

# Official Report (Hansard)

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Wells, Jim (South Down)  
Wilson, Sammy (East Antrim)

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# Northern Ireland Assembly

Tuesday 12 June 2012

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

*Members observed two minutes' silence.*

## Executive Committee Business

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

**Mr M McGuinness (The deputy First Minister):**

I beg to introduce the Inquiry into Historical Institutional Abuse Bill [NIA 7/11-15], which is a Bill to make provision relating to an inquiry into institutional abuse between 1945 and 1995.

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

### **Local Government (Boundaries) Order (Northern Ireland) 2012**

**Mr Attwood (The Minister of the Environment):**

I beg to move

*That the draft Local Government (Boundaries) Order (Northern Ireland) 2012 be approved.*

The order is made under section 50 of the Local Government Act (Northern Ireland) 1972, which stipulates that it must be laid in draft and approved by resolution of the Assembly. The purpose of the draft order is to give effect, with modifications, to the recommendations of the Local Government Boundaries Commissioner. The commissioner, as Members will know, recommended the boundaries and names of the 11 districts that are listed in section 1 of the Local Government (Boundaries) Act (Northern Ireland) 2008 and the number, boundaries and names of the wards into which each district is to be divided.

Members will be aware that my recommendation late last year to the Executive was a 15-council model, under which there would have been greater recognition of local character and identity, upfront costs would have been less, and the logistical and management issues would have been eased. However, as Members are also aware, the Executive voted in favour of an 11-council model. In doing so, they agreed two modifications to the commissioner's recommendations. They are outlined in the statement of reasons for modifications of the recommendations of the Local Government Boundaries Commissioner, which was laid in the Assembly along with the draft Order.

The two modifications relate to the boundaries between the new Belfast district area and the new Lisburn/Castlereagh district area, one at Galwally and one at Ballyhanwood. The modification at Galwally places the Forestside shopping centre and the building that serves as

Castlereagh Borough Council's headquarters in the new Lisburn/Castlereagh district rather than in the new Belfast district, as recommended by the commissioner.

At Ballyhanwood, two undeveloped fields have been moved from the new Belfast district to the new Lisburn/Castlereagh district, as any future development on this site is likely to be in keeping with land use at the Dundonald leisure park. Neither modification has an impact on the electorate in the two affected local government districts, although they will have an impact on the citizens and communities of those areas. No residential properties move in the Ballyhanwood modification, and only 10 residential properties move as part of the Galwally modification.

I also circulated a paper to Executive colleagues on a further modification at Warrenpoint. I understand that my proposal to the Executive had wide political support in the relevant area and had community endorsement; however, when my paper was circulated, the Office of the First and deputy First Minister (OFMDFM) advised me that the boundaries had been settled and that, as a consequence, the door was closed on my proposal.

The review of public administration (RPA) was launched by the Northern Ireland Executive almost 10 years ago. After numerous delays to the reorganisation of local government, the history of which is well known here and outside, it is now time to take forward the Executive's decision. Although I have made my view clear on the issue of the number of councils, it is not inconsistent with my view that Northern Ireland needs a new phase of radical reform, protecting the reform achievements of the past 45 years, learning from the benefits of reform over those years and deepening reform across a wide section of public policy that includes, in my view, local government and local government reform.

In order to advance the reform agenda and to enable me to manage the Executive decision, which is my ministerial responsibility, I have established implementation structures to manage reorganisation. To name a number and to assist progress, I have appointed a regional transition committee (RTC), which I chair, to act as a mechanism for reform implementation and to allow elected members to provide high-level political leadership. I have established a regional transition operational board, comprised of government officials and council officers,

to support the RTC and to co-ordinate the operational delivery of reform.

I have set up nine task-and-finish working groups to focus on the key areas of transferring functions: finance; human resources; legislation; pilots and community planning; programme delivery; communications; and system convergence. I have asked the voluntary transition committees to reconvene and to begin the preparations for convergence. Along with the statutory transition committees and shadow councils, when established, those reform structures will help to ensure that the 11 new councils are fully equipped to take up office after the next local government elections.

Beyond the politics of local government, the operation and practice of the reform of local government is a significant undertaking. In my view, it is a matter of regret that the once in a lifetime opportunity presented by RPA at this stage will not see the transfer of many significant functions from central government that would be better suited to local government, save that of planning. However, planning and the transfer of planning tell a tale, in that in a short period of three years, which is still adequate time, local councils will become the local planning authorities. Getting that right with resourcing, capacity, management, architecture, and to change the culture of local councils and councillors from being planning lobbyists, which is a proper and legitimate function of councillors, to being a planning authority responsible for planning decisions, local development plans and community planning, is the measure of what we need to achieve over the next three years.

The making of the boundaries order is a step in the creation of the 11 new councils and a development that can create stronger, more effective local government that will deliver improved outcomes for everybody. Ultimately, that has to be the measure of what we are doing. Does the reorganisation of local councils create better, stronger, more effective, more accountable, better value and more efficient local councils that better reflect the interests and needs of those who we serve, citizens and ratepayers?

The agreement of the new council boundaries and number of wards also provides me with the opportunity to consider the position of councillors. I acknowledge their commitment in

an environment that is demanding and carries risks. For many years, they provided a voice on behalf of the people, and continue to do so. I have said in the Chamber, and say again, that during the years of terror and civil conflict, councillors were the front line in maintaining and advancing democratic practice across the North. They did so, at times, at great personal cost, including risk to themselves and their families, and with great courage and, very often, with great integrity. As you will recall, Mr Speaker, they also did so with very little remuneration or income most of the time. They were heroes and heroines in a very dangerous civil conflict. Those who stood and held the line for democratic practice, accommodation and the best values to inform the development of this society deserve our appreciation and respect. I will be making a statement to the House before the summer about how to take forward recognition of councillors who are stepping down in the event of RPA and about severance arrangements in order to recognise their years of service, courage and the role they played in representing the needs of people, especially those most in need.

Circumstances in respect of the life of a councillor are changing and our Government is evolving. Today — we heard some of this yesterday — we have a consensus that it is not appropriate for an elected representative to hold more than one elected position. I took the first step in addressing that issue in April of this year, reducing by two thirds the allowances — basic and special responsibility — of councillors who hold another elected position. I also understand that, further to the work of the Commission's review of remuneration of Members, as of July this year, the reduced allowances that councillors now enjoy will be further adjusted with regard to their MLA income, reducing that third that is now in place by a further half.

**Mr Weir:** On a point of order, Mr Speaker. I am sorry to interrupt the Minister in full flow. Although I am keen to debate MLAs and councillors' pay to our hearts' content, with the greatest of respect, is this not straying quite a distance from the business before the House, which is the Local Government (Boundaries) Order (Northern Ireland)?

**Mr Speaker:** Order. It is certainly the Minister's prerogative. It is the Minister's statement, and I think we should allow the Minister to continue.

## 10.45 am

**Mr Attwood:** It is not common practice for a Member to object to good news. I can imagine what would happen if I were to give bad news. On this occasion, if the Member will listen further, he might consider, on behalf of his council colleagues, that this might be good news.

**Mr Beggs:** On a point of order, Mr Speaker. In raising that point of order, should the Member have declared an interest? Perhaps someone has pressed the point that he is concerned about losing some money.

**Mr Speaker:** Order. Allow the Minister to continue.

**Mr Attwood:** If that is the principle, Mr Speaker, I anticipate that up to 30 Members will have to declare an interest should they choose to contribute to the debate. Up to 30 Members remain as councillors. That is their democratic choice, and it may or may not reflect the interests of the people who elected them. Those who continue to be councillors and MLAs need to get their head around that principle and decide whether that best serves the House, their local councils and the community that elected them.

The Executive have agreed proposals for the next stage in the process to deal with the issue of MLAs who are also councillors. There will be a statutory bar on a councillor holding more than a single elected position. I intend to include these provisions in a local government reorganisation Bill, which I propose, subject to Executive agreement, to introduce to the Assembly in the autumn.

When the previous Executive considered the planned reduction in the number of councils, they agreed to provide severance for outgoing councillors. The proposed ban on double-jobbing, and the adjustments already introduced to the allowances and special responsibility payments of MLAs who are councillors, provide a fresh backdrop against which I can give further consideration to severance for councillors who feel that it is time to step down. That will provide an opportunity for fresh hands to take up the reins and shape the policies of future councils. As I said, I shall bring a statement to the House before the summer recess.

The Executive have agreed that the functions that are to transfer from central government to local government should be fit for purpose,



sufficiently resourced and rates neutral at the point of transfer. I stress those three principles: fit for purpose, sufficiently resourced and rates neutral. I reassure local councils and give a personal undertaking that those principles will be honoured. It will be shallow and shoddy practice if we end up with a situation in which the transfer of functions is done on the cheap in a way that is hostile to the authority of local councils and the interests of local citizens and communities, and, meanwhile, central government holds on to the resources and funds that should be appropriate to transfer to local councils in the event of reorganisation.

These principles — fit for purpose, sufficiently resourced and rates neutral at the point of transfer — cannot be compromised. Given that planning is the most significant function to be transferred, I will judge myself and the transfer of planning against those three standards. Otherwise, come RPA, on the day when councils begin to roll out development plans or make decisions on planning applications, there will not be the resources, capacity or personnel to ensure that that is done in a way that is consistent with the needs of communities, including local businesses.

I am also aware that the timing of the reinstatement of the voluntary transition committees did not enable councils to make the necessary financial provision to support them when striking the rates for the current year. Therefore, I am seeking, through the June monitoring round, to provide some assistance to the voluntary transition committees in this financial year. A number of councils, parties and individual Members have raised with me the issue of funding associated with RPA, and I have no doubt that a lot of comments will be made about that during the debate. I will reply in substance to all of that at the end of the debate.

Recognising that this is an issue and that we need to ensure that there are sufficient resources to take forward RPA in the short term and given the need to roll out the sharing collaboration proposals through the innovation for competitive enterprises (ICE) programme brought forward by councillors, councils and council management last August, I am looking for support at June monitoring and through this debate for interventions to help councils to take forward all that work to ensure that the heavy responsibilities that fall to councils are properly attended to in the short term. On the far side

of that and on the far side of the business case that is being reworked in the context of the costs of RPA, there may be further opportunities to provide some assistance to councils with the upfront costs of RPA.

I also believe that elected representatives, whether in councils, the Assembly or Westminster, should receive reasonable allowances to perform their civic duty. Following the reform of local government, councillors will take on more work as they will serve larger councils with increased functions, and it is only right that remuneration reflect that enhanced role. I intend to set up an independent panel to conduct a review of councils' remuneration and to advise me on the system and level of allowances that will be appropriate for the new councils.

I want to make sure that the 11 new councils are effective in delivering the Executive's vision of a strong and dynamic system of local government that is responsive to citizens' needs. If they are to achieve that, their policies need to follow the principles of good governance and equality of opportunity. We need only read the papers over the past 24 to 48 hours to wonder whether one or two councils across the North of Ireland still do not embrace and live up to the principles of good governance and equality of opportunity. I will ask officials to provide me with a report on the conduct of councils in which the principles of good government and equality of opportunity have, on the face of it, not been honoured in the election of senior officers over the past 24 or 48 hours. I believe that the new councils — *[Interruption.]*

**Mr Speaker:** Order. There is no time limit on this debate; Members will have an opportunity to speak for as long as they want. *[Interruption.]* Order. Allow the Minister to continue.

**Lord Morrow:** On a point of order, Mr Speaker. You rightly outlined that we will have an opportunity to ask questions on this. Will we have an opportunity to ask questions on the boundaries or will we have an opportunity to ask questions on this ramble here today, which has no relevance to the boundaries?

**Mr Speaker:** Order. Members will have an opportunity to ask the Minister about whatever he has spoken on this morning in the Chamber. *[Interruption.]* Order. Allow the Minister to continue.

**Mr Attwood:** I welcome questions on anything that I have raised in the Chamber, both about



boundaries and about the broader issue of RPA. I would be very surprised if, in preparing for this debate, as I am sure diligent Members have, they have not anticipated issues that they want to raise with me, not just about boundaries but about all other issues that are relevant to RPA. Indeed, it would be remiss of Members not to do so in a debate such as this when they have the Floor for as long as they need. I remind Members that I have the Floor for as long as I need to respond as well.

**Mr P Ramsey:** I thank the Minister for giving way and thank him for acknowledging the contribution of local councillors in Northern Ireland over the past 40 years; it will be reassuring to them. Councillors from all parties have shown compassion and passion throughout that period and at times, as you said, Minister, in very difficult circumstances in which their families have been put at risk by their courageous stand.

You made reference to radical reform being necessary, and part of the RPA is about bringing efficiency and value for money, but it is also about delivering economically and socially. There is a growing opinion in the north-west that, given its historical regeneration and cultural agenda, Derry City Council should remain intact or, at the very least, be amalgamated in some way with part of Limavady council.

Would the Minister not support that concept, which is gaining momentum as we carry on —

**Mr Speaker:** Order. I remind Members to keep their interventions brief. I indicated earlier that Members will have an opportunity to speak on whatever the Minister has said. The Minister is setting the scene around all of this, so Members from all sides will — *[Interruption.]* Order. Members from all sides will have an opportunity to question the Minister. Once again, the House is holding the Minister to account.

**Mr Attwood:** Mr Hazzard may regret that he has just said that we may be here all day. Before he joined the Assembly, my longest contribution was, I think, an hour and 35 minutes or an hour and 40 minutes.

**Mr Flanagan:** On a point of order, Mr Speaker. I would just like to clarify that it was me who made that smart comment and not Mr Hazzard.

**Mr Attwood:** The point is still valid. Before Mr Flanagan joined the Assembly, my longest

contribution was an hour and 40 minutes or maybe an hour and 45 minutes. I threatened my colleagues at the SDLP group meeting this morning that I intended to surpass that in my reply, so you may want to hold your breath.

Yes, there is a need for radical reform. That statement is not just from me; it is a statement from the councils. Why else would you bring forward proposals last August for savings of up to £570 million over 25 years through the sharing of and collaboration on services if not with the ambition of being radical? I do not how it is not radical to say that there is a better way of maintaining and arguably improving services for ratepayers at a lower cost base.

The real issue is whether we are serious about the improvement, collaboration and efficiency programme. Are we serious about transferring significant functions to local government? Are we serious about taking the once-in-a-lifetime opportunity that RPA presents to put in place the necessary structures and mechanisms? It seems to me that the Executive stumbled at one of the hurdles in that challenge in respect of the issue of having 11 or 15 councils. However, that is where we are.

**Mr Elliott:** I thank the Minister for giving way. He quoted a figure of savings in councils of 500 and something million pounds. I am wondering where that figure came out of. My recollection is that the PricewaterhouseCoopers (PwC) report stated 400 and something million pounds. So many figures are being bandied about that you do not know what to believe.

**Mr Attwood:** There are two headline figures, one of which is in the PwC report around what the savings may be from local government reorganisation. That business case and report is being updated. In late summer, I will have that updated report and business case on the costs, both upfront in terms of RPA and the potential savings over 10, 15, 20 and 25 years.

The second headline figure was produced by the councils themselves — by councillors and council management — in the ICE proposals of August 2011. Those essentially sought to establish how councils could more greatly share and collaborate on services in a way that reduced costs, maintained services, was more efficient and effective, and recognised the difficult circumstances faced by ratepayers and councillors alike. Out of that, you can get a

headline for what the potential savings may be from RPA on one hand and sharing on the other.

I will return to the comments made by my colleague Mr Ramsey. Yes; it seems to me that in parts of the North — not everywhere but particularly in Fermanagh and along the west corridor, including in and around Derry — people are beginning to realise that previous political doubt about RPA happening has been replaced by political certainty that it will. It is my job to manage that decision. However, as the reality of RPA happening begins to impact, people are beginning to work through its consequences more fully.

**11.00 am**

In working through the political reality of RPA happening, there are clearly businesses in Fermanagh, councillors in Derry and many other people — citizens and communities — in between, who are beginning to ask whether 11 is best and whether a different number, be it 12 or 15 —

**Lord Morrow:** Change the record.

**Mr Attwood:** I am not going to change the record. Right? My obligation —

**Lord Morrow:** — *[Interruption.]*

**Mr Speaker:** Order. Allow the Minister to continue.

**Mr Attwood:** If it ain't broke, don't fix it.

**Lord Morrow:** The record is broken —

**Mr Attwood:** The record is not broken.  
*[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** If it is broken, why do the Fermanagh Economic Development Organisation, the Irvinestown Trustee Enterprise Company and the Belleek Chamber of Commerce of Main Street, Belleek, and so on and so forth, write to me? You are saying, Mr Morrow, to all those people — *[Interruption.]*

**Mr Speaker:** Order. Let us not have the debate across the Chamber.

**Mr Attwood:** Mr Morrow is saying —

**Lord Morrow:** Get on with it.

**Mr Speaker:** Order.

**A Member:** Lord.

**Mr Attwood:** Sorry. Lord Morrow is saying to Mr Gormley, the chairperson of Belleek Chamber of Commerce, and to Gerry McNulty, the company secretary of Irvinestown Trustee Enterprise Company — I could go on — that the record is broken. That is the response of a senior politician to people in Fermanagh raising questions and concerns about the decision of the Executive, which I, as I made clear, am implementing and managing, not least because I believe in the radical reform of local councils.

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

**Mr Attwood:** I will give way. I do not think it wise counsel to say to people, who are articulating real concerns and fears, that they should “change the record.”

**Lord Morrow:** It is you we are saying it to.

**Mr Speaker:** Order.

**Mrs D Kelly:** I thank the Minister for giving way. Minister, I am somewhat confused. I recall clearly that the DUP at NILGA and across the party, stated its position that the 15-council model was its preferred option for these boundaries. Why has the DUP's position changed? I also recall that Mr Francie Molloy was at one time suspended from his own party, or under suspicion from it, in relation to Sinn Féin's proposal for a seven-council model. Does this response not smack more of a carve-up or a bad decision between Sinn Féin and the DUP than good government? *[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** I will leave Lord Morrow and Mr Molloy to answer for themselves the questions raised by my colleague Mrs Kelly.

**Mr Campbell:** If they ever get the chance.

**Mr Attwood:** You will get the chance, a chance at length to do so, and I will be given the chance to respond at length to you.

**Mr Flanagan:** I thank the Minister for giving way. He referred to a number of letters from concerned businesses and business organisations in Fermanagh. He asks what our answer to them is. However, the more pertinent question is this: what is the Minister's response to them? They have written to the Minister asking him to show leadership and to try to come up with some sort of solution that will alleviate the huge problem in Fermanagh where

we are going to see what looks like a significant increase in domestic and non-domestic rates due to the historical underspend in Fermanagh in terms of the historical spend in Omagh. What businesses and citizens in Fermanagh are looking for is some sort of positive leadership from the Minister whereby he will take forward that issue in the Executive and try to get it resolved as opposed to throwing out numbers, such as the 12-council, 13-council and 20-council models. The fact is that the Executive have agreed on an 11-council model. We need to accept that and try to mitigate any potential increase in rates for people in Fermanagh. That is the positive leadership that the Minister should show. I encourage you to do that, and if you do, I will completely support you.

**Mr Attwood:** I welcome those last words. As to complete support, I do not know anybody who completely supports anybody in anything. That would give them a licence to do what they want. I am a wee bit cautious. I seek support where I am doing what is necessary to try to protect ratepayers, citizens and communities. I will manage this process going forward. Whatever my view may have been about the 11-council model or the 15-council model, I have said and made it clear that I will manage the process going forward. I do not think that anybody can doubt that, in managing the process going forward, which involves a lot of difficulties, problems, issues and needs, over the past three or four months, I have applied myself, my officials and the Department to undertake that task and move forward in a positive way. If there is a contradiction in what Mr Flanagan says, it is this: I would not be getting all that correspondence, and other Ministers and Members would not be hearing that conversation, had the model been for 15 councils. Why? In a 15-council model, Fermanagh, like Belfast and six other councils throughout the North, would not be facing reorganisation.

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

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

Fermanagh would not be facing reorganisation and so would be able to deal with local issues in the context of a stand-alone Fermanagh council. Therefore, you cannot say that the only issue is the consequence of RPA, and I will deal with that in a second. You have to face up to the primary issue: you would not be getting

representations, Mr Flanagan, or asking me, through you, Mr Speaker, Assembly questions about the very issues articulated by the various organisations that I have just outlined. Through the Assembly processes, you would not be asking me questions for written answer, which, on this occasion, I have answered, unless what Fermanagh people wanted, as implied in their correspondence, was a stand-alone, independent Fermanagh council. You cannot make an argument about the consequences of RPA without looking at the primary argument about RPA. So let us deal with the issue. I will, no doubt, deal with it in reply to comments later on in the debate.

I will let Mrs Kelly come in.

**Mrs D Kelly:** Thank you, Minister, for allowing me to come in at this point. I am particularly struck by the fact that Fermanagh will be the only one of the 32 counties of Ireland without any local identity through its own council. Is that not a shocking statistic? One wonders about the leadership of MLAs from that county. Perhaps the Minister will indicate to the House the strength of feeling, on behalf of the people of County Fermanagh, of the political representatives at Assembly and council level.

**Mr Flanagan:** Before the Minister gets up, will he give way?

**Mr Attwood:** No. I will deal with that point, and then I will give way. Mr Speaker, my undertaking to you is that, today, I will give way to each and every Member who asks me to do so. That is why I think that the debate might not be over by lunchtime, but I may be proven —

**Mr Flanagan:** Tomorrow.

**Mr Attwood:** All day might yet, Mr Flanagan, mean all day.

Let us deal with the issue of leadership. Over a year ago, £80 million was allocated in a budget line known as the social investment fund. None of the £20 million for year 1 was spent — not a penny. Today, I will be asked what I am doing about local government funding, and I will deal with that. However, the Assembly voted on and approved that £20 million in March 2011, and not a penny of it was spent in 2011-12. I would put a little money on the fact that, by Christmas this year, very little, if any, of that budget line will have been spent. The consequence will be that it will all be spent, in my view, from December

this year and in the two years thereafter, and there is a danger in that. The £80 million is in the budget line, but the allocations for year 1 and, thus far, year 2 have not been spent. There is no appraisal system for any projects that might be allocated money under the project and no management structures for the investment zones where that money might be spent. No members have been appointed to any management board. Is that a wise use of money when there is a sister programme called neighbourhood renewal on which that money could be spent and given that a hardship fund was set up by the Executive over a year ago, on my recommendation, to help people in need? Is that not a better way to spend that money? Is that not a better example of leadership? If you want to talk about leadership at a critical time when there are unspent moneys, the likelihood being that they might not be spent very quickly — never mind very wisely, which is a wider debate — and ask me about money and resources for policy priorities, let us have the full debate about that £80 million. If that money was split in various ways to deal with issues of need, maybe even to deal with the issues of local government reorganisation costs on the far side of the business case, we would be in a wiser place.

**Mr Flanagan:** I thank the Minister for giving way. I take him back to one of his earlier points, when he said that I tabled questions for written answer. I have tabled questions for written answer, and organisations have sent numerous letters to the Minister, but not too many answers have come out of the Department of the Environment.

Mrs Kelly raised the issue of cultural identity being lost in Fermanagh. Perhaps she can explain why the three SDLP councillors in Fermanagh voted against the retention of townlands in Fermanagh, which will strip us completely of our cultural identity. The Minister made the point that people in Fermanagh are looking for a stand-alone, independent Fermanagh. That is not what the majority of people in Fermanagh are seeking. What we are seeking is that there will be no negative financial impact on ratepayers, but that we will still benefit from improved services and the economies of scale that will come from downsizing local government.

Talking of downsizing local government, let me take the Minister back to one of his party's

policy papers, which was published in April 2011, on downsizing Stormont. In that paper, the party advocated —

**Mr Speaker:** Order.

**Mr Flanagan:** — that it would implement RPA on an 11-council model.

**Mr Speaker:** Order. I now must insist. Interventions are becoming speeches. The debate has already started through interventions. That worries me. Quite a number of Members want to make a contribution, but the debate should not be had through interventions. Interventions, in any other place, are sharp, straight and to the point. They are not speeches. The Minister is right; he has the Floor, and has the right to take interventions. However, interventions cannot turn into speeches. I am warning Members: interventions must be short, sharp and to the point.

**Mr Attwood:** Thank you, Mr Speaker. I will deal with those issues, some of which have to be answered by the SDLP. Although I am an SDLP Member, I am here as a Minister. However, I will deal with them as best I can.

Let me make it very clear that I believe in radical reform. I believe in RPA. Although I have differences with colleagues around 15 councils, I am going to manage 11, and am demonstrating conclusively that I am managing 11. Officials in the Box will confirm the amount of time we spend on that and the preoccupation I have with getting it right. For example, we are trying to create structures within and around the Department, and with councils, to get community planning right. This is a huge opportunity, which we cannot lose, to reshape our communities in the interests of being better going forward. I make it very clear that the comments I am making are in that context.

I hope that the people of Fermanagh read the comments of Mr Flanagan and what he said about the issue of 11 councils or 15 councils. What he said, as I understand it, is that the people in Omagh who say that they do not want to go with Fermanagh but want to go with Strabane do not carry much weight; that the people in Fermanagh who say that they do not want to go with Omagh do not carry much weight; and that the people in Strabane who say that they want to go with Omagh and not with Derry do not carry much weight. That might be Mr Flanagan's sense of things, but, stepping



back from the issue of 11 or 15 councils, that is not my sense of things.

Given the scale and size of the Fermanagh/Omagh council model, and given what a lot of the Omagh councillors and management have told me and what a lot of the councillors in Fermanagh have told me — not Sinn Féin councillors, who were silent during the course of that meeting — I do not think that that is a good read of the mood in Fermanagh. For those who do not live there, or have the intimate knowledge of the area that Mr Flanagan might have, does it not sound counterintuitive, if not wrong, that the people in Fermanagh are saying they have no difficulty going with Omagh and that, really, the issue is only around resources, assets, rates, convergence and debt profile?

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

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

You might be right, Mr Flanagan. However, if that is your call on it, my sense is that you are misreading your own community.

**11.15 am**

**Mr Molloy:** I have a number of questions. The Minister seems to advocate county councils, which, when you look at the Six Counties, goes back to the seven-council model. I am surprised at what was said about a Fermanagh council for Fermanagh. Does he accept that the role of those who advocate working together on the improvement, collaboration and efficiency (ICE) programme, particularly the chief executive of Omagh District Council and any council chief executive, is to lead co-operation in the transition to the new councils? If we cannot get co-operation between Omagh and Fermanagh, how does he advocate putting the ICE programme together, because it would mean co-operation across all councils in the area?

**Mr Attwood:** I will deal with those questions, but there are some residual matters around townlands that were raised by Mr Flanagan. I think that the House is aware that the Pointer system means that we have the capacity to build townlands into the addresses of all government correspondence. I, for example, have issued an instruction that all DOE correspondence, in all its expressions, should have the townland name as part of the address.

**Mr McCarthy:** Hear, hear.

**Mr Attwood:** Thank you.

If Mr Flanagan would like to check any correspondence that he might receive from me, he will see that the Goodwood House address includes the number, street and townland name, which is Town Parks.

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

**Mr Attwood:** I will give way in a second.

I have instructed the Department that townland names should be incorporated into addresses in all its expressions. I know what question is coming from Mr Flanagan, so I may as well get the answer in before the question. I went further, and I wrote to all councils and said that they should incorporate townland names into their addresses. Did I, as Minister, support the notion that the addresses should be townland names only? No, I did not. Why? I did not support that because it could end up being hostile to the interests of local citizens. Why? Providers of services such as insurance could end up saying that they did not know where a particular place was. That might be unfortunate, but that is how insurance companies would have viewed it. They might have looked at a certain address and asked where it was.

In encouraging local councils to use the townland name in all correspondence, as I am rolling out in government, and I encourage all other Ministers to do the same, I made a judgement call that prescribing that it had to be the townland name and not the established address name would end up being hostile to the interests of local people.

**Mr Flanagan:** I thank the Minister for giving way. Mr Speaker, I am well aware that townlands have been debated extensively in the House, but, perhaps the Minister will take on board the fact that parts of his Department issue letters and driving licences without townland names. I know people in Fermanagh who have received a driving licence from DVANI without a townland name on it. They submitted a form that included their townland but got back a licence that did not. Maybe the Minister will agree to take that forward.

In his previous discussions on correspondence with Fermanagh District Council, the Minister was keen to emphasise that the council was very opposed to going in with Omagh. However, he will recollect that he has received numerous

letters from Fermanagh District Council, as did his predecessors, seeking a change to legislation that would allow a council the option of naming a property against a townland, but he has refused to listen. If he is so interested in listening to the wishes of citizens and district councillors, why will he not take that on board? The Pointer system can facilitate an address in which a townland is the primary address.

**Mr Speaker:** Order. There have been many interventions, and I have warned Members. I will not warn them any longer; I will merely ask them to take their seat. The model of an intervention in other places is short, sharp and to the point. This morning, interventions from Members are ending up as statements, and that needs to stop. We also need to get back to the motion before the House. We allowed the Minister to set the scene this morning. I think that the scene has been set —

**A Member:** Right round the whole world.

**Mr Speaker:** Order. We should now try to move the business of the House on.

**Mr Attwood:** Thank you, Mr Speaker. Let us deal with the issues.

**Mr Hussey:** Will the Minister accept an intervention?

**Mr Attwood:** I will shortly.

**Mr Speaker:** Allow the Minister to deal with the previous intervention.

**Mr Attwood:** Let us deal with the issue of driving licences. I get a bit frustrated in my Department because every time I get an Assembly question about driving licences and the DVA and the DVLA, a standard paragraph is put into the response, which starts with, "Driving licensing is an excepted matter." That is the problem. I do not have control.

**A Member:** Of anything?

**Mr Attwood:** I have control of some things, but I wish that I had control of a lot more. We, as a Government and as an Assembly, should be scoping out, in the same way as the Scottish Government did through the Scotland Bill, ways and means of extending our opportunities for greater powers and greater control of the destiny of the people whom we represent. However, the problem is that it is an excepted matter.

If you go to Derry, Newry, Manchester, Swansea, Edinburgh, Newcastle, London, or wherever you want to go in Britain and Northern Ireland, you will get a licence. As I understand it, because that is standardised and is an excepted matter, we may not have the influence over the description of addresses that I would like to see. It is inconsistent. In the DOE private office, townland names are used, and I have instructed my agencies and the Department to use Pointer to incorporate townland names. I have also written to all councils to say that I am in favour of townland names, without being prescriptive in a way that could be hostile to the interests of their citizens. Therefore, of course, I want to have townland names as part of driving licences. It follows. That is me being consistent. To use your words, that is "showing leadership", but, sometimes, because of the issue of excepted matters, I do not have full control of how some things are managed.

I am not sure about some of the points that Mr Molloy was getting at, but I am not going to comment about the views or the actions of chief executives, save to say that whatever our differences with management and councillors around the issue of 11 or 15 councils, we have three years, which is adequate time to get this right. However, it is not an extravagant amount of time. Everybody needs to apply their minds and their energies to making sure we get over that line. I understand that there are tensions around money and around the breadth of representation on regional transition committees and voluntary transition committees and when the latter become statutory, but this is still a once-in-a-lifetime political opportunity to reconfigure local councils in a way that serves interests better. If the horse has bolted on the issue of 11 or 15 councils, the horse has not bolted on the issue of making sure that local government measures up.

I do not understand one of the questions raised by Mr Molloy. If Fermanagh and Omagh can co-operate on shared and collaborative services, they should be doing it today. They should not wait until tomorrow or next year or for RPA, they should be doing it today. I have some frustrations that, in the period since August 2011, the gear change has not fully happened around ICE sharing and collaboration.

Newry council has an electricity framework that more and more councils are joining. Belfast council has a stationery framework that 22

or 23 councils have now joined. There is co-ordination between Banbridge, Craigavon and Armagh cluster in respect of the purchase of wheelie bins and the like. Those things should be happening now. I encourage chief executives and elected representatives to push on with the ICE programme because it is one of the interventions that can fund RPA and see better spend in council areas now.

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

**Mr Attwood:** On the far side of three years, is it beyond our imagination and ambition to identify savings, amounting to many millions, that can become part of the narrative of local councils being reconfigured in a better image?

**Mr Hussey:** First —

**Lord Morrow:** Who is it? Is it me?

**Mr Speaker:** I think that it was Ross Hussey who first indicated that he wanted the Minister to give way. I am sure that the Minister will take Lord Morrow's point afterwards.

**Mr Hussey:** First, I declare an interest as a member of Omagh District Council. Secondly, if anybody carries weight in the House, I certainly do. *[Laughter.]* I come from the townland of Dergmoney Lower. The Minister referred to collaboration between councils. Does he accept that there is very close collaboration between Omagh and Strabane district councils? They do, after all, share a chief executive and other services?

**Mr Attwood:** I am sure that the Member will give further evidence of that in his subsequent contributions. From my sense of the place, my judgement is that Omagh and Strabane should be together because of their local identity and character in county terms. That is the balance of the argument, but that argument has not prevailed. I regret that, but that is where I am. Members will be able to articulate their views.

Mr Speaker, I have to immediately correct something that I got wrong. Mr Flanagan will be quite interested to know this, but it only begs further questions. I hold in my hand a driving licence. It is a UK driving licence for the reasons I explained. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** It is actually the driving licence of a Member, Karen McKevitt. Should I give out your address?

**Mrs McKevitt:** No problem.

**Mr Attwood:** The address is Lower Carrogs Road, Ballyholland. So, it appears that, unbeknownst to me, I have been able to prevail over the DVA to issue driving licences that include the townland. The power of my office knows no limits, it seems. *[Laughter.]* Apparently, you can get your townland name on a licence. That raises a question: if that is the case, why, at an official level, was that denied to somebody? You have a precedent here. I am sure that Mrs McKevitt will photocopy that for you, so that you can, if you so wish, wave it in the face of some DVA official when you next apply for your licence.

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

**Mr Speaker:** Order. Before the Member rises, I am trying to work out in my mind what a driving licence has to do with the Local Government (Boundaries) Order. Really, we must get back to the motion and the business before the House. If your intervention very much relates to the motion before the House, I am happy to listen. However, if it is about driving licences, it is certainly nothing to do with the Local Government (Boundaries) Order.

**Mr Attwood:** I give way to Lord Morrow.

**Lord Morrow:** There certainly is confusion about what we are debating here today. The Order Paper states one thing, but the debate tells us something entirely and absolutely different. A precedent has been established here today that the Assembly will probably regret. We have opened the floodgates for any Minister to come in here and discuss anything that he or she wants. That, unfortunately, has happened today.

The Minister is referring, perhaps, to a lack of leadership — I am not using those words — in Omagh and Fermanagh. Does that not cry out for leadership from somewhere else then? If there is a lack of leadership in taking this forward, surely the Minister has a bounden responsibility and an obligation to provide leadership where he deems that it is lacking. For instance, we have established transition committees, but they are merely voluntary. In other words, they do not have to happen. It is the call of councils whether they want to have them.



Surely it is time for the Minister to concentrate minds on the issue and say that, from today, they will be not voluntary but compulsory.

The Minister is leading on an issue on which he does not want to lead. He is taking forward a set of proposals that he has no heart in, and he is just not up for it. There is nothing really wrong with that, except that it is a bit hypocritical. Maybe he should step to one side and say, "I cannot take the issue forward because I am not for it and I do not want it to happen". I think the whole thing is not going anywhere, because the Minister is taking it at two speeds — a snail's pace and a dead stop.

**11.30 am**

**Mrs D Kelly:** On a point of order, Mr Speaker. Further to Mr Beggs's earlier point of order, is it not incumbent on Members, when they speak, to declare an interest as members of district councils?

**Mr Speaker:** Order. Let us move on. It is up to Members whether they want to declare an interest in any subject.

**Mr Attwood:** Thank you, Mr Speaker, and I thank Lord Morrow for that intervention. It is the call of the Speaker and the people who manage the business of the Assembly, but I think that, on significant public policy issues, it is not a matter of latitude; it is actually a matter of good practice that there should be accountability on the Floor of the Chamber. The notion that you can divorce the issue of boundaries from the issue of numbers, the issue of numbers from the issue of functions, the issue of functions from the issues of resources and costs and all the rest of it does not seem to me to be credible. I think that Members would be frustrated if they were not given some opportunity, and I have certainly given them plenty of opportunity. More important than that, the people that we represent will ask, "What does all that mean?". The 'Belfast Telegraph' today does not make pleasant reading.

