forward.

That very robust process is in place. It will find a solution that is in the best interests of the poultry sector. There is also an opportunity for all parties in the House to recognise that people in Glenavy also have rights and need to be listened to. There is a clear way forward. I hope that I have updated the House on those methods.

#### 4.00 pm

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an leasaithe agus in éadan an rúin. I will make the winding-up speech on Sinn Féin's amendment. I want to repeat what Mitchel McLaughlin said at the outset of the debate: the amendment is modest and, in a sense, tactical. It aims to facilitate an agreement in the Assembly that all parties can support. We could send out a united message. It is possible to support the amended motion because it is worded in such a way as to achieve that agreement.

It is all about finding a viable solution for disposing of poultry litter. We have heard from the Minister of Agriculture and Rural Development on the action plan. I welcome strongly the approach taken by the three Departments — the Department of Agriculture and Rural Development, DOE and DETI — in taking forward the small business research initiative competition, which was launched in November. As the Minister has just said, it opened in December. The timelines that have been outlined reflect the urgency that everyone wants to convey on the matter. The Minister also said that there has already been an expression of significant interest from 65 people and that that will be taken forward as speedily as possible. Mitchel McLaughlin and Cathal Boylan said in their contributions that they had faith in the local scientific community arriving at a viable alternative.

Various Members outlined potential job losses in the poultry sector. I have considerable sympathy for poultry farmers because of the rising costs of feed and energy, as was detailed by Pam Brown. A solution has to be found.

I found it interesting that the Member for North Antrim Jim Allister, when he emphasised that job creation and retention were at the heart of government proposals here, did not mention Randox Laboratories, a cutting-edge biodiagnostic company that is located near Glenavy, provides hundreds of jobs and exports to 130-plus countries. It also took part in the consultation. It said that, if the £100 million incinerator were built so close to it on the shores of Lough Neagh, it would relocate, resulting in significant job losses in the immediate area.

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

**Mr McElduff:** Yes.



**Mr Allister:** Yes, I was aware of that self-serving statement from Randox. However, I certainly do not believe that Randox, with its settled position and very profitable exercise, would locate away from a district where, as Mr Clarke pointed out, it already lives in an environment of air pollution — if that is its complaint — given the siting of the airport. I do not think that that washed with anyone who thought seriously about the proposition.

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

**Mr McElduff:** Thanks very much for that extra minute, Mr Principal Deputy Speaker. When Mr Allister was emphasising job creation and majoring on that in his contribution, it would have been more honest, thorough and complete if he had included a reference to Randox and the possible dislocation of jobs, which the company mentioned in its contribution to the consultation.

Various Members mentioned that the DUP was a divided house on the matter. The MP for Lagan Valley, Jeffrey Donaldson, and — I stand to be corrected on this — the corporate local government authority of Lisburn council, which has a strong DUP presence, supported the objectors. At the beginning of the debate, Trevor Clarke was strong in his outlining of the motion. He said that he would have considered objecting and would not have been too happy if it was located in his area.

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

**Mr McElduff:** Yes.

**Mr Clarke:** He is right. I referred to Nimbyism among those who objected.

Let me say something about the geography of Northern Ireland, given that you are from County Tyrone. The Members from Lagan Valley do not represent Glenavy. It is the Members from South Antrim.

**Mr McElduff:** I understand that, but there is no unified DUP position on the issue. That is something I wanted to outline.

Tom Elliott led the UUP charge in the debate. I wonder whether Tom would be so vociferous in his support for an incinerator if it was to be located in Kesh or Ballinamallard.

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

**Mr McElduff:** Yes.

**Mr Elliott:** I am quite happy to reply to that. If they want to build it beside me, I would be happy with that.

**Mr McElduff:** Thank you very much. 'The Impartial Reporter' will, no doubt, pick up on that.

I will move on to the economic importance of the poultry sector. I have considerable sympathy for poultry farmers, given the rising costs —

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

**Mr McElduff:** I hope that this is addressed urgently. There is an onus on the various Departments, including DARD, to come forward with a viable solution sooner rather than later.