**Mr Humphrey:** What about yesterday?

**Mr Attwood:** I do not know what you are referring to about yesterday. It does not make pleasant reading on the basis of its assessment survey, which is not necessarily conclusive of anything. It does not make particularly happy reading about the standing of government and the Assembly. In one way, it is a bit of a reply to

the 'Belfast Telegraph' and it is certainly a response to the community that, whether it is on the issue of townlands, resources or anything up to and including the boundaries, we have a full opportunity for some accountability today. I welcome that. I do not have any issue about that.

Lord Morrow is quite right that it is better to have something statutory than voluntary. That is why, with officials, we are trying to identify at the earliest possible opportunity how voluntary transition committees will become statutory. I hope to be able to update the Committee and the House in that regard. That point is valid. I accept your point, Lord Morrow. I might not accept all the other points, but I accept the point that creating certainty by having statutory transition rather than voluntary transition is something that I need to take forward.

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

**Mr Attwood:** I will in a second. There was a wonderful contradiction in what Lord Morrow said, which I think Hansard will confirm. He said that I was leading on an issue on which I did not want to lead. Think about that for a second. You either lead, or you do not lead. Suggesting that you can be leading on an issue on which you do not want to lead seems to reveal something. I will tell you when things were at snail's pace and a dead slow: it was during the last mandate, when, for reasons that I still cannot fathom —

**Lord Morrow:** It is always somebody else.

**Mr Attwood:** Well, what does the record say? It says that there was stalemate and that this got stuck around the Executive table. I was there for part of that stalemate. If it is the will of the DUP and Sinn Féin that 11 should prevail today, why did it not prevail before? Why was it stuck? Why did it go at a snail's pace and dead slow previously, if there was no big issue about 11, so much so that they can now say that they want that to prevail and say that it is democracy? I accept the will of the Executive, but why did they not do that 15 months ago? You ask about who is leading: what does it say about the failure of leadership in the previous mandate when there was failure to agree on 11 only for there to be agreement on 11 four or five months later?

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

**Mr Attwood:** I will in a second. Although we have come to 11, the evidence of the past four

months shows that I have been leading on 11. *[Laughter.]* I hear laughter, but, if Members had been sitting on the regional transition committee, it would not have been laughter they heard but a hard conversation with local councils and local management in order to say that, although I hear the concerns about a vast range of issues, we need to stay in the room, work it through and get it over the line.

We have had those conversations, and those structures are being set up. We are trying to work through the issues, including how to be more inclusive in the membership of the RTC. We are updating the Business Committee, and I will bring forward proposals for a councillor severance scheme and so on. If you examine the evidence, you will draw the conclusion that, although I am managing a decision of the Executive, I am leading in taking forward the implementation at Executive level, whatever my views might be as a politician.

I will give you an example: the Executive endorsed a proposal for the roadside testing of individuals by the police as part of the change regime around drink-driving. As an individual, in my party capacity, I have great concerns about granting further powers to the police to deploy against the citizen. It has come from a background where, for all the changes that have happened in policing, we need to be measured in the powers that we give them. However, I recognised the overwhelming evidence from the consultation: 82% of people questioned said that random breath-testing on the side of the road was an important intervention to grant to the police in order to control drink-driving —

**Mr Speaker:** Order. I now insist that both the Minister and Members get back to the motion. That includes interventions. I am looking at Mrs Kelly, who has indicated that she wants to make an intervention. I may come to a point where I will not allow interventions any longer because the debate is taking place through interventions. Members are making statements, not interventions. I say to the Minister and to Members: let us get back to the motion. It is the only motion before the House.

**Mrs McKevitt:** On a point of order, Mr Speaker. Will you rule on the last intervention from Lord Morrow? He made a sexist remark, referring to the deputy leader of the SDLP as a silly girl when she was making a viable and valuable comment in the debate.

**Mr Speaker:** Order. Let me say to all Members that this is the cut and thrust of debate. Let me read Hansard and come back to the Member, but, at the end of the day, this is about the cut and thrust of debate in the Chamber. *[Interruption.]* Order. Allow the Minister to continue. I say to the Minister: let us get back to the motion before the House.

**Mr Attwood:** People can draw a conclusion from the point that I was making.

I will confirm what I said about the putting the voluntary transition on a statutory footing: officials are looking at subordinate legislation to do that as soon as possible.

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

**Mr Attwood:** Yes.

**Lord Morrow:** The Minister says that we need to be extremely careful that we get the transitional committees absolutely right. Whatever I might have against the Minister, I will not accuse him of not being careful; he borders on the careful, all right. The transitional committees that he speaks about are not new phenomena that we are trying to develop; transitional committees were in place before and seemed to work reasonably well. In fact, the transitional committee that covered Dungannon, Cookstown and Magherafelt worked exceptionally well. However, nothing can move until the Minister gives a lead. I ask him please to try to address that issue and tell the House that he will change their voluntary status and make things happen. Minister, if you do that today, we would nearly be prepared to forgive you for all that went before.

**Mr Attwood:** On one reading, your price is quite small, if you are prepared to forgive me.

There is a slight contradiction in what Lord Morrow has just outlined. He rightly points to a cluster of councils working very well. He has good knowledge, given his length of experience as a councillor in that area, that they did work well. They were voluntary, they worked well, they did their business, they got on with things, and they moved things forward. I could give you a number of examples of clusters of councils, working together voluntarily, that got on with the work and the business and began to interrogate what they needed to do to work together and work through the implementation of and potential issues with RPA. They did that in a situation of great political uncertainty and

stalemate at the Executive. Yet, they got on with it. That suggests to me that councils working in a voluntary capacity were able to do substantial and significant work, even though there was political uncertainty and stalemate. Therefore, I say to councils that, given that there is political certainty and that RPA will happen within the time frame and in the character that we have been talking about, it is even more imperative to get on with business. The good experience and practice before the political certainty of recent times should apply the minds of councillors and the voluntary transitional committees to getting on with the work.

To ensure further certainty and definition around RPA, we are looking at subordinate legislation to put voluntary committees on a statutory basis. However, this is a matter of political will more than one of structure. I have always said that you should create certainty and avoid doubt, and statute is the way to do that. I will not wander too far from the subject, Mr Speaker, but I hope that, when I come forward with a climate change Bill with rigorous statutory emission targets, Lord Morrow will say, "I agree. Let's have statute. Let's create certainty".

As the past 40 years have demonstrated across a range of public policy interventions in Northern Ireland, a model of good law and hard enforcement is very good for introducing radical change. That is why a statutory transitional committee is better than a voluntary one, but that does not mean that the good work cannot be done by the voluntary committees, as Lord Morrow testified. I presume that, at one time or another, he was a member of a voluntary transitional committee, so he can give some intimate validation of that assertion.

**11.45 am**

**Lord Morrow:** Are you saying that that is why it worked so well?

**Mr Speaker:** Order. Let us not have a debate across the Chamber.

**Mr Attwood:** I have no doubt that it worked better because Lord Morrow was there. Lord Morrow applies his mind to tasks and gets things over the line. There are a lot of MLAs who should not be councillors who contribute to that practice.

I will go back to my concluding remarks. It might surprise you, Mr Speaker, that I had two paragraphs left 45 minutes ago.

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

**Mr Attwood:** Yes.

**Mr Allister:** The Minister is in a most intriguing position. He has come to the House with an order that he patently does not believe in. He has then single-handedly led a filibuster on his own order. At the end, will he advise the House, in accordance with his beliefs, to vote against the order?

**Mr Attwood:** My advice to the House is to vote in favour of the order. Let there be no doubt or lack of certainty about that. I advise all Members to vote in favour of the order. That is the view of the Executive and the view that I am expressing here today. Fortunately, we live in a democracy. Robert Kennedy once said that he demanded the right to dissent because there was much to dissent from. That is a pretty good maxim. If it had not been for the democratic dissent of brave people over the last 30 or 40 years, we would not be here at all but in a much worse place. Bobby Kennedy was right in the context of the history of the last 40 years and about how the House should inform itself about this and other issues. There is much to dissent from, and we demand the right to dissent. If people choose to dissent later in the debate, I respect that. However, that is not the advice that I give them on how to vote.

I have not filibustered anything. In an idle moment over the weekend, I might count the number of interventions that I have taken so far. That number will no doubt multiply later in the afternoon. Therefore, I have been responding to the debate. I am sure that Mr Allister, who enjoys a good debate, would criticise me if I stood up and said, "That is not on the Order Paper. Therefore, I will not answer that question". This is not a filibuster; it is a proper process of accountability in which I am dealing with any and all issues that touch on and go beyond local government.

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

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

I will not deny that I would prefer 15 councils. Before you came in, Mr Allister, I said that my preferred model was 15. Why? I think that 15 better reflects local character and identity. There would be fewer upfront logistical and management issues, because six councils would not be merged at all. The upfront costs

would also be less. Having gathered all that information, my view was that 15 was a better model. However, the Executive decided to the contrary. I am a Minister who lives by the ministerial code, and I will not be reckless with the ministerial code. Therefore, I will manage the situation. I told my Executive colleagues that I would manage the situation; that is the word that I used. However, in managing that situation, I also have to recognise that there is a need for radical reform of public policy in the North, which includes RPA. Therefore, I will not be shy about taking forward RPA. It is in the best interests of the people whom we represent and is a mechanism for good government, even though I do not agree, personally, with the principle of 11.

I will give way.

**Mr Givan:** Thank you, Minister. I have a couple of points. I missed the start of the debate, so forgive me if they have been dealt with. I raised these at Question Time.

First, you will be aware that, in your own constituency, residents in Twinbrook and Poleglass have been well served by Lisburn City Council, which is a very low-rate council. Those people will now move into Belfast City Council and face a significant increase in their rates as a result. What is being put in place to deal with that problem for those people? The problem is replicated in other councils, where amalgamation will result in a significant differential in the rates that are applied.

Secondly, what is the process for redefining the wards within the new boundaries? When will that commence? Will there be a cap on the number of councillors to be elected in each ward? Will there be seven-seat, eight-seat or five-seat wards? Can the Minister give us any more detail on those issues?

**Mr Attwood:** I recommend that the Member reads the entire Hansard report of the debate to get a flavour of it, although, curiously, the points that he raises have not been raised heretofore. They are clearly important.

In my capacity as a constituency MLA, I do not concur with your assessment of the benefit to the residents of Twinbrook and Poleglass of being part of Lisburn City Council. It may be a low-rate council, but in many instances it has been a low-service council. There is good evidence of that. There are also some

wider issues around the treatment of people in Twinbrook and Poleglass. Remember that the population of Twinbrook and Poleglass is larger than that of Ballymena. It is a startling fact that the number of people who live there, in some of the most deprived wards in the North of Ireland, is comparable to the population of Ballymena. I was in Ballymena only two weeks ago, and, despite some difficult circumstances, the council and the commercial community in that part of the world are demonstrating leadership and a lot of rigour and vigour. Compare that with the dereliction of the commercial infrastructure in Twinbrook and Poleglass. I am not suggesting that that is totally, absolutely, completely and utterly the fault of Lisburn City Council. There are a lot of reasons for it, and a lot of accountability is required in a lot of places as a consequence.

The Member makes a good point about rates convergence. How will we fund local government RPA? The Executive have decided that there will not be assistance with upfront costs. No Executive Minister dissented from that view, either in this mandate or the previous one. That was the working principle. Although some might dispute whether that was a settled outcome, it was the Executive's view, and it was communicated to bodies representing councils and councillors in April 2010, subject to correction. That is not the end of the story. I have put in bids for the June monitoring round to assist with the real-time, real-life process of change in councils. If we can provide resources — I think that we should — to help change management, to help the ICE programme, to help build up capacity around planning and so on and so forth, a good argument can be made now, in advance of a business case, to demonstrate that we recognise the scale of what is being undertaken. However, councils have to recognise the scale of the economic circumstances that we in central government face. I trust and hope that there will be opportunities, and I look for support today in the Chamber, because these matters are to be decided by the Minister of Finance and Personnel and the rest of the Executive between now and the first week in July.

What are the other interventions? What further flexibility can we have around loans? There is further flexibility that we can have around loans. What can be done with the disposal of surplus assets? I do not mean a fire sale of assets but the disposal of surplus assets. On the far side of RPA, there may not be as much need



for council buildings and accommodation as was the case heretofore. Can we identify ways and means of helping there? What is the profile of assets in councils? I am mindful of the fact that in some councils in particular there is a profile of debt that creates a great burden. Are there opportunities for a mutual bank to provide funding?

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

**Mr Attwood:** I will in a second, but I want to answer your colleague's question first.

Across that narrative, there is the story of how we will fund RPA, and part of that has to be about rates convergence, which the Member has raised. I await further advice from officials, but my view of the notion of a Big Bang outcome on day one of the new councils going live, with a common rates burden across the council cluster, is that it will not happen. The differentials in rates between the councils that will emerge will be of such a scale in certain places that the notion of having convergence on day one — the Big Bang theory — is not sustainable. Therefore, we will work through how to deal with rates convergence in a way that is measured and proportionate over the appropriate time limit and does not impose undue burden on people.

On the far side of today's debate, in the event that the recommendation that I am urging on the Assembly is adopted, the matter will pass to the Secretary of State, because local government boundaries are his responsibility. He will then appoint a district electoral area commissioner, who will bring forward recommendations on district electoral areas that will go for public consultation and inquiry. On the far side of that process, legislation will be tabled at Westminster to give definition to those recommendations.

I have been passed a note, as I cannot recall the answer to the question about the number of councillors. They will correlate with the number of wards, as set out in schedule 2 to the boundaries order. That will be your lunchtime work. There will be 462 wards, and there will be 462 councillors. As I said, the drawing up of district electoral areas will be a matter for the Secretary of State. Belfast will have 60 wards; two councils — Armagh, Banbridge and Craigavon, and Newry, Mourne and Down — will have 41 wards each; and the other eight councils will have 40 wards.

I am trying to find where I left off my opening remarks. If we are to achieve the dynamic, strong local government that responds to the needs of all citizens, policies need to follow the principles of good governance and equality of opportunity. I think that I touched on that in my previous remarks. The new councils will make better choices for citizens if they represent the society on behalf of which they act. There is a danger that these could end up being warm, meaningless phrases. Let me tell people, given the experience of recent days, that, when it comes to having a code of conduct for councillors, an ethics regime, proportionality on committees and a system that sees proportional distribution of council offices through d'Hondt, Sainte-Laguë or some other mechanism, this will be the new order of things. There will be no compromising on it. If it is left to me, no council will have any opportunity to get up to practices that deny fairness, democracy and equality.

The order is a step forward in the reorganisation of local government. Together with the proposals that I have outlined today, it will help us on our way to having 11 dynamic councils, which, if we get this right and apply our minds to it, will create vibrant, healthy, prosperous, safe and sustainable communities that have the needs of all citizens at their core. In answer to Mr Allister's point, I ask the Assembly to approve the draft order.

**Mr Allister:** But do you mean it? *[Laughter.]*

**Mr Speaker:** Order.

**Ms Lo (The Chairperson of the Committee for the Environment):** Members will be glad to hear that I will be brief and will stick to my notes.

The Committee was briefed on the Local Government (Boundaries) Order by departmental officials on 17 May 2012. Members were provided with the draft boundaries order giving effect to the Local Government Boundaries Commissioner's recommendations subject to two modifications. They were also provided with a statement of reasons for those modifications, maps of proposed boundaries and revised maps of the modifications. Members were informed that on 23 February 2012 the Executive had agreed that the commissioner's final recommendations report should be laid in the Assembly, subject to the two modifications.

**12.00 noon**

Members sought clarification from the Department on the guiding principles that governed decisions made by the Local Government Boundaries Commissioner. They were advised that paragraph 19 of schedule 4 to the Local Government Act (Northern Ireland) 1972 states that the number of electoral wards in the district should be substantially the same and that the Boundaries Commissioner applied the principle that deviation from the electoral average should not exceed 10%. The Committee was later advised by the Department that the largest variance from the ward electoral average recommended by the commissioner is 11.99%. The Department also advised that paragraph 18 sets the number of wards for districts outside Belfast at 40, with some limited latitude on either side.

The Committee then considered a written request from Newry and Mourne District Council for the inclusion of an additional ward in the Warrenpoint/Rostrevor area. Members asked the officials about the feasibility of that in the guiding principles and were informed that it would compromise the electoral balance significantly, with a variance of 46%, which is much greater than the 10% guide figure. The Department acknowledged that consequential changes to other wards would allow that variance to be reduced. However, officials pointed out that, when they examined the options for doing that, it impacted on the ward boundaries of seven neighbouring wards and still resulted in a variance of 13.9% and 14.6% less than the ward electoral average in respect of each of the two wards at Warrenpoint, thus leaving them still some way outside the 10% variance guidelines. In addition, the Committee was made aware that the Boundaries Commissioner had provisionally recommended 40 wards in the Newry and Mourne district. However, he later exercised his discretion to revise that to 41 in his final recommendation on the grounds that there should be a proper representation of the rural and urban electorate within a district.

The Committee noted that only one other district outside Belfast has 41 wards in the draft order. The rest have 40, which means that a district with 42 wards would appear inconsistent. Members were also concerned about the potential knock-on effects for surrounding wards if another ward were to be created in the Warrenpoint/Rostrevor area. On learning that

the best alternative would affect seven other wards, they felt that there was insufficient time to revisit the issue within the time required for the election of shadow councils in 2014. Consequently, the Committee concluded that the Newry and Mourne District Council proposals would be outside the rules of the 1972 Act, would be inconsistent with principles applied across Northern Ireland by the commissioner, and would cause a consequential ripple effect that could not be addressed within the necessary time frame for the election of shadow councils in 2014. The Committee subsequently agreed by majority to recommend that the draft Local Government (Boundaries) Order (Northern Ireland) 2012 be approved by the Assembly.

I now speak as the Alliance Party MLA for South Belfast. I have been contacted by a number of my constituents who feel that the Forestside shopping complex should be included in the Belfast boundary and are frustrated with the decision to modify the original recommendation. Many regard Forestside as being firmly in Belfast; after all, it is only four miles from Belfast City Council and some 15 miles from Lisburn.

There is an argument that Castlereagh Borough Council headquarters need to be located within the Castlereagh/Lisburn council. There are many examples of council-owned premises located in different council boundaries, Roselawn cemetery being a prime example in Belfast.

The attempt to influence the independent recommendations could be perceived as a financial gerrymander, and I am concerned about the potential impact that this could have on residents' rates in Belfast. However, it is important to highlight that, although parties may have issues with certain specific boundaries, this was an independent process, and that must be respected.

What is done is done, and there is no point in harping back to old arguments about the number of councils or the boundaries. We need to move on and get on with it. I encourage the Minister to bring forward tangible plans for local government reform that are focused on the serious areas of finance, staffing and governance, and that are robust, rational and expedient, because deadlines already seem to be slipping. Local government reform needs to move past the focus on the number of councils to detailed plans that ensure efficient and well-resourced local government. I am keen to see

how this reform will be financed. I note that the forecasted date for introduction is October 2012, and I ask the Minister to ensure that he and his Department keep to the timetable outlined.

**Lord Morrow:** We have just had an example of how to speak to a motion. Having listened to the Minister, it seemed that he did not address the issues in any great depth, so we will not have an opportunity to question him on where he and his Department stand on the boundaries.

Mr Speaker, you said, and we accept, that it is the Minister's prerogative as to where he takes the debate. I suspect that that will not be lost on other Ministers, and we will find ourselves in a different position in this House in the future.

To an extent, the Minister trod onto the financial side of the debate, but then he pulled back and, in fairness to him, he said that things would depend to some degree on the Department of Finance and Personnel because I suspect there is a bit of a crossover. However, there is no doubt that the issue of finance is an important part of the argument, including the existing debts of some local councils. I understand that local government debt at the end of last year totalled around £500 million. That is a substantial sum by anyone's standards.

It is ironic that the cluster of councils that I am particularly interested in, namely Cookstown District Council, Magherafelt District Council and Dungannon and South Tyrone Borough Council, account for just about 1.15% of that total debt. It is also ironic and coincidental that those three councils are among those with the lowest rate base across the whole of Northern Ireland. That is worth saying.

I do not say this to get at the Minister, but I want to emphasise to him, as did the Chairperson of the Committee, that the debate is over about whether we are going to have seven, 11, 15 or any other number of councils. When we talk about the record being broken, we are not talking about what Fermanagh District Council, Omagh District Council, Dungannon and South Tyrone Borough Council or any other council are saying. I am talking about what the Minister is saying. We have no doubt that the Minister is reluctantly leading on a model on which he would prefer not to lead. He would prefer to be leading on a different model. His party's manifesto at the last election was, however, silent on the number of councils. I stand to be

corrected, but I think that the SDLP was silent, which tells me that it can be persuaded.

The Minister finished by reluctantly saying that there will be 11 councils, so let us go for it now. Also ahead of us are the shadow councils. Some Members — I am not sure whether the Minister is among them but I certainly am — have been in local government long enough to remember the last reform under the Macrory report, which introduced a model of local government that presumed a local Assembly. That was not the case, and, therefore, there was always a gap. In fairness to Macrory, that was not his fault. He put forward his proposals on the understanding that there would be an Assembly here at Stormont. The point is that there was no transition. It was a case of going straight from one into the next and getting on with it.

The Minister and other Members rightly said that during the worst times of trouble in this country, it was local government that held the line. It was the one seat of democracy and the one area that people were able to identify with. Indeed, I think of the bravery, courage and tenacity of local councillors.

We are hearing much talk about saving money. I am not convinced that what the Minister is telling us here today is absolutely correct because some of us have been here long enough. We were not paid when we went into local government. Why were we there? We and many others were there to serve our communities and do our bit for them. So I take a wee bit of umbrage when I hear about how the Minister is doing this, is entitled to do that and that everybody will have to live with it. Let it be said, however, that, way back in 1973, financial gain was not the motivation of people who went into local government because many did so voluntarily then and would still do so today.

When the Minister makes his winding-up speech, or if he does because maybe he has said enough already, will he make clear whether it is his intention to allow capital expenditure to continue or will he put a moratorium on that? We need to know. I am not saying what he should or should not do, but he must make a decision and tell us clearly what that decision is. Some councils are run exceptionally well financially. The figures are there for everyone to inspect. At the last call, I think that the combined debt of Dungannon, Magherafelt and



Cookstown councils was just under £5 million. That is exceptional, and I do not say that simply because I am a member of Dungannon and South Tyrone Borough Council. If the position was contrary to that, people know that I would say so. I would like to hear the Minister's proposals on that issue

Again, I urge him as strongly as I can to make the transitional committees statutory. If he could do that from tomorrow, it would not be too soon. There are many more issues, but we have had a long debate, and maybe we all wandered and digressed slightly, so I will stop there.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá. I think that you were right to give some latitude to Members, Mr Speaker, because a lot of councillors and members of the public are unsure about what exactly is taking place. I will open up the debate, although I do not know about the driving licence and climate change issues. However, the debate was open and honest, and some questions had to be asked.

### 12.15 pm

To be fair, standing in the support of the order — I will try to stick to the order — it is time for the Minister to show leadership on the matter. The Minister has taken decisions. When I say that, I mean that he has taken decisions recently. I will not say that he has “made” decisions but that he has “taken” them, and he can interpret that however he wants.

In relation to some of the issues that have been raised here today, I want to raise the issue of Omagh and Fermanagh. We have accepted that we are going down the line of an 11-council model, so let us get on with it. However, in the absence of councils taking those decisions and because of the uncertainty that lies there, it is important that the Minister shows leadership on that and directs those councils in a way that enables them to deal with the issue.

Two of my colleagues are coming behind me, so I will leave some issues for them to discuss, but I agree with Lord Morrow that the voluntary transition committees should be in statute. There is uncertainty about that. In the previous mandate, a process was agreed on how to take that forward, and I want the Minister to comment on the groupings that he has set up in relation to the transfer of functions and the community planning groupings. He has set

those groupings up and, to my knowledge, there are no councillors on them. Council officials are on them, and maybe he can explain why he has decided to go down that route.

I want to bring up the issue of what happened in Craigavon council last week. I will not go into the detail of that, but when will the Minister bring forward the reorganisation Bill? The sooner we get the governance practices in place, we will be able to ensure that what happened last week in Craigavon council does not happen again.

Can the Minister indicate when he proposes to bring the other associated legislation forward? He mentioned a wait of three years, but we will find that that process will not be long going in, and I would like him to ensure that that process is in place, and the subsequent legislation that we require to move the process on. What legislation is left?

The funding issue is a major one for councils. The Minister indicated that he requested, through monitoring rounds, funding for some of the process. When will he bring his business case to the Executive? I want him to stop saying to the House that the Executive proposed not to fund it. We have heard that 100 times already, and it is not helpful. The Minister needs to show leadership because it is his office and his Department, and I want to see what his business case proposes to do to facilitate the reform process.

He made a comment about the ‘Belfast Telegraph’. For anybody listening in today, this debate has gone some way to ensure that the business is working. I pay tribute to the people in the Department, because the DOE and the Committee, in the previous mandate, brought a significant amount of legislation through this House. So, we will certainly not be found wanting. This is the first piece of the jigsaw, and I want the process to move forward. With that, I support the order.

**Mr Elliott:** Mr Speaker, I note that you have quite a lot of patience today. I commend you for that, because this is an emotive subject in many areas. The Minister had to lay out quite a lot of context, and everyone in the House is broadly agreed that, in essence, local government had to be reformed and there was a requirement to reform local government. That has been on the statute books for quite a long time. I was interested to hear Lord Morrow talk about the Macrory report. Although I do not remember

the workings of it, I have read up about it. It is interesting that reference was made to the fact that Macrory was set in the context of there being a Northern Ireland Government here at Stormont. If that is the case, maybe we should just stick with the 26 councils and reform them to some degree and get better administration, and, maybe a much better —

**Lord Morrow:** Give them some more powers.

**Mr Elliott:** Sorry, did you say “more powers” Lord Morrow?

**Lord Morrow:** I was talking about the powers.

**Mr Elliott:** Oh yes, the powers. However, Macrory was clearly set in that context, and it is interesting that now that we have back a functioning Northern Ireland Assembly Government, we are moving away from the Macrory proposals. In fairness, we all agree with that, but we need to get the right context and to make sure that we get it right. If we do not, we will have to live with this for maybe another 30 to 40 years.

I reiterate what the Minister and a number of other Members said about local government over the years since the Troubles started. Local government has been the one and only local democracy here in Northern Ireland. When there was conflict, even in their own chambers, councils stood together for their own area. They stood up for their own area and got the best for it, and, I have to say, at times, they had to look at what that was in a much wider Northern Ireland context.

I suppose that when I said that we need to try to get this right, I was hoping that some coterminosity would come out of the boundaries reform and that we would at least have got a level of togetherness on some issues, whether around the health trust areas or the Westminster constituency boundaries. However, we do not seem to have got coterminosity with anything in this 11-council model. That is why, for a long time, we have highlighted our concerns about it. I know that there were a number of different 15-council models, but, from my memory, most of the parties, apart from, I think, Sinn Féin, broadly supported the 15-council models for some years, and there appears to have been compromise or a carve-up — call it what you want — to reach 11.

I want to speak briefly about the finances. I know that three areas of finance are linked to this boundaries review. The first is that of the transition costs. I noted that, in recent correspondence, the Minister indicated — I do not have the exact wording in front of me but he can clarify it if he wants to — that the transition costs of the local government review will be met by local councils. That is an Executive decision. I know that might have been questioned here today, but that is what is in his correspondence. I am happy for him to clarify that now or when he speaks later, but we need clarification because I know that a number of councils and councillors are saying that it is up to the Minister and the Executive to fund this transition, or at least part-fund it or find the mechanism for funding it. Even Mr Boylan said in his contribution that a mechanism needs to be found. I want to hear from the Minister whether a mechanism has been discussed at or rejected by the Executive. We need to hear it and councillors need to hear it. Councillors need to be aware of the exact position and if the Minister is going to put forward proposals to the Executive on that funding mechanism.

The second issue around the boundaries review is rates convergence cost, which is one of the biggest aspects for us in County Fermanagh, and, I appreciate, in some other council areas as well. There have been indications in the past that the Department is looking at mechanisms to finance that or at least make it easier on such councils. However, I can tell you that I have not yet heard how or if that will happen. That is a massive issue for people — businesses and householders — who will be hit with a severe rates increase. They will be hit with one rates increase over the transition costs and by a second, with the rates convergence cost. That will be a huge blow to councils that have been mature in how they spent their money down the years and careful about where they put their finances. It is very unfair for them to be hit with those massive costs. I am interested to hear whether there is any idea as to how those rates convergence costs can be met.

The third part of the finance issue is the transfer of functions. Again, I wonder what discussions there have been with Ministers about what functions will leave their Departments. That is a massive issue, not only for local councils but for Departments. If a lot of functions move out of a Department, there will not be much left in it. I would like to know

whether the Minister has engaged with those other Departments and Ministers to establish what functions will be transferred and how that will be funded. In the Minister's recent correspondence with us, he wrote that the transfer of functions will be rates neutral at the point of transfer. However, it does not say whether it will be rates neutral in three, four, five, six or seven years. Are local ratepayers going to have to pick up that funding again?

There are three hits that the ratepayers will take over the boundaries review and changes: the costs of transition, the convergence of rates and the transfer of functions. Maybe it will be rates neutral at the start, but certainly not in the future.

I do not know how some councils, individuals and ratepayers are looking at the new boundaries. I wonder whether the people of Dundonald realise that they will be part of Moira, and whether the people of Moira realise that they will be a part of Dundonald. Do the people of Rosslea realise that they will be a part of Carrickmore, and vice versa? I do not think that a lot of people realise that, but it is time they woke up and realised the consequences. A lot of that local accountability, history and heritage will depart. No longer will people be a part of their own Fermanagh or Castlereagh council. It is time that people woke up and realised that.

On top of that, we need to be aware of this issue: will we continue with the potential of the single business organisation? That is key to an 11-council model. Some of the clusters say that they are opposed to the single business organisation and others are much more positive about it. We need some clear guidance as to how that will be taken forward.

The next point is the single waste authority. I believe that the three waste authorities in Northern Ireland have been very slow, almost not moving at times. It is very frustrating. They tell us that they are making progress, but when you ask what progress that is, it is very difficult to establish. I wonder whether we should press forward with a single waste authority in the near future.

I pose those questions to the Minister because they are critical and key to the boundary review and the new boundaries. The Ulster Unionist Party believed — as, obviously, others did — that there was a better model than the 11-council one. I and the Ulster Unionist Party believe that the 11-council model is clearly not the perfect solution and not the right one for

Northern Ireland. We believe that it is a carve-up and that people came to an agreement simply because it handed the majority of power in one area to one particular party, and the majority of power in another area to another party. That is the reality of it.

I do not know whether the people of Dundonald realise that they will not be a part of Belfast. Do the majority of the people of Omagh realise that they will be a part of Fermanagh? Do the people of Strabane know that they will be a part of Londonderry? What really annoys me is that Omagh wanted to go with Strabane, and Strabane wanted to go with Omagh. Why could that not be facilitated? Practical solutions were rejected because a political carve-up was wanted. That is the reality. It is time we had a fresh look at it.

I know that people say that the model is now there, and we need to get on with it. However, from the indicative timetable that the Minister has supplied, the district electoral area legislation will not go through until, I think, November 2013. There is time to change it. There is time to take forward a much better proposal for the people of Northern Ireland that will suit all the people, or at least the vast majority of them, and not just a couple of political parties in here that are doing it for their own ends.

**Mr Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when the House comes back will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.30 pm.*

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

**2.00 pm**

## Speaker's Business

### Appointment of Junior Minister

**Mr Deputy Speaker:** I inform Members that the Speaker was notified this morning by the First Minister and the deputy First Minister that they have appointed Ms Jennifer McCann to replace Ms Martina Anderson as a junior Minister in the Office of the First Minister and deputy First Minister. Ms McCann affirmed the terms of the Pledge of Office in the presence of the Speaker and the Clerk to the Assembly/Director General, and has now taken up office as a junior Minister. I offer her my congratulations.

## Oral Answers to Questions

### Employment and Learning

#### Regional Colleges: Higher Education

1. **Mr Doherty** asked the Minister for Employment and Learning how his Department intends to increase higher education provision within regional colleges. (AQO 2136/11-15)

**Dr Farry (The Minister for Employment and Learning):** I join you, Mr Deputy Speaker, in congratulating Jennifer McCann on her appointment. I look forward to working with her. In light of yesterday's announcement, I also recognise the contribution to the Assembly made by Mr Doherty.

In response to the question, I am fully committed to further education colleges delivering higher education courses. For 2012-13, my Department has increased the overall higher education allocation to colleges by almost £1.6 million. I am particularly committed to expanding intermediate level provision through the expansion of work-based foundation degrees, with a target of increasing foundation degree enrolments to 2,500 by March 2015, from a baseline of 1,132 enrolments in 2010. Importantly, our colleges and universities work in partnership with employers to ensure that higher education provision delivered by colleges meets the needs of the Northern Ireland economy. There is a particular focus on STEM — science, technology, engineering and mathematics — subjects.

There are 11,000 students taking higher education courses in further education colleges, on both a full-time and part-time basis, which is around 20% of the total higher education enrolments. In the current academic year, the total number of funded full-time higher education places in colleges is 3,833, which represents a 15% increase since 2002. Also, in December 2011, I announced an additional 70 full-time higher education places for further education, the first tranche of which has been allocated for 2012-13. There are around 7,000 part-time higher education enrolments in further education. The Department does not place a cap on part-time higher education places. Therefore, the expansion of part-time provision within existing budgets offers colleges another route to increase higher education provision.

**Mr Deputy Speaker:** Before calling Mr Doherty for a supplementary question, I point out that question 7 has been withdrawn and requires a written answer. Question 8 has been transferred to the Department of Education, again for a written answer.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. I also thank him for his congratulations to our new junior Minister, Jennifer McCann, and, indeed, his comments towards myself.

Will the Minister expand further on his Department's commitment to establishing a greater rural base for the delivery of higher education courses in our regional colleges? Is the Minister thinking of establishing a pilot scheme around any of the regional colleges?

**Dr Farry:** I thank Mr Doherty for his supplementary question. My Department's higher education strategy, Graduating to Success, which was launched in April this year, makes clear that we are committed to working with the higher and further education sectors to develop a pilot scheme for the creation of university bases in colleges. I believe that the establishment of such learning and study facilities will improve the opportunity for higher education students to undertake part of their undergraduate course locally with access to university materials and resources. That is something that we have reflected in the 'Rural White Paper Action Plan'.

**Mr P Ramsey:** Like the Minister, on behalf of the SDLP, I wish Jennifer McCann well in her new appointment as junior Minister. As this may be Pat Doherty's last question here, I wish him all the best as he departs from this gracious House.

What discussions has the Minister had with colleges in Northern Ireland about course provision, particularly in light of the priority given to STEM subjects in courses provided through the colleges?

**Dr Farry:** I thank Mr Ramsey for his question. My Department is taking a very clear direction of travel that is in line with the Programme for Government and the economic strategy. We are asking all third-level education providers to have an increased focus on STEM subjects and other economically relevant subjects. We are also looking at what we do in other provision in that area, and we are seeing progress in all that work. It is, of course, for the colleges and universities to set their own curricula. My

Department does not seek to micromanage, but I think that it is fair to say that all the directors of the colleges and the vice chancellors of the universities are very clear in their responsibilities to Northern Ireland and the economy, and they are very aware of our wider objectives as an Administration.

**Mr Kinahan:** I also congratulate Jennifer McCann, and I wish Pat Doherty all the best in the future and hope that he takes up his post. *[Laughter.]*

The Minister mentioned that 1,132 places were taken up and that there is a target of 2,500. What are the targets for the future years? How are those places linked to possible jobs or studies, and what jobs will they lead to?

**Dr Farry:** I thank Mr Kinahan for his supplementary question. I want to be clear: we are talking about a baseline figure of 1,132 at present. That is not 1,132 places filled out of a total of 2,500 allocated places. We are talking about seeking to increase that figure to 2,500 by March 2015. Essentially, that is more than doubling the number doing foundation degrees, which are very much geared towards employers' needs. That type of approach is often the most flexible way of engaging directly with the ongoing skills needs at the higher level that employers are articulating. Of course, it is open for people who do a foundation degree to progress to a full honours degree, depending on their circumstances, but we are very keen to promote foundation degrees as an entry point to higher education or as something that is of value in and of itself.