**Mr Frew:** Before I start my prepared speech, if you could call it that, let us counter the argument about a split position in the DUP. There is no split position in the DUP. We have a policy on this. You have to remember — I am surprised at Members who have council experience — that, on many occasions, politicians represent the arguments of the people they represent. I am not necessarily a planning expert, and neither is —

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

**Mr Frew:** Yes, I will.

**Mr McElduff:** Is the Member effectively saying that Jeffrey Donaldson is a parish pump MP?

**Mr Frew:** You can call him what you like. That is the DUP representing our people to the best of our ability. There is no getting away from that. With planning, as anyone with council experience will well know, you can do that very easily, because you are representing people's views. It is the planning Minister who is meant to make those decisions and make them right.

That brings me to my point. There is no doubt that the broader poultry sector is a significant and vital part of the local economy. The sector sustains on-farm employment for over 1,400 people, with a further 5,000 people employed in processing. It generates over 14% of the gross output of the local agriculture sector. However, the industry also produces a significant by-product: around 260,000 tons of poultry litter per annum. Given the scope for further industry

expansion, poultry litter production of 400,000 tons per annum may be a realistic possibility in five to 10 years, based on a 50% expansion of current capacity. Let me tell you, Members, if we do not get this right, if we do not support the sector and the industry, there will be no expansion. Members talked about exporting the waste. If we do not make this decision and make it quickly, we will export the poultry industry to other shores. It will leave Northern Ireland and leave Northern Ireland for good. That is something that we cannot allow to happen.

I have been very disappointed with the Department of Agriculture and Rural Development and the Minister on the issue. I do not believe that she or her predecessor has, at any time in their tenure, actually come out in support of the industry and this planning application.

**Mrs O'Neill:** Will the Member give way?

**Mr Frew:** Yes.

**Mrs O'Neill:** Does the Member not agree that establishing an Agri-Food Strategy Board to look at the challenges of all sectors across the agrifood industry, poultry included, is an example of support for the agrifood industry? That is Executive support; we have that in a Programme for Government commitment. To me, that is testimony to the support that this Minister and the Executive have for the poultry sector and the wider agrifood sector.

**Mr Frew:** I thank the Minister for that contribution. However, the poultry industry came to government to say, "This is what we need". The industry applied for a planning application worth £100 million, which would have solved the problem we have with Europe, where we will face a barrage of criticism next year. They might turn around and give us no more derogations, and we will be in deep trouble. Yet, the Minister of the Environment saw fit to refuse this planning application, and the Department of Agriculture and Rural Development and the Minister have not supported the application and have never been seen to support it from day one. That has been a tragedy for the industry.

Even the Rose Energy chairperson, Tony O'Neill, said he was hugely disappointed by the decision, adding that the implications for the agrifood industry were considerable. He said that the planning application had been robust and thorough and that the proposed technology had been proven worldwide. That is what the

industry is telling us. The Minister of the Environment and the Department of Agriculture and Rural Development have let the industry down in that regard. Let us talk about the alternatives.

**Mrs O'Neill:** Will the Member give way?

**Mr Frew:** I will.

**Mrs O'Neill:** Will the Member tell the House why he is wedded to one solution? Why is he not open to the fact that there are other solutions out there, and the SBRI process has proven that? You are nodding, so I hope that you agree that there are alternative solutions. We have a window of time to sort this out before 2014. We are engaging the Commission in that process, so there is an opportunity here to find an alternative solution that is more acceptable to all Members of the House.