## **Learner Access and Engagement Pilot Programme**

2. **Mr Lyttle** asked the Minister for Employment and Learning for an update on the learner access engagement programme. (AQO 2137/11-15)

**Dr Farry:** I recently received the final longitudinal evaluation report from PricewaterhouseCoopers on the learner access and engagement pilot programme (LAEP). That report can be accessed via my Department's website. Significantly, almost one half of the programme's enrolments came from the 20% most deprived areas of Northern Ireland. The programme, which recognises the unique strengths of further education colleges and non-statutory organisations, has successfully raised the profile of local colleges, and its mentoring aspect, which community



organisations provide, has played a key role in recruiting, retaining and enabling hard-to-reach learners to achieve qualifications. In light of the evaluation report's very positive findings and recommendations, I have given my approval to proceed with the development of a mainstream programme, which will commence in the 2012-13 academic year.

**Mr Lyttle:** I welcome that announcement from the Minister. I have seen in my constituency the effectiveness of the programme in action. How important is it for our regional colleges to work in partnership with local community groups to ensure that we get skills to those hardest-to-reach adults?

**Dr Farry:** I thank Mr Lyttle for his supplementary question. It is important to recognise that we have a fully comprehensive set of programmes and courses available formally through colleges; indeed, that is reflected in other aspects of our work. However, it can, at times, be more effective to work and engage at a community level, particularly when we are trying to encourage people who have been out of education for some time or who may be facing barriers. The LAEP has been very successful in engaging with people in that regard, and I am very satisfied with the conclusions that we reached in it. The participants warmly welcomed it. One of the key features was the strong partnerships that were developed over time between colleges and the community sector. I look forward to that being replicated in the mainstream programme.

**Mr Campbell:** The Minister mentioned the most deprived areas and hard-to-reach areas, which are often synonymous. How will he measure the success of attracting people into the programme from communities that, by and large, over the past 20 or 30 years have not reached the fulfilment necessary to get into full-time employment?

**Dr Farry:** I thank Mr Campbell for his question. LAEP is designed to reach those who have been disengaged, and I regard it as very important. There is a track record in accessing the hardest-to-reach communities. I am conscious that there are capacity issues in different parts of the community, and we are mindful about the future design of the programme to ensure that, as far as possible, we have consistent outreach across Northern Ireland to all sections of the community.

**Ms Gildernew:** Go raibh míle maith agat, a LeasCheann Comhairle. I thank the Minister for

his answers thus far. For many people, access to broadband is a particular barrier. Does the Minister's Department work closely with the Department of Enterprise, Trade and Investment (DETI) and the Department of Agriculture and Rural Development (DARD) to address that barrier to improve access for learners from rural areas, given the dire broadband provision there?

**Dr Farry:** I thank the Member for her question. I have listened to people's concerns about access to broadband in rural areas. Although it is not the direct responsibility of my Department, I am more than happy to engage with my colleagues in DETI and DARD to make sure that we have equitable access across the community. We talk about reaching the most deprived communities, but they are not just urban communities; they are often rural communities as well, and isolation can be particularly acute in such settings.

**Mr Nesbitt:** I thank the Minister for his answers. I was particularly struck by his affirmation of the value of the work done at community level by colleges in identifying and addressing local need, which makes me wonder why it was necessary to pay consultants to tell them that they were doing a good job.

**Dr Farry:** I thank Mr Nesbitt for his question. It is important that we be realistic about how government works, particularly when justifying the investment of significant resources. We are investing a seven-figure sum into LAEP and government expects us, as, indeed, do the Audit Office and the Public Accounts Committee, to show proper diligence in the programmes and investments that we design. That having been said, I am determined that we will press on rapidly over the summer to ensure that we have a mainstream programme in place as quickly as we can for the new academic year.

## Universities: Courses

3. **Mr Craig** asked the Minister for Employment and Learning what measures his Department has taken to align university courses with business and industry needs. (AQO 2138/11-15)

**Dr Farry:** My Department recently published Graduating to Success, which is the higher education strategy. It fully recognised the need to rebalance the profile of provision so that the qualifications offered will more closely reflect the needs of the economy. Universities must

ensure that graduates develop the skills needed to exploit future employment opportunities and that the work-ready requirements of employers are met.

In December 2011, I committed to funding an additional 700 university places in economically relevant subjects by 2014-15. In addition, to take account of the needs of the local economy, I will be implementing a new research funding model from academic year 2012-13, which will include a premium targeted specifically at research in science, technology, engineering and mathematics subjects and areas of wider economic relevance.

In information and communication technology, I have convened a working group that brings together key stakeholders to consider how the current and future skills needs of the sector can be addressed. An action plan will be published that will outline initiatives to address the challenges facing the sector. Queen's University and the University of Ulster have announced that they will offer a postgraduate MSc course aimed at non-IT graduates in the next academic year to meet the needs of the ICT sector.

## 2.15 pm

Employability skills are also a key focus in the strategy, and my Department expects that all learners will have the opportunity to undertake a period of work placement while undertaking a higher education course. The business sector will also be encouraged to support such opportunities, and that is further developed in my Department's skills strategy and employer engagement plan.

**Mr Craig:** I thank the Minister for that comprehensive answer. Does he agree that in software programming and the industries that rely on it, there are 10 places for every graduate and that there is a dearth of people going into those industries? Is it the case that we do not provide enough careers advice to get people into such industries? Would the Minister look at providing funded places on relevant courses? I know that, in the past, the Engineering Council did so to get people interested in that field.

**Dr Farry:** I thank Mr Craig for his supplementary question and, in particular, for highlighting one of the most critical areas for the future of Northern Ireland's economy. We already have a strong ICT base in Northern Ireland, but we also have the potential to grow that significantly over

the coming years. It is important that we have the right skills to address the requirements of growing local companies and new investors. For that reason, we convened the ICT working group, which is due to report on and publish its action plan in the next few weeks.

We are looking at the full spectrum of interventions required to promote that aspect of the economy. That includes looking at careers; the work around A levels in schools; how universities attract students; how employers offer placements to students; and how we collectively talk up the fact that the industry provides effective and attractive careers. It is particularly important that we count people working in software development, which is distinct from more general ICT, as real professionals. Someone who is good at science at school does not have to become a doctor or other health professional, as important as those professions are, but can consider working in software instead. Software jobs can be very rewarding for economic growth and are some of the best paid, on average, in our economy.

**Mr P Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I pass on my congratulations to my party and constituency colleague Jennifer McCann on her new role as junior Minister.

I thank the Minister for his answers so far. Is research being done on future employment opportunities? What jobs are coming down the line for those now at university? Are they being skilled up so that they are job-ready when they come out of university?

**Dr Farry:** I thank the Member for his supplementary question. I also pass on my recognition of his work in the Assembly, in light of yesterday's announcement about him and some of his colleagues.

I want to stress two things in response to the question. First, we are doing a lot of work to project our economy's skills requirements. In the event that we achieve a lower level of corporation tax, there will be some shifts in those requirements. So it is important that we ask such questions now in anticipation of what will, hopefully, be good news following other discussions in due course.

We are also working to try to link much more effectively the needs of today's employers to the nature of courses undertaken in higher and further education. I do not want to imply



that we are, all of a sudden, turning higher education into something that is simply about mechanically churning out workers. It is still important that we teach people critical analysis and how to think. Nevertheless, subtle changes in the overall balance of graduates are needed to ensure that we are much more in tune with the future needs of our economy. We have to match supply with demand. We cannot really afford much room for error in an economy such as Northern Ireland's.

**Mrs Overend:** Given the obvious need to align university courses with business and industry, does the Minister agree that the powers within the Department for Employment and Learning would be best suited to the Department of Enterprise, Trade and Investment following the imminent dissolution of his Department?

**Dr Farry:** I thank the Member for her question. I am already on record as saying that, as far as my party is concerned, we want to see a single Department of the economy in due course as part of a wider restructuring. If decisions are taken elsewhere that we are to have an advanced rationalisation, I nevertheless think that we need to see a proper Department of the economy where we link the suppliers of skills with those who are best placed to articulate the needs of the economy and employers. It is important that we have that overarching perspective within whatever structures we take forward.

Things are working well at present. It is important to reflect that, whether we are talking about students in schools taking up STEM-type subjects at GCSE level and A level or about people going to university, over the past 18 months, we have already seen a significant increase in applications for STEM subjects. That is an encouraging demonstration of how co-ordinated government policy is having an effect on the ground.

### Youth Unemployment: Employability Skills

4. **Mr McCallister** asked the Minister for Employment and Learning for an update on the planned diagnosis of the employability skills of unemployed young people. (AQO 2139/11-15)

**Dr Farry:** My Department is developing a package of measures to tackle youth unemployment. A key feature of that initiative is the engagement between the employment service adviser and

the client in assessing employability skills and needs. That engagement is facilitated by an employability assessment tool that helps the adviser to assess the client's work readiness and to then develop a package of support tailored to their individual needs and aimed at helping them to move into work.

The tools have been developed by the occupational psychology service within the Department for people claiming both jobseeker's allowance and employment and support allowance, and they are currently being tested in 12 offices across Northern Ireland. We will review the effectiveness of the tools in the coming months, with a view to putting diagnostic arrangements in place throughout Northern Ireland by the end of the year.

Other aspects of the new youth employment programme will include a short period of work experience, employer subsidies and longer periods of work experience focused on areas with the potential to rebuild and rebalance the economy.

**Mr McCallister:** I am grateful to the Minister for his reply. Has he set any specific targets for Pathways to Success, his strategy for young people who are not in education, employment or training (NEETs), which he launched yesterday?

**Dr Farry:** I thank Mr McCallister for his supplementary question, which takes a considerable leap across. What I will say in relation to NEETs, and to link the issue to the diagnostics mentioned in the answer to the main question, is that there is a lot of work to be done to work with people who are facing barriers when it comes to signposting. The Careers Service has an important role to play, and, indeed, my Department's officials and the community sector have an important role to play in mentoring.

We are very seized of the issue of NEETS. We know what our existing baselines are. A large aspect of that, however, is determined by our overall levels of unemployment. Those figures have risen significantly over the past five years. They have now stabilised over the past 12 months but are still at a very high level. A lot of that will be influenced in the coming months by what we can do with demand and, in turn, matching that demand with effective supply.

**Mr Eastwood:** Given the Minister's announcement yesterday about young people who are not in

employment, education or training, how does he intend to address the issue of upskilling young people in particularly hard-to-reach and marginalised areas?

**Dr Farry:** I thank Mr Eastwood for his question. There is a common theme in a lot of the policies that my Department has developed, particularly over the past 12 months. We are very focused on upskilling and progression. Where we can see opportunities to focus the training that we are investing in on the future skills needs of the economy, we will take those opportunities, because, in doing so, we get a double win. Not only are we involving people more in the economy, both for their own sake and for that of the wider society, but we are ensuring that, where they are becoming engaged, they are doing so with skills. That applies as much in what we do with NEETs as it does in what we do with the more mainstream youth unemployment programmes, across our further and higher education offering and with initiatives such as apprenticeships.

**Mr G Robinson:** Will these measures take into consideration the employability skills of young people with disabilities?

**Dr Farry:** The Department does a lot of work based around people who face a range of different barriers, including physical ones. The disability employment service, part of the wider employment service, looks specifically at those details. The aspects of that are probably too numerous for me to recite at this moment, but I will write to Mr Robinson setting out the full spectrum of programmes that we have.

## Employer Engagement Plan

5. **Mr S Anderson** asked the Minister for Employment and Learning for an update on the employer engagement plan. (AQO 2140/11-15)

**Dr Farry:** I published my Department's employer engagement plan in March. It makes a major contribution to how I intend to implement the skills strategy for Northern Ireland, 'Success through Skills – Transforming Futures'. The plan focuses on how my Department will engage with businesses over the coming years to encourage them to raise the skill levels of their employees so that we can rebalance and rebuild our economy in line with the Northern Ireland economic strategy. The employer engagement plan includes over 20 projects and initiatives,

the first of which will be delivered over the next 18 months.

We have made significant progress in a number of important areas. By the end of March 2012, our skills solutions service, which works with employers to upskill their existing employees, had made a total of 737 contacts with companies, exceeding the target of having 600 contacts with employers by September 2012. Nine priority economic sectors that my Department will focus its provision on in the coming budgetary period have been identified. Collaborative working with the Department of Enterprise, Trade and Investment's foresight unit is being further developed in order to identify the skills needed for emerging and niche sectors. This will be an ongoing process to ensure that we exploit the commercial opportunities from scientific innovations and rebalance the future economy.

Six projects have been approved in the 2011-12 financial year through the joint Department for Employment and Learning and Invest NI assured skills initiative, which supported the promotion of 726 jobs. An employer engagement unit was established in my Department in January to provide enhanced recruitment services to employers. The unit works in partnership with other employer-facing staff in the Department.

**Mr S Anderson:** I thank the Minister for his comprehensive reply. The employer engagement plan sets no fewer than 11 targets to be met by September 2012. Are all 11 targets on track to be met by September, or is there any slippage?

**Dr Farry:** It is important that we stick as far as we can to the targets that we set, and I am confident that we are on track for meeting the vast bulk of them. I will come back to the Member in detail as to how we are getting on with the 11 specific targets he referred to.

In my original answer, I referred to the fact that we have already exceeded some of the targets, in particular, through the assured skills programme. I mention that just as we are joined by my colleague the Minister of Enterprise, Trade and Investment. We have made significant improvements during this year on the number of projects that we have supported in the past financial year, so we are seeing that particular programme striding forward.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister provide an update on the work of the engineering skills working group?

**Dr Farry:** I have been very conscious of comments made by a number of elected representatives, as well as representatives from the engineering sector in Northern Ireland, regarding particular skills issues.

### 2.30 pm

Over the past number of weeks, the Northern Ireland skills adviser, Bill McGinnis, has been conducting a scoping exercise on my behalf with a number of employers. We are due to convene a stakeholder group meeting before the end of this month where we intend to work through those issues. On the basis of what happens at that event, we will take further decisions on whether we need to create a standing working group to work through particular points. However, we are making good progress in that regard, and I recognise this as an important sector for the future of our economy.

## Enterprise, Trade and Investment

**Mr Deputy Speaker:** Questions 1, 8 and 9 have been withdrawn and require written answers.

### Business: Non-bank Finance

2. **Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment what investigations her Department has made into the potential for non-bank finance for local businesses.

(AQO 2151/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Access to finance remains a key challenge for many businesses throughout Northern Ireland. That was highlighted in the Executive's economic strategy. During the 2011-12 financial year, Invest NI offered over £89 million of financial assistance to companies across Northern Ireland, which will lead to total investment in the local economy of £451 million. Invest NI is putting in place a range of funds that will make in excess of £100 million available to local businesses. The funds will ensure that early-stage companies with high growth potential are not held back because they cannot access finance. In early April 2012, Alastair Hamilton, Invest Northern Ireland's chief executive, wrote to all MLAs outlining Invest Northern Ireland's access to finance strategy to

highlight the significant role the funds will play in aiding the liquidity of local SMEs.

I welcome the recent publication of 'Signposts to Funding Opportunities' by Diane Dodds, one of our Members of the European Parliament. It is designed to assist businesses by introducing a wide range of funding programmes that exist in the United Kingdom and the European Union. I also recently announced that the economic advisory group will be undertaking a study that will examine whether there are gaps in the provision of finance, as well as what the Executive might do differently to ensure that SMEs have the necessary access to finance to start and grow their businesses.

**Mrs McKevitt:** What discussions has the Minister had with the UK Government on the implementation of the recommendations from the industry working group led by Tim Breedon from the Association of British Insurers that the Secretary of State for Business, Innovation and Skills set up to undertake a review of how to expand access to non-bank lending?

**Mrs Foster:** The Breedon report, which has proposals to widen business access to new and alternative sources of finance, was published in March 2012. I have not yet had the opportunity to speak with Vince Cable about it. However, we have, of course, been looking at its main recommendations, which include increasing awareness of alternative financing by creating a single business support agency to deliver the national Government's range of SME finance programmes, drawing on international examples, such as Germany, allowing industry to establish a business finance advice network and opening up access to capital markets financing for small companies through the creation of a body to bundle and secure SME loans. Of course, Invest Northern Ireland has gone ahead of the Breedon report in Northern Ireland and has made available a particular range of programmes that help large companies right down to microfinance. I certainly hope that that will go some way towards addressing the finance gap that we all know is present in Northern Ireland and across the UK.

**Mr I McCrea:** In her answer to the substantive question, the Minister referred to the access to finance strategy. Will she provide the House with more detail on exactly what that is?

**Mrs Foster:** The access to finance strategy came about because the chief executive of Invest

Northern Ireland and I were very concerned that, when we visited companies, we saw that the recurring theme was the inability to access money that would allow them to either continue to exist or to grow. Therefore, funding initiatives have been made available. The Northern Ireland Spin Out fund (NISPO) has been in existence since 2009, so it obviously predates this initiative, but we are wrapping it in and around everything else that is going on. Co-Fund NI involves Invest Northern Ireland co-investing on a *pari passu* basis with a private investor. Of the development fund, the SME growth loan fund and the small business loan fund the only one not in existence at present is the small business loan fund. We hope that it will be operational by September. It is a very important fund because it will provide loans typically ranging from £1,000 to £5,000 for very small, possibly even single-person companies that are having great difficulty finding funds on a commercial basis. It is a very important fund and will be operational by September.

**Mr Cree:** The Minister referred to the good work done by Invest Northern Ireland. Will she advise on the proposal for enterprise loans that the Chancellor made in the recent Budget? Will that have any particular benefit for Northern Ireland or any particular application to complement what is already in existence?

**Mrs Foster:** As I understand it, the enterprise loans are just for England at present. It is hoped that, if they work in England, they will have an application right across the United Kingdom. They have been introduced only in England at present, but we will watch closely to see how they could impact on small and medium-sized businesses across the UK.

### Boosting Business Jobs Fund

3. **Mr G Robinson** asked the Minister of Enterprise, Trade and Investment for an update on the number of jobs created, to date, through the Boosting Business jobs fund. (AQO 2152/11-15)

**Mrs Foster:** The various jobs fund measures will specifically seek to create 4,000 jobs by March 2014. The measures focus on a range of sectors and programmes and include support for new business starts by residents of neighbourhood renewal areas and young people not in employment, education or training; broader support for social enterprises; a new programme to accelerate business growth;

employment support to specifically create new jobs across a range of sectors; and specific support through the Department for Employment and Learning's Steps to Work employer subsidy to provide additional incentive to create new jobs for the unemployed.

To date, there has been a very encouraging uptake across the range of jobs fund measures, as evidenced by the positive results in the first year of the scheme. The jobs fund exceeded its year 1 target by promoting 2,390 jobs against a target of 2,250 and actually creating 1,021 jobs against a target of 1,015, which represents an impressive conversion rate of 43%. In addition, Invest Northern Ireland has created a healthy pipeline with over 180 diverse projects at different stages of development. Collectively, these business investment projects have the potential to create a further 1,700 new jobs. Invest NI continues to work with a wide range of businesses and stakeholders across Northern Ireland to promote the scheme and support new job creation projects.

**Mr G Robinson:** I thank the Minister for her answer and the good news story that it contains. Does the Minister have any new job figures for my East Londonderry constituency specifically?

**Mrs Foster:** All politics is local. I thank the Member for his question. As of 8 June 2012, 61 projects have been added to Invest NI's work in progress in East Londonderry since the launch of Boosting Business in November 2011. Those projects have the potential to create approximately 50 new jobs and lever in investment of over £4.5 million. As well as that, a total of 80 enquiries for the constituency have been received and logged through the Boosting Business enquiry handling centre. Of those, 18 have been referred to other Invest NI teams for further action.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. Can the Minister provide an update on how the figures outlined compare with those set out in the Programme for Government targets? Perhaps she can also give us an update on how many jobs were created in North Antrim.

**Mrs Foster:** It will not come as any surprise that I do not have the North Antrim figures in front of me. However, I am happy to provide figures similar to those I gave for East Londonderry.

In relation to Invest NI's 2011-12 end-of-year results, the targets for jobs promoted and jobs



created have been exceeded, which is very pleasing. In fact, all the targets set for Invest NI for this year have been met apart from two. One of those is relevant to the subject that we discussed yesterday, namely the need for more to be done on research and development and innovation and, especially, to get more businesses to invest in it. The second, relating to start-up businesses, is no surprise either, given the lack of a contract being awarded because of the legal processes that were ongoing last year. However, I can tell the House that the tender is now out for that business start-up programme. It is in the Official Journal of the European Union. People have 40 days to apply, and it is my hope that the tender will then be awarded, subject to legal processes, obviously, by September of this year. We are keen that that should be in place, nobody more so than me.

**Mr P Ramsey:** I welcome the Minister's response to date. How does the Department assess performance across all constituencies in Northern Ireland to make sure that there is continuity and consistency of the fund?

**Mrs Foster:** In the past, we were not able to get the figures, and I know that it was a source of some frustration to Members that we were talking about jobs promoted yet were not able to look at jobs created. That issue was raised with me on a number of occasions. We can now provide the figures, so, if Members wish, we can supply the appropriate material for each Member's constituency.

## Tourism: Belfast

4. **Mr Humphrey** asked the Minister of Enterprise, Trade and Investment for an update on the development of tourism in Belfast over the last three years. (AQO 2153/11-15)

**Mrs Foster:** Belfast has seen significant development over the past number of years, with the reopening of the Ulster Museum and the Lyric Theatre; the opening of the MAC, Belfast's new arts centre; developments at Belfast zoo; and, of course, Titanic Belfast. Those examples and many more provide a wide range of attractions for tourists to see in Belfast, which is now listed in Fodor's travel guide as one of the top visitor destinations. There are further plans to develop a conference and exhibition centre to add to the product on offer and attract the lucrative business tourism market. All of that is testament to the good

working relationships between the Northern Ireland Tourist Board, the Belfast Visitor and Convention Bureau, the city council and Tourism Ireland to ensure that Belfast continues to grow as a tourism destination, with an increase in visitor numbers and revenue.

**Mr Humphrey:** I thank the Minister for her answer. I declare an interest as a member of the board of the Belfast Visitor and Convention Bureau.

Does the Minister agree with me that the way forward for tourism in Belfast, which has grown exponentially over the past number of years, is to continue with the collaborative approach between the Tourist Board, the Belfast Visitor and Convention Bureau, Belfast City Council and her Department?

**Mrs Foster:** I thank the Member for his question. I was in City Hall just yesterday with my good friend and party colleague, the Lord Mayor of Belfast, Gavin Robinson, at the official launch of Super-connected Belfast, at which I was more than happy to demonstrate my support for the super-connected city project for Belfast, which will bring the new digital connected programme. Belfast is one of 10 cities bidding for money through that programme, and I am very hopeful that it will get the maximum amount available, because of the fact that it is working collaboratively with Departments, other agencies and the business community.

One of the best examples of partnership working has been shown to be Titanic Belfast. All the agencies worked together to deliver the signature project on time and on budget, and I am delighted to tell the House that I understand that visitor numbers are in excess of 200,000. All involved are absolutely delighted at the number of visitors to date. You may recall that the annual visitor target is 425,000, so we have almost reached the halfway mark, and the signature project has been open for just over two months. It is an absolutely brilliant piece of work by all concerned, and we are very pleased with the way in which it is going.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her update thus far, and I take the opportunity to commend all those involved in increasing the visitor numbers to Belfast.

Political tourism attracts a lot of people to parts of my constituency, including the Falls and the Shankill, and it has a positive impact on people

coming here. Can the Minister outline today, in writing if she has not got the answer with her, whether there is a strategy that her Department, Tourism Ireland, the Tourist Board or Belfast City Council has to further enhance visitor numbers coming here to take part in political tourism?

**Mrs Foster:** There is always a discussion over whether we should look to the past or the future in Northern Ireland. I know that very many visitors who come to Belfast want to look at our past, and many of them will take a black taxi tour to different areas of the city. That is very good, but we want to mix that with the future Belfast as well, and that is what we are trying to do through all the new developments that I mentioned, whether it is the MAC, the Lyric Theatre or Titanic Belfast.

I think that there is a cultural offering that is unique to Belfast. We should not shy away from that. I have always said that, if we want visitors to come to Belfast and the rest of Northern Ireland, we must be authentic in what we do, and, therefore, we have to face up to our past. I hope that we can do that in a mature way, so that, when people visit us, they get the factual context of what happened in Northern Ireland.

## 2.45 pm

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. I hope the Minister will accept that the cultural offering is not exclusive to Belfast. Given her roots and background, will the Minister assure us that areas beyond Belfast will not be forgotten about in the promotion of tourism and its values?

**Mrs Foster:** I assure the Member that the whole of Northern Ireland is very much on my agenda. He will know that from the number of visits that I make right across Northern Ireland. Of course, cultural activities will take place right across Northern Ireland, particularly on 12 July. I know that the city of Londonderry is looking forward to its year of culture next year as well. Of course the rest of Northern Ireland beyond Belfast benefits from tourism, but we must realise that Belfast is our capital city, and, if people come here for short breaks, they tend to come just to Belfast. Our challenge is to signpost those visitors to attractions right across Northern Ireland, so that, when they return, they can go to all the other places that we want them to visit.

**Mr Allister:** Whereas there have been many good news stories on tourism, can the Minister explain how we have reached the situation

where there is a threat to remove HMS Caroline from Belfast to Portsmouth? Can she assure the House that all that needs to be done will be done to retain that vessel, which itself has immense tourism potential?

**Mrs Foster:** Not only has it immense tourism potential, it has immense historical and cultural significance for Northern Ireland, as it is the last battleship that served in the First World War and at the battle of Jutland. HMS Caroline has been berthed in Belfast since 1924 but was only decommissioned from the Ministry of Defence in March last year. Since then, despite the fact that the responsibility does not all fall to me as tourism Minister, I have taken up the case. I commissioned a business case in August last year. I have only recently received that business case, and I hope to meet the Minister of State for the Armed Forces Nick Harvey in the very near future to discuss HMS Caroline.

Of course we want to keep HMS Caroline in Belfast. I believe that the solution is a partnership with the National Museum of the Royal Navy, which owns the ship, so that we can keep it here in Belfast. It would cost a huge amount of money to take Caroline to Portsmouth. Would it not be much better to see her preserved here in Belfast? Therefore, I have no difficulty in assuring the Member that I will do everything in my power to find a workable and sustainable solution to keeping Caroline here in Belfast.

## Tourism: West Tyrone

5. **Mr Doherty** asked the Minister of Enterprise, Trade and Investment what steps she intends to take to secure greater capital investment in the tourism industry in West Tyrone. (AQO 2154/11-15)

**Mrs Foster:** The Northern Ireland Tourist Board offers financial assistance through the tourism development scheme for capital-based tourism projects. Seven applications were received from the West Tyrone constituency under the 2011-13 call. Three have received a stage 1 approval and progressed to stage 2 assessment. One application was placed on the reserve list. The tourism development scheme is currently closed for applications. NITB has been facilitating key stakeholders in the Tyrone and Sperrins tourism area to progress a destination management plan, and an aligned action plan will identify key capital projects to be developed.

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

However, I am sure that she will share my concern that not one penny was invested in Strabane District Council by the Tourist Board between 2006 and 2011. Can the Minister give me a satisfactory answer as to why that happened and an opinion of her arm's-length bodies in the rest of west Tyrone in tourism terms?

**Mrs Foster:** I take his point about capital projects; that is what the tourism development scheme deals with. When questions are put to me about specific programmes, I have to answer those specific questions. I do not accept that no money was spent in the Strabane area over that period by the Tourist Board. We have been working with Sperrins Tourism Ltd up there.

I have been looking at the tourism development scheme. It was created back in 1992, and it is administered by the Tourist Board. I do not have any input into the applications or how they are assessed. Applications are assessed against the criteria that are set out. I have been looking at the geographical spread of the TDS, and I have some concerns about that. I intend to review the TDS and look at it a little more closely. We are at the end of the five signature projects, and we are moving on to the nine tourism destination areas, of which Sperrin and Tyrone is one. I want to see equal spread so that capital spend is spread right across Northern Ireland. I give the Member the commitment that I intend to look at the TDS in the future.

**Mr Hilditch:** Following on from that, will the Minister indicate whether she is content with other parts of Northern Ireland, or is there concern in other areas?

**Mrs Foster:** There is. Those issues have been raised with me, particularly in relation to the TDS. As I said, a number of schemes are run by the Northern Ireland Tourist Board, but, in relation to the TDS, representations have been made to me. It is inevitable that that will happen when applications are put in and are not successful. It is no surprise that the TDS is hugely oversubscribed. Therefore, there has to be a very stringent application of the criteria. However, in my role as Minister for tourism, I want to have a look at whether the scheme needs to be reformed.

## Fuel Poverty

6. **Mr Murphy** asked the Minister of Enterprise, Trade and Investment what aspects of her Department's energy policy support the eradication of fuel poverty. (AQO 2155/11-15)

**Mrs Foster:** Numerous aspects of my Department's energy policy support the fight against fuel poverty in Northern Ireland. Among those is the ongoing work aimed at encouraging more energy suppliers into the market, thus providing consumers with greater choice and lower prices. In addition, the work towards extending the provision of natural gas to new areas across Northern Ireland, our work with the regulator in relation to smart meters and, most recently, my approach to the Executive to consult on a new energy efficiency measure as part of a new energy Bill should all assist in the challenge of tackling fuel poverty.

**Mr Murphy:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Obviously, she is aware that the Department for Social Development takes the lead on fuel poverty. Given that the primary focus of her Department is on supporting business and the economy, is there not a danger that, in the fuel policy area, those who are most in need will be neglected?

**Mrs Foster:** I do not accept that. We have a very close relationship with the Department for Social Development, particularly in relation to fuel poverty. We sat on the interdepartmental group on fuel poverty, and we are a member of the newly formed cross-sectoral fuel poverty partnership. The Member is, of course, right: our primary focus in DETI is on business competitiveness, but we will continue to work with others on a range of matters relating to fuel poverty.

## Energy: Whitty Report

7. **Mr Lynch** asked the Minister of Enterprise, Trade and Investment for her assessment of the recent report on energy by Lord Whitty.

(AQO 2156/11-15)

**Mrs Foster:** As he made it clear that his specific considerations were around the issues of affordability, sustainability and security of supply, I am surprised and disappointed that Lord Whitty's report fails to recognise that those are the three key pillars previously identified by the Executive in their strategic energy framework, published some 18 months earlier, or to acknowledge any of the work progressed to date towards implementing those specific framework goals. Overall, my assessment of Lord Whitty's report is that it brings little, if anything, new to the Northern Ireland energy debate and, in many



instances, simply echoes recommendations previously put forward by others.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. Given that a knowledgeable and experienced person is calling for the Utility Regulator to play some part in assessing the home heating oil industry, will she consider legislation to enable that?

**Mrs Foster:** Again, this is an issue that has come before the House on many occasions. Unfortunately, although Lord Whitty called for oil regulation by the Utility Regulator in his report, he presented no new evidence to underpin his recommendations. The Northern Ireland oil distribution sector is considered to be competitive and transparent on price, with lower prices than in parts of Great Britain, and the Office of Fair Trading's report confirmed that.

Although Members may think that it is a good thing to bring about more regulation in the home heating oil sector, one has to ask who would pay for that. Unfortunately, this was another issue that Lord Whitty did not address. It would impose sizeable regulatory costs on the competitive oil supply and distribution sector, which, frankly, would be passed on to consumers. That is not a particularly wise thing to do at a time when people are under increasing pressure to pay their energy bills. Indeed, it would be better to look for ways to make things more competitive and give more choice to people who wish to switch from oil to gas or renewable heat.

**Mr Copeland:** I have formed the opinion that the Minister does not think much of Lord Whitty's report. Despite that, may I ask her for an update on her Department's consultation on the extension of the gas network? What actions is she taking as a result of that consultation, given that that issue was included in Lord Whitty's report?

**Mrs Foster:** Although Lord Whitty was not that keen on the gas network extension, which disappointed me, I very much believe in it. We want gas to be available to everyone in Northern Ireland and not just to people in the east of the Province. The Department will continue to work with the Utility Regulator on licensing and related issues, and I was encouraged that he recently issued a discussion paper to seek the views of interested parties on how a competition process may be designed to deliver distribution and transmission extensions. Just

last week, he organised a half-day workshop to discuss the award of the licence.

The roll-out of natural gas is progressing and is keenly awaited by a lot of industries in the west of the Province. I have been lobbied on a number of occasions by large energy users in the west of the Province who are keenly awaiting the gas network. I will do everything in my power to make it a reality.

**Mr Agnew:** Following on from that, will the Minister comment on Lord Whitty's assessment that it would be better to get more people onto the existing gas network than seek to extend it to the west, where, in many places, it will never be viable, and that promoting renewables in those areas would produce more benefit?

**Mrs Foster:** I totally disagree with the Member that bringing gas to the west will not be feasible. We have had the feasibility report on bringing the gas network. There is nothing to stop us continuing with gas penetration in the existing licence area while, in parallel, looking towards a gas extension. We do not just stop in one area because we are extending to another area. They can go together in parallel. Therefore, I think that is a particularly weak part of Lord Whitty's report.

**Mr Deputy Speaker:** Mr Daithí McKay is not in his place. I call Ms Michelle Gildernew.

### Small Businesses: County Fermanagh

11. **Ms Gildernew** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact that the amalgamation of Fermanagh District Council and Omagh District Council will have on small businesses in County Fermanagh. (AQO 2160/11-15)

### 3.00 pm

**Mrs Foster:** Fermanagh District Council and Omagh District Council have been working in partnership for some time on a number of areas, including local economic development. For example, the Survive and Thrive programme, aimed at supporting local SMEs and funded through my Department under the local economic development measure, is being delivered jointly across both council areas. Consequently, I believe that the amalgamation of both council areas will lead to an enhanced partnership approach that, alongside the support available from Invest Northern Ireland, can only benefit small businesses in the area.

*(Mr Speaker in the Chair)*

## Executive Committee Business

### Local Government (Boundaries) Order (Northern Ireland) 2012

*Debate resumed on motion:*

*That the draft Local Government (Boundaries)  
Order (Northern Ireland) 2012 be approved. —  
[Mr Attwood (The Minister of the Environment).]*

**Mr Dallat:** I am pleased to take part in this debate, but it is more in sorrow and regret than joy. I say that from a fairly strong position, because I spent 33 years in local government, from 1977 until 2010. I sacrificed a great deal to put down the roots of democracy when others were putting up boycott posters and advising people not to vote. So, I hope those people who reached this agreement understand that many people across the North sacrificed a great deal and, indeed, gave up their time and, perhaps, neglected their families to ensure that we would have solid roots on which to build our democracy. I see George Robinson nodding in agreement. I think he understands that we all know about that.

So, you will understand, Mr Speaker, our disappointment that the decision to move forward with 11 councils was not collective or unanimous. That is a matter of regret, because we are still a fledgling democracy, from a worldwide viewpoint. We are still in our infancy and people such as myself who have been here for the past 14 years will understand that there were times when we were not sure whether this Assembly would last. So, to take a departure based on the agreement of two parties rather than all parties is not particularly clever.

I have no intention of getting into the old orange and green thing because I fear that the map has been painted with too much orange and too much green. There are too many peace walls in Belfast, and although there are no actual peace walls in the rural areas, believe you me, there are areas yet where a lot of work has to be done to ensure that those invisible peace walls come down.

I am not sure whether Sinn Féin or the DUP got the better deal here, but the 100,000 people who are currently under nationalist-controlled

councils and are moving into unionist-controlled councils do not think that it was a great deal. I am sure that George Robinson and I would disagree about Limavady. I am sure he is very pleased that they are moving into Coleraine, but I am afraid that a lot of people I know would disagree with that and believe that Limavady, for example, had much more affinity with the City of Derry than with North Antrim.

Other areas have been mentioned, such as Newry and Mourne. We had a presentation the other morning from one of the councillors there, and the words “nationalist”, “unionist”, “Catholic” or “Protestant” were not mentioned once. The presentation was purely about the democratic right of local people to live in a geographical environment that they feel comfortable with.