**Mr Frew:** I thank the Minister for that question. It is a valid question, but the point is that there is no viable option or alternative available to the Rose Energy application. We talk about gasification, but the review of alternative technologies to fluidise bed combustion for poultry litter utilisation/disposal actually pulled the rug from under that application. It states:

*"gasification is increasingly being used across Europe as a method for treating municipal waste and the process extracts significant quantities of energy during treatment. However, a number of technical challenges need to be overcome in applying the gasification approach to poultry litter. These include evaluating the suitability of poultry litter as a feedstock, assessing the potential power output of a gasification plant fuelled by poultry litter and identifying and developing appropriate markets for the gas and biochar end product."*

Those are not my words; those are the words of the review of alternative technologies. Also, land spreading is not an option for this industry, and exporting is not an option because of the costs incurred to industry. If we say to the industry that export is the only show in town, we will be exporting the poultry industry of this country. That is something that we cannot afford to do. In fact, the review even has the cheek to lecture the industry on ways that it could bring transport costs down with regard to baling the product or the logistics of shipping poultry litter that need to be investigated. That is not only pulling the rug from under their feet; it is giving them a slap in the face also. That is

something that this party cannot and will not support.

Even in the Committee — Dolores Kelly mentioned this with regard to officials coming to our Committee — it was said:

*"We know that fluidised bed combustion will work with poultry litter."*

The officials stated that. They also said:

*"There is a strong view that poultry litter can also be used with gasification, but, as yet, there are no working plants. That is the difference between the two processes."*

Therefore, officials from DARD said, on 15 May 2012, that we had a good application that ticked all the boxes to reduce and eradicate the issue that we have with Europe, yet the Environment Minister made this decision and the Agriculture Minister did not champion the cause of the industry.

**Mr McMullan:** I thank the Member for giving way. When the application went into the planning process, one thing that people were a bit baffled by — your party has curiously avoided this in this whole debate — was why there was no connection to the electricity grid. We talk about the plant being able to generate electricity. I think the figure was 30 megawatts. Why was there no connection to the grid in the planning application?

**Mr Frew:** The Minister knows well that, even with wind farms, the grid connection is a separate application at all times, so that is not really an argument. Plus, I have not even mentioned or responded yet on the connection to the grid and the proper order with regard to getting more power to the grid. I have not even come to that argument yet, but I am glad that the Member raised it as being yet another plus for this planning application.

#### 4.15 pm

In the limited time that I have, I will refer to some of the comments that were made. Trevor Clarke, a Member for South Antrim, mentioned Moy Park's contribution to the Northern Ireland economy and said that this is the only show in town. He is on record as stating, as are many Members, that we support the Small Business Research Initiative because that is something that government should be doing anyway. We should support our industry, whether we have a valid, live, approved or refused planning application on Rose Energy. We should do this

competition because it is good for the industry and is the way forward.

We should always look at alternatives to this problem. However, that does not take away from the fact that we had a perfectly good planning application where we could have placed restrictions on Rose Energy to make sure that the road infrastructure was in place and that there were clauses that meant that it could not walk away and leave a monster behind. Yet the Minister refused to do that.

Tom Elliott of the UUP asked why individual MLAs are saying that they support the economy and renewable energy yet object to applications for renewable energy that will help the economy.

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

**Mr Frew:** He cannot understand that.

I have run out of time, but I will certainly support the motion and will not support the amendment because there is regret that this has been refused.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 43; Noes 37.*

#### AYES

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCreagh, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Ó hOisín, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Boylan and Mr Mitchel McLaughlin*

#### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr*

*Humphrey, Mr Irwin, Mr McCallister, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mrs Overend, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Clarke and Mr McQuillan*

*Question accordingly agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly notes the importance of the poultry sector to the Northern Ireland economy; further notes the decision by the Minister of the Environment to refuse planning permission for the Rose Energy incinerator project; and calls on the Ministers to outline the action being taken to find an alternative viable solution for disposing of poultry litter.*

**Mr Principal Deputy Speaker:** Members, take your seats or leave quietly.

*Motion made:*

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

## Adjournment

### Daisy Hill Plant Nursery, Newry

**Mr Principal Deputy Speaker:** The proposer of the topic will have 15 minutes. Other Members who are called to speak will have 10 minutes-plus.

**Mr Brady:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. First, I want to thank the Business Committee for allowing me the opportunity to speak about the Daisy Hill nursery.

The Daisy Hill nursery sits in the Ballybot ward, in which I was born and reared. It is where we grew up and spent many days playing. It was truly an adventure playground. The nursery sits in the middle of four of the most deprived neighbourhood renewal areas in Newry. It was once a vibrant and busy area, where for many years wild flowers and plants were grown.

At its busiest time, the old nursery held one of the most comprehensive stocks of rare trees, shrubs and herbs anywhere in Europe. In fact, one person springs to mind when talking about the nursery, and he is Peter McCann from the Meadow in Newry. The nursery was the first stop for many Newry people looking for bedding plants for their gardens. Peter spent many a year working in the vicinity of and in the nursery. Local schools and communities availed themselves of Peter's knowledge of the rare flowers that were made famous in the nursery grounds. Peter has since retired, but his work in the nursery will be remembered for a very long time.

### 4.30 pm

I have to mention the Daisy Hill conservation group, which came to me some months ago to discuss trying to get some focus back on the nursery. Today's debate is part of that process. That small group of people recognised some time ago that we had a wonderful asset in the middle of our area that has been left undeveloped and unused for some time. They recognised the beauty and value of the site, and they identified that that valuable site has massive potential for the people of Newry and further afield. The Woodland Trust has a 25-year lease in the area. It works in co-operation with the Daisy Hill conservation group, the members of which have voluntarily spent many an hour of their own time trying to maintain and look after the site. If the site were transformed and properly maintained, it would be a major

attraction for people from right across the district. At present, due to invasive species, the site is of low local ecological value. However, with an eradication programme and native planting and management, the classification could well rise to high value.

Daisy Hill nursery is the home of some very rare and unique wildflower species. The walkways and paths take you on a tour of beautiful flowers and different types of trees, some of which are hundreds of years old. There is a huge variety of native and exotic broadleaf trees, as well as many types of spruce, pine and fir trees. In 2010, the area that is leased by the Woodland Trust was designated as Newry and Mourne District Council's first local nature reserve. The size of the area is staggering, and the potential for turning the open space into an educational centre for the many schoolchildren from the Newry area is huge. For tourism, the park has the potential to attract many people into our area, which, in turn, would have a positive impact on the local economy. That has to be welcomed.

A book was written some time ago in which there were specific mentions of the Daisy Hill rose. It is found in places as far away as Australia. That plant is unique. The fact that it was developed in the Daisy Hill nursery and exported across the world says a lot for the site. The Daisy Hill nursery was once world renowned and had dealings with all the major botanic gardens, including Kew, Dublin and Edinburgh. Plants grown in the nursery were exported to places as far away as China, Japan, New Zealand, Australia and America, as well as Canada, Britain and, of course, across Ireland. The Bessbrook rose and the Narrow Water rose were also cultivated there. There are numerous cultivars of many plant species with either "Newry" or "Daisy Hill" in the name. I am sure that a lot of Newry people are unaware of that fact, and the development of the area would go some way to addressing that.

If you do a Google search for the Daisy Hill rose, you will find the following caption:

*"A lovely old rose with huge blooms of light pink with attractive golden stamens. Spring or summer flowering but a great show in full blossom. The blooms are borne singly or in clusters and have a strong fragrance. The foliage is dark green and very hardy and healthy. A very useful rose as it can be grown as a shrub, ground cover or a climber and will tolerate poor conditions."*

*It was bred around 1900 and introduced into the UK in 1906 by Daisy Hill Nursery, Newry, Ireland (hence the name) (Quite a rare rose)"*

The nursery is home to hundreds of different species of wildlife and birds. Some time ago, the volunteers embarked on a project to promote the breeding of birds in the nursery. They set about installing nesting boxes of various sizes for a wide range of birds throughout the nursery. It was a total success; the number of birds in and around the grounds is huge. Other wildlife includes badgers, squirrels, rabbits, stoats and foxes, among others. The sheer volume of schoolchildren in the greater Newry area who could avail themselves of the site is enormous. The educational value that is held in the site is vastly underestimated and ignored. We, as political leaders in our areas, need to do more to support the volunteers who must, at times, feel that they are banging their heads off the wall because no one is listening to them. We need to actively seek out the opportunities on their behalf, and we need to ensure that their hard work and commitment is fully appreciated. Some of the volunteers are in the Public Gallery, and I welcome them.