**Mr G Robinson:** I thank the Member for giving way. He mentioned Limavady. Does he not agree that if Limavady went into the council area of Londonderry, it would be a very small fish in a big pond?

**Mr Dallat:** I thank the Member for his remark. I see you smiling, Mr Speaker, and you will know, as someone from Derry city — I do not want to involve you — that your involvement in Derry has, without a shadow of a doubt, enriched that city, and helped it to get to the stage that it is at today, where it is pluralist, is reaching out to the world and, next year, will become the City of Culture. I do not think that that would have been possible without the two communities working in harmony. Indeed, there are many times when I envy the type of agreements reached in the Maiden City between the two communities. I applaud them for it, and, to be honest, I wish that we could have emulated that in Coleraine.

Of course, I am in a very privileged position because I was the first nationalist mayor of Coleraine. That was about 12 years ago, but when you consider that Ballymena is getting round to that only now and that Craigavon has not quite managed it, I should, perhaps, feel privileged.

**Mr Moutray:** On a point of order, Mr Speaker. The Member said that Craigavon has not had a nationalist mayor, but it has. His colleague Mrs Dolores Kelly was mayor some years ago.

**Mr Dallat:** I thank the Member for putting me right. Obviously, my geography of the whole of the North is not all that good, and it is good that other Members are here to correct me.

**Mr G Robinson:** On a point of order, Mr Speaker. I remind the Member that it took me 17 years to become mayor of Limavady.

**Mr Speaker:** There is no doubt about it: Mr Moutray and Mr Robinson are now on the record. Perhaps we could move to the business before the House.

**Mr Dallat:** Some time ago, we were told, I think by the First Minister, that steps would be taken if our Minister did not agree to this carve-up, or whatever it is. I am not sure what was meant by steps, but I presume that it would not have been particularly pleasant for Mr Attwood.

At times, I wonder whether we really appreciate the history that was made in 1998 when the Good Friday Agreement was signed. Do we really thank the Lord above enough for the opportunity to begin a peace process that was to be built on inclusivity and would put behind us for ever and a day those dark days when people felt excluded? We are a democratic party, and our principles are based on that. The party came into being in 1970, and I joined it in 1973. I think that I mentioned earlier —

**Mr Speaker:** Order. I am giving the Minister and Members some latitude because I understand that it is a big subject and that there are sensitive issues. However, we really need to try to return to the draft local government order.

**Mr Dallat:** I thank you, Mr Speaker, for putting me right. I will always accept democratic instructions rather than the other form of instruction.

We were told that the 11-council model was the right one, but all the research from consultants, statisticians and everyone else clearly indicated that a 15-council model would not burden the ratepayers or the Department. Massive payouts will go to people in senior positions in councils, and they will, of course, absolutely welcome the reform of public administration. My goodness, if certain people can get early retirement with a golden handshake and all sorts of packages and pensions, they will, of course, agree with this carve-up.

The question of savings has been mentioned. We were told that, under the 11-council model, £438 million would be saved over 25 years, with an up-front cost of £118 million. The ICE programme, which was commissioned by the association of councillors, clearly indicates that

a much more substantial saving can be made by following that. There would be far less of a carve-up, and local communities would not be displaced from the surroundings in which they have felt comfortable since 1973. We know that the public at large are slow to accept change. How many Members have met people who think that local councils still let houses? You hear it all the time, and that has been going on for 50 years.

Mr Speaker, you have been lenient with me, and I thank you for that. There are, of course, many other advantages in selecting a 15-council model. I do not have time to go into that, except to mention them briefly. The 15-council model would achieve savings with less disruption; reduce the need to combine or split the assets and liabilities of councils; permit the retention of clusters that have collaborated successfully over the years; and, most importantly, keep natural communities together, thus preserving local communities. Such clusters have worked extremely well between Coleraine and Limavady. They have worked extremely well between Coleraine and Ballymena on one side and Ballymoney on the other. They are very flexible, do not cost anything and can be refreshed as people need them.

Finally and most importantly, a 15-council model would allow the opportunity to build confidence among stakeholders, and given the low level of satisfaction with the Assembly, that, surely, must be taken seriously. I know that everyone here is concerned that public confidence in the Assembly is lower than it should be. To be frank, the decision to go for the 11-council model is not the best way to build democracy.

**Mr Molloy:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's announcement on the boundaries. It is an important step forward. It is belated, I suppose, when I think that we have gone round the houses several times since, through NILGA, I was first involved with RPA. It is unfortunate that it has taken so long to get to this stage. However, the order is an important development. Although a lot of the issues were dealt with during the cross communication this morning between the Minister and various Members — the debate, by and large, has taken place — there remain some issues that we need to touch on.

The DEAs are important. We now have the council boundaries, and the next stage must come quickly. The Minister has indicated that

a commissioner will be appointed, but the speedier that is done, the better, so that the DEAs are set out. Members, parties and the communities can then start to link in with the DEAs, because the new larger councils will make the local aspect of doing that a wee bit more difficult to manage. It is important that we start to look to those communities, because we will be dealing with community planning and various structures that need to be community led.

The transition committees have been mentioned a number of times, and it is important that they are moved from their present voluntary basis to a statutory role. If we are to kick-start this, councillors and council officials need to be sure that, this time, we will complete the journey that has started so many times.

It was said earlier that the transition committees have worked well in their voluntary capacity. That raises two issues. The first is that of the resources that were put into the councils to make it happen — councillors and officials and all were recompensed. The other is that we had transition managers. Unfortunately, we lost a number of those managers in the delays that happened. Some of them went back to different councils. It is important that we reactivate that approach and bring in transition managers to complete the job, because a lot of good work has been done, including in my council area, where I chaired the transition committee for a number of years. In Dungannon, Cookstown and Magherafelt, one of the issues was that the transition manager was key to a lot of work done between the three councils, and it is a wee bit like asking officials to vote themselves out. A lot of them were a bit reluctant to do that, so it was a bit like asking turkeys to vote for Christmas. They were reluctant to create the transition committees across the councils because it might mean the end of their jobs. So, we need a transition manager to make that happen, to develop it and to come up with new ideas. I hope that the Minister will be able to bring the system into operation. The key to the success of the transition committees the previous time was a transition manager.

### 3.15 pm

We now expect more powers to be transferred. It is unfortunate that various Departments have reneged on some of the transitions that were to happen with the transfer of various roles from the Assembly to local government. The

Assembly is a legislative body, and it needs to deal with legislation, develop it and transmit it down to the councils for implementation. We need to see more powers transferred, and resources need to go along with them. That is to ensure that those powers are not being transferred and jobs are not going to local government without the resources to finance them. Over the past year, we saw something like 11 Bills give more work to local government, but there were little or no resources to make that happen or to help ease the burden.

**Mr Elliott:** I thank the Member for giving way. I do not by any means disagree with him, but I am interested in the line that he is taking on the transfer of functions. Just for clarification, is he suggesting that, now that Members have themselves in position in the Northern Ireland Assembly, they may be building empires for themselves in their own Departments and are reluctant to transfer those functions down to local councils?

He also touched on an issue that I raised earlier. How does he propose to ensure that the finances go with the transfer of functions?

**Mr Molloy:** It may be the case that some Members who have power bases in the Assembly want to hold on to as much of that power as possible. However, Members who are now in the Assembly need to see that their new role is about making things happen with legislation and about ensuring that local government implements that legislation.

Very often, the issue comes down to officials in Departments delegating and saying that we could transfer this or that but retain the other. We need to make sure that that process is open, and maybe the review of quangos should also be part of the process. We should look within Departments to see what else can be transferred to ensure that we get good powers to local government.

It is important to ensure that any resources that are required for those new functions accompany them. It is up to the Assembly to do that. The Assembly's role is also to designate that and to ensure that Ministers transfer with that function all the resources that were in the Department that was dealing with the issue originally.

Planning is one such function. However, we hope that local government will have more powers than just planning. At the end of the day,



planning will still be controlled by the legislation that is made in the Assembly, so it will not be handed totally over to local government. The Assembly will still have a role in planning. However, making planning decisions is a very important role for local government.

We also need to ensure that councils have the power to make change. I propose that the Minister looks at the power of general competence as one way forward. The power of well-being gives councils a wee bit of a role in seeing and dealing with need in an area, but the power of general competence is stronger. It gives the council more room to identify issues that may have been neglected in the past. Unadopted roads, infrastructure and footpaths and things like that are just a few examples of matters that may, in the future, be transferred to local government. Once it sees the need, local government could then meet it, deal with it and take account of it, instead of passing it back to another Department or around the Departments. I hope that the Minister will look at that situation.

We also need to look at powers, and we should recognise that the primacy of the elected member is still key. Council officials would sometimes like to think that they run the councils, and sometimes they do. We must take that wee thought out of their heads and give power back to elected members and give them the confidence to run the council and make it representative of the communities that they are elected to serve.

There has been a lot of talk about savings. I pointed out to the Minister that making such savings needs co-operation with the ICE programme. Chief executives need to lead that. They cannot step back from it and say that they are not working or co-operating with it. They cannot allow the divisions in two different council areas to develop. We need to ensure that those transition committees are up and running, that chief executives are given the role of implementing them and that the councils are given a statutory role to ensure that that happens.

The new councils will need to have the powers to make the changes, and we are talking about shadow councils as one way of making that transition simpler. However, that will need to be looked at again to see whether it is necessary because it could create confusion. John Dallat said that people still think that councils allocate

housing and deal with roads. How will that develop in a transitional or shadow council, and how will it develop in a full council?

Single waste management was mentioned earlier. I am not sure about that. I sat on one of the waste management groups, and one of our concerns was that if you put it all into one single area of waste management, you end up with an incinerator being the solution to everything. We did not see that solution as a way forward in the rural SWaMP group that I was involved in. The danger is that Arc becomes responsible for single waste management, the incinerator becomes the solution to solving the problems and recycling goes out the window. So, we need to be careful because people are looking at 25-year contracts. Independent recyclers are saying that there is a better alternative — a local alternative — and a means of dealing with that that does not have the same risks as the risks we are taking now.

The key to all this is that we now have the boundaries, and we must get the infrastructure and the transition committees in place to ensure that local government has the power to make decisions and that those decisions will be respected by the Assembly and given the support and resources to carry out those functions.

**Mr Kinahan:** I am pleased to be speaking on this subject as it is the same subject that I spoke on in my maiden speech in June 2009, three years ago. I hope that today proves to be an important day for Northern Ireland as we put the boundaries legislation in place. Then again, I am not sure whether what we are doing today has been fully and properly agreed and that we know where we are going. I am also concerned that we have done nothing for the past three years and that today is a step that looks good in front of the public, but, actually, all sides are not agreed on where they are going.

When I look at a lot of what we do in the Chamber, there are days when I would love to shake it — really shake it — because, many times, nothing happens. We all speak with sincerity and yet we do not listen to each other. Today, we have a chance to start sorting out our local government and get it somewhere, and yet this morning's debate was reduced to petty politics and trying to show each other up in the Chamber. I want to see this place really working. I want to see the boundaries properly agreed. That means boundaries that do not just suit



the two main parties, if it is a carve-up, which is what it looks like. I want to see boundaries that we can all live with. If you look at where we are going, you will see that this is a small step towards the change of government, but the change of government is huge, and we must ensure that that small step is the right one. It will be 20, 30 or maybe 40 years before we can change local government again, so let us ensure that we get it right. From what I have seen going on in the Chamber today as we squabble, I am concerned that this will fall by the way. As proof of that, we have already seen challenges to the Minister, who is trying to take it there, although his heart is not necessarily in the 11-council model. However, we have also seen the other major parties challenging him to the point where they do not like the way he is taking it around the 11 councils. We must change local government. The public want it. They want efficient local government and they want to see things happening. Please, think of shaking this Building, shaking everyone up and getting everyone to pull together.

Now, the point of today's debate is boundaries, and the way we work with boundaries, which is a form of gerrymandering and the manipulation of constituencies. Let us not make it just a carve-up, so it is set between two major parties. Let us make sure that we do it for the best.

The commissioner will be in place this autumn. That has to be good. However, he must be totally independent and must look at the boundaries for the good of Northern Ireland. In the 2009 model, the commissioner did not regard community identity as an important factor. The commissioner must look at communities, boundaries and the long-term effects that change will have. He must look especially at the most important factor: the communities themselves. This is not a subject that the public will find exciting, but we must remember that they want us to cut the costs and the rates. As Mr Dallat has indicated, we must also remember that the public do not know the differences in what we do. Boundary changes need to fit the Assembly boundaries and the Westminster boundaries and not just be left on their own. This has to be part of a long-term plan.

In South Antrim, we are joining together Antrim Borough Council and Newtownabbey Borough Council. We will build a strong council. At the moment, Newtownabbey leans heavily and

strongly towards the DUP, which I hope we will change in time. However, one of the greatest complaints that I get from people on the ground is that the council is not listening to the electorate. When you get a body that is too strong, often it is not listening to the people on the ground. That is not just an attack on the DUP; it could be an attack on any party. We have to put in place something that works for everybody.

I go back to South Antrim. Look at the boundary changes. Poor Glenavy gets kicked about like a football. In at one time, out at another; now in for Westminster and in for the Assembly. We are about to add in Jordanstown, Knockagh and Monkstown. It will be good to see them and to get down there and work with them. However, the electorate do not know the boundaries. They do not know which body they are talking about. They just want to be well represented. What we do today has to make sure that we do not confuse the electorate.

We have already heard that the original RPA was planned in 2002. We have not got anywhere to date. The public, as I said, want to see that working efficiently, to pay less tax and lower rates and to get their problems resolved.

As we have discussed, we were meant to be devolving a mass of other matters to councils. Let us use this opportunity to make sure that we get the best from the changes we are putting in place. We have heard a bit of debate on dual mandates, waste and all the other matters. When those original changes were being put in place, what happened to the coterminosity we were meant to see, whether it was with health or with policing? I think that we have lost our way. I really hope that today's first step is a step towards getting proper, good, efficient local government.

I am concerned, as our party is, about the cost, and how we are going to have the resources to actually move the councils forward. We have to think of a way of doing it efficiently. If it is going to cost what PricewaterhouseCoopers came up with, or more, we are talking about £120 million. In the economic times that we are in, we cannot just pass that on. We must think again: how do we do it efficiently?

I suppose what we are asking today is that we put in changes to local government, but let us try to put in changes that allow us, in the future, to keep changing it as is necessary, and not put in something that is a closed door right at the

beginning, which we will be stuck with for the next 30 or 40 years.

I am often criticised for getting my proportions wrong. Not me, personally, in my shape, but the proportion of when I relate what matters here. When we talked about creating the position of Principal Deputy Speaker, I spoke about it being another nail in the coffin of democracy.

I go back to the point that I have made all the way through: if we do not do this right and this is just a carve-up, we are putting another nail in the coffin of democracy. I ask everyone to keep that in mind always when we look at the changes in councils. We want good, democratic government here.

I am also concerned about the financing of councils, something that has not come up today. I am not talking about resources; I am talking about the great opportunities that will exist in the future. We have put legislation in place to give them finance officers, but we still have not necessarily found our way. At a recent RCIS presentation, we were shown how the Scottish federation trust or fiscal trust, I think it was, had allowed the Scottish Government to gear up great loans and borrowings so that they could do public realm, large infrastructure projects and others, such as schools and hospitals. We have in the future of the councils a magnificent mechanism to do that. We must look at upskilling councils and their finances and, at the same time, not give them too much in their borrowings and in their loans in the future, so that they cannot make the best of their way forward. My concern is that, if we do not give them the resources, they will borrow more, and, when it comes to doing bigger projects and working together in the future, they will not be able to do it because they have already borrowed too much or have locked themselves into payments that stop them finding a way forward.

Today is phenomenally important. We have got to get it right. We have got to have a good change in our public administration, but I do not like the borders and the boundaries that we have got today. The UUP will, therefore, be against today's motion.

### 3.30 pm

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I support today's motion. Power and democracy must be devolved locally, but such devolution must be enshrined within

firm principles of equality in participation and access to local services. Citizens' access to the existing services delivered by local government and the additional services that are to be delivered by local government under RPA must be delivered on a value-for-money basis and by ensuring that no additional burden is passed on to the ratepayer, without marked and identifiable improvements to the services being provided.

Within the RPA process, the ratepayer should not have to countenance any increase in local rates without any marked increase in the delivery of cost-effective and efficient local services. With that in mind, the review of public administration presents local government across the North with an important opportunity to design optimum models of service delivery for the 11 new councils.

Since the outset of the RPA process, Sinn Féin has gone on record time and again to state that it is in favour of a significant reduction in local councils and local councillors, particularly now, in the climate of a functioning Assembly and difficult economic times. Our preference was to reduce local councils to seven. For their own reasons, many of which were about little more than protecting their members' positions, other parties had different views. Agreement was reached on an 11-council model. Despite Mrs Kelly and Mr Dallat's depictions of carve-ups and side deals, I remind the House that the SDLP backed the 11-council position in its 2011 PFG document:

*"In the next mandate the SDLP will press for radical reform of Government, including: ... Implementing RPA with an 11 Council model".*

In order to get on with the business, as the Minister put it earlier, can we leave the party political posturing behind and get on with this much needed local government reform? Such reform will see a reduction in councillors and an overall reduction in allowances and expenses. It will also see greater efficiencies and a much better service for the public. That is a welcome move that is supported by the vast majority of ratepayers throughout the North.

The new structures will ensure better governance and equality at local level, but, as the Minister has outlined, it has been calculated that reducing the number of councils will provide savings of more than £570 million over the next 25 years. Moreover, despite the political gymnastics of some in the House, the current

financial situation is proving no ally for the procrastination that is being displayed.

Sinn Féin recognises that, due to the different nuances within the new councils, it may not be possible to have a one-size-fits-all model. Because of the different priorities and uniqueness of each of the council areas, there may need to be some flexibility in how those areas deliver or share their services. We believe that there are obvious opportunities for cost-effective benefits to be made through savings, via such avenues as joint procurement and the sharing of services within new councils. Functions such as IT and payroll systems are examples of local government functions that could also benefit from being shared within the councils. With an ever-increasing strain on the amount of available public funding, the opportunities for improvement in service delivery associated with the merging of the new councils will become increasingly important.

We believe that the delivery models for the new councils should be designed in a way that will allow not only for the transformation of existing services within councils but for collaborative solutions being sought between councils. Furthermore, preferred models should be equality proofed on the basis of models of best practice to provide for maximum efficiency savings and collaboration.

It is time to move beyond the flip-flopping on the number of councils and get on with the job of establishing an equitable and democratic system of local government.

**Mrs McKeivitt:** We are asked today to approve the draft Local Government (Boundaries) Order, which has been a long time coming to the Floor of the House. It has cleared many hurdles, but there are still deep divisions around the Chamber on what the final council maps should look like. I do not wish to get into that debate or a debate on the number of councils; other colleagues in the Chamber will. I wish to raise an anomaly in the ward boundary proposals that should be addressed and modified prior to the order being approved.

The anomaly that I speak of is the seaside resort of Warrenpoint. In the published electoral register on 1 July 2008, which was the required date for the basis of the Boundaries Commissioner's calculations, Warrenpoint had an electorate of 4,500 and a population of over 7,000. Today, the population has increased

significantly. The new configuration in the order means that nearly 40% of Warrenpoint's current urban electorate will be resident in the new rural wards of Rostrevor and Burren. The commissioner had a legal responsibility to ensure the proper representation of the rural and urban electorate in the district, but he did not ensure that it happened in Warrenpoint.

The Local Government (Boundaries) Act 2008 also gives the commissioner flexibility to increase or decrease the number of wards per district by up to five, taking account of the size, population and physical diversity of the district and of the representation of the rural and urban electorate in the district. He chose not to increase the number of wards significantly to address that injustice, even after his assistant commissioner recommended 43 wards in the new Newry, Mourne and Down council area.

I do not wish to sound like I am in commissioner-bashing mode; I am not. I recognise the enormous task that he faced and commend him for the courteous and professional manner in which he conducted this exercise. However, he has made two mistakes. First, he did not ensure proper representation of the rural and urban electorate of Warrenpoint. Secondly, he did not amend the boundaries when the error was pointed out to him. He could and should have accepted the new layout as proposed by Newry and Mourne District Council and Down District Council through their local Warrenpoint representative, Michael Carr.

I should say that this stage that, in September 2009, I was deputy mayor of Newry and Mourne council and accompanied Mr Carr and a cross-party delegation of councillors from both councils to give a presentation to the then Minister of the Environment, Mr Poots. He, I believe, was convinced by the argument and had a lot of sympathy for the case for an extra ward in Warrenpoint. The current Minister, Mr Attwood, was also convinced by the argument but was unable to persuade his Executive colleagues to adopt the modification. In fact, the Boundaries Commissioner recognised the argument, and, in his final report, he said:

*"The case for an additional ward in Warrenpoint has merit."*

I was astonished this morning by comments from the Chair of the Environment Committee, which were completely inaccurate. She stated that it was not inside the rules. In fact, rule

17(b) was never mentioned at the meeting on 17 May, and that included the urban and rural. I have to express my disbelief that the Committee was actually briefed as indicated, and I suggest that Hansard shows that Mr May said that he would simply answer questions from the Committee. I would like clarification of that. Both councils were very disappointed that the request at the meeting on 17 May 2012 to address the Committee was refused. This is the time to put it right. I acknowledge the comments from Tom Elliott that there is time to put this right. The good people of Warrenpoint should not be brushed to the side in what I see as a carve-up.

The case for Seaview in Warrenpoint is non-political, has cross-party support, has unanimous support from both councils, has been accepted and acted on by the assistant boundaries commissioner, has been accepted in principle by the Boundaries Commissioner, had understanding and sympathy from Minister Poots and was accepted and recommended by Minister Attwood. Yet, it is not included as a proposed modification to the draft Local Government (Boundaries) Order, which has been laid in the Assembly today. I wonder whether there has been a carve-up.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank you for your patience through such a long and arduous debate. It has been said that you have the patience of a saint, and I think that you have demonstrated some of that today. I also pay tribute to the Members who have spoken so far, because in the Minister's opening remarks he outlined that he wanted to breach his record of one hour and 40 minutes. He has been kept quiet for quite some time, so another record has been breached today.

I welcome the long-awaited progress of the order. In my county of Fermanagh, there is genuine fear and deep apprehension among the business community and many households about a potential rise in rates as a result of the amalgamation of Fermanagh and Omagh district councils. As a Fermanagh-based MLA, I am keen to ensure that any potential rates increase is mitigated as best as possible and that businesses and households do not feel the burden of the much needed reorganisation of local government. As my colleague Mr Hazzard said, if there is to be a rates increase for households or businesses, individuals or businesses need to see a marked improvement

in the services that they get from their local council. From the information that we have received to date, I do not see that as a clear option.

To date, there has been significant local speculation about the impact of RPA on ratepayers in Fermanagh. However, it is much too early for anyone to speculate on the potential financial impact on Fermanagh ratepayers, except to say that the differential between the rates in Fermanagh and Omagh will be reduced. Talk of an 18%, 20% or even 25% rise in rates in Fermanagh is neither helpful nor accurate. The purpose of RPA is to reduce bureaucracy, inefficiency and, indeed, the overall cost of local government across the North. That is what we as an Assembly need to ensure happens, but it cannot be done at the expense of ratepayers such as those in Fermanagh. What we need to aim for is a fair and acceptable solution to the problem before us.

There has been much talk in Fermanagh about the levels of historical debt in Omagh District Council and about the higher level of rates at present. So there is reluctance among some people in Fermanagh about the potential merger with Omagh. That is not downright opposition to the proposal, and I want to make that perfectly clear to the Minister. It is an acceptance that Omagh District Council has spent more money than Fermanagh District Council in the past. Citizens and businesses in Fermanagh do not resent that. Omagh District Council, through a series of strategic investments, has rightly delivered a wide range of community services for its ratepayers. It could be said that Fermanagh District Council did not invest quite so heavily, but those reduced investments also resulted in reduced services for its ratepayers. That decision was taken by both councils and by elected councillors. We cannot change the past.

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

**Mr Flanagan:** I will happily give way.

**Mr Beggs:** The Member said that processes have to be put in place to minimise any increases. Looking at the figures, we can see that there are considerable differences in rates, particularly between those in Omagh and Fermanagh. I am not aware of any facility that can change that in the long term, other than to equalise the rates by significantly increasing the rates in Fermanagh, perhaps by 20% or 25%. Can the Member tell the ratepayers of Fermanagh how he proposes to alter that?



**Mr Flanagan:** I thank the Member for his intervention. I will continue with what I have outlined here, and, if the Member is not satisfied that I have addressed his point by the time I have come to the conclusion, I will happily let him in again.

Certain people in Fermanagh seem to believe that Omagh District Council simply threw bars of gold into the River Strule in an effort to spend as much money as possible. That attitude is not helpful. That is definitely not the case, and it can be seen very clearly in the community services that are available in Omagh. The differential between the rates in Fermanagh and Omagh is mirrored by the difference in services. The decision on the level of services in the new council area will be a matter for that council, when it is constituted, and its elected councillors. So it is much too premature to predict what the rates will be. There are several issues. There is the historical debt level and the difference in rates levels. The primary reason for the difference in the rates is the annual expenditure of a council that delivers services.

### 3.45 pm

It is up to the Executive to deliver on RPA, but the Minister must take the lead. The Minister needs to bring the issues that have been raised by an awful lot of Members in the House to the Executive. He must seek investment from the Executive to offset issues such as the differential in rates and historical debt between Fermanagh and Omagh.

Before the debate got up and running again, my party colleague Michelle Gildernew asked the Enterprise Minister for her assessment of the potential impact of Fermanagh District Council and Omagh District Council amalgamating. As a local MLA, the Minister will be aware of the issues. However, responding as Minister, her only comment was about the collaboration and co-operation between Fermanagh and Omagh on the Survive and Thrive project. She made no reference to a potential rates increase for businesses, which is quite disappointing. It is clear that the Minister needs to bring the issues to the Executive and seek investment to address them.

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

**Mr Flanagan:** I happily will.

**Mr Beggs:** Is the Member aware that, if additional moneys can be found from the Executive, that may smooth the initial process, but, in the long term, the rates charged must reflect the expenditure in that council area? In the long term, that will mean a very significant increase for the ratepayers of Fermanagh. Does he accept that?

**Mr Flanagan:** I accept that that is one possibility, but, if you look at where the differences lie, you will see that the rate of debt in Omagh is much higher than in Fermanagh. If investment from the central pot were to address that, it would mitigate any potential rise in rates in Fermanagh. The other issue is that of a council's annual spend, but it will be up to the new councillors to decide how that is spent. The new council could address that, but it will take significant funding from the centre to address those issues. Nobody is standing here saying that rates in Fermanagh will not go up as a result of RPA, but there must be a fair and acceptable solution for ratepayers there.

Neither ratepayers nor any local council can be expected to take the hit for much-needed reform. It is completely unacceptable for any Minister not to take that seriously on board and provide answers on how they plan to address these issues. Earlier, the Minister said that he had received correspondence from several business organisations in Fermanagh. I received similar correspondence, and I share many of their fears. Those correspondents articulately outline their concerns about the impacts of RPA.

The Minister also said that he had received correspondence from me on that matter through written questions. It is not acceptable that he refuses to answer those concerns or provide us with any kind of solution. It is time that the Minister stepped up to the plate, showed some positive leadership and sought a resolution to the many problems in the RPA process, because the Executive have agreed that we are moving forward on an 11-council model. We all need to row in behind that and ensure that it is a fair process for every ratepayer in this state.

**Mr Hussey:** The Minister made it clear that today's discussions not only cover the draft Local Government (Boundaries) Order but relate to the reform of public administration. I believe that what we have here is a dirty deal that was negotiated between the coalition partners, Sinn Féin and the DUP, to carve up Northern



Ireland into political fiefdoms that suit their political strategy. In the past, it could have been suggested that such a concept was negotiated in a smoky room, over beer and sandwiches. However, given the participants, it may have been buttermilk and sandwiches, and not the devil's buttermilk.

The idea of the reform of public administration was to create a series of coterminous local authorities in line with parliamentary and Assembly constituencies. There is no doubt that this shoddy deal does not reflect any form of local government that I can relate to, neither parliamentary constituencies that exist today or that may exist in the future. "Local government" is defined in the Oxford English Dictionary as a system of administration of a county, parish, etc, by the locally elected representatives of the people who live there. The Minister went further when he described councillors as being able to represent the society for which they act.

In my constituency — I am disappointed not to see other Members from West Tyrone here — the entire district council areas of Omagh and Strabane are brought together as a parliamentary constituency. Common sense would dictate that anyone looking at West Tyrone with at least one eye open and with any local knowledge would see the bond between Omagh and Strabane.

If we are looking at boundaries, let us look at the towns of Strabane, Newtownstewart, Castlederg and Sion Mills together with the villages of Ardstraw, Victoria Bridge, Plumbridge, Killen, Killeter, Clady, Bready and Magheramason. They come together under the auspices of Strabane District Council, which is located in an area of County Tyrone. The churches, youth organisations and other clubs all form part of the culture of the county, and there is absolutely no allegiance in that part of the world to County Londonderry or the city of Londonderry. The proposed unholy alliance that would force Strabane District Council to merge with Derry City Council would create a scenario in which the minority unionist community would become virtually irrelevant and this part of Tyrone would become no more than the tail wagged by the dog that is based in the city of Londonderry.

I again declare an interest as a member of Omagh District Council, and, until last Thursday, I had the honour to be the vice-chairman of that council. The idea that the county town of

Tyrone should be amalgamated with the county town of Fermanagh would obviously mean the demise of the status of one of the towns. Make no mistake: forcing the amalgamation of Omagh and Fermanagh councils would be like forcing chalk and cheese together. Here we have yet another unholy alliance.

I am sure that Members from Fermanagh and South Tyrone will have already seen the posters up in Fermanagh. It is clear that, locally, the proposals are unacceptable. I was born in Omagh and am a proud Tyrone man. The proposal before the House today would, in effect, destroy County Tyrone and split it in three. The surrounding towns of Fintona, Dromore, Drumquin, Beragh, Sixmilecross and Carrickmore — I do not see Mr McElduff in the distance — and the villages and hamlets of Greencastle, Gortin, Mountjoy, Trillick, Killyclogher and Kilskeery are all proud of their Tyrone roots and their association with Omagh. Strabane —

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

**Mr Hussey:** Not to you, no. You accused us of throwing gold into the River Strule. Sit your ground. [Laughter.] You will find gold in the Strule, but I will not give you the opportunity to throw anything else at me.

Strabane and Omagh District Councils have already taken steps to share a chief executive, an indication of the close ties that already exist in the county between these two local authorities. The proposed new parliamentary constituency of Mid Tyrone clearly still shows the majority of Strabane and Omagh councils remaining together, with the addition of parts of the existing Cookstown District Council. Why, then, has someone decided that coterminosity is to be abandoned and political skulduggery is to be the main driver in this push for local government reform?

I feel sorry for the Minister of the Environment today; I genuinely do. I hope he bears that in mind when he tries to push this thing through. He is being forced by the Executive to put forward proposals that he does not agree with. When these plans come in for public criticism, Minister, I can assure you that the DUP and Sinn Féin will run for cover and point their joint two fingers — if you will pardon the pun — at you.

I cannot see how other West Tyrone MLAs can nod this through without murmur or discontent.

The proposals tear the heart out of County Tyrone. They tear down Omagh as the county town. I know there will be some who will say that I am being defeatist and that this will not happen, but I am a realist. The proposals are not good for my constituency of West Tyrone, and I will continue to oppose them.

When Strabane finds itself getting the scraps from the city of Londonderry, if it is lucky, and when the small towns in the Omagh district find that a Fermanagh/Omagh council is not as generous to local groups, small towns and villages as the previous Omagh council was and that the leisure facilities that Omagh had to pay for because it does not have the natural waterways that Fermanagh have been blocked by the council, it will be too late to complain. In fact, the Member who spoke previously accepted that Omagh council was very generous to the people of Omagh.

Omagh has no natural affiliation with Enniskillen or Fermanagh. Omagh has a strong affiliation with Strabane. Strabane has no natural affiliation to Londonderry. It has a natural affiliation to Omagh. The county-based groups that I have already mentioned — the loyal orders, the GAA, the churches and others — will find themselves and, at times, their parishes split by unnatural boundaries that the Assembly seems hell-bent on enforcing.

I find it sad that the DUP, which continually supported the 15-council model until it eventually did the dirty deal with Sinn Féin, could find only the name “Derry” as a stumbling block to an amalgamation of Strabane and Londonderry city.

Sinn Féin is destroying the county of Tyrone. Maybe it does not like the O’Neills; maybe it is because Tyrone won the Sam Maguire a couple of times more than some of the other counties it has political strength in. I do not see any valid reason for it, but Sinn Féin is determined to push this through.

The 15-council model would have suited the 18-parliamentary constituency model. Even a 14-council scenario could have been produced very quickly on the basis of the 16-parliamentary constituency model. Here we have a ragtag approach that will demoralise and destroy any allegiance to local government. In fact, on the basis of these proposals, I suggest you stand up and say sorry, and leave the 26 councils as they are.

Local councils, Minister, are putting forward proposals to attack you because it has been realised that there is no money to pay for RPA. As I said, you will be blamed for that, and the two coalition partners will sit back and smile. Sinn Féin councillors on Sinn Féin-controlled councils, supported by DUP councillors, are tabling motions that call on the Minister to set aside money for RPA, so that no cost is attributed to local councils. Yet, they know, Minister, and publicly acknowledge that there will be a cost implication, and they know that it will be borne mainly by the ratepayer.

Ms Lo and Lord Morrow said that RPA is no longer up for debate and that the matter has been decided. Nothing is decided until the House agrees the review. I, as a public representative, have a moral duty and a right to put forward the view of my constituents, and I am sure that everyone here will agree that that is my duty. My colleague Mr Elliott made reference to the fact that many do not yet realise the consequences of the review and how it will affect their lives.

I will not support the proposal before the House. Those of you who do, whether you are whipped or not, will have to live with that decision, and hopefully the electorate will see you for what you are. I am proud to be from Tyrone, and, on this occasion, even if it means I am on my own, “Come on, Tyrone”.

**Mrs D Kelly:** I welcome the opportunity to participate in the debate on the draft order. I start by setting in context some of the previous decisions and discussions on the matter, given the comments that have been made across the Chamber about alleged delays by my party colleague, Minister Attwood.

The review of public administration was launched in June 2002 and was designed primarily to streamline local government and make it more efficient. It also aimed to strengthen local government by transferring significant powers and functions from central government to a reduced number of larger councils. That is a subject I will come back to. For most of the time, the initiative has been under the management of direct rule or DUP Ministers. In the last mandate, it was the responsibility of Sammy Wilson, Arlene Foster and Edwin Poots. At their meeting on 14 June 2010, the previous Executive were informed by Minister Poots that he was unable to agree a way forward to allow

the RPA restructuring plan to go ahead by the then target date of May 2011.

Although there had been some movement towards an 11-council model, other fundamental issues remained unresolved, including who would pay for RPA — local or central government — the names of the new councils and the boundaries. A number of areas were disputed between the DUP and Sinn Féin. In his opening remarks, the Minister referred to some of those areas. One of those areas is commonly known as Forestside, and the dispute was over the rateable value of that asset. There was also the situation in Lisburn City Council over Dunmurry Cross. After nine years, there was still no agreement. So, Mr Flanagan and other newcomers to the House would do well to bear in mind that the delay was caused by disagreements between Sinn Féin and the party opposite. The delay has been caused primarily because of the dysfunctional relationship between the two main parties in government. That is just one example of the delays that there have been.

Some nine years later, there is an SDLP Minister, who has made substantial decisions over the past year. That is resonating with the public. Hence, the considered, orchestrated and concerted attack, both in Committee and on the Floor, on Mr Attwood. He has shown up the inadequacies of your ministerial colleagues.

**4.00 pm**

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

**Mrs D Kelly:** Not at this stage, but I will shortly.

From May 2011, Minister Attwood had a round of consultations with all the RPA stakeholders. He made an assessment of what had changed during the nine-year delay that might be reflected in a new comprehensive RPA package that he will bring to the Executive in October or November. That package will hopefully get the whole RPA project moving forward again.