Daisy Hill nursery can become a major open space and parkland area for all. The peaceful surroundings and beautiful settings can be used by young and old alike. The number of voluntary groups in Newry that deal with older people, people who are disabled or people who suffer from mental health issues is huge, and I am sure that a friendly and open site, such as the one that is proposed, can be only a positive thing for everyone concerned. The group has plans to operate and expand the existing network of paths and walkways, and it also plans to incorporate new seating areas and benches for people to enjoy the surroundings and wildlife.

The Daisy Hill nursery site is in the ownership of Newry and Mourne District Council at present. I have taken part in several meetings with officials, and it is clear to me that they are also fully supportive of the group and its plans to revitalise the nursery. In fact, Newry and Mourne District Council has declared part of the nursery as a local nature reserve, which goes some way to show the importance of the site. The council recognises the importance of the site and the potential within it to bring much-needed tourism to the area. I would like to take this opportunity to thank the council for its co-operation, through which a site meeting, involving most of the Newry city councillors, took place to explain the vision the group has

for the nursery. Those councillors are also fully behind the project and are keen to see some actual work commencing on site.

In March 2009, Newry and Mourne District Council published a local biodiversity action plan. In this plan, it outlined its vision for the Newry and Mourne area. In the document, the council identified some non-native invasive species, one of which is knotweed. In the confines of the nursery, hogweed and knotweed are growing unhindered, have spread quite rapidly across the area and are slowly strangling the grassland and plants. I believe that if the proper resources are put into the nursery, the site could be better managed and maintained and the growth of those invasive species could be restricted.

According to that report, there was a time when the North was almost completely covered in woodland. However, as a result of agriculture and development, it is now the least wooded region in Europe, with as little as 6% woodland cover, approximately 1% of which is native broad-leaved woodland.

Newry does not have a city park as such. There is the McClelland Park in the centre of Newry, but it is a small green space with a few benches, and with the ongoing parking problems in the Newry area, it is understandable that people do not want to drive to this particular park. Look at other places around the North. Some cities have two or three large parks where local people can spend time walking and relaxing. That is what is envisaged for the Daisy Hill nursery site, and the drivers of the project have rightly identified the fact that Newry needs and, indeed, deserves a park that the people can call their own. I believe that, once the site has been developed and enhanced, it will become a place that young and old will enjoy and be proud of. I also believe that the opening up of the site will bring much-needed attention and regeneration to that part of Newry. The fact that there are so many schools and communities around this park will also provide an educational aspect and bring much-needed tourism to that historic part of Newry. There is an onus on elected reps and on Newry and Mourne District Council to ensure that the park is up there with the rest of the tourist attractions in the Newry and Mourne area.

I finish by giving Minister Kennedy's apologies, which he contacted me with earlier.

**Mrs McKevitt:** I welcome the opportunity to speak in today's Adjournment debate. I begin

by giving my colleague Dominic Bradley's apologies: he cannot be here this evening.

The value of natural and semi-natural habitats in Northern Ireland is widely recognised, if not always fully appreciated. Natural areas provide homes for wildlife, trees and wild flowers. They also provide a wide range of benefits for the humans that live and work in and near them, including opportunities for recreation and relaxation, protection of soil and water quality, food regulation, carbon sequestration, and the sustainable production of food and fuel.

The Daisy Hill wood site was designated in 2010, as the Member who spoke previously said, as a local nature reserve (LNR). Local nature reserves are areas set aside for biodiversity, where people can enjoy wildlife and nature at first hand. LNRs such as Daisy Hill wood do not always support rare or threatened species of flora or vegetation. Exotic species are commonly associated with parkland and artificial pond habitats such as those in Daisy Hill wood. I was going to go into what the Japanese knotweed was, the cherry laurel, the Himalayan knotweed or the giant hogweed, which is so difficult to remove. However, as the previous Member to speak has already said it, I think that we can shorten this Adjournment debate.

Along with the snowberry shrub, the grey squirrel was originally introduced to Castleforbes, County Longford, from where it has expanded and eliminated the native Irish red squirrel from most of eastern and north-eastern Ireland through direct competition for resources and by spreading a virus that is lethal to red squirrels. It damages the young trees by stripping bark, often girdling and killing them. The grey squirrel was identified in Daisy Hill wood during the site walkover survey, which also went into great detail on the shrubs that were previously mentioned.

In the late 1880s, Tom Smith, a gardener and manager at Warrenpoint Road nurseries in Newry, purchased two daisy-covered fields overlooking Newry. On those six acres of north-east sloping, deep, slightly acidic, rich loam land, he started the Daisy Hill nursery. As business increased and improved over the years, the Daisy Hill nursery required expansion, as most of the plants sold were raised in the nursery itself. That required the acquisition of more land, until the nursery covered almost 60 acres and had a staff of between 70 and 80 men and women. At its greatest, the nursery held one of the most comprehensive stocks of rare trees, shrubs and herbs in Europe.

The nursery continued to thrive towards the end of the 19th century and into the very early 20th century. The advent of the First World War, followed by the Great Depression and the Second World War took their financial toll on the nursery. The resultant lack of demand consequently influenced falls in plant stock and employee numbers throughout the middle part of the 20th century. The nursery continued to operate under successive talented gardeners until 1996, when the grounds of Daisy Hill wood were acquired by Newry and Mourne District Council. In 2010, Daisy Hill wood was designated as Newry and Mourne's first local nature reserve, with the aim of developing the site as a natural resource for people and wildlife.

Bird boxes can also be constructed for larger bird species, including birds of prey, such as the kestrel and the barn owl. Such boxes should be located on the woodland's margins at heights of between three and five metres. All potential species using a bird box will require good visibility from, and a clear flight path to, the nest. Ideally, a box should face north-east. Most importantly, however, it needs to face away from the direction of the prevailing wind. The RSPB, which has engaged in a number of such programmes, should first be consulted to ensure that a suitable habitat is available for these species and that the correct box is erected in the correct fashion.

The dominance of woodland within Daisy Hill wood indicates that the area is likely to support one of the most viable local feeding grounds and roosting sites for a range of bat species. Further studies of the Daisy Hill wood bat fauna should be commissioned, with the findings of such surveys used to inform the type and placement of bat boxes in the Daisy Hill wood study area.

From my previous role as a councillor on Newry and Mourne District Council, I am aware that dumping, which was noted during the site survey, and its control was the subject of conversation in the council, including the fact that the woodlands between Daisy Hill Road and Monaghan Row were habitually used for fly-tipping. Those areas should be routinely monitored to ensure that people are dissuaded from such activities. The main block of the Daisy Hill wood site is also used for antisocial drinking activities, which results in localised disturbance and littering. In an effort to preserve the area, measures should be put in place to restrict access to the site during late evening and at night.

I support the Woodland Trust's efforts to transform and properly maintain Daisy Hill wood, for the benefit not just of the wild animals but of local people. So, I am delighted to have added my few words to the Adjournment debate.

**Ms Fearon:** Go raibh maith agat, a Phriomh-LeasCheann Comhairle. I will speak briefly to lend my support to my colleague Mickey Brady, who brought the debate to the Floor. I also commend the volunteers of the Daisy Hill Conservation Group, some of whom are here.

The Daisy Hill nursery site in Newry is a fantastic project that deserves the support of all elected representatives in the area and the local council. We, as MLAs, have an important role in ensuring that these types of community-based projects are fully supported. Since coming to the Assembly, I have been calling for essential funding opportunities to be directed into our constituency. In my opinion, Newry and Armagh is underfunded and there is a lack of promotion.