As we all know, the councils had been mandated to work in collaboration voluntarily in the meantime. That initiative was commenced by Minister Poots and will hopefully see significant payback in the interests of the ratepayer in the next two or three years. Indeed, if it were allowed to be developed further, there could be considerable savings, even higher than those forecast in the PwC report. Mr Beggs referred to

the huge costs. However, there are potentially £500 million of savings under the ICE project as opposed to, I think, the £478 million over a 25-year period as per the PwC report. However, what is undisputed is the fact that the upfront costs will be high. The PwC report estimated those to be £118 million.

Mr Hussey referred to the debates that are going on across the council chambers. Those are conducted primarily by Sinn Féin councillors who know full well that their own Executive Ministers have yet to support Minister Attwood or others who seek the money to implement RPA. They are speaking out of both sides of their mouth, but we are well used to that from that quarter. However —

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

**Mrs D Kelly:** Of course I will. *[Laughter.]*

**Mr Flanagan:** I thank the Member for giving way. Perhaps the Member who furnished us with quotations from the Oxford dictionary would do so again to let her know what “shortly” means.

I want to take the Member up on her point that no Ministers have supported Minister Attwood’s claim for extra money through the Executive. Am I not right in thinking that he has not actually gone to the Executive looking for funding? If I am misadvised, he can correct me.

It is interesting that the Member is giving glorious praise to the Minister for his hard work on RPA and taking tough decisions. Given that she is the deputy leader of the SDLP, is it still the SDLP’s position that he will be taken out of that job in a number of months? Given that decision to take him out of the job, is he best placed to take RPA forward, or would it be better to let somebody else do it?

**Mr Speaker:** Order. The Member has had quite a bit of latitude on this issue in the House today. Interventions should be about the business that is before the House and the motion. Let us all be careful as Members of the House.

**Mrs D Kelly:** Those people who played hokey-cokey with the institutions are well known by the public. When there were good economic times, Sinn Féin — the republican movement, I should say — refused to decommission —

**Mr Speaker:** Order. That also goes for the Member who has the Floor. *[Laughter.]*

**Mrs D Kelly:** I will get back to my script. Funnily enough, somehow or other, some magic deal then appeared on the horizon. Rather than the inclusivity of power sharing and government, which Sinn Féin and the DUP say that they aspire to and are part of, Sinn Féin and the DUP did a deal over the local councils. Indeed, by September 2011, the DUP and Sinn Féin had resolved their differences. As Minister Attwood referred to in his opening remarks, that was evident in the changes around the Lisburn, Castlereagh and Belfast boundaries.

I move on to some of the comments that have been made by others. I think it was Mr Hazzard who talked about a functioning Assembly and called into question the leadership given by Minister Attwood. However, if we had a functioning Assembly, education would be sorted; dealing with the past would be sorted; a shared future would be sorted; and the North/South review might even be published after five years.

We might actually have a decision on the North/South Parliamentary Forum, two years on from the conference that was held in the Slieve Donard Hotel. We might actually hear something about participative democracy and why the review of the Civic Forum has not been published. What are you all afraid of?

There is something around participative democracy. As the Minister rightly put on record, many people contributed on local councils over 40 years of violence by stepping up to the plate and providing some democracy for, and lead to, local communities. Participative democracy was something that we cherished when others were targeting local representatives, and it should be the standard by which this place is judged in terms of RPA, legislation and any review of departmental structures that is committed to under the terms of the Programme for Government. In addition, the number of boundaries and the number of Assembly Members are to be agreed on under the terms of the St Andrews Agreement. I believe that that agreement has to be reached by the end of 2015, although the Programme for Government states December 2012. Again, the St Andrews Agreement was another agreement between the two big parties, Sinn Féin and the DUP, not necessarily in the interests of the wider community but certainly in their own interests.

Another concern that many Members have raised in the debate is the cost to the ratepayer.

Mr Flanagan was at pains to point out that there should be no additional burden on the ratepayer. How is that going to be? Does he know of a pot of money that exists or some bank loans that we can get that could ensure that it will not be a burden on the ratepayer? Frankly, unless central government stumps up, it will be a burden on the ratepayer. We know that some councils have been prudent —

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

**Mrs D Kelly:** I will in a moment, or shortly.

**Mr Flanagan:** Shortly — very good, Dolores.

**Mrs D Kelly:** I will send you a dictionary definition, if you wish. *[Interruption.]*

The point is that local councils will have to bear the cost, because central government has not yet stumped up. That was one of the reasons that Mr Poots, when he was Minister of the Environment, could not get this over the line.

Mr Boylan, I will give way to you now. Perhaps you will tell us where the money is.

**Mr Boylan:** I thank the Member for giving way. She was asked this earlier, but can she clarify whether the Minister went to the Executive and asked for any money? In my contribution, I asked the Minister when he was bringing a business case. Maybe the Minister can clarify this, but it is you who is speaking and it is you who brought it up, so can you clarify whether the Minister went to the Executive and asked for funding, because I do not believe that he did.

**Mrs D Kelly:** One thing about our Minister is that he is well able to speak for himself, unlike some who probably need scripts sent into the Chamber on their behalf. *[Laughter.]* Or get someone to speak for them. *[Interruption.]*

**Mr Speaker:** Order.

**Mrs D Kelly:** What I do know is that Mr Boylan, as a member of the Committee, has already supported the Minister's bid in the June monitoring round for additional funds to start off the initiative. Some nine years later, did the Executive not think? Sinn Féin agreed to a four-year Budget that did not set aside money for RPA. Our party voted against it. Sinn Féin Members had the opportunity to put it into the Budget over the four years, as did other Members, but this party was the only one that highlighted that particular matter as a point



of concern. There are a number of others, but this is not the day for them. Mr Flanagan and others come in as johnny-come-latelys and tell us how there should be money set aside, but they need to reflect and question some of their party colleagues about how they fell asleep at the wheel on this matter, along with a number of other matters.

**Mr Molloy:** Any word on the boundaries order?

**Mrs D Kelly:** I will talk about boundaries, because this is about gerrymandering. There are two debates in the House today on gerrymandering. Shame on Sinn Féin for not standing up for the people, when over 100,000 nationalists are moving into unionist-controlled council areas, when we see what happens on unionist-controlled councils in terms of power sharing and partnership. Therefore, Sinn Féin need not give the SDLP any lectures on gerrymandering. At least we are being consistent. *[Interruption.]*

**Mr Speaker:** Order.

**Mrs D Kelly:** Mr Speaker, one of the — *[Interruption.]*

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

**Mrs D Kelly:** One of the remarks made was about the level of powers that were to be devolved. One would have thought that, nine years on and given the collaboration and the experiences of this devolved institution, we might take the opportunity to reflect and see what additional powers could be handed down to local councils. That makes sense. What is the point of change for change's sake?

In recent weeks, I asked a question of each Minister to find out what additional powers they would devolve and what review had been done. If I may, I will highlight a few. The Office of the First Minister and deputy First Minister (OFMDFM) has no plans to devolve any powers or functions to local councils, and this is in line with its previous commitments. So, then and now, none. The Finance Minister said that:

*"No powers or functions within my department have been identified for transfer to local councils under the Review of Public Administration either at the current time or previously."*

Now, this is interesting. The Minister of Culture, Arts and Leisure said:

*"My Department is not devolving any powers to local councils as part of the Review of Public Administration."*

However, the functions that she does plan to transfer include this:

*"Armagh County Museum will transfer to the Armagh/ Banbridge/ Craigavon Council."*

As a representative for that area, I have tabled a question to the Minister to find out the cost implications of that. Is the money going to follow? We all know that these facilities cost money; they do not make money. So, there is some devolving of functions, but no powers.

Members will be pleased to hear that the Minister of Enterprise, Trade and Investment has agreed to devolve some powers, and, rather than take up time this afternoon reading it out, I refer Members to the written answer in Hansard. Essentially, they are powers around tourism, social entrepreneurship and youth entrepreneurship programmes. I know that the Minister is in discussion with the Minister of the Environment on some other matters.

The Minister for Social Development is also devolving some powers. However, those were agreed under the previous Administration, when the SDLP held that Ministry. His answer states:

*"As the overall list of functions to transfer from central government to councils was decided upon over 3 years ago, it is now being subjected to review."*

Let us hope that that review does not mean that fewer will go but that more will go. The Minister finishes by saying:

*"Ultimately, the Executive will decide the way forward and the package of functions to transfer."*

The Education Minister states:

*"My position is unchanged. I do not plan to devolve any powers or functions to local councils."*

Sinn Féin is not giving up very much, sure it's not?

The Minister for Employment and Learning says:

*"I have no plans" —*

**Mr Speaker:** Order. I have given the Member quite a bit of latitude. If I were to be really strict, this debate has very little to do with the devolving of functions to local authorities, but it has certainly a lot to do with boundaries. I am trying to be as fair as possible and am trying to



give as much latitude as possible to Members and even to the Minister because I do think that the scene needs to be set. However, I warn Members to be careful because this debate has very little to do with the devolving of functions to local government.

**Mrs D Kelly:** I thank the Speaker for his ruling. The other answers are available in Hansard, and I draw Members' attention to them. Members who spoke earlier said that although this is the beginning of the boundaries Order, there was an opportunity, as you rightly said, to set the scene. One thing that is not good in any change management system is having change for change's sake. It has to make good sense, particularly in these austere times.

The other arguments that I wish to make are around some reflections on Fermanagh in particular. Fermanagh does not have any council in its boundaries at this stage and will have to go into partnership with Omagh. I ask the Minister to confirm, when he has had time to reflect on the earlier comments, the representation that he has had on that. In particular, what representation has been made by political representatives? I am sure that the Minister, like others, is well aware that, at Northern Ireland Local Government Association (NILGA) level, all the parties except Sinn Féin supported the 15-council model.

#### 4.15 pm

I will finish by saying that local councils, in essence, give communities a local identity. When I look at some of the arguments that have been made and some of the changes that have been made, I find it difficult to understand why, for example, it has been accepted that Castlereagh Civic Centre should remain part of Lisburn when it is very clearly in east Belfast? I find that quite —

**Mr Spratt:** It is in south Belfast.

**Mrs D Kelly:** Well, whatever. At least it is in Belfast, not Lisburn.

There is, as we know, another boundary report in relation to the Westminster boundaries. It will be interesting to see how that develops. One would have thought that it might make sense to have some sense of relationship between the two, at least in our assessment and analysis. Given the nine-year delay, one wonders what the rush is now. In the absence of delivery on

any other widespread decisions that are part of the Sinn Féin/DUP logjam, one wonders why they just pick on the portfolios of other parties. It is something that they can agree on. It is not, obviously, in the interests of the wider community or for the greater good; it is very much in their partisan party interests.

**Mr Beggs:** I declare an interest, as my dad is a councillor on Larne Borough Council.

My Ulster Unionist colleagues and I had expressed a preference for a 15-council model based on the 14 existing Westminster boundaries and the four Belfast constituencies. However, the boundaries being debated here today follow the 11-council model agreed in a DUP/Sinn Féin carve-up. We learned today that additional commercial rates and 10 houses will pass from the new Belfast council area to the Lisburn/Castlereagh area, which already has a lower rates base. I seek an explanation of why that has occurred. If I were a Lisburn ratepayer, I would be well pleased at getting additional commercial rates. However, if I were a ratepayer in Belfast, I would be concerned that that base has moved. There ought to be a transparent process to explain why that late deviation occurred. Is it just part of some deal concocted by the DUP and Sinn Féin?

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

**Mr Beggs:** No, I will not give way. Perhaps I will later.

The boundaries that this regulation will set for my constituency will not be the best boundaries for the people of Larne, Carrickfergus and Newtownabbey. There are natural community linkages along the east Antrim coastal strip, through youth football, churches and general community linkages, but they will be broken, with Newtownabbey borough moving in a different direction and Larne and Carrickfergus being linked to Ballymena. There is, of course, a natural communication linkage along that east Antrim coastal strip, where the A2 travels right through Larne and Carrickfergus and on to Newtownabbey. That is a perfectly good means of communication. There is also the A8, which travels inland between Larne and Newtownabbey. However, the linkage to Ballymena is different and somewhat fraught. Larne also has a railway line between the three areas. I would have expressed a natural preference for Newtownabbey to form part of any boundary proposal. Sadly, if the regulation goes through

today without further reconsideration, the opportunity to change that will have gone.

I also have concerns about the communication from Carrickfergus to Ballymena, which, based purely on population numbers, will be the urban centre of gravity in the new borough. The road linkages are atrocious. On public transport, getting from Carrickfergus to Ballymena requires a 60-mile return journey, probably via Larne or Belfast. A return bus journey will cost £13.50, and a return train journey will cost £14.50. Those who may have to travel to that new council centre to make, perhaps, a presentation to the council will be faced with a considerable cost, rather than travelling 10 or 15 miles along the east Antrim coastal link, as I said earlier. Ratepayers who wish to engage in council committees will face unnecessary costs in the future.

In addition, common sense tells us that if we create new council boundaries that are based on urban populations that are relatively close together, we will have more efficient structures. There is a natural geographical boundary between Larne and Carrickfergus and Ballymena; it is called the Antrim hills, comprising Agnew's Hill, Shane's Hill and the Collin. It is not only a geographical feature; it adds considerable costs, because employees of any new such council, should they have to travel between the other centres, will have to travel considerable and unnecessary distances at unnecessary costs, which will have to be paid for by the new ratepayers of that new council area. As a ratepayer, I think that we should all be looking carefully to minimise costs. I still think that it would be best for everyone if the Larne, Carrick and Newtownabbey model had been pursued. As has been suggested by other Members, there is still an option to do that, even at this late stage.

There is a particular issue in the Ballynure and Ballyclare area. Interestingly enough, in order to travel by car from Carrickfergus to the new Newtownabbey area, linked with Antrim, you would have to travel around Ballynure and Ballyclare and then further along relatively poor roads, over the Collin Hill towards Ballymena. You will actually travel into the other council area and then back into your own council area unnecessarily. Why were those couple of wards not transferred across? Even if we were to go with the 11-council model, it would have tidied things up and improved them if those wards had been transferred.

Why not Larne, Carrickfergus and Newtownabbey? There are some very practical reasons why it would be better for my constituents, none more practical than the future cost of their rates. Looking at the current poundage levels for non-domestic rates, I see that Ballymena's costs are 4% higher than those in Larne. Carrick's are 5% higher and Newtownabbey's are about 2% higher. The increase to businesses in Larne and throughout the area would have been lower if Larne and Carrickfergus had been linked with Newtownabbey rather than Ballymena. There will be considerable increases in business rates because of the choice, which will be set in stone by this draft boundaries order, to link Larne and Carrick with Ballymena rather than Newtownabbey.

Turning to domestic rates poundage, the figures for Ballymena and Carrickfergus are slightly higher than those for Larne. Ballymena is about 1% higher and Carrickfergus is 1.6% higher. Interestingly, Newtownabbey is about 4% lower. Again, if Larne and Carrick had been linked with Newtownabbey, there would be lower rates levels for householders. Those who vote for the boundaries today are voting for unnecessarily high rates for my constituents in East Antrim from Larne and Carrickfergus, because they have chosen to link Larne and Carrickfergus with Ballymena rather than Newtownabbey, where rates bills for businesses and households will be higher.

There are other important costs that have not yet been addressed. We are proceeding with the new boundary. I would have thought that it would have been vital to get the business case settled at a much earlier stage. We were told that, because of the finances involved, that was one of the reasons why the original PwC model was not pursued. However, to come up with a savings figure over a 25-year period is highly unusual. No business would use such a model. You need payback periods of three to five years to justify investment, or, perhaps, a little bit longer if you are certain of the returns. Certainly, however, I did not have clarity from the original model that those savings would be achieved for the ratepayers, and I would have thought that that business case ought to have been finalised before pursuing this local government reorganisation. It seems to be a political deal that is proceeding regardless, without a clear and current business case having been established.

I say to those considering supporting the order that they do so at their peril. Do not come running to me in the future, blaming me, my colleagues or the Minister. This will fall on those who vote in favour of the order today. The decisions will fall on you, and the boundaries set by the order will fall on you. Do not try to pass the blame on to anybody else. I express my concern —

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

**Mr Beggs:** Yes, I will give way.

**Mr Molloy:** Does the Member acknowledge that the person who started this process was Mr Nesbitt, as the then Minister? Had he been in control of the situation and finished the job, we would not have to deal with the problem.

**Mr Beggs:** I thank the Member for his contribution. Perhaps if Sinn Féin had divvied up the guns a lot earlier, that may well have happened. *[Interruption.]*

**Mr Speaker:** Order. I remind Members of their language in the House. Let us get back to the debate that is before us on the Floor.

**Mr Beggs:** The original boundary review fell because of the instability in the original Assembly caused by the failure of some to act on their responsibility.

Some of the costs really ought to be nailed down at current prices, reflecting changes that may have happened over the past number of years. What will be the cost of establishing the new councils? What additional costs will face ratepayers as a result of reorganisation? Senior officers might be made redundant and seek redundancy packages. The ratepayers need to know — we all need to know. We need to ensure that this is for the better and makes sense. So who is aware of the figures? They have not been made available, but we really ought to know what they are. What central support will be available to assist the process?

It was clear to me in the original process, in which I had some involvement through contributions in council and other bodies, that the Executive had to make seed money available to encourage the development of new efficient models and to encourage collaboration, not only among the one, two or three councils going through the transitional model, but over a larger area. Seed funding is an important element in encouraging local government to bring about

more efficient processes for the long term, to invest for the long term and to secure returns that will reduce the costs to their ratepayers.

It would be helpful if the Minister advised whether anything has yet been built into the current Budget. I have not been made aware that it has. However, for the record, I state that it is important that seed funding is built in to encourage councils to collaborate, work together, bring about much more efficient models of processing and produce a better level of performance and customer care for ratepayers and everyone living in those areas.

This is a once-in-a-lifetime, certainly in several generations, opportunity to reorganise local government. The last time was in 1972. When it happens, we should take the opportunity to bring about significant improvement in the processes in a way that reflects the technological changes that have happened since. Seed funding is an important element of that.

I have some sympathy for the Minister. Today, we are looking at the 11-council model in the order, which is based on boundaries agreed by Sinn Féin and the DUP. Of course, Sinn Féin and the DUP also set the Minister's budget. Yet, in many council areas, we have Sinn Féin councillors and, perhaps in some areas, even DUP councillors, blaming the Minister for potential rate rises. However, it is those who vote for the order today who will set the boundaries and the costs that will ultimately flow from it. It is also the DUP and Sinn Féin who set the overall Budget that we will debate in a number of weeks' time. That will determine what help will be available for local government in this process.

It is important that people take responsibility for their actions, and when they cast their vote today, they should not blame the outcome on others. I ask everyone to think very carefully about what they are doing and to take responsibility for their actions. I do not believe that the case has yet been made — I doubt whether it can be — to go with this 11-council model. If it has to be 11, there are better models that would improve outcomes for my constituents, and I will argue for those.

**4.30 pm**

**Mr Byrne:** I wish to speak on the motion because this is a fundamental issue about the future of local democracy and government in Northern Ireland.

The reform of local government is the primary issue that we have been dealing with for some time. Local government, essentially, is about district councils that represent and reflect local communities, social and spatial relations, and cultural and sporting interests. In Tyrone, those things are important. In the west, we have strong Tyrone and Fermanagh identities, and the GAA and the Orange Order are good examples in my county. So, the sense of belonging and connectivity is crucial. Fermanagh people need and want a county identity and affinity that is protected and reflected by a Fermanagh district council. That is a legitimate desire and aspiration. Fermanagh people feel aggrieved and hurt at being aligned with Omagh council. Financial consideration of the rates is an issue, but it is not the fundamental issue that drives their concern.

In my county of Tyrone, we have strong community, cultural and sporting interests. A west Tyrone council, as Mr Hussey spoke about, is needed and is sensible for the Omagh and Strabane districts, geographically, socially and economically. If Derry City Council becomes what is proposed and stretches from the Donegal border beyond Castlederg and Pettigo up to the top of the Glenelly valley at Sperrin the whole way to Derry city, that will be not a great cultural, social and economic region for a district council. There are conflicting interests and there are concerns. Strabane people feel that Derry city interests will override their interests, and Omagh District Council people feel that the Fermanagh interests will override the Omagh interests. As we have said on many occasions, west Tyrone is a natural configuration, with two main towns at either end, and that would reflect a west Tyrone council that could serve the people's needs to maximum advantage.

My party supported the 15-council model, which would be much more reflective of the social, community and spatial connections. We have all agreed that the Macrory report served the interests of Northern Ireland very well, and it was based on geo-spatial consideration, analysis and evaluation. This configuration of 11 councils has been done on the back of an envelope. It is nothing more than a geo-spatial gerrymander drummed up by a political gerrymander between the DUP and Sinn Féin. I ask the Minister formally: what academic research has gone into the model? I do not think that any has. Surely something as important as a completely new system of local

government requires a research-based academic approach that will be objectively determined and set out and will balance the social, community, economic and cultural interests.

The current 11-council model and its proposed configuration of boundaries is an illogical outcome. It does not reflect what should be the normal considerations of a major reform of local government. FEDO, the Fermanagh Economic Development Organisation, is holding meetings throughout the county of Fermanagh, in Lisnaskea, Irvinestown, Belleek, Enniskillen and other places. I fear that if the outlined proposal is implemented, it will lead to great concerns for the future, and I will be extremely concerned about the discontent and annoyance that people will have. It is so important that the local government boundary review is reflective of the interests of the people. I do not think that it reflects the interests of the people, certainly those in the counties of Tyrone, Fermanagh or Derry.

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

**Mr Byrne:** I am finished.

**Mr Copeland:** Mr Speaker, I promise to try not to test your latitude too far.

**Mr Speaker:** That would be most welcome.  
[Laughter.]

**Mr Copeland:** It is much too late in the day for that.

I was born into a house called Tigh Deargh — “red house on the hill” in the Scottish Gaelic language — at a place called Carnamuck on the Ballygowan Road in Castlereagh. My address, for all my life, was Lead Hill, Castlereagh, 50 yards from the city boundary of Belfast. That is the local identity that I had for my rates and the council that I eventually served and continue to serve on — local. My grandmother was slightly stranger. She referred to “going to Belfast”. Despite the fact that, for 91 of her 110 years, she lived on the Beersbridge Road in Belfast, she remembered and considered Ballymacarrett as Ballymacarrett and Belfast as Belfast. She was firmly of the view that at least three of the major world industries that were claimed by the city of Belfast were actually resident in Ballymacarrett. [Laughter.]

Local government has suddenly become a good deal less local, and there have been curious constructions on its fringes. The council area that I represent — Castlereagh Central DEA — is pretty much to go lock, stock and barrel into



the city of Belfast. That is not surprising, since all the roads go to Belfast; all the buses go to Belfast; the taxi companies go to Belfast; and the postcodes are Belfast. What is slightly more curious is the fact that to our left is Lisburn and to our right is Lisburn. To empty the bins in one part of the new Lisburn construction, they will have to go through the bit that is now in Belfast.

No matter what anyone says, I know that there may well be mathematically calculated reasons to establish a rates income. I know that there may be very sensible reasons in the political considerations of drawing lines on maps, and I have heard the term gerrymandering used frequently. I think that the first time that I heard that expression was in a James Young sketch, in which a BBC English-sounding reporter was interviewing people in the city of Belfast and asking them their opinion on the political situation. He got the usual Belfast answer from a man in a duncker, with a scarf round his neck and a cigarette butt behind his ear. When he was asked what he thought of gerrymandering, he said that he didn't know Gerry Mandering, but he knew Gerry Fitt — and Fitt for Ulster! It was really a most humorous interchange.

The difficulty is that Dundonald, which is a small village on the outskirts of the city of Belfast that was swamped by the growth of Belfast, is now, suddenly, to be linked, for whatever reason, with the borough and city of Lisburn. At the time, I was a councillor without any researchers, pollsters or scientific method of establishing whether the people of Dundonald felt a deep, historic and significant linkage with Lisburn, so I did some private research. I got a phonebook and I phoned every taxi company that operated in the greater Dundonald area. I asked them to tell me the last time that anyone had booked a taxi to go to Lisburn. They laughed at me. They could not remember; it did not happen.

I then wandered round Moat Park, Ballybeen, Davarr, the left hand side of the road, and Coronation Park. I talked to young people. I found Glen men and I found Blue men, but nowhere could I find anyone who had any interest in or knowledge of — indeed, some had never even heard of — Lisburn Distillery. *[Laughter.]* So, we do have an attack on our sense of identity.

I do not want to go into the geopolitics of it. I know that in Israel, for many years, they had a saying, "Next year in Jerusalem", because

they felt that their capital city was in the hands of others. That would be to take a negative approach to this.

As a councillor, I know that many councillors of all parties have and express privately about what they really think of this place, with its "Fancy salaries, high expenses, ministerial cars and government Departments". They see this as a legislative Assembly that takes a set amount of money from the Westminster Exchequer and bean-counts and divides it, according to the will of those in the Chamber.

Councillors see themselves as having something that they refer to, quite properly in many ways, as a tax-raising power. They see us — I was going to say "youse" there, but I cannot hide behind that term — as looking at them, with their tax-raising power called "the rates", and they fear that we shall transfer function without ultimate finance from this place to them, and that the responsibility for raising the finance to discharge those functions will reside with them. I have to say that if we think that they will go to the electorate, having raised the rates to cover the cost of functions transferred from this place on their behalf to allow them to assume responsibility for it, I think that within the closed and cosseted rooms of political parties, there may well be some serious conversations.

It is important to remember that although rambunctious political debate and the possession and putting forward of opinions goes with the territory, the truth is that 3,500 people gave their lives for us to sit in here to take matters seriously, and their children and loved ones who remain are entitled to a dignified explanation of why we are forced to do what we do.

For the life of me, I know that Dundonald, Ballybeen and those estates, or the Newtownards Road, lifted from where their families had lived for generations in streets without gardens and, in some cases, without toilets and dumped in the middle of the country with gardens — but no shops, pubs or bookies and none of the fabric of the thread of life that goes to make up a city. The Newtownards Road and Ballybeen are the same place; they are just separated by a ribbon of tarmac. I dare say that the same thing applies to those who were evacuated from the Shankill to Rathcoole and other places. Their hearts, homes and grannies are in those places from which they were moved. We need to bear in mind that the most important word in

local government is “local” and ensure that we enshrine that in everything that we do.

A heavy responsibility falls on you, Minister. You are the driver of a bus in many ways, but, unfortunately, the passengers are dictating where the bus goes on this particular issue. You may take it in a certain direction for a certain time, but it will become apparent to them at some stage that they are not going where they want to. At that stage, you must take your own decision.

As I say, the most important word in local government is “local”, and many of us who have a history or grounding in local government know what it delivers. It delivered democracy at a time when places like this did not exist and could not deliver. Although they were not always models of democracy, they were, in very many cases, superb methods of delivery of a reasonable service at a reasonable price. People need to bear in mind the importance of the word “local” in all of this. Thank you, sir.

**Mr Allister:** We approach the end of the debate. We have been debating this now for something approaching four hours. For me, the most striking aspect of this debate is that in all that time, I have yet to hear a single cogent defence of the core proposition that this House will doubtless vote through: namely, that we should move to 11 district councils. We have heard very cogent, persuasive and eloquent reasons from no less than the last Member to speak as to why we should not move in that direction, but, because it is indefensible, stony silence from those who will use the strength of their numbers to vote through the proposition.

#### 4.45 pm

There is no rational, arguable, cogent, persuasive reason why we should move to this artificially contrived concoction of 11 councils, bearing out the belief of many that this is not about bringing rhyme and reason to government. This is not about bringing some logic to the disposition of local government, but it is undoubtedly about the political expediency that produces, out of the air of expediency, the figure of 11 for our councils. Of course, that expediency is underscored by the fact that it is being driven through by a Minister who does not believe in it.

As others have pointed out, those who claim to believe in the 11-council model will be quite happy to heap the blame on the Minister when things go wrong and when people start to ask

why they are aligned in this manner in local government. When the people of Ballybeen wake up and ask why they are in a council with Moira, rather than with the Newtownards Road, and when the people of Omagh ask why they are not aligned with Strabane, plenty of people will say that that was Mr Attwood’s decision. This is the decision of the DUP/Sinn Féin cabal that governs in Northern Ireland. That is whose decision it is.

It is notable that the DUP, in the main, has sat in stony embarrassed silence throughout the debate. If I recall correctly, there was only one contributor — Lord Morrow. The DUP had no defence to offer and no justification to provide for the proposition that, nonetheless, they will use their votes along with Sinn Féin because they have pledged to Sinn Féin that they will vote through this utterly illogical proposition.

This is a dog’s dinner of proposals for local government. We have heard mention of Castlereagh and Lisburn, and Omagh and Fermanagh. Ballymena, instead of being aligned to its natural north Antrim hinterland of Ballymoney, will be twinned in some bizarre way with Carrickfergus, even though, as Mr Beggs pointed out, it is so geographically disparate from it. There is nothing sensible, logical or necessary about these proposals. They are simply the product of political expediency. Those who vote them through know that, and they will still vote them through, because that is the deal that they have pledged to do with Sinn Féin. Of course, they did not arrive at that instantly. Oh no; we had several months, nay years, of shadow-boxing about the future of local government.

We had Minister Poots, who was going to die in a ditch over Dunmurry because he was not going to copper-fasten a nationalist majority in the city of Belfast. Of course, once the election was over and it had served its electoral purpose, it was jettisoned. In the Executive, there was no more opposition to Dunmurry going into Belfast; rather, they embraced the lunacy of divorcing Castlereagh from its natural attachment to Belfast and putting it in with Lisburn to give in to the Sinn Féin demand for a nationalist-dominated Belfast. What were the great concessions that were then won by the DUP to enable it to endorse the 11-council programme? Well, we hear that there were two. It was to protect the rates base of Castlereagh — yes, that favoured place of the First Minister. It was more important to protect Castlereagh’s

rates base by transferring Forestside out of Belfast into Castlereagh.

Surprise, surprise; another Castlereagh concession. Two precious fields that align the leisure premises in Castlereagh — they, too, had to be transferred. With that, all was good and all was fine. The deal was made. Dunmurry? Forget about it. Belfast goes nationalist? Pull down the flag? Complete the process that has already started? Well, so be it. That was the attitude. That is the attitude. They who contrived that attitude will be those responsible for that when it happens, and those who, today, either sit in stony silence or absent themselves from the debate, too embarrassed to try to defend that which they have concocted with Sinn Féin.

Of course, Mr Poots had many interesting things to say about the reasons why local government reform could not proceed back in 2010. Things were nicely dressed up. Things were dressed up financially. In June 2010, he said that it was a matter of cost. He said:

*"The cost of amalgamating the councils is 118 million, the interest to be repaid on that over the next ten years is 33 million, bringing that to 151 million. To assist councils where rates were converging would require a further 20 million with an additional 5 million for interest on that to be paid back over ten years. That brings us to the sum of 176 million. The savings over 25 years were 159 million. It is easy to see that these figures do not stack up."*

Maybe the Minister can tell us, in Mr Poots's terms, do they now stack up, or was that just so much flannel, so much window dressing, and really of no substance whatsoever? That certainly is what it has the appearance of.

After the sham fight about Dunmurry and all that, we had yet another climbdown by the Democratic Unionist Party to give Sinn Féin what Sinn Féin wanted on councils. They who once championed 15 abandoned that, without any capacity to justify it or to say it is sensible, rational or reasonable. That is why we arrive at a proposition that is utter, utter folly. A proposition that sees pitched together communities that know nothing of each other; that are divided geographically and in so many other ways, as was illustrated aptly by the Member who spoke previously about Castlereagh and Lisburn. The product — the hotchpotch — that that has produced is something that we, as Assembly Members, are expected to vote through. I am

glad that I for one will not assist in voting it through. I trust that there are many others who will likewise take that course. This draft order does not deserve the support of this House. As someone pointed out, there has never been any empirical research to justify the division that has been come up with. It is, as I have said, simply the product of sheer political expediency.

I move on to ask the Minister about two specific issues. He has indicated that, in due course, when elections to the new councils take place, MLAs will not be permitted to be MLAs and councillors. If my understanding is correct, it is likely that the councils will be initially elected in shadow form. Will the Minister assure us that MLAs will be prohibited from being candidates in elections to the councils in shadow form? I understand that some parties already think that they might be able to run their MLAs as candidates and substitute them thereafter, so will the Minister assure us that MLAs will not be eligible to stand?

I invite the Minister to provide a word of explanation on some of the content of article 1. Article 1(2) states:

*"Subject to paragraphs (3) and (4), this Order shall come into operation on the day on which an election under section 11(1) and 11(1A) of the Electoral Law Act (Northern Ireland) 1962(c) is first held after the making of this Order."*

Presumably, that is the same day on which the election to the shadow councils will take place. That is an interesting composition in itself.

Article 1(4) states:

*"For the purpose of making and levying of rates ... this Order shall come into effect on 1st April 2015."*

If the expectation is of elections to shadow form in 2014 and new councils taking over in 2015, and given that article 1(4) indicates that, for the purpose of making the rates, the order shall not come into effect until 1 April 2015, how will the rates applicable from 1 April 2015 be set and by whom? How will rates be made for 2015, if the order, which would establish the councils that you would expect to make them, does not, for rating purposes, come into effect until 1 April? Maybe there is a very simple explanation, but that certainly puzzled me when I read it. I look forward to the Minister's explanation.

**Mr Attwood:** I welcome the contributions by all of the Members who spoke. There was criticism

of my opening comments, in that I was shown some latitude in my commentary around the RPA. Mr Speaker, I think that the full story of this debate vindicates your judgement, my sense and, clearly, the contribution of many Members, that this was to be the opportunity to discuss, in parallel, the 11-council option that is before us to be voted on today and the other equally important matters that revolve around the issue of the 11 councils and RPA generally. Mr Speaker, I want to acknowledge that, in my view, there were good reasons for the sound judgements that you made on giving latitude to Members. It would have been incongruous if the House had not taken the opportunity today to interrogate the arguments that were being made, of which there were many, and to call me to account for the decisions that I am making and for the decisions that the Executive take on the principle of the 11-council model.

I welcome to the House Mr Spratt in particular. I welcome him back to the Chamber. I thank my colleague Karen McKeivitt for the prompt, but even that will not be adequate for the speech that I am about to make.

I intend to go through the various comments made by Members and, in that way, try to respond to the substantial and material contributions, if not every contribution and specific point.

I acknowledge the work of the Committee. As was outlined, the view of some Members was that there were some issues with how the matter was managed by the Committee. I want to make one thing very clear, and I will check the Hansard report.

I want to verify whether the comments made by the Chair of the Environment Committee reflect the advice and information provided by my officials to the Committee because the Chair referred to matters that were not brought to the Committee's attention by my officials or by my departmental Assembly liaison officer (DALO) in correspondence. If there are matters that the Chair relied upon in her assessment and in the Committee's assessment about the proposal to do some adjustment of the district electoral areas in Warrenpoint, that is their judgement. However, I want to make it very clear that some of the information that appeared to be relied upon in that judgement did not come from my Department or from my officials in briefing, and it did not come from my DALO in correspondence. The Committee is perfectly

entitled to make a judgement, to take whatever soundings and to gather whatever information they think is appropriate. However, I want to make it clear that if there were matters that were relied upon as coming from my Department that did not come from my Department, I will want to have the record of that corrected.

### 5.00 pm

When it comes to the latitude granted under the Venice Commission in respect of the variance between the numbers in each district electoral area, the Venice Commission says that it can be up to 15%. While it is best not to go as far as that, under international best practice, the variance in the numbers of electors in a DEA can be up to 15%. That matter was not relied upon in what the Committee Chair said.

The Member for South Belfast, speaking in a personal capacity, said that she was looking forward to tangible plans for local government that were robust, rational and expedient and that did not see any further slippage in deadlines. I have to say to the Member for South Belfast that the body of work that has been undertaken by my officials in the Department, working with councils and senior management, and endless meetings that are ongoing with NILGA and ICE advocates demonstrate that, in the past three or four months, there has been a body of evidence of the very aspiration that the Member outlines in relation to tangible plans that are robust, rational, expedient and with deadlines not slipping. I believe that the evidence is there to answer that challenge in an affirmative way.

It is not straightforward, and this debate captures the fact that RPA is not straightforward. The various streams of work that are being undertaken by the work groups involving officials centrally and locally, involving me as chair of the regional transition committee and members from various councils around the North, demonstrates that there is a process that is robust and rational and is trying to work to deadlines, and that the challenge of tangible plans is being lived up to.

I will turn to the comments made by Lord Morrow. Curiously, as Mr Allister pointed out, he was the only contributor from the DUP Benches. I cannot explain why the DUP took that choice, but I think that the scale and character of the details of this issue deserve the fullest contribution in order to test the options and decisions that



have been taken. It was curious, as Mr Allister pointed out, that there was only one contribution from the DUP Benches. However, having said that, I acknowledge the point made by Lord Morrow when he referred to the tenacity and bravery of local councillors.

I want to again put it on the record that I recognise the tenacity and bravery of councillors. I and my party have had fundamental issues with the conduct of some councils over the past 40 or 50 years and their internal affairs in business, but that does not discount in any way the tenacity and bravery of members over the years of terror and state violence or the fact that those who upheld democratic practice and principle deserve applause for being tenacious and brave in what they did. Given that fact, is it not highly appropriate, despite what people may or may not think about politicians, that councillors such as John Dallat, who served for 33 years, and the many who served beside him be given recognition? In this moment of fundamental change and reorganisation, do they not merit, more than any other category of politician in this part of the world, some form of recognition as they depart political life? I think that they do.

When I bring proposals to the Chamber in the next number of weeks and when regulations go before the Committee in the near future, I trust that there will not be politicking around the service of politicians from all parties; some a lot more than others over the past 40 years. I hope that there will not be politicking when recognising those years of tenacity, bravery and service and that there will be unanimous support, going out from the Chamber to the public and the media, for the fact that when people leave public life, they deserve and have fully deserved recognition for those years of public service in very turbulent times. I look forward to that being endorsed.

Lord Morrow quite rightly raised the issue of whether there would be constraints up to and including, as he put it, a moratorium on capital expenditure in the run-up to local government reorganisation in order to ensure that no council is tempted, in advance of RPA, to deploy a capital programme that would have legacy issues for the merged council of which it will be a member after 2015. I do not agree with a moratorium, because, as Belfast City Council demonstrated only a short while ago, it is appropriate in times of growing need that

council civic leadership show leadership by embarking on a capital programme to develop opportunities over the next two or three years, including work opportunities for the people of Belfast and beyond. Not only the Lord Mayor but the First Minister and deputy First Minister spoke to affirm their support for the council's, I think, £240 million initiative. Therefore, a moratorium would be hostile to the ambition of Belfast City Council — an ambition that I think is very appropriate.

Having said that, a number of principles have to inform capital expenditure, and I want to state what those are so that councils, in making their capital projections over the next two or three years, realise that this matter will be watched and managed with great vigilance by the Department. If we are not going down the road of a moratorium, these are the principles to be followed. The first principle is to encourage prudence, which is self-evident, but it is something that needs to be self-imposed by councillors and council management. Secondly, the finance working group, which is part of the process of taking forward RPA, will look at whether statutory controls are necessary to reduce the risk of councils embarking on capital projects that may be in conflict with the best interest of local government reorganisation. Thirdly, under current legislation, the Local Government (Miscellaneous Provisions) Act 2010, there are opportunities for controls on local government finance, particularly in respect of disposals and contracts.

Although that particular clause in the Bill has not been commenced, if it is necessary in order to send a message out to local councils that they have to show prudence in respect of their capital expenditure, those provisions in the 2012 legislation will be commenced. In any case, beyond the general principle of prudence, there should be some self-control existing between clusters of councils in order to flag up any capital ambitions that any council might have to the other councils with which they might merge in the future.

Beyond all of that, in response to some of the comments made by Lord Morrow and others, I also want to confirm what it is that I am doing in respect of looking for money to help RPA going forward. I will come back to that later, but for now I just want to confirm that my June monitoring bid is for £2·3 million. It has two broad elements — a much larger and a much

smaller part. The much smaller part is to seek £100,000 in order to build up capacity, within the Department and external to the Department, in taking forward community planning.

At the end of my comments this afternoon I will try to scope out the opportunity that exists with local government organisation. Behind the politics and the details, important though all of that is, there are enormous opportunities with local government reorganisation on a whole lot of fronts, including on the issue of community planning, a power that local councils do not have at the moment, and a concept that, with some notable exceptions, is not embedded in the community and planning life of Northern Ireland.

If we are to stretch ourselves over the next three years and develop a robust model of community planning, such as has been worked up by Community Places in its pilot schemes, and as exists in some council areas in Scotland, building up, internally and externally, the capacity around community planning is going to be a vital feature of getting planning transfer right and, on the far side of getting it right, making sure that community planning works in a way that is consistent with the needs of local communities.

More significantly than that, there is a bid in for £2·2 million. Why? Because it is quite clear that, given the scale of the local government reorganisation challenge, there is a need to try to build up transitional support by building change management capacity and personnel into the structures of local councils. That is why, on the far side of the June monitoring round, given the comments that have been made around the Chamber this afternoon, I trust that the Minister of Finance will recommend acceptance of those bids to the Executive. If they are accepted, the £2·2 million will be distributed equally between all of the councils, without fear or favour, in order to build up capacity. Whether or not some councils are more advanced than others in terms of RPA transition, each council will get an allocation, under my proposals, of £100,000 in order to enable them to take it forward. Later in my contribution I will come back to the wider strategy around local government finance going forward.

Mr Boylan asked a relevant question, reflected in the comments made by a lot of other people, namely, whether voluntary transition committees would become statutory. As I indicated, although I think that — as the evidence presented by

Lord Morrow and others confirmed — voluntary transition committees can get on with a lot of good work, as they did prior to the political stalemate at the Executive around RPA, I nonetheless accept the argument that something based in statute is likely to create an even higher level of authority and certainty in terms of the transition to RPA. For that reason, it is my ambition that, within this calendar year — this is a very challenging timeline, given that subordinate legislation is going to be required — regulations will be passed in order to put the voluntary committees on a statutory basis. However, that is not to send out a message to our councils that they can sit back for the next six months. Far from it.

They should realise that, if voluntary transition committees are going to become statutory, although that will give them a higher level of authority than heretofore, it will also give them a higher level of responsibility than heretofore; a responsibility that they need to be seen to live up to.

#### 5.15 pm

In respect of Mr Boylan's comments, I confirm — and the Environment Committee Chair will want to know this — that there is a significant roll-out of legislation in respect of local government. There is not simply the boundaries order that is before the Chamber today, the significant piece of legislation on local government reorganisation that will come in the autumn, or any regulations that I might bring forward in terms of councillors' severance. There will be a significant body of subordinate legislation on issues such as governance, ethical standards, performance improvement and service delivery. All of that is going to come before the Committee during 2013-14. There is a very significant body of legislation, primary and secondary, that is going to occupy the Assembly, the Committee and the Executive on a rolling basis between now and the RPA. A timeline for all those pieces of legislation has been shared with the Executive, the Chair of the Committee and the Committee itself.

Mr Elliott questioned the issue of why there was no coterminosity with anything, which is the way he put it, in the 11 model. The theme was also touched on in other contributions. I will correct one mistaken impression. There were arguments, and research was undertaken, in respect of the seven, 11 and 15 models in previous days when options around local

government reorganisation and council numbers were being developed. That thorough research looked at the seven, 11 and 15 models, but if you read the evidence as produced at that time, it is quite clear that the model of seven or of 15 councils fulfilled the ambition of Mr Elliott's contribution, namely the principle of coterminosity, and that 15 or seven works better for the wider public service shape of Northern Ireland.

Many people consider that the 11 model was included because there might be a need for some compromise, given the stated positions of parties at that time. Although compromise has its place, and compromise is the height of ambition of the Executive in this regard, the better argument in terms of coterminosity and other criteria, which was prepared long before I became Minister and long before Edwin Poots became Minister, was for seven or 11.

Mr Elliott also raised the issue of rates convergence. As I indicated in my earlier remarks, it is not my sense that there is going to be a Big Bang approach to rates convergence; that on 1 April or 1 May 2015, there will be rates convergence irrespective of whether there are reduced or increased rates for those ratepayers in the merged council area. My sense is that that is not going to happen.

I want to say, especially to businesses in Fermanagh, that without prejudice to my personal view in respect of 11 or 15, there has been some exaggeration about the potential increases in rates for merged councils where there has historically been a significant differential. These figures of 20% and 25% are probably at the upper limit. The actual differential in rates adjustment will be more on the scale of 10% or 15%, but it is still significant. It is not something that we can bury our heads in the sand about. It will still be a matter of concern and interest and something that has to be resolved. So, how are we going to work through rates convergence over the next three years and possibly beyond?

I referred to the finance working group, which is part of the process of dealing with RPA financial issues. Rates convergence will be part of the work stream of the finance working group, which is due to meet soon. There will be conversations with the Department of Finance and Personnel (DFP), because, never mind the principle of equality, it is clear that there are financial and legal issues with rates convergence. So, we will have to work through very systematically

the legal and financial consequences of rates convergence, as well as phasing, if it is appropriate.

There had been some discussion about transitional relief, which was previously on the radar. However, as people know, the Executive have made a policy decision on assistance for local councils through RPA. On the face of it, that is in conflict with the principle of transitional relief, which had been on the radar. I will come back to that decision later.

This is something that I will touch on in my concluding remarks, but local government reorganisation means that there is potential to look for new models of funding for local government services. Given Treasury rules on central government expenditure that is on and off the balance sheet, and, in moving towards RPA, we must ask whether we have the opportunity to engineer new and innovative commercial and financial models that will help councils, through their borrowing capacity and access to various sources of funding, to maintain and develop their services on the far side of RPA.

More than any other, the funding that we should be considering is that from the European Union. The record of the Executive and the Northern Ireland Assembly in drawing down funds from various European funding streams, particularly FP7, is not healthy compared with that of the Republic of Ireland. So, part of the finance working group's stream of work will include scoping out whether there are further European opportunities that, as part of RPA or on the far side of it, may help to create financial assistance and support for local councils.

I reassure Mr Elliott that I will honour the principles that I outlined. With the transfer of functions, most of all planning, the full resource will be transferred in a way that is rates neutral. It will be for the councils to decide in years two, three and four whether they want to enhance or reduce the planning function they have responsibility for. That may or may not have consequences for the rates burden in any merged council.

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

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

At the point of transfer, and given that planning is going to be the most significant transferred function, it is my firm intention that the funding

threshold for planning will be built back into the Planning Service. That capacity is elsewhere in government at the moment. There are issues with the funding threshold for planning, given the vagaries of planning income on one hand and, on the other, planning resource, which has been moved out of the Department.

It is also my intention to win an argument with DFP, because, given the centrality of planning to growing a sustainable economy, we need to have a funding threshold that cannot be compromised, and, on the far side of agreeing a threshold of funding for the Planning Service, there will be a funding threshold of going to the council along with the transfer of functions.

**Mr Elliott:** I thank the Minister for giving way. I accept the point that functions will be rates neutral at the point of transfer. However, how will he establish the mechanism to take that forward? Irrespective of what councils do and whether they want to make efficiencies or grow the service — whatever service it may be — how will he transfer the finance that follows on year after year? Will councils be given that money directly from central government, or will they be able to withhold that from the regional rate?

**Mr Attwood:** The precise models, options and mechanisms to bring about that transfer will be interrogated by the finance working group working with the regional transition committee and the voluntary and, in the fullness of time, statutory transition committees. However, the ambition is that, at the point of transfer, the threshold of funding will be adequate to deliver the service and will be transferred in full at the point of transfer of the function.

The models and mechanisms of how it will work thereafter will be interrogated through the structures that I have outlined to ensure that we do not create a circumstance in which councils end up with a planning function, which they might be minded to live up to in respect of local planning decisions and development plans and community planning, only to find after a year that the rug is pulled from under their feet because of issues around the maintenance and guarantee of resource. To borrow a phrase that Mr Allister used, it would be folly to give the function and funding and then to see it unpicked over following years. How that will be done is a matter for discussion between central and local government, the finance working group and the regional transition committee. However, that is

the model that I am working for. I am pleased to give that reassurance.

Mr Elliott referred to the potential for a single business organisation. That did not find favour with local councils in the previous discussions on local government reorganisation. The alternative that councils and the council management came up with was the ICE programme. Although a single business organisation was recommended as one way of creating greater collaboration and sharing of services to reduce costs but maintain service, the ICE programme was the council's alternative to that model. If it is the alternative, it has to be given a life. There must be a gear change around how ICE is rolled out.

Mr Elliott also raised the issue of the single waste authority. I have told the three procurement groups that I am looking at that matter. As I have indicated in response to questions for oral answer on the Floor of the Chamber, beyond the ongoing issues about waste procurement and the three procurement groups, it is a matter that I remain highly vigilant about. The proposal to enter into 25-year waste procurement contracts, the cost burden that would arise for councils, and the management of all that is, in my view, an issue of very high risk that needs to be managed very actively. I assure the House that it is being managed very actively on an ongoing basis. The issue of a single waste authority has been raised as part of the wider thinking on the management of the procurement strategy. I have raised it at the waste board as an option that needs to be looked at further this year as we decide on the deliverability and affordability when it comes to three waste procurement groups.

I want to acknowledge Mr Dallat again. There are many people in the Chamber and many others who have retired from politics who do not have the years of service that John Dallat has. He has spent 33 years in a council and 14 in the Assembly. It is hard to believe that it has been 14 years in the Assembly — it seems longer. *[Laughter.]* I am sure that the Speaker thinks that it has been long enough.

Mr Dallat made a point that I have heard before — I am managing the 11-council model, but I will step back slightly from my ministerial role — about 100,000 nationalists being under unionist influence. I am sure that there will be a lot of unionists under nationalist influence as well. People need to consider the impact of



those sorts of figures moving to a council that may have a particular political pedigree.

### 5.30 pm

Mr Dallat rightly acknowledged the contribution of the Speaker in his years of service on Derry City Council, during which he showed a high level of independence of thought and action. It because of the actions of Willie Hay and the many other Willie Hays up in Derry that Mr Dallat can make the comment — he is right to make it — that in 2013 Derry will reach out to the world. Derry/Londonderry UK City of Culture is that moment when Derry, already well established across the world, will raise its game and reach out to the world. That is a very eloquent turn of phrase, but I think that it captures the issues around Derry.

I make the point that, in the wilderness years, when there was not this Chamber and when atrocity was being visited on the citizens of this part of Ireland, it was the SDLP, at times aided and abetted by others but at other times nearly alone, that argued for partnership and accommodation and a sharing of political office. Although it is very welcome that everybody has now come on to that pitch, it was the SDLP that defined that type of politics. I want to acknowledge that, because it is timely and appropriate to do so.

John Dallat was Mayor of Coleraine; I was never Mayor of Belfast. It is not something that I regret, but there is a great candidate for Mayor of Belfast. In the fullness of time, I hope that my brother, Tim Attwood, who is a long-serving member of Belfast City Council, will have that great honour bestowed on him. I welcome the arrangement on Belfast City Council, but it is clearly not the arrangement on other councils. It is a very small number, but it is not the arrangement on those councils that there is a sharing of political office between political traditions.

Because of the recent publicity visited on some decisions made in one or two councils around the North, I want to confirm that I am taking legal advice on the actions of councils on which the principles of power sharing, equality and political accommodation have, on the face of it, been compromised. I will look at bringing into the legislative time frame earlier new standards for governance and ethical behaviour in councils so that those might be in place prior to 2015. If there are other ways in which I can intervene

to exhort or compel councils to live up to the standards of partnership that this Chamber in many instances — not in all — lives up to, I will look at them.

Mr Molloy referred, without attributing blame, to delays and to the fact that this debate was belated. I will not revisit all of that, but I can confirm that, on the far side of today, if it is the will of the Assembly to endorse my recommendation on the boundaries, I will write to the Secretary of State forthwith and invite him to fulfil his statutory function, which is to appoint a DEA commissioner — there is none at the moment — who would then take forward the work on district electoral areas and produce a report with recommendations. That report would then be published and subject to inquiry. On the far side of that, law would be passed by the Westminster Parliament giving effect to all that.

I also acknowledge the point that Mr Molloy and others made that there is an enduring issue about central government giving up more powers to local government. So far, there does not appear to be anything on the table that was on the table previously. I regret that. I think that this once-in-a-political-lifetime opportunity for local government reorganisation should see Ministers and government grasp the nettle of transferring functions that should be legitimately in the hands of local councils and councillors. However, I have to say that there have been some more positive signals, maybe even beyond the Assembly questions that my colleague Mrs Kelly referred to, that one or two Ministers may be more inclined to transfer more functions on the far side of RPA. I would like to encourage that.

I thought that there was a useful comment on whether, as part of the review of arm's-length bodies, besides potentially taking back into government that which should be taken back, there is an opportunity to transfer to councils some quangos' functions that would be better part of the life of councils going forward. I had not heard that point before, but I thought that it was useful.

I concur that there is an ongoing argument about whether, while it is proposed that councils should have the power of well-being, they should not also have a power of general competence. There is a tension between central government heretofore being reluctant to potentially transfer powers that might be transferred and the argument that central government would give to

local government the power of general competence. If we are going to give the power of general competence, let us also give more significant powers to local councils. The Member was right to raise the issue of the power of well-being as opposed to general competence. That is an issue that I continue to consider and take forward.

There was a contradiction in what Mr Molloy said in that, on the one hand, he rightly asserted the primacy of democratic interest, but, on the other hand, he said that it was the responsibility of chief executives to lead. The democratic interest should prevail. The political interest should prevail. Chief executives and other council staff should accommodate that and enable that to happen. In as much as that means they should lead, they should do so. However, that is and should always be subject to the wishes of the council and the democratic interest, because that is where good authority comes from.

Mr Kinahan said that my heart was not in what I was proposing. I would not put it that way. Clearly, I have a conviction that 11 is not the right number, but I have a commitment to manage 11 going forward. This is how I would put it: my conviction might be otherwise, but my commitment is to 11 councils. I would like to assure people again that that is my job as a Minister. As a Minister, your job is to put into practice the decisions of government. Otherwise, you should not be in government. That is where my mind is settled at the moment.

Mr Kinahan was quite right to talk about the ratepayer interest. This is all about the ratepayer interest. Ultimately, central and local government politicians are the servants of the citizens and the community. He also rightly raised the Scottish borrowing structures, which are different from those here. They have created the Scottish Futures Trust, and that has proven to be a way of drawing down tens of millions of pounds that otherwise they might not be able to draw down. That works its way through councils, housing and many other aspects of public policy. There is something in the Scottish model that may have application in local government reform and in general.

The comments of Mr Hazzard made me realise that he has still a lot to learn. He made the comment — it was scripted, not off the top of his head — that the comments made by other parties, and I think he was referring to my colleagues behind me, were little more

than protecting their own interests. It seems to me — *[Interruption.]* That is probably some Sinn Féin apparatchik ringing up to brief Fra on what the rebuttal to that point should be. *[Interruption.]* I missed that point, but I noted that only one party laughed, so I am sure that it was not that good a joke. *[Laughter.]*

All the time, whatever the issue, the standard reply from Sinn Féin to a contrary view is that it is about other parties protecting their interests. I draw the conclusion that that reveals the thinking in Sinn Féin. When it claims about others that their political position is to protect their interests, it reveals that too often, too much, too regularly the mindset of Sinn Féin is about protecting its own position. In visiting upon others that claim, it makes a statement about itself. A standard issue of reducing nearly all politics to that level is not dignified, respectful or credible. Sinn Féin might want to think about that.

Why did the SDLP endorse 11? I have to be careful. I am the Minister of the Environment, and I recommended to my party that it should adopt the 15 model, having previously argued for 11. It was a situation in which you had to try to break the political stalemate. The credibility of politics and the institutions would have been compromised by that stalemate. In those circumstances, the compromise of 11 was the politically better option. It was not that it was the only option, but, in circumstances of stalemate, when the issue was not being moved across the line and when people, the media and others were rightly critical of government for failing to address it, you make choices and you go to 11.

When I went in to DOE and interrogated the information — maybe I have a more privileged position because I have that inside track — it was transparent to me that 15 was a better model. After the failure of even the 11 compromise in the previous mandate, could we not step back for a moment and think about the 15-council model? Could we not say that the game had changed because the councils, last August, after the elections in May, brought forward proposals for savings of £570 million over 25 years through sharing and collaboration? In those circumstances, given that we had failed to get even to the compromise of 11, was it not timely, to get the thing moving forward, to step back for a moment, look at the consequences of the proposals and ask whether there were some deeper issues that we needed to get our heads

round in terms of local identity and character? In those circumstances, was it not appropriate to look at that?

The most disturbing — if that is the right word — moment in the debate was the comments made by Mr Flanagan about 11 and the essential reply from Mr Copeland about 15. Mr Copeland's comments showed intuition and a sense of where people are, their sense of place, character and identity. He spoke about the people whom he knows and represents in East Belfast. What did Mr Flanagan say earlier in the debate in that regard? He said — Hansard can check this — that the purpose of RPA was about inefficiency, bureaucracy and cost. Think about the contrast. Mr Copeland spoke about people, communities, identity and a sense of place, community and identity. What did Mr Flanagan talk about? He said that RPA was about inefficiency, bureaucracy and cost. He is the technocrat, and Mr Copeland is the politician. Mr Flanagan is the person who reduces things down.

**5.45 pm**

**Dr McDonnell:** Will the Minister give way?

**Mr Attwood:** I will, in a second. This approach reduces politics simply to a matter of inefficiency, bureaucracy and cost. If you follow the logic of Mr Flanagan's position, what is the point of having county borders or GAA club games or townland names? What is the point of having that which gives character to our sense of being people of this island if you reduce RPA to simply a matter of inefficiency, bureaucracy and cost? The purpose of RPA was to do what was right for the citizens of this part of this island. Yes, it was about making things better — better services, better value and lower costs — but that was always subject to the interests of citizens and communities and their sense of themselves and their future. The contrast between the technocrat and the politician — maybe Mr Copeland does not like the word “politician”, because he brings a different flavour to politics from many politicians, including me, and I want to recognise that — was quite remarkable and stunning.

**Dr McDonnell:** Is the Minister suggesting that Mr Flanagan is out of touch and has not been listening to the voters of Fermanagh? *[Interruption.]*

**Mr Speaker:** Order.

**Dr McDonnell:** Is the Minister suggesting that Mr Flanagan is flying in the face of the interests of the voters in Fermanagh for some ulterior purpose?

**Mr Attwood:** Mr Flanagan, who I see has not asked to interrupt me — *[Laughter.]*

**Mr Flanagan:** Give me a chance.

**Mr Attwood:** Give you a chance? I will give you all the chances that you want to work out your argument. It is not going to be a very good one. *[Laughter.]*

Mr Flanagan was up and down like the proverbial so-and-so before lunch, and now, after lunch, he is as quiet as a dormouse. I wonder why.

**Mr Speaker:** I ask Members to make all their remarks through the Chair.

**Mr Attwood:** Yes, sorry, Mr Speaker, I apologise. I am just pointing out that those were the words used by Members in the House. In the words that were used, a view, a mentality and an attitude were revealed, and that tells a big tale. I want Mr Flanagan and others to go back to the people of Fermanagh and tell them that RPA is all about inefficiency, bureaucracy and costs and is not about the very issues that Mr Copeland so eloquently and powerfully spoke about. I will give way when Mr Flanagan wants me to give way.

**Mr Flanagan:** Are you ready to give way now?

**Mr Attwood:** Yes.

**Mr Flanagan:** I thank the Minister for giving way. I, too, welcome Mr Copeland's comments. There is a view being put forward that people take their cultural identity from their local council, but that is not the case. People take their cultural identity from organisations such as the GAA or, as Mr Byrne from West Tyrone said, the Orange Order or other organisations. People do not take their cultural identity from local councils. Mr Attwood talked about 100,000 nationalists being transferred into unionist councils. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Flanagan:** How do nationalists in Castlereagh, if any really exist, take their cultural identity from Castlereagh Borough Council? You have those anomalies right across the North. People do not take their cultural identity from their council. It is much wider than that.

I find it amazing to see that Mr McDonnell has actually joined us in the Chamber. It is great to see him coming back from Britain to this Chamber to say that Sinn Féin is out of touch with voters in Fermanagh. The SDLP has been reduced to three councillors in Fermanagh. It does not have a single MLA. It is the party that is out of touch with what is going on in Fermanagh.

This issue is to do with finance and the potential increase in rates in Fermanagh. The people of Fermanagh are not concerned about the loss of their cultural identity. People in Fermanagh are proud to be from Fermanagh, and the amalgamation of Fermanagh and Omagh district councils will not impact one bit on the cultural identity of Fermanagh people.

**Mr Speaker:** Order. Once again, can we get back to the motion and the debate that are on the Floor? That goes for all Members.

**Mr Attwood:** Can I just reply, Mr Speaker, to the latter points? No argument was made by me that local identity, character and culture were singularly expressed through the local council or the number of local councils in the North of Ireland, but surely it is the obligation of politicians with regard to political institutions to give expression and shape to local identity and character.

When the Good Friday Agreement was negotiated, Denis Haughey, a man of great eloquence, said something that was beyond politics. It was an argument of the soul and spirit. He said that the nationalist community in the North wished to share in the life of the rest of the island. I have not heard a more eloquent expression of what it means within nationalism or of its intuition and wish to be part of the rest of Ireland. He did not express that in terms of political institutions; those were to come. He expressed it in terms that political institutions have to give shape and meaning to the will of the people of the North, particularly the nationalist people, to share in the life of the island. Institutions gave expression to political inclinations, intuition and identity. It is the job of politicians to shape that, including when it comes to local councils. If you have a local council that is spread very large and wide, Fermanagh people — a proud, resilient people — will not lose their identity; nonetheless, you will have an institution of political life that may not best serve their political needs and wider identity. That is the point, and I think it is a self-evident one.

When it comes to SDLP representation, it was not you, Mr Flanagan, it was your colleague behind you, Mr McCann, who, as normal when it gets down to these sorts of issues, relied on the democratic will in order to justify the position being adopted by Sinn Féin and its position vis-à-vis the SDLP. I am an Irish democrat. I accept that. We would not be having these debates today, because the issue of local government reorganisation would have been dealt with generations ago, if Irish democracy had not been compromised during the years of terror and state violence. We would be in a much more advanced place, and our people would have had so many more of their needs answered if our history had not been traumatised by that.

**Mr F McCann:** Will the Member give way?

**Mr Attwood:** Yes.

**Mr F McCann:** It goes back. This debate has, obviously, been going on for quite a number of years, but given the poor election results, is it —

**Mr Speaker:** Order, order.

**Mr F McCann:** Well, Chair, he —

**Mr Speaker:** Is this relevant to the motion?

**Mr F McCann:** Yes, it is indeed. What I am trying to do is to make the point that the only reason that SDLP Members are arguing for the 15 councils is to protect their council base, which is diminishing in front of their eyes.

**Mr Speaker:** I say to the Minister and the whole House that, as Members will know, I have been very patient. All sides of the House have had a contribution to make to the debate. I say this to Members and to the Minister: let us get back to the motion. I am really trying to get the House out of Fermanagh, if I can do that. I have found it very difficult. *[Laughter.]* However, I urge the Minister and Members to come back to the motion.

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

**Mr Attwood:** Yes.

**Mr Flanagan:** It is just a quick point. The Minister said that there is the potential that, if Fermanagh and Omagh merge, some decisions may well be taken that are not in the best interests of Fermanagh people. That is fine. He is entitled to that opinion. Many people share that opinion. It is possible that that may happen, but, ultimately, it will be a decision for the newly elected councillors of



that council to take. There is an opportunity with RPA for a benefit in economies of scale and greater savings for councils, but that can also be translated into much improved community services and delivery of community services, where people are actually out on the ground in rural areas, such as Fermanagh, that have been neglected historically.

**Mr Attwood:** A valiant effort. I think the argument has been won and lost, and I know what side I am on. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Attwood:** Mr Speaker, if I could now move on.

One other comment that I want to make in respect of Mr Flanagan's contribution is about the argument that weaved through his commentary that I had not stepped up to the plate, there needed to be significant funding from the centre and so on and so forth. Let me deal with those issues. My colleague Mrs Kelly put some people firmly in their place when she pointed out that Members in the House, including myself at the Executive level, voted against last year's Budget. Others voted in favour of last year's Budget, and that vote prevailed. However, when they raised their hands to vote in favour of that Budget, they voted in favour of no budgetary cover for anything around RPA. So when people say that the argument has been taken to the Executive about budgetary support for RPA, let them explain to people how, on a critical issue such as this, they raised their hands in March last year to vote for a Budget that did not give a penny of cover in budgetary terms to anything to do with RPA. Let them explain that. People have been saying that the arguments about budgetary cover will be turned against me, but let them explain why they raised their hands and did not vote for any budgetary line for RPA. I do not think that there is an answer to that. They raised their hands to not give a penny to RPA because there was not a penny of cover in the Budget at that stage.

If I rushed into the Executive and said that I now wanted £50 million for RPA, what would Sammy Wilson and DFP say to me? What would all my ministerial colleagues say to me? They would say, "Where is your business case? Do you want us to give you money for your troubles?". That is not politics or responsible government, and Ministers in government and in power cannot say, "Give me £50 million for my trouble". To make an argument for money, especially in

the times that we live in, you need to have a business case. That is why, on the far side of a decision being taken about the 11-council model, the business case is now being worked up, and we will see where that business case will take us.

I need to have a business case to make an argument for money, if that is what I am inclined to do. To do other than that is reckless, bad government, bad politics and a silly way to look for money, because you could end up spending that money in a silly way. Irrespective of that and of the fact that parties in this room put their hands up for a Budget that had no budgetary cover for RPA, I will still ask for money, because there is a good argument coming from the councils to give some money at this time without prejudice and independent of what might happen in the future. That is the better course of action, and any other course of action would mean that not a penny will be provided for RPA. I will build up, if I can, an argument of authority to try to help RPA.

If I am prepared to do that, are other people, as I asked in my earlier contribution, prepared to look again at some of the spending commitments in the Budget that they put their hands up for? Money is not being spent, there is duplication of effort, no structures are in place to appraise or manage money and, by the end of this year, a penny will still not have been spent on the social investment fund. If you are to challenge me, as you are entitled to do, to account for how money might be secured for RPA, others have the responsibility to question the wisdom of how we have decided to spend some money, including the social investment fund.

I note Ross Hussey's sympathy in his thorough and thoughtful contribution. He said that he genuinely feels sorry for me and that other parties might point their joint finger in my direction. That does not concern me one iota. I believe that I am taking forward the RPA initiative in a responsible manner. I am not being reckless or throwing figures at the Executive and saying, "Give me your money. Stand and deliver". That is, essentially, what some people in the Chamber are saying.

So, to go back to some of the comments that have been made, I think that that is a position of leadership, and the evidence backs that up.

**6.00 pm**

Dolores Kelly's contribution was interrupted —

**Mr Speaker:** Order. I think that the Minister is in full flow and is maybe only getting started, so I do not want to interrupt him, but I ask the House to take its ease for about three minutes. Let us suspend for about three minutes.

*The sitting was suspended at 6.00 pm and resumed at 6.04 pm.*

**Mr Speaker:** Order. Let us return to the business before the House. I ask the Minister to continue.

**Mr Attwood:** I am bringing my comments to a conclusion —

**Mr Flanagan:** You are a long way short of your record.

**Mr Attwood:** I am going to be.

Dolores Kelly gave way to Mr Flanagan, and, in my view, his intervention was one of the most bizarre that I have heard in the Chamber. He asked whether, if I am not going to be Minister for much longer, I should be taking this forward or whether I should leave it to a future Minister. Think about that principle. Sammy Wilson might not be Finance Minister for that much longer, or Mr Poots might not be Health Minister for that much longer. The DUP's stated ambition is to rotate its Ministries — I see a Member who may be the beneficiary of a rotation — and it said that it supports rotation and that Ministers might be moved some time in the next phase of politics. If that is the principle, and given all those points, I trust that Mr McGuinness, Mr Flanagan or his party are writing to Mr Robinson or the DUP to flag that up and to say that surely their Finance Minister, Health Minister and others should not be taking any decisions and that somebody should come along subsequently and make those decisions. That is the logic of that argument. If the argument is that I might not be Minister for much longer and that, therefore, somebody else in my party should be taking responsibility for this matter, the same argument applies to Sammy Wilson, Edwin Poots and to any other DUP Ministers whose ministerial lifetime might not be as long as they hoped. That is how bizarre that point is, and it demonstrates how good government, good politics and good decision-making are misunderstood. That someone would deploy the argument, on the Floor of a political Chamber, in a parliament in this part of Ireland, that

because you might not be the Minister for ever and a day, you should not make decisions, is so preposterous, ludicrous and reflective of living in some other world —

**Dr McDonnell:** Will the Minister give way?

**Mr Attwood:** No. OK, I will. *[Laughter.]*

**Dr McDonnell:** I assure the Minister that his position is secure and that I will not be taking Mr Flanagan's advice on the matter. *[Laughter.]*

**Mr Attwood:** Promises, promises, promises. *[Laughter.]*

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

**Mr Attwood:** Yes.

**Mr Flanagan:** The Minister just received a vote of confidence from the board, and I think that that is very disturbing for anybody in his position.

To take him back to my point, I was not implying that he abdicates responsibility and allows a future Minister to take it forward. I was suggesting an alternative Minister. I will leave that in his head and see how it stews for the next 10 minutes.

**Mr Attwood:** That was not clear from your comments. In fact, far from it. The Hansard report will show that when Mr Flanagan rose to his feet, he explicitly asked whether, given that I might not be a Minister in the future, I was the right person to take this forward, and he asked what the consequences of that would be. I notice that Mr Flanagan looked behind him; maybe it was to get a bit of advice from some apparatchik about how to reply to my point. The point is valid. The Hansard report will confirm it, and no amount of dissembling by Mr Flanagan will take away from the fact that he made a ludicrous point and that he knows he made a ludicrous point.

Mr Beggs made a lot of comments. I have to say that I had not heard the narrative that he outlined about the configuration of councils in east Antrim. It was an interesting argument. I have to concede that I had not heard the scale of that argument before. It was a well-made case for the configuration of local government boundaries in that part of Northern Ireland. However, I have to say to the Member that I do not argue against the principle of RPA. I do not argue that the 26-council model should not be reduced. I do not argue that the 30 or so

housing associations should not be reduced to a dozen or so. I believe in radical reform of public policy moving forward. That has served us well in the past, and it will serve us well in the future. In my view, the fact that radical reform of public policy is not part of the political narrative shows that the Government are not measuring up to all their responsibilities or to the needs of citizens.

I endorse the principle of seed funding. That is why I went to the Executive during June monitoring to look for advance moneys to do particular dedicated work — £2.3 million, which is quite moderate in the scale of things, to enable councils, through seed funding, to move forward on change management, sharing and collaboration.

Mr Byrne made the argument about Omagh and Strabane in particular and, again, articulated the issue of coterminosity and that the better approach was for seven or 15 councils, if that was the principle against which we judge these matters, rather than 11. But we are where we are. I say for the umpteenth time, as I have said privately to the Executive, that I will manage this decision and I will not slow down, sideline or derail it, because I believe in the principle of radical reform. If the model is for 11 councils, despite its flaws in my view, it is my political responsibility to take that forward. If others want to prevail on others to change their mind, that is for them and for another day. For the purpose of this debate and moving this issue forward, that is where things will reside.

I commented on Mr Copeland's speech, which showed a great intuition and sense of things. He understands that you do not reduce identity and local loyalty through inefficiency, bureaucracy and cost, and that to do so is hostile to our sense of what makes us this part of the island of Ireland — a wonderful and great people, confirmed through the years of great turbulence over the days of conflict.

Mr Allister nearly replied to the debate by saying that not a single cogent reason was advanced as to why we were going with 11 councils. Others can draw their own conclusions about that. He raised two points with me. I do like to answer Mr Allister if I am capable of doing so. One point was about the setting of rates in 2015 and the other was about the ban on double-jobbing. The answer, Mr Allister, on the setting of rates in 2015 is that the intention is,

subject to the Secretary of State's agreement, that the next local government elections will be held in 2014. The — apologies; I cannot quite read the writing. Those elected in 2014 in shadow format will take full responsibility and control in April 2015. The councils, acting in shadow form from 2014 to April 2015, will be responsible for making decisions on and setting the rates for the new councils. The new rates will take account of the new councils.

In respect of the question about MLAs and councillors, I stand to be corrected because I am speaking from memory, but the decision of the Executive was that the ban on double-jobbing would be in law and in force in 2015. The consequence of that, which is what Mr Allister was getting at, is that, in theory, people could stand for election in 2014, when the ban on double-jobbing is not in force, serve for a year, and then, if there is a policy of substitution to the councils, those who are also MLAs could step down in 2015. That is my understanding of the intent of the Executive's decision. However, that has yet to be shaped in law, and, consequently, given that the issue has been raised with me by a number of people, the final shape of the law and the final character of what happens in 2014 may yet be revisited. I do not want to put it any stronger than that. In any case, given the profile of the double-jobbing issue, and given that MLAs who are councillors have already had their allowances cut substantially since April and will be at further financial disadvantage as of July, and given the direction of travel generally on double-jobbing, I would like to think that local people will be given the opportunity to vote for candidates who are going to be councillors only come 2014, and that logic and common sense will prevail.

#### 6.15 pm

**Mr McCarthy:** Thank you, Minister, for giving way. I have sat all day and listened. I was not going to say anything but I have to say something now. I speak as a serving councillor and MLA, and I make no apology for it. I have been a councillor, on Ards Borough Council, for nearly but not quite as long as John Dallat, and I hear what you say. I did not come on to Ards Borough Council for money — as somebody on the other Benches said. I came on it from 1985 to serve my community. I hope that I have served my community. I put myself forward at the recent elections as a prospective local councillor and as an MLA, and I am proud to

have got a damn good result. So, I am carrying out what my electorate wants. I will do that. I am not interested in the money at all. I want to just put that on record.

**Mr Attwood:** The Member is quite right to put it on record. Given that he has sat here for most of the day, as have I and the Speaker, he will know that I made it clear that I have nothing but the highest respect for local councillors, particularly those who have served for a long time and during the most difficult years of turbulence, threat and terror. I indicated that I hoped that the House will endorse the regulations that will give those who step down from council a relatively small severance package when, all around them council staff will be getting substantial severance packages that they are legally entitled to and that is a necessary requirement of RPA. However, I hope that there will be a public and political understanding of that and that the media will appreciate that people with a record of great service deserve some level of recognition.

I respect the fact that you, Mr McCarthy, and others stood on a certain day and sought a double mandate. I respect that. As an Irish democrat, I respect the fact that the people speak and choose who they elect. However, politicians have to acknowledge that, in general, the public do not understand double-jobbing and would like to see one-person-one-job escalated across all political life. I think that that is the direction of travel to take to respond to the public mood and adopt the right political principle. I think that that is why the Executive endorsed the principle, after parties in the Chamber opposed a Private Member's Bill on the issue a year ago. That is why, after a short time, the Executive endorsed the principle of abandoning double-jobbing. That does not take away from your integrity or commitment, but it is, I think, recognition of what right practice might be.

I will conclude by slightly changing the shape of the debate. I do so because, as I said, whatever about the politics and details of RPA — important as all of that is — I look to 2015 and the opportunity that it will present. It represents a mighty opportunity and a great challenge, but one that carries some risk. That is because the purpose of this is not just efficiency and the reduction of costs; it is about the need to deliver to our community and our citizens, cities, towns, hamlets and townlands in all parts of the North the government denied to them through

no fault of many of the political parties and their leaders over the past 40 years, but because of the circumstances that we faced.

In my view, as I keep saying tirelessly, the next 18 months is the most critical phase for the Government since the Good Friday Agreement was signed. If we shape radical strategy and bold legislative proposals in the next 18 months around the Executive table and in the Assembly, we will reshape the next 20 or 30 years. The Government, including me and involving RPA, have that responsibility and opportunity at the moment. If we can get it right over the next 18 months on RPA, on national parks, on a marine management organisation, on better regulation, on planning reform and all the other interventions from the DOE and other Ministers, we can fundamentally shape our society for the next 20 to 30 years in a way that means that our society will be a lot better. That is what this debate is about.

In moving towards RPA, are we going to get it as big as it should be, as right as it can be, in order to make it a model of local government that is fit for purpose and serves, in a better way, the opportunities going forward? That is what this debate is about. That is why I welcome all the contributions that we have heard. Working through all of that is the challenge that I have set myself. We should set it to ourselves and live up to it.

*Question put.*

*The Assembly divided: Ayes 59; Noes 26.*

## AYES

*Mr S Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Mr I McCreagh, Mr McElduff, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maskey, Mr P Maskey, Mr Molloy, Mr Moutray, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*



*Tellers for the Ayes: Mr S Anderson and  
Ms S Ramsey.*

## **NOES**

*Mr Agnew, Mr Allister, Mr Beggs, Mr Byrne,  
Mr Copeland, Mr Cree, Mr Dallat, Mr Durkan,  
Mr Eastwood, Mr Elliott, Mr Gardiner, Mr Hussey,  
Mrs D Kelly, Mr Kinahan, Mr McCallister,  
Mr McClarty, Mr McDevitt, Dr McDonnell,  
Mr McGimpsey, Mr McGlone, Mrs McKeivitt,  
Mr A Maginness, Mr Nesbitt, Mrs Overend,  
Mr P Ramsey, Mr Swann.*

*Tellers for the Noes: Mr Byrne and Mr Elliott.*

*Question accordingly agreed to.*

*Resolved:*

*That the draft Local Government (Boundaries)  
Order (Northern Ireland) 2012 be approved.*

**Mr Speaker:** I ask the House to take its ease  
before we move to the next item of business.

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

## **Committee Business**

### **Standing Orders: 49A**

**Mr Deputy Speaker:** The next item on the  
Order Paper is the Committee motion to amend  
Standing Order 49A. The House will know that  
such motions are not time-limited.

**Mr G Kelly (The Chairperson of the Committee  
on Procedures):** Go raibh maith agat, a  
LeasCheann Comhairle. I note that you said  
that there was no time limit on this, but let me  
assure you that I will not be filibustering.

I beg to move

*Leave out Standing Order 49A and insert –*

*‘49A. Membership of the Committee for Justice*

*A person cannot be a member of the statutory  
committee established to advise and assist the  
Minister of Justice if that person is a member of –*

*(a) the Northern Ireland Policing Board;*

*(b) a policing and community safety partnership; or*

*(c) a district policing and community safety  
partnership;*

*and those words have the same meaning as in the  
Justice Act (Northern Ireland) 2011.’*

On behalf of the Committee on Procedures,  
I am pleased to bring the motion to amend  
Standing Orders to the House today. The  
proposed amendments to Standing Order 49A  
are straightforward, so there is not a lot for me  
to say, except to explain the background and  
purpose of each of them.

Standing Order 49A was introduced when  
policing and justice powers were being devolved.  
Standing Order 49A(1) includes a requirement  
for the Committee for Justice to review the  
operation of amendments made by the Northern  
Ireland Act 2009 to the process of judicial  
appointments and removals. The Committee  
for Justice has completed that work, and its  
report on the review of judicial appointments in  
the North was approved by the Assembly on 14  
May 2012. Standing Order 49A(1) is, therefore,  
spent and can be deleted.

The next amendment relates to Standing  
Order 49A(2), which currently states that a

person cannot be a member of the Committee for Justice if that person is a member of the Policing Board, a district policing partnership or a subgroup of the Belfast district policing partnership. Those were the terms used when policing and justice powers were being devolved. Members will be aware that the Justice Act 2011 requires each district council to establish a policing and community safety partnership for its district and for Belfast City Council to establish four further district policing and community safety partnerships for Belfast. That means that the terms in Standing Order 49A(2) need to be changed. The proposed amendment simply reflects the changes in terminology.

Mr Deputy Speaker, they are straightforward amendments, and I commend the motion to the House.

**Mr A Maginness:** This found full support throughout the Committee's proceedings, so I simply endorse and second what the Member said.

**Mr Deputy Speaker:** Mr Kelly, do you wish to respond?

**Mr G Kelly:** No.

**Mr Deputy Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*Leave out Standing Order 49A and insert –*

*'49A. Membership of the Committee for Justice*

*A person cannot be a member of the statutory committee established to advise and assist the Minister of Justice if that person is a member of –*

*(a) the Northern Ireland Policing Board;*

*(b) a policing and community safety partnership; or*

*(c) a district policing and community safety partnership;*

*and those words have the same meaning as in the Justice Act (Northern Ireland) 2011.'*

## Private Members' Business

### Mixed Housing

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

**Mrs Cochrane:** I beg to move

*That this Assembly expresses serious concern at the current segregated housing proposals in the Girdwood conceptual master plan, as announced on 21 May 2012; and calls on the Minister for Social Development to conduct a landmark review of segregation in housing to inform a strategy to promote and facilitate equality and sharing in housing in order to eliminate both discrimination and segregation, and to direct the Northern Ireland Housing Executive to promote and protect all housing as mixed.*

Northern Ireland's residential sector remains deeply divided, with over 90% of our public housing still segregated on religious grounds. Some of our most polarised estates have more than 80% of residents from the same religious background. Up until the outbreak of the Troubles, most public housing was in entirely mixed estates. However, as the violence worsened, people felt that they had to move into places where they felt secure, which, ultimately, meant moving into highly segregated areas. Public housing estates became more segregated through 30 years of conflict, specifically between 1971 and 1991, with little change in trends between 1991 and 2001 despite the peace process. What is more worrying is that recent figures have shown that segregation is now at its highest level in 30 years.

The fact that an area is perceived as belonging to one side or another of the community results in all sorts of negative economic and social consequences, such as loss of investment, paramilitary economy and people less willing to use basic public services such as libraries, cinemas, shops or recreational facilities. Even worse, that interacts with other aspects of poverty to create pockets of multiple deprivation.

Contrary to popular belief, segregated housing is not just confined to social housing. There is also a very high level of segregation in private housing, so it is not simply a matter of looking at how we deal with it in social housing; it is a matter that spreads right across the board. In 2010, a report by the Independent Commission on the Future for Housing in Northern Ireland stated that integrated housing should be trumpeted as the key ingredient for a peaceful and prosperous future for Northern Ireland, leaving peace lines and religious ghettoisation of housing that was perpetuated by the Troubles in the past.

Indeed, there is significant and consistent support for mixed housing in opinion polls. For example, the most recent life and times survey in Northern Ireland shows that 83% of people here would prefer to live in mixed neighbourhoods and believe that better relations would result from greater integration.

Housing Executive tenants are also surveyed every year, and those results also show that they want to live in mixed areas. The Alliance Party believes that, in order to achieve that, a landmark review of segregation in housing in Northern Ireland needs to be undertaken, with a view to producing a housing strategy for the next 20 years. Segregation here has emerged as a result of violence, fear and sectarianism over the past decades. It cannot be reversed quickly, and only a radical review of housing policy can provide the practical tools for how to end sectarian division in housing altogether.

So, what would a strategy look like that would promote and facilitate equality and sharing in order to eliminate discrimination and segregation? It will not be a question of setting quotas on every street or house. That would be forcing people to live in artificial environments. We are fully aware that other areas have Chinatowns or Little Italys and areas of ethnic diversity. What is unacceptable is not the specific character of a neighbourhood at a particular time, but the sense that it should be permanent or normal or that it is forced by either fear or poverty. We want to remove all barriers to mixed living in public spaces and protect all minorities, wherever they are.

We welcome the work that has already been undertaken by the Housing Executive around shared housing, such as the shared neighbourhood programme and the signing of shared future

charters. No doubt, the Minister will refer to those. However, this is only the tip of the iceberg. A lot more needs to be done.

I want to take this opportunity to raise an issue that is of particular concern. The Housing Executive still states on its website that it supports the wishes of people who choose to live in single-identity or mixed neighbourhoods. That statement is simply not acceptable and undermines a lot of the good work that is going on. How exactly does the Housing Executive support those wishes for single-identity neighbourhoods when their focus should be on supporting people based on objective need? Let me put it another way. Are we to take it that if people asked for a white-only estate, the Housing Executive would support the wishes of people to live there? If people objected to disabled neighbours, would the Housing Executive support these wishes too? Of course not.

The perhaps innocent language of the Housing Executive fosters an acceptance of segregation and discrimination. If applied to any other category of persons under section 75, it would be a matter of international disgrace. This needs to be addressed as a matter of urgency. The Housing Executive must promote and protect all housing as mixed. Every house and area should be open to people irrespective of background. Nowhere should be off limits for anyone, and there can be no tolerance of anyone claiming control over territory through the use of flags, etc. This has to be accompanied by a plan to ensure that all public facilities, including schools, shops, parks and workplaces, wherever they are located, are open to all.

#### **6.45 pm**

Shared housing standards need to be created in order to promote good relations and create a diverse, inclusive and aspirational environment in which to live. I appreciate that, for new Housing Executive tenancy agreements, tenants are invited to sign a good neighbourhood agreement, where they pledge to respect and co-operate with their neighbours regardless of their religion, colour or creed. That is a welcome step, but it does not address long-term tenancy agreements, and work needs to be done to amend those existing agreements. When intimidation occurs, the knee-jerk response of authorities should not be to simply move the victim but to confront the perpetrators. New housing should be designed and built in

a manner that is most likely to maximise the potential for sharing. New housing developments should be openly marketed as mixed or integrated.

That brings me to the recent announcement for housing on the Girdwood site. To say that we are disappointed would be a vast understatement. There was a real opportunity to do something really different on that site: to deliver a housing mix that included social housing distributed by need, and opportunities for affordable and market-rate housing so that the area could have a vibrant economic life. However, instead of grabbing that opportunity, we have a proposal that will perpetuate the sectarian divide. What a wonderful outcome after six years of waiting. Is that seriously the highest level of vision and change that we can muster for the poorer parts of Belfast? Instead of imagination and change, we unfortunately have the same old, same old from the DUP and Sinn Féin. Why are they continuing to do the same thing over and over and expecting different results? We all know what Einstein said about that.

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

**Mrs Cochrane:** I have quite a lot to get through, so no.

What we now have is the continued segregation of housing under the rhetoric of sharing. I am not sure at what point those parties will understand that the concept of a shared future is very different from that of a shared-out future.

I firmly believe that social housing should be allocated on need alone. We need to be practical and recognise that that will ultimately mean that there may be more people from one background than another living in an area. That does not mean that the area is not shared. The key task is to ensure that people may live in and use a site freely without belonging to the numerically dominant resident group. The focus should be on making spaces more inclusive and welcoming. That means having a robust policy on flags, emblems, murals and paramilitary memorabilia. Provision should also be made for equal access to any site for those living in and coming to the site, so that there are no chill factors to any access. That is what was required for the Girdwood site: a plan, matching the commitment of parties in Belfast City Council's application for Peace funding, that talks of a site that is genuinely open and shared throughout. However, that sort of permanent change will happen only when communities, politicians and

statutory bodies work together to demonstrate a united policy on what is and is not acceptable. The Minister needs to lead the way on that and deliver results.

I accept that shared housing is only one of the ways in which we can tackle our segregated towns and cities, but changing the neighbourhoods in which people grow up would make huge inroads into building a truly shared future. Political carve-ups must stop. Building a shared future must be at the forefront of ministerial decisions.

In response to the SDLP amendment, I have already stated that all housing should be allocated according to objective need and that the Girdwood site has the potential for so much more. I have also called for a review to inform the housing strategy in order to promote and facilitate equality and sharing. So although we can agree with the thrust of the amendment, we do not think that it adds anything to our original motion. Indeed, if anything, it weakens what we are calling for: an end to segregation.

**Mr Durkan:** I beg to move the following amendment: Leave out all after "current" and insert

*"housing proposals in the Girdwood conceptual master plan, as announced on 21 May 2012; and calls on the Minister for Social Development to restore the previous programme for at least 200 houses to be allocated according to objective need and to bring forward proposals, as a central feature of the housing strategy, that give weight to the legitimate desire of many social housing tenants and future applicants to live in a shared community."*

We are broadly supportive of the sentiment behind the motion proposed by the Alliance Party. As a party, the SDLP is committed to the delivery of a shared future for all citizens and residents of Northern Ireland. That must encompass many areas of life, including education, employment and, very significantly, housing. Indeed, as Ministers for Social Development, Margaret Ritchie and Alex Attwood did much to promote mixed housing. The reason we have chosen to amend the motion is that we believe that it does not go far enough or display enough cognisance of the core principle of social housing, which is need. I also do not share the view that we need a new separate strategy to facilitate equality and sharing in housing in order to eliminate discrimination and segregation.



I believe that segregation should be addressed in the forthcoming housing strategy. Last week saw the publication of the homelessness strategy, and we await an empty homes strategy and, of course, the review of the Northern Ireland Housing Executive. We should not need a further strategy to compound this apparent paralysis through analysis.

**Mrs Cochrane:** I thank the Member for giving way. I am not suggesting a completely separate strategy; I am saying that we should be informing the strategy. The problem is that segregation took a long time to happen, and I am not sure how long the forthcoming housing strategy is set out for. It could take 20 years to rectify the problem, at which point it may need to feed in to its own strategy, but I do not suggest a separate one at this point.

**Mr Durkan:** I thank the Member for the intervention and take her point on board, as I did when she made her speech.

There is a tried, tested and trusted formula used to identify housing need and, therefore, where houses should be built and how many should be built. If the formula is adhered to, discrimination will not exist. If, or when, the formula is circumvented, that is when discrimination, or the perception of it, might rear its ugly head.

If the policy is outdated or imperfect, let us have an open debate on it, but there should not be any ministerial revisionism or the creation of new measures of housing need, such as regeneration, so that houses are built in areas where there is little demand, without full transparency. The aforementioned housing strategy should afford the opportunity for such a debate.

The Alliance Party's proposal that we commit to creating mixed housing is certainly not wrong, but it is a bit aspirational. Realistically, mixed housing is not achievable overnight, particularly in an area as divided as north Belfast. We are not oblivious to the feeling in that constituency or to the fear and suspicion that, regrettably, still exist between communities. We cannot force people to live side by side, but we must focus on the work that will break down barriers and gradually erode the division that plagues our society.

**Mr Bell:** I thank the Member for giving way, and I appreciate the remarks about fear and division in society. Will he tell us what contribution

to ending fear and division does attendance at funerals, at which paramilitary masks and trappings are worn by members of the SDLP, seek to aid that process?

**Mr Durkan:** I do not believe that any members of the SDLP wore masks at funerals, although some may have attended golf clubs in their time — I do not know whether that did anything to further community relations either. With that in mind, I welcome the Girdwood plan's proposals for shared space. There is much to be positive about in the plan. In seeking additional housing, we in no way wish to detract from the proposed cross-community facilities. I congratulate those involved in the negotiations to date on their undoubted commitment to improving the area. The breaking down of barriers between communities —

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

**Mr Durkan:** If you bear with me, I will let you in later. The cohesion unit of the Housing Executive was doing sterling work on breaking down barriers between communities, but it is my understanding that it has been dismantled. Perhaps the Minister will enlighten us further on that later.

There is a massive need for social housing in north Belfast, with over 1,300 people — 350 families — in housing stress. It is our duty to ensure that those people are housed. However, given that it is estimated that over 75% of those are Catholic and that houses are currently allocated to individuals on the basis of need, any housing built at Girdwood, regardless of its location on the site, will be predominantly allocated to and inhabited by nationalists. Mixed housing must be central to our thinking, but housing need must guide housing decisions, most of all in areas of acute need, such as north Belfast.

As was mentioned in the amendment, we believe that the housing strategy should look at the allocation system and give due weight to and points for the legitimate desire of many social housing tenants and future applicants to live in a shared community. The Girdwood site has been a political football for too long. There was an opportunity, shaped by the SDLP in its time in the Department for Social Development (DSD), to move decisively forward. Others held back and held up proposals. All this time, waiting lists have grown longer and need has grown more acute.

The SDLP has always been the party of housing and the friend of those in need. The previous programme for Girdwood represented a significant step towards alleviating what can only be described as a housing crisis. My party colleagues, previous Social Development Ministers, worked hard to deliver social housing to the Girdwood site. That was continuously thwarted by the DUP, which then had the audacity to brand the Ministers' respective efforts as electioneering.

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

**Mr Durkan:** Go ahead.

**Mr Humphrey:** Could you tell the House what part of Ms Ritchie's blatant use of Girdwood as "a political football" — your comment — in the middle of a leadership election was not for political expediency? When he was Social Development Minister, what part of Minister Attwood's use of it as a tool to get elected and get his colleagues elected in North Belfast was not political expediency or using the site as a political football?

**Mr Durkan:** Our policy on it has not changed. The DUP said there would be no housing on Girdwood and now the DUP says there will be some housing on Girdwood.

**Mr Humphrey:** Answer the question.

**Mr Durkan:** It is not us who are being politically expedient here.

**Mr Humphrey:** No answer.

**Mrs D Kelly:** Gerrymandering.

**Mr Durkan:** You said it.

Eventually, a plan was taken forward, submitted and approved for the building of 220 units of social housing on the site. The money was in place, the design was in place and a housing association had a planning application at an advanced stage. Then, the Social Development Ministry was passed to the DUP. The common perception is that the current plans for the site involve a much smaller number of units; a number that is not reflective of the need in north Belfast. The lack of transparency and information around the current proposals has only served to heighten frustration and suspicion that something is not quite right. This morning, I received an answer to a written question on the number of houses proposed in

the new master plan, and I have been informed that it will be determined by need. Therefore, one would think that 200 is the very lowest number of houses that we can expect.

Regardless of any deal that has been struck or why, the facts are clear: a huge number of families and individuals are in housing stress, and Girdwood offers a real opportunity to help as many of them as we can. That is an opportunity we cannot afford to miss. The SDLP believes that any dilution of the original plans for social housing at Girdwood would signify a dilution of the commitment of this Executive to tackle the housing crisis and to provide homes for those in need.

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

**Mr Durkan:** Gerry Kelly, a Sinn Féin Member for North Belfast, greeted Alex Attwood's proposals last year as a good start towards providing much-needed homes in the area.

**Mr Deputy Speaker:** Your time is up.

**Mr Durkan:** I believe it would be a very good start, and I implore the Assembly to support our amendment.

**Mr Humphrey:** On a point of order, Mr Deputy Speaker. I want to make a point in the interests of clarity and making sure that the Hansard report is absolutely correct. Mr Durkan said that there was a planning application put forward for Girdwood. There never was a planning application put forward. In the interests of accuracy, that point needs to be made.

**Mr Deputy Speaker:** Your remarks are on record.

**Ms P Bradley:** I welcome the opportunity to speak this evening because I believe that housing need in Northern Ireland is an extremely important issue. We in Northern Ireland have more peace walls now than we had 10 years ago. If we do indeed have peace, we need to ask why this is. For mixed housing to work, the residents who live there have to want to be in a mixed housing area, and not be forced to do so.

The Girdwood proposals, along with the current strategies and programmes already implemented by the Housing Executive, will move our social housing stock to a realistic scenario where mixed housing can become a reality for those who want it.

**7.00 pm**

As has been said, 90% of working-class estates in Northern Ireland are segregated on a religious basis. That has come about because of our shared past. Although we are 14 years post-Belfast Agreement and the Assembly is firmly established, for far too many people in our society, the pain of the past is still current and still very real.

Society must move to address the issues behind segregation, and the majority of people in Northern Ireland would agree with that. However, we must not move so fast that people feel they are being left behind; we must only move as quickly as the slowest person. People who work in conflict resolution assert that it often takes as long as the conflict itself for a society to transform from a conflict situation to real peace. By that model, our society is in the early stages of the process, and we must not attempt to run before we can walk.

The Housing Executive's research has shown that many of their residents feel that relationships between the two main communities are not at the stage where they would be comfortable with mixed housing but that the community is moving in the correct direction.

**Mr Humphrey:** I am grateful to the Member for giving way. In her contribution, Mrs Cochrane talked about the community, politicians and statutory bodies working together in north Belfast to try to take the community forward. I assure her and this House that every party, including her own, on Belfast City Council recently voted for the community hub, for which we are seeking £10 million from the SEUPB. That involved elected representatives — MLAs, the MP and the Ulster Unionist Party councillor — working together to ensure that that happened, along with the chief executive and directors of the council. That is an example of all parties in North Belfast, elected in North Belfast by the people in North Belfast, working together.

**Ms P Bradley:** I thank the Member for his intervention.

Girdwood's current plans support the change that is evolving in our society, because although the two communities will live apart, they will share leisure and community facilities. That could pave the way for the site eventually becoming mixed housing at the pace dictated by the future residents. That evolution cannot be

dictated by top-down politics. It must be led by the communities. That way, the change will be sustained and accepted by those most affected.

If the SDLP and the Alliance Party are correct that the majority of tenants want mixed housing, why is it not happening? The Housing Executive policy is to ask all applicants whether they want to choose a mixed-housing area, yet applicants are continually choosing to remain in areas with those of the same cultural identity. It is my hope that shared housing will become the norm and that segregation will be something that our children learn of in history lessons, but the time is not right for a blanket policy. We must wait while those most affected by the changes are ready, and we must address the many other issues in other sectors. For example, in education, our children are taught that segregation is normal behaviour from the age of four.

We have clear leadership from our First Minister in many areas so that we can build a shared future, and we, as a society, should work to further build upon that, albeit at a pace that is acceptable to those involved.

I oppose the motion and the amendment.

**Mr G Kelly:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in this debate. I will speak against both the motion and the amendment, because they were tabled in response to the breakthrough on Girdwood and in an attempt to derail it.

Let me deal with a few facts. First of all, there was a four-party agreement, which involved the SDLP and the Ulster Unionist Party. Alban Maginness was at a number of meetings. There is a myth going around that Alban Maginness was only at the last meeting, but he was at a number of meetings. These things went on over a period of months. Indeed, Pat Convery, who is also a member of the SDLP, was at the meetings as well, although not all of them. Davy Browne represented the Ulster Unionist Party at those meetings.

As has been pointed out on a number of occasions, there were two SDLP Ministers —

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

**Mr G Kelly:** No. I have only five minutes, and there has been a lot said beforehand.

There were two SDLP Ministers, but not a single brick has been laid in Girdwood; that is a fact. There were a number of all-party steering groups, of which I and others were members, and still not a single brick was laid during that six-year period. Outside politics, there were other groups who tried to move the process forward, but again nothing was done.

It is a fact that Sinn Féin's position is absolutely that it should be based on objective need. That is the basis of our policy. Every single party in the Assembly has now said publicly that objective need is at the core of its policy, as well as being a legal imperative.

Girdwood was never going to, and even now will not, sort out all the problems of housing need in north Belfast. Anybody who argues that it will is wrong. There is a huge waiting list. There are in the region of 2,400 families on it. Over 90% of the families on that waiting list are Catholic; that is a fact as well. However, I will not come here and argue against Protestant houses. If that 10% of the people on the list have the points, they should get the houses based on objective need, no matter what their creed, colour or religion. That is what objective need means.

North Belfast has also suffered over a period of years because of the lack of political agreement. I say that with respect to other areas in Belfast and elsewhere that can access funding because there is political agreement. What was this about? It was an attempt by all the political parties to try to get agreement to bring something into north Belfast. We decided to try to break the stalemate and unlock the potential for regeneration of the Girdwood site and elsewhere in north Belfast. The hub and the funding from the SEUPB gave us the opportunity to do that. Girdwood was always not about just housing. It was about housing, leisure, education, health and culture. In fact, the jail site has also been developed on that basis.

In any other circumstances, people would praise us for having a breakthrough and coming to an agreement for an area of massive disadvantage in north Belfast. As junior Minister, I was involved in the arguments and discussions around the Long Kesh/Maze site. We have succeeded in doing something here that we were not able to do there, which is to get cross-community support for having Gaelic, rugby and soccer on the same pitch. People talk about a shared area. Some 95% of everything that is

going on at Girdwood is shared. Three schools, namely St Patrick's, BRA and St Malachy's, have bought into it as well. Let us be clear that if it does not work, we could be looking at a derelict site in the middle of north Belfast and we would badly need regeneration and housing for another 10 years. That is where we do not want to go.

The Alliance Party's position is that housing must be shared. No one here will disagree with shared housing. However, forced shared housing has already been proven not to work. Does the Alliance Party want more interfaces in north Belfast? Is that party even aware of where this area is? It does not have any political representation in north Belfast? We have something like 20 interfaces in north Belfast, and we are trying to improve, as opposed to going backwards.

Mrs Cochrane argued that housing should be based on objective need, as did every party. How does the Alliance Party square the breakdown of 90% versus 10% with saying that it has to be mixed housing? How do you possibly do that?

**Mrs Cochrane:** Will the Member give way?

**Mr G Kelly:** No.

**Mrs Cochrane:** You asked me a question.

**Mr G Kelly:** I know, but — OK, I will give way.

**Mrs Cochrane:** I thank the Member for giving way. At one point I said that we need to be practical and recognise that just because more people from one denomination than another live in an area does not mean that it is not shared. This is the thing. The concept of shared housing is not about 50:50. The concept of shared housing is about having an area in which people feel safe enough to live. It does not matter if it ends up with 80 people from one denomination and 20 from another. We are talking about sharing.

**Mr G Kelly:** Then there is no disagreement, I think.

Alasdair McDonnell and different SDLP Members said —

**Mr Deputy Speaker:** Draw your remarks to a close, please.

**Mr G Kelly:** Different SDLP Members, including Alasdair McDonnell, said that there are to be 200 houses, 220 houses and 350 houses. We got three different numbers out of the SDLP. We



have had three other Members who do not live in north Belfast —

**Mr Deputy Speaker:** Sorry, but your time is up.

**Mr G Kelly:** — speaking instead of Alban Maginness, when Alban Maginness —

**Mr Deputy Speaker:** Your time is up.

**Mr G Kelly:** — is the person who agreed to the way forward. Sorry about that, Mr Deputy Speaker.

**Mr Copeland:** I can confirm, unsurprisingly to some, that, on this occasion, we cannot support the motion. That is a matter of some regret. We as a party, and I as a person, have always been totally committed to the principles of a fair and just society, and remain so. That is evidenced to a degree by our continued involvement in the CSI working group.

The motion reads to me like a focused and specific criticism, particularly of the Girdwood conceptual master plan, a plan that has been arrived at by agreement and appears to enjoy a degree of local support, both political and community. The motion draws questionable and, quite frankly, illogical conclusions based on the interpretation of the plan, and it seeks to use those conclusions to the disadvantage of the plan itself. It must be said that that view is in some ways assisted by the vagueness of the plan, which the authors freely admit is a general concept at this stage.

The main failing of the Alliance Party proposal is the requirement implied in the motion, although not there, to apportion housing ultimately on some basis other than the principle of need and to extend, by some unspecified method, that mechanism to all housing. That is not only contrary to the current law but goes far beyond the remit of the Minister or his Department, especially if extended to private property. It places on the Northern Ireland Housing Executive, which is responsible for 11.3% of properties, a very high level of responsibility.

The SDLP amendment has, in places, merit. However, it must be seen against the backdrop of the two previous SDLP Ministers, who were unable to reach, or perhaps were prevented from reaching, an agreement based on that very plan. The amendment echoes the totality of the SDLP proposals. It mentions a figure of at least 200 houses but does not explain how the other social needs — housing is not north Belfast's only social need — will be met within the confines

of the site. An examination of the combined waiting list for the lower Oldpark and New Lodge housing areas indicates a requirement on yesterday's date for 143 properties of differing types. For that reason, perhaps technical, and recognising and balancing the other social needs of the district, we cannot support the amendment. Nor can we endorse the dismal view of the Alliance Party that the envisaged shared facilities on the site will simply divide the community, although it must be said that I understand that to some degree, given the previous experience of shared open space at Mountpottinger green in east Belfast.

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

**Mr Copeland:** I would rather not. I will at the end.

That shared open space failed because it was not properly managed, and it is now seen as the territory of one side of the community. We will be seeking further information from the Minister to ensure that that failure in facilities management is not repeated. I will bring you in, Alex.

We must advise the Minister that we reserve the right to keep a careful eye on the evolving master plan and the way in which it is outworked, and, if required, to comment further on the plan as it develops.

From May 2011, I have on my computer 14,455 e-mails concerning the apportionment of housing. That figure represents just under 3,000 cases. For those citizens and families, the overwhelming need is for a place to call home. For them, that soars above all other considerations. Those who restrict the supply or attach erroneous conditions to the allocation of social housing will find themselves challenged in future by those citizens and their families.

To echo, strangely, Mr Kelly, a family in need of a home is a family in need of a home, regardless of race, religion, colour, creed, gender or political opinion. That is the duty that we in this House must discharge. In our view, no quota system, no matter how carved up, contrived or fairly arrived at to reflect those differences, has a place in satisfying that need. I will give way to the Member.

**7.15 pm**

**Mr A Maskey:** I thank the Member for giving way. I know that he is trying to cover a lot of ground. Would he agree that although Judith Cochrane, in proposing the Alliance Party's

motion, fleetingly referred to the fact that people who buy houses also choose to live in particular segregated communities almost, the motion almost seeks to impose quotas on people who would avail themselves of social housing, but it does not want to deal with that for people who choose to buy houses and choose where they wish to live?

**Mr Copeland:** I would not necessarily disagree with that view. I want to close by saying that I visited that area on Saturday by arrangement. As I drove through those streets, it took me back over 30 years, and I was surprised by the memories of a body found here, or a body found there, or a siege there, or a siege here, going right back to our foreman joiner being evacuated from Ballymena Street at the very start of the Troubles. The people who live there now have not had much of a crack of the whip, and this investment, no matter how convoluted, is a vote of confidence in them and in that area.

**Mr Deputy Speaker:** The Member will bring his remarks to a close, please.

**Mr Copeland:** So, I do believe that it should be given fair and due consideration.

**Mr Ross:** There are two main thrusts to the motion being debated this evening. The first is around the vision of a shared future and of areas in Northern Ireland where both communities feel comfortable living together. The second is the specifics of the Girdwood site. I will mention both briefly.

I will begin my comments on the back of what my colleague Paula Bradley said about the First Minister making it clear that he wanted to see a society in Northern Ireland where young people went to school together, grew up together, played together, worked together and lived together. I think that we all, right around the House, share that aspiration and want to see that happen. If we are to get to a better place in Northern Ireland, it will not matter to people whether they live beside someone from a different community or their child goes to school and is in a class full of people from different religious backgrounds. That is something that we all want to see.

Indeed, this morning I chaired an all-party group on rugby. The recent success of the Ulster rugby team and the support that it has had from every section of the community and from different areas across Northern Ireland proves that the community has moved on. It is not something

that would have happened 10 years ago, but, today, members of the nationalist community feel very comfortable supporting the Ulster rugby team. Many of them made the trip to Dublin or to Twickenham for the final, and I think that that shows progress.

These things do not happen because the Government tell people to do them. They happen because people feel more confident and more comfortable and they have a desire and their aspirations change. That is how the community is coming together in Northern Ireland. There is, of course, a role for politicians and political leadership to play, but it is the decision of the people on the ground themselves to come together that is important.

My colleague also mentioned peace walls. I meet lots of groups here at Stormont, particularly groups from outside Northern Ireland, from England, Scotland and Wales, or from elsewhere in Europe or the United States. They often ask why the peace walls cannot come down if we live in a peaceful Northern Ireland. I do not think that too many people who live along the peace walls would say that their long-term aspiration is to keep those walls up. The vast majority want to see the walls come down. However, we have to be realistic and recognise that many people who live in the communities where there are peace walls have genuine concerns about their safety. When bricks and bottles are thrown over walls in the evenings, they fear for their safety. That is why, in the short term, they want those walls there until the community settles down and they are confident enough for those walls to come down. The aspiration is there, and that is important as well.

I think it is very dangerous for politicians to not listen to the concerns of the people on the ground. It is all very well to show leadership, but if the Alliance Party considers leadership to be telling people that those walls should come down, telling people that they should be living together and telling people that they should not be able to choose for themselves whether they want to live in an area that has a majority of people from their own community, I do not think that that is the role of politicians. People must be given the choice to make their own decisions, and that is fundamental to the way that we operate this Assembly.

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

**Mr Ross:** Certainly.

**Mr Lyttle:** What is the difference between protecting the right to choose a single-identity neighbourhood and giving somebody the right to choose a single-race neighbourhood?

**Mr Ross:** There was a very specific issue in Northern Ireland over the conflict about political and community background. If the Member wants to try to widen this out into issues that have not been prevalent in Northern Ireland, it shows that he is trying to play games. We need to be realistic about the difficulties that we have had in Northern Ireland. There is a very serious difficulty with community background and with why people want to live in areas that are largely of their own community background. He must recognise that there is a real issue with that. If he does not, I would be very concerned.

I listened to Mr Maskey's point. It is important to say that segregation in housing happens not just in working-class areas. Indeed, he made the point that the Alliance Party seeks to have people living together even if they do not particularly want to but that it would impact only those who are looking for social housing. The fact is that, right across Northern Ireland, whether working-class or middle-class areas are involved, people choose to live in areas that are largely representative of their own background. We do not want to see that continuing into the future; we want to see people moving away from that.

**Dr McDonnell:** Will the Member give way?

**Mr Ross:** Yes.

**Dr McDonnell:** Is he suggesting that south Belfast is in some way abnormal because working-class and middle-class people choose to live together in mixed areas?

**Mr Ross:** It is certainly not abnormal; I have not mentioned that area at all. I am simply reflecting the facts, which show that, when we look at areas right across Northern Ireland, we see that the norm is that people want to live in their own communities. We do not want to see that continuing for ever, but it is a simple reality on the ground. Indeed, in areas where mixed housing has been pioneered, over time we have seen that those areas have, largely speaking, changed in composition and that one community has become increasingly dominant over the other. That is a simple reality. I am not saying that I agree with it, but it is a simple reality on the ground. I think that it is important that we recognise that.

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

**Mr Ross:** I will not give way. I really need to make some progress. I have 15 seconds left, and I have given way quite well.

On the specifics of Girdwood, I am not from north Belfast, and I was not involved in the discussions that happened there. However, it was a significant and good thing that parties, including the SDLP, were able to come together to find agreement —

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

**Mr Ross:** — on a site that had been left derelict for some time.

**Mr Deputy Speaker:** Your time is up.

**Mr Ross:** I think that that was a very positive thing. It is very disappointing that the SDLP is now trying —

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

**Mr Ross:** — to back away from that, for whatever reason or political motivation.

**Mr Deputy Speaker:** Sorry, Mr Ross; your time is up.

**Mr Ross:** It is very disappointing.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. The issue of shared space has been a topic that all parties have focused on for many years. There have been many different opinions on how we find a solution to what can be a contentious issue.

The motion from the Alliance Party would have placed a duty on the Housing Executive to facilitate the creation of mixed-housing developments. The opportunistic amended motion on the development of a strategic plan for the Girdwood site in north Belfast will be viewed by many as taking advantage of a difficult and sensitive issue. Since the announcement was first made that the site would be available for development, there have been many different attempts to bring together cross-community and cross-political opinion to work on a vision for the development of this substantial piece of land. It will offer leisure facilities, industry and housing, and it will provide substantial employment to what is an area of high social deprivation.

I commend those who were involved in the working group. Over many months of hard work, they came up with a plan on the way forward for this multipurpose site. The group was made up of the four political parties that were elected to represent the constituency of North Belfast: the DUP, the SDLP, the Ulster Unionist Party and Sinn Féin. Of course, the Alliance Party has no elected representatives in that area. I am sure that many in North Belfast will breathe a sigh of relief about that. I am also convinced that, had that party representation on the working group, Girdwood would have remained a wasteland, with little possibility of moving the project forward.

The SDLP amendment is not only a manipulation of the issue but an attempt to cover its embarrassment over how it supported and then did not support the project. My colleague Gerry Kelly more than dealt with its confusing manipulation of the issue.

As for the Alliance Party's extended motion, I am sure that every person would like the opportunity to live in an area that is multireligious and multicultural. Alliance Party Members mentioned surveys that indicated that 83% of the people who were questioned said that they would like to live in a mixed area. That is a great aspiration to have, and we must all work towards the day when we can achieve that.

Alex Maskey said that people choose to live in areas where they feel safe, whether in private or social housing, but in the here and now, it is naive to believe that a motion that is debated in this Assembly will deal with the serious divisions in our society. It will take hard work and commitment to achieve that. At present, the most important things on most people's minds in north and west Belfast and in many other areas throughout the North are growing unemployment, the impact that welfare cuts will have on their ability to provide for their families and the lack of social housing.

I live in and represent an area in which many people are waiting to be housed. In fact, all the available temporary accommodation is full to capacity across Belfast. Many of the people on the waiting list are young parents who will remain in hostels for some years and face an uphill battle to be housed. Waiting lists are sitting at over 40,000, the numbers of those who declare themselves homeless are at record levels, there are over 20,000 applications a

year, and there is serious under-provision of social housing. That paints a serious picture.

It is essential that social housing is allocated on the basis of need. To do otherwise will create serious social problems for those families who are affected and the communities in which they live. We have a situation where we could have a mother, a father and their young children living with other members of the same family and their children in the same house. This is a throwback to the 1950s. The Alliance Party motion would condemn these people to a lifetime of homelessness. It does not recognise their plight and the importance of the allocation of resources on the basis of objective need.

In its rush to force communities together, the Alliance Party refuses to recognise the consequences of its demands. The allocation of housing must identify the serious need that exists and allow scant resources to be directed where they are required. In North Belfast, as Gerry Kelly said, over 90% of the housing waiting list is among the nationalist community. Not to allocate resources on the basis of need would infringe on the human rights of those who are languishing in poor and overcrowded conditions. In West Belfast, the area that I represent, the waiting lists grow, problems get worse and fewer houses are being built.

The Alliance Party's energy would be better spent if it focused on the issue of how to build more social housing. This Assembly is in the process of overseeing the biggest change to housing in the North for 40 years. The Housing Executive review gives us an opportunity for a new beginning in housing provision —

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

**Mr F McCann:** — and the possibility of creating new structures that could provide the additional social housing and affordable housing that we require.

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

**Mr Humphrey:** I speak as a North Belfast representative and I oppose the Alliance Party motion and the SDLP amendment. In March 2006, an advisory group was set up by the Government, and in August 2007, the group produced a draft master plan that was launched on 16 October 2007. The plan had envisaged a shared site that was accessible



to both communities with a variety of uses for the benefit of the entire community, based on the Dunlop/Toner report produced by those two eminent clergymen. The whole idea was to regenerate residential areas adjacent to the site in lower Oldpark, lower Shankill, Cliftonville and the Antrim Road. Housing was the issue that remained unresolved. Unfortunately, the agreement that emerged from the master plan was torn up by Ms Margaret Ritchie in a most unhelpful way during her hustings for the leadership of the SDLP.

I want to make it very clear to the House that the DUP is committed to building a shared site and a shared future in the spirit of the Dunlop/Toner report. Over the past number of weeks, it has been difficult for me to sit here as a representative for the greater Shankill area and listen to some of the contributions from SDLP representatives, because neither Margaret Ritchie nor Alex Attwood developed the site in any way. Over the past 13 years, the SDLP and Mr Attwood prevented social housing from being built for older people and infirm people on the Somervale site and insisted that a peace wall be built before any housing could be placed there.

During this process over the past number of months, my party has spoken to communities, churches, institutions, schools, education and library boards, Belfast City Council and the SEUPB.

### 7.30 pm

With regard to Girdwood, I, with colleagues from the SDLP, the Ulster Unionist Party and Sinn Féin, met to discuss issues pertaining to north Belfast — not just Girdwood but Crumlin Road jail, the cultural corridor, the north foreshore and, of course, Girdwood in the general context of the development of north Belfast. We agreed a position to develop Girdwood with regard to sport, leisure, education, the economy and housing.

The SDLP's position re Girdwood is not consistent. It lacks clarity, is partisan and is, frankly, confused. I believe that what you say privately is what you say publicly, and I take real exception to the untruth that was peddled about a trade-off between the politicians around the table in relation to Girdwood and the Maze. That is simply untrue, and the leadership of the SDLP should be ashamed of their comments on that issue.

I have worked with all parties in north Belfast, and local communities in the lower Oldpark and the lower Shankill, to develop that site.

The reality, though, is that I live in, work in and represent North Belfast. North Belfast is a deeply divided constituency. It has more peace walls and interfaces than any other and suffered 21% of the murders during the Troubles. It is our job — those elected to serve the people of North Belfast — to give leadership and confidence. Girdwood was a start to that process.

I make it very clear that it will happen whether the SDLP is with us or not. We owe it to the people of the constituency and the people who suffered so much to deliver, develop, and provide confidence, community coherence and leadership. We must seek to establish and build a normal society across Northern Ireland, but particularly in north Belfast because she has suffered so much. We must build a society that is at peace with itself. That will include looking at issues such as education and the divisions in the education sector; employment; recreation; parks and leisure space; economic regeneration; the environment; and, yes, housing.

This is a great opportunity for north Belfast. Political football would not come in to it in how it has been played and, unfortunately over the past number of weeks, confidence has been damaged. But the people who live in lower Oldpark and lower Shankill — and I met them on an ongoing basis recently — want this to work. They have my confidence; I have their confidence. I will ensure that we will deliver a better place for them to live and for their children to grow up.

**Mr A Maginness:** I was born and bred in north Belfast. In fact, I was born at the junction of Clifton Park Avenue and Cliftonville Road, not very far from the Girdwood site. I spent all my adult life in north Belfast serving the people of north Belfast over the past 27 years, the past 14 years in this Assembly. I have great affection for those people, Catholic and Protestant, and I want to see them live together as a united community.

I am saddened by the deep divisions that have historically been imposed on those people. I want to highlight that in my contribution. I had two major aims during the course of my public representation. One was to bring an end to sectarian divisions in north Belfast, to heal the wounds and create a reconciled society. The other was to solve the appalling housing problem in north Belfast. That has been evidenced by the Housing Executive.

There are 1,300 people under housing stress; 350 families. So, there is a real need for that problem to be tackled. There is a real social need for those families to be accommodated. Without a house, you have no human dignity. That is the reality of the situation.

Girdwood is, in fact, emblematic of the issues that I raised. The division in north Belfast is, at times, so intense that it seems that practically every blade of grass, every brick, every street and every road is contested — that north Belfast itself is a contested space — and we have to end that.

Girdwood has great potential, which, ultimately, can be fully realised, and my party and I are determined to make that a reality by regenerating the Girdwood site. Its lack of regeneration has lasted too long. Girdwood as a site will simply not go away.

As Mark Durkan said, there are positive aspects to the Girdwood plan, such as the community hub, which is supported by the Special EU Programmes Body. That will be a cross-community facility designed to engage both communities and help in the process of reconciliation. In addition, the plans for sports facilities for local schools and mixed development for business units are good, and we support them.

However, the basic weakness in the plan is in relation to housing. It is vague and lacks definition about the extent and number of houses that will be built on the site. That is the central objection of the SDLP to the plan as it stands, and I, together with my party, seek to maximise housing on that site that is reflective of the plan and the commitment of our two previous SDLP Social Development Ministers. In particular, in 2011, the then Minister for Social Development, Alex Attwood, had a plan to build over 200 houses, and the Housing Executive was at an advanced stage of preparation to deliver that programme. If that plan had gone ahead, we would have no problems today because houses would have started to be built on that site and housing need would have been addressed.

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

**Mr A Maginness:** I cannot.

The fact that the current Minister and the DUP have accepted the need to build on that site is at least a start. I recognise that, and my

party recognises that. However, it is not an end point but a starting point for a serious review of housing based on social need on that site. As we know, the majority of people on the housing waiting list are Catholic people who need to be accommodated. It is their right to be accommodated to give them decency and dignity in this life.

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

**Mr A Maginness:** I cannot.

Some have said that the plans —

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

**Mr A Maginness:** — will not solve our housing problem in north Belfast. That may be, but it will make a good dent in the problem.

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

**Mr A Maginness:** I believe that, eventually, we can overcome the problem and unite our community.

**Mr Easton:** I am rather surprised at the comments by the Members opposite, especially given that Mr Maginness signed the press release to say that he was supporting the Girdwood plans and took part in the photograph. He said that he recognised that there was a flaw in it. For the past several years, he does not seem to have recognised that flaw, and I wonder what he has been doing for the past two years. Maybe he can explain the previous Minister's proposals for 220 houses.

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

**Mr Easton:** No. You would not give way to me, so sit down.

The previous Minister's proposals for 220 houses did not address the social needs of that community. There were no leisure facilities, no socio-economic plans and no community facilities in those plans, yet we have a new proposal that is backed by the local community groups and the vast majority of people in north Belfast that addresses many of the issues that the previous plan did not. The SDLP should be very ashamed of its performance today; its position is unviable.

In an ideal world, all social housing could be integrated, and we could have a genuine shared space. However, sadly, 40 years of conflict have left us with a legacy that means that,

for many people, the thought of living with the other side comes with an element of fear and mistrust. Research by the Northern Ireland Housing Executive indicated that although one third of respondents were open to the idea of their area becoming mixed, there emerged a general sense of uneasiness that our society in Northern Ireland was not yet ready for that. Respondents felt that there was a real need for confidence-building measures, starting with such things as shared facilities, which, I believe, the current proposals include.

We must also remember that although the majority in Northern Ireland have embraced the peace process, we still have a small element of dissident groups that are working to stall the process on both sides of the community. It is important that that small number not be allowed to derail the good work that has been done, but we must remember that for some people living in mixed social housing is simply still not a safe option. Such people have as much right as anybody else to social housing; that is why Girdwood can have a positive impact. Two communities residing in close proximity with no physical barriers and sharing leisure and community facilities can help to work on the relationship building that has been identified as needed.

Girdwood is a small step towards getting two communities residing in close proximity in an area that has seen a lot of suffering during the conflict and has a number of so-called peace walls and interfaces. This housing will help to alleviate real housing need in the area, while supporting and promoting the building of relationships between the two main communities in an environment in which residents can feel safe. Ideally, in time, the future residents may themselves decide whether the housing sections should become mixed. With the continued support from all statutory agencies involved, that ambition can be realised. However, it is not right to force such an idea on the future residents who, right now, just want a house in an area where they feel safe living.

The SDLP and the Alliance Party would like us to be able to jump straight in and remove right away all segregation in Northern Ireland's social housing stock; they would no doubt also like the Minister to use the same magic wand that solves all housing problems. Sadly, the SDLP has forgotten that it was involved in the development of the plans for Girdwood; its Minister endorsed the plans of his own free will.

Therefore, totally untrue claims in the press of there being some deal involving Girdwood and the Maze site surprised many.

**Mr Humphrey:** I thank the Member for giving way. I again challenge the SDLP, as I did on the radio but they were not able to respond: can the SDLP provide this evening the evidence of a deal over Girdwood and the Maze?

**Mr Easton:** I thank the Member for his contribution. There is absolutely no evidence, and the SDLP has failed to answer. The Alliance Party just wants us to push everybody together in one fell swoop. However, its Members fail to recognise the deep mistrust that still haunts our communities. They have forgotten that thousands of Protestants were removed from north Belfast in the past. They need to get real and to live in the real world, where my party and I live and which we recognise.

Conflict resolution cannot be done quickly, nor can people be forced to move at a quicker pace than they are prepared to go. To force mixed housing on a social housing sector could result in housing stock remaining empty if people simply refuse to live in mixed areas. The Northern Ireland Housing Executive and the Department have not been complacent in promoting mixed housing. The current 30 shared neighbourhoods under the Shared Neighbourhood programme house approximately 70,000 residents. There is also the Building Relationships in Communities project, which works in contested areas to promote understanding and reduce tensions.

We must indeed show leadership in this matter, but we must remember to keep checking that the community is following us. We can lead only if others follow. Ninety per cent of our working-class estates are segregated; our education is segregated; our sports facilities and many other things are segregated. Social housing, therefore, is not the only aspect of communities and societies that is segregated. By trying to force people into mixed housing before they are ready to go will create more problems than it solves.

**Mr Copeland:** Thank you for giving way. Will the Member join me in recognising that when we talk about the socially rented sector, we are talking about less than 15% of the housing stock, and 3.3% of that resides with housing associations and 11.3% with the Northern Ireland Housing Executive? The problem cannot

be viewed in isolation, so whatever is proposed will have to take those figures into account.

**Mr Deputy Speaker:** Sorry, the Member's time is up.

**Mr Easton:** Thank you.

**Mr McCausland (The Minister for Social Development):** First, I thank each of the Members who contributed to the debate. It is not possible to respond to everything that has been said, but I will respond to comments made by a couple of the contributors, particularly from the SDLP ranks. On other matters, I may write directly to Members.

My initial response to the motion was one of surprise; the amendment also, in some ways, surprises me. Only a few short weeks ago, I had to defend myself against unfounded allegations that I would seek to allocate housing in north Belfast on the basis of community background and not on need. This week, I am being asked to take measures to facilitate and protect mixed housing areas which take no cognisance of need, and all right-thinking Members will understand my bewilderment.

**7.45 pm**

So let me dispel the myth that the motion seeks to perpetuate. There are no:

*"segregated housing proposals in the Girdwood conceptual master plan".*

I emphasise that there are no such proposals. Housing need remains the only criterion in the allocation of social housing, and Girdwood will be no different.

It may be helpful if I place the motion in the context of the housing selection scheme, a statutory scheme which makes provision for determining the order in which prospective tenants of the Housing Executive's dwellings are to be granted tenancy of those dwellings. It ranks applicants on a waiting list used by all participating landlords, including housing associations, on a point basis in descending order according to housing need. That has been the cornerstone of the allocation process over the last 40 years and has ensured that housing has been accessible to all those most in need of a home.

The motion calls for:

*"a landmark review of segregation in housing".*

There have been a plethora of studies and reports completed on the segregation that exists in social housing here. I am not clear about the value of yet another review which will tell us what we already know: that at least 90% of social housing here remains segregated on religious grounds. In the case of Belfast, the figure is 94%. There is a reason for that: the majority of social housing tenants here do not yet feel that it is practicable or safe to make housing decisions purely on the availability of a house without considering the identity of neighbours. That is a fact that no amount of posturing or posing will change.

Let me be clear. There are no levers available that can force mixed housing on anyone. Only through the agreement of people to live together, where they believe it is safe and desirable to do so, can that be achieved. All social housing in Northern Ireland, irrespective of where it is located, is allocated in accordance with the housing selection scheme on the basis of need. The legislation is unequivocal on that point. The Fair Employment and Treatment Order (Amendment) Regulations (Northern Ireland) 2003 do not permit the allocation of housing on any basis other than need. In addition, section 76 of the Northern Ireland Act 1998 makes it:

*"unlawful for a public authority"*

— such as the Housing Executive:

*"to discriminate, or to aid or incite another person to discriminate, against a person or class of person on the ground of religious belief".*

Legislative change would be required to give priority for housing on the basis of an applicant's religion.

As to the promotion and creation of mixed housing, I have no desire to bring forward legislation that will force people to live together. Given the history of the last 40 years, that would be madness and ignore the reality of life in Northern Ireland. The point was well made by several contributors earlier that this is not an issue simply in the social housing sector, which is one of the smaller sectors. It is an issue that exists right across society in Northern Ireland, even in private housing areas, and it was acknowledged by Judith Cochrane that that was the case, but she seems determined to home in on the area of social housing. I have not yet heard her proposals as to how we are going to produce mixed housing — "shared housing",



as she puts it — in the context of private developments.

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

**Mr McCausland:** I will, but it had better be quick.

**Mrs Cochrane:** I thank the Minister for giving way. I did talk about the Girdwood site, and I did say that there was an opportunity there to deliver not just social housing but housing of mixed tenure. There was an opportunity to do something different there.

**Mr McCausland:** I will come back to that point and answer it in due course.

The Housing Executive and housing associations are subject to the legal requirements imposed upon them and the advice available to me remains that article 29 of the Fair Employment and Treatment Order (Amendment) Regulations 2003 prohibits discrimination in the disposal and management of premises in Northern Ireland, regardless of how seemingly desirable the end objective. I would have thought that, rather than expressing “serious concern”, the Assembly would have welcomed the ongoing commitment to our objective pursuit of meeting housing need over and above any other consideration. Of course there are clear opportunities for housing to play a fuller role in helping to create safe and sustainable communities where people want to live.

That is why my new housing strategy will focus on creating communities of good neighbours rather than areas of forced coexistence.

If we are genuinely interested in promoting and protecting “all housing as mixed”, I believe that we need to consider mixed housing in its widest context. I do not believe that we should continue to build single tenure estates of social housing alone as that can often further segregate people. I want to see how we can develop more social and affordable housing alongside each other so that people can have greater choice and flexibility about where they live and who they live beside. It is not about forcing anything on anyone. We need to allow people to share housing because they want to, not because government says that they must. I want to explore how we can provide choice for people to come together in a more natural way and not through creating a duty that simply will not work.

Section 75(2) of the Northern Ireland Act 1998 already places a duty on all public authorities to

promote good relations, and I do not think that we need to add further to that. I share the view that mixed communities are more sustainable communities. However, housing alone cannot address the segregation in our society. We need to be more imaginative if we are to genuinely make a difference and improve not just housing but training, employment and education for people in those communities. Those types of communities will attract people to live side by side.

I will get back to the issue of Girdwood, and some of its history has been identified already by William Humphrey. In 2007, Margaret Ritchie had a document that set out the vision that was agreed on a cross-community basis of a shared site, accessible to both communities and with a variety of uses. The draft master plan acknowledged that there was no agreement on housing, and the foreword to the document, which was a cross-community document and a pan-political document, said:

*“It is clear that much greater consideration needs to be given to the issue of housing if communities are to be assured that the site will not become the preserve of one side or the other. ... cross-community support will be vital ... particularly with regard to housing.”*

It also said that cross-community dialogue on housing should continue. It further said that regeneration of the deprived residential areas adjacent to the site was crucially important.

Mark Durkan absolutely failed to grasp the fact that there is a connection between housing and regeneration. The key issue for me is that there was a cross-community agreement in 2007 and Margaret Ritchie simply took it, tore it up, shredded it and abandoned all the good work that had been carried out to that point. Instead, she sat on the issue for a couple of years and did nothing. She returned to it in February 2010 when she was making a bid to become party leader. The party was meeting in Newcastle and top of the agenda was the election of a new leader. Margaret Ritchie was one of the candidates, and what did she say on Friday 5 February, the opening day of the conference? She said:

*“I have instructed the Housing Executive to appoint a Housing Association to commence the work to build at least 200 new social homes ... the housing will now proceed.”*

She returned to the matter again, and I will come to that in a moment. In fact, she was so

well informed that she did not even know the size of the site. She said that it was 27 acres: Girdwood is actually 14 acres. But then, when someone is so cavalier with figures, why would they worry about doubling the size of the site? The following Tuesday, she answered a question from Alban Maginness and said —

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

**Mr McCausland:** No. You are here to listen, boy.

She said:

*"I understand that the provision of housing on the Girdwood site remains contentious ... I have instructed the Housing Executive to appoint a housing association to begin working on the development of 200 social houses on the site."*

Did she deliver on anything? She could actually deliver on nothing. It was a case, quite frankly, of personal political ambition triumphing over good relations.

The fact is that a lot of work needed to be done, and we need to continue that good work. We need to undo the damage that was one by the SDLP at that time by Margaret Ritchie and by Alex Attwood, who also managed to make an electioneering speech in regard to Girdwood, as was pointed out by William Humphrey, and, at the same time, stand in the way and block the construction of pensioners' bungalows on the Somervale site. Sadly, some of the pensioners who had their names down for those bungalows are no longer with us: they have passed away.

They never got to see one of those bungalows, because Alex Attwood fought and fought to stop them being built.

Let us get back to the site. The housing will be allocated on a sectarian or quota basis. That is what is being said. It would not be allocated on the basis of housing need. Housing need remains the only criterion in the allocation of social housing, and Girdwood will be no different.

It is sometimes suggested that there is a problem in having some houses constructed in lower Oldpark. That seems to be a big issue. Michael Copeland went round and took a look at that area. It is a disgrace, and an indictment of the Department for Social Development in its previous form, that people were condemned, year after year after year, to live in dereliction because Margaret Ritchie and Alex Attwood did nothing whatsoever for them. You have

only to go round those streets to see the dereliction and the rubble on the ground. It was not just in that area. There were other areas in which people were condemned to live in dereliction, year after year. Let us face the fact: the regeneration of those areas is crucial and right, not just because people should live in a decent standard of accommodation and in a decent environment but because — if he listened more, Mark Durkan might actually learn something — if we are going to see the successful regeneration of the jail in Girdwood as an international attraction, you cannot bring international visitors and tourists to a project, a very good iconic project, that is surrounded by dereliction. That is an impossibility. It was pointed out by everybody in the original document that the two things go together.

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

**Mr McCausland:** Be quick, please; I am running out of time.

**Mr Copeland:** Thank you for allowing me to put a point to you. You will remember that I asked you to specifically address the management. Do you agree that the management of the open space in between is the key to this? In east Belfast, Mountpottinger green has been nothing but a battlefield.

**Mr McCausland:** I welcome the Member's intervention. I assure him that there is cross-community agreement on the issue. How the situation is managed is crucial.

Again, Mr Durkan is not listening. He is doing too much talking. First — *[Interruption.]* First of all, he suggested that the cohesion unit was dismantled. That is simply not true. It has not been dismantled, despite your suggestion that it has been. No, it has not. Secondly, he said that a planning application was at an advanced stage. There was no planning permission. Quite frankly — *[Interruption.]* — no planning application was even in, yet we are told by him that it was at an advanced stage.

**Mr Deputy Speaker:** Order, please.

**Dr McDonnell:** Chair, will you take them under control, please?

**Mr Deputy Speaker:** Order. No more talking across the Chamber. Remarks must be through the Chair.

**Mr McCausland:** I am quite happy to speak to the Member directly.

There was no planning application there at all. So, that is wrong about the cohesion unit, wrong about the planning application, which does not exist, and wrong in so far as the need for housing in north Belfast will not all be met on that site. It will be met on a variety of sites right across north Belfast, and there are quite a number of them.

**Dr McDonnell:** Where?

**Mr McCausland:** Mr McDonnell does not know the geography of north Belfast and has not bothered to read the social housing development programme, which lists all the sites.

**Dr McDonnell:** Where?

**Mr McCausland:** If the Member would bother to read —

**Mr Deputy Speaker:** Order, please.

**Mr McCausland:** Thank you. I am glad that you put your party member in order.

The fact is —

**Mr Deputy Speaker:** Sorry. I have to point out to you that I do it fairly for all parties. There is no evidence that I do it otherwise.

**Mr McCausland:** I encourage the leader of the SDLP to read the social housing development programme. He might find out where the sites are, because they are all listed, one by one, in that document.

The fact is that, regrettably, it is an area in that part of north Belfast that has problems. With this agreement, we are trying to get a site, 95% of which will be shared, to address a lot of needs and improve the situation.

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

**Mr McCausland:** Sadly, there are people in that area who still have to face trouble at night. A gentleman had his door kicked in —

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

**Mr McCausland:** There are also problems there of interface violence, which need to be recognised. It is not necessarily the same as some of the other spots. I hope, Mr Deputy Speaker, that I have covered all the points brought up.

**8.00 pm**

**Mr P Ramsey:** On a point of order, Mr Deputy Speaker. I allowed the Minister to finish his statement. Will you and the Speaker's Office reflect on some of the comments that were directed towards Mark Durkan? They were demeaning and disrespectful.

**Mr Humphrey:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** Can I deal with this point of order first? *[Laughter.]* I am not into multitasking at 8.00 pm. We will certainly reflect on the Hansard report. I will take the second point of order now.

**Mr Humphrey:** I would like clarification for the House, so that we all know. A number of Members tried to make interventions when the Minister was speaking, and they asked him to give way. Is it not the procedure of the House for Members to stand and ask the Minister or another contributor to give way, and not to remain sedentary and ask them to give way, and then complain when they do not?

**Mr Deputy Speaker:** I am sure that the Member will agree that we can strive for perfection and that never a day goes past that we cannot improve. No doubt, other Members have heard your comments.

**Dr McDonnell:** I am a little bewildered, but not confused; I am absolutely flabbergasted, because the past hour or so has taken us back 44 years to a conflict over housing and the need for housing that led to a very difficult period in our history. It appears that we have learned nothing. There have been many attempts here to create all sorts of sideshows, distractions, fog, myth and confusion, with the sole purpose of distracting from the facts surrounding Girdwood. This evening, we have seen repeated attempts in the Chamber to deflect from the main issue and the issue that needs to be addressed.

The facts are clear that there is an irrefutable housing crisis in north Belfast, and we should never lose sight of those facts. According to all objective measures and proven need, there is an acute shortage of houses. People who deserve better have no homes. Young families with children have no homes. Earlier, my colleagues pointed out that there is something in the region of 2,400 people on the housing waiting list in north Belfast. Nobody has refuted

that. It would have been helpful had someone had the information to refute that, but it appears that that cannot be refuted. More than half of those people are in housing stress or emergency situations. That adds up to 350 families in housing crisis.

We can toy about with the sectarian balance of where the need is and where it is not, but I strongly endorse the sentiment of the original motion with regard to sharing housing and the need to create shared housing. The only response that I am getting from across the Chamber is from Members saying that we should not try to share housing because it might not work or because they think it would not work. We can lay all sorts of claims to sharing all sorts of things in theory, but not in practice.

Hundreds of families in north Belfast are forced to live in hostels that are located not very far from something that is very rare in our city — a large open space. As some of my colleagues behind me have pointed out, there were plans for that space. Yes, we could split hairs about how far advanced those plans were or whether there was a planning application. There were plans for 220 social houses on that site. I want to relieve Gerry Kelly's problem with numbers, because it seems to be the only answer that he throws into the fog. There was room for more than 220 houses on the site. Perhaps there was room on the site for some private development of socially affordable houses that people might be able to buy, but there was a decision made to build 220 social houses on that site. That is where there has been confusion on the number; there was space for more housing.

Responding to the housing stress by using the Girdwood site is about doing the right thing, the decent thing and the honourable thing. As far as I am concerned, settling on some sort of unspecified couple of dozen houses stuck in the corner of the Girdwood site is buying a pig in a poke.

**Mr G Kelly:** Will the Member give way?

**Dr McDonnell:** No. I am sorry, Gerry. You were not too keen to give way earlier. I want to make it quite clear that, whatever others may think or allege, and whatever interpretation others might put on it, we are quite capable of speaking for ourselves.

A cornerstone of the foundation of the SDLP was the principle of building and allocating

houses on the basis of proven need not creed, and building houses where people needed them and giving them to those who needed them.

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

**Dr McDonnell:** That is the same principle today as it was 44 years ago. The blatant denial of a housing programme at Girdwood offends against everything that is there.

**Mr Deputy Speaker:** Your time is up.

**Mr Lyttle:** I will start by supporting the expression of concern about the way in which Members of this legislative Assembly have been addressed by some colleagues today, and I look forward to you looking into that, Mr Deputy Speaker.

I thank everyone for their contributions on the motion, some of which have been much more accurate than others. The overriding concern that we seek to express is that the House needs to get real about the residential segregation that exists in Northern Ireland and recognise that this is one of the biggest challenges to peace, progress and a shared future. As the Minister rightly says, it is not just social housing; it is private sector housing as well. Therefore, any response must be overarched by the strongest possible community relations strategy, with a clear vision and targets for tackling division and building a shared Northern Ireland. It might be worth noting, therefore, that, today, the DUP, Sinn Féin and the Ulster Unionist Party seem to have voted down most of the existing housing aims that are in the current CSI strategy.

Grainne Kelly's University of Ulster report entitled 'Progressing Good Relations and Reconciliation in Post-Agreement Northern Ireland' sets out that we remain a very deeply divided society, polarised on some of the most institutionalised structures, including housing and education.

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

**Mr Lyttle:** No, I will not give way. I have a lot to get through.

The report challenges the Government to turn pilots and projects into ambitious and courageous public policy decisions that place integration at the heart of government delivery.

The Minister for Social Development is particularly responsible for residential integration. Although



the Housing Executive has made significant progress, it is time, as the Kelly report states, for immediate and profound change in this area. Despite what Mr Ross, Ms Bradley, Mr McCann and the Minister said in relation to housing choice, 80% of people want to live in a mixed neighbourhood. The Northern Ireland Life and Times Survey set that out, but, year on year, the Housing Executive continuous omnibus survey sets that out as well. Therefore, there has been some very inaccurate comment in that regard today in this House.

Social housing is 90% segregated, and it is getting worse in some areas, as has been mentioned. Therefore, the Alliance Party has proposed an expert review of housing in Northern Ireland in order to inform a serious housing strategy to tackle that gap. Judging by other MLAs' contributions today, they seem happy to leave that as it is, otherwise people will continue to live apart, not by choice but because there are no alternatives.

We are deluding ourselves if we think that we have done anywhere near enough to challenge the violence and the sectarian principles that have engineered residential division in Northern Ireland. I will absolutely stand up for my belief that, freed from the threat of violence, intimidation and demarcation of territory, and with the establishment and protection of the principle that all public space, including housing, is shared, we can deliver the fundamental change envisaged by people who supported the Good Friday Agreement.

We have some good examples of work that has been done in that area. The Housing Executive shared neighbourhood pilot programme, as demonstrated by Wallace Consulting, has shown that people from different backgrounds have been brought together under key principles.

**Mr Deputy Speaker:** Order, please. There is a high level of noise, and I am having difficulty hearing the Member. If Members need a prolonged conversation, I suggest that you go outside. Otherwise, give Mr Lyttle a fair chance.

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

It showed that people from different backgrounds have been brought together under the key principle and common vision that a sense of belonging for all, regardless of religion, race, age, disability, etc, can be possible. That has led to improved community relations and other benefits for

areas. However, only 30 neighbourhoods were originally in that pilot, and approximately £900,000 of the £1 million of funding came from the International Fund for Ireland rather than the Northern Ireland Executive. The new DSD shared communities programme has only another 20 neighbourhoods, and, as far as I am aware, there is no additional government funding outside the existing Housing Executive budget to take that forward.

Most interestingly, the key finding of the evaluation of those programmes was that it was not religious balance that was central to the delivery of a mixed community but the explicit establishment of an area as mixed and the principles of living on which that is founded. That is sound policy justification, if any were needed, for the immediate removal of the Housing Executive policy to support the choice of people to live in single identity neighbourhoods.

As has been said already, we would not accept a government policy that supported the choice of people to live in single race neighbourhoods. There would be international outrage, and it would be a scandalous failure of political leadership in Northern Ireland if that were not addressed by community relations and housing strategies of the Executive.

So, what would a review and a strategy need to bring forward? We want to promote and facilitate mixed housing, and we want an international expert review of housing. We also need to recognise that separated housing in Northern Ireland is at least as deep a problem as any of those that face policing. It is absolutely not a question of quotas or forced integration, despite the misleading comments put forward today, which I am getting well used to from certain sections of the House. It is about removing barriers to mixed and shared neighbourhoods. Removal of the Housing Executive policy to support the choice of people to live in single identity neighbourhoods —

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

**Mr Lyttle:** I have absolutely no intention of giving way to that side of the House. *[Interruption.]*

**Mr Deputy Speaker:** Order, please.

**Mr Lyttle:** The establishment of the principle for the allocation of public housing should be on the basis of equal access and need — again,

despite some of the comments made today — with an explicit commitment to promote and protect all housing as safe, shared, mixed and open to all, irrespective of background. There are established principles in the shared neighbourhood programme and the charter for all neighbourhoods that can be drawn upon.

We need strong political support for all agencies to tackle paramilitary control, intimidation and demarcation over segregated neighbourhoods, which serves only to embed fear in those neighbourhoods and to deter inward contact and investment. The Housing Executive has something like 350 incidents of intimidation a year. So, if we are looking for a reason why people are afraid and why they chose certain types of housing, that is it. We need to ask ourselves what we are doing to support the removal of illegal paramilitary flags and emblems and why we have such silence from certain representatives about those issues. We need a regulatory framework for the respectful and time-bound display of national flags.

In relation to Girdwood, in the week that my party sought confirmed agreement from — *[Interruption.]* Mr Deputy Speaker, is there any chance?

**Mr Deputy Speaker:** Sorry; I was hoping at this late hour that Members would be nice to each other, and perhaps they will be. Can we agree now that shouting across the Chamber will end and that Mr Lyttle will be allowed to conclude his speech?

**Mr Lyttle:** Thanks very much, Deputy Speaker.

In the week that my party sought confirmed agreement from the CSI working group on the proposals outlined today and that those proposals would be adopted by the Northern Ireland Executive, the political parties that I was working with agreed to what seemed to be two separate housing areas that would be in place for over a generation on one of the few open sites available to us in Belfast, which is not an existing neighbourhood, but a blank canvas.

I fail to see how two separate housing areas, whatever way it is described, is