This project will provide a safe and friendly environment for local people to avail themselves of. I am sure that, given the application of the proper facilities and safeguards to this site, schools and communities — not just from Newry but from south Armagh and south Down — would be only too glad to use it for studies and nature projects. The fact that the site is in a prime location in the middle of the Newry area should be incentive enough for agencies to buy into the project and ensure that the site's full potential is realised. I encourage all interested bodies to get behind the group and show it support. I am aware that some Newry-based groups have availed themselves of the nursery site for projects; for example, Sticky Fingers, the leading children's art organisation in the area, has placed some children's art in the forest part of the nursery. It is a paradise for children to play in, and to enhance and improve it would only open up further opportunities for those types of groups.

#### 4.45 pm

In recent times, volunteers who work in the nursery have overseen the planting of over 300 metres of native hedgerow, so imagine what we could do if proper resources were pumped into the area. I know that Mickey Brady has a special interest in the Ballybot area, and he mentioned that the Ballybot ward is one of the most deprived areas in the Six Counties. We would be failing in our duties as elected

representatives if we did not highlight that issue, and I trust that the dedicated people behind the project will continue to push it at every opportunity.

In south Armagh — I am lucky enough to come from there — we have the Ring of Gullion, which has been deemed an area of outstanding natural beauty. This site in Newry has the potential to be a continuation of that. Newry, as well as south Armagh and Armagh city, needs an injection of funds to promote tourism and attract people into our area. I believe that this project has the potential to do that, and I wish the group and all its supporters all the best in their endeavours. I take this opportunity to pledge the support of the Sinn Féin Newry and Armagh team for the group.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá. I want to say a few words. If we were talking about football, I would not be supporting my colleague, as an Armagh man with a Down man sitting beside me. I commend not only Mickey Brady's work on the issue but that of the Daisy Hill wood conservation group. I know that for many a long day — my colleague Megan Fearon mentioned this — in the Newry and Armagh area, there has been a lack of investment in those types of projects.

I want to support Mickey in his endeavours, but I also want to commend him. He met the group on a number of occasions and, more importantly, engaged with the local council, which has a big responsibility for the matter. Those of us who have been councillors know that, after a weekend's activity, we are normally phoned on a Monday morning to contact council cleaners to come out to clean parks and such areas. That happens regularly. Although I recognise that some parks are left to go to wrack and ruin — they attract antisocial behaviour — we have a good opportunity to regenerate this park.

The project that my colleague outlined has the potential to create a space that young and old from across the Newry area and further afield can use to relax and take in the wildlife, the wild flowers and the flora and fauna. If the park were developed to its maximum potential, it would remove the prospect of the area becoming a place where young people meet at weekends to indulge in drinking and general mischief. The local council has sole responsibility for the nursery, and all complaints go through the local authority. With the proper will, I believe that the council, in co-operation with the PSNI and others, can overcome any problems that might arise. They have a

responsibility to speak to and to engage with residents in order to alleviate any concerns about the regeneration of the park. I argue that the development of the area would help to end the antisocial behaviour associated with the site and would, in fact, enhance it for the residents and communities that reside there.

Local people in the direct vicinity of the nursery wish to see the area upgraded and managed in such a way that they can also avail themselves of the large walkways and paths. A multiagency approach is needed to ensure that everyone's needs and concerns are dealt with and catered for. I am heartened to hear that Newry and Mourne District Council has fully bought into the project, and I have no doubt that everyone will play their part in trying to redevelop the site.

The fact that the park is on the doorstep of so many schools and communities is very positive for its educational value. Provided there is proper access, that will ensure that a large volume of people visit the park. To have such an underused asset in a city as large as Newry is unimaginable. I am sure that parts of the Six Counties would envy that amenity. I wish the group all the very best with its endeavours on the project, and I assure it that my party will support it in its work to regenerate the park.

**Mr Principal Deputy Speaker:** There is no ministerial response.

*Adjourned at 4.50 pm.*







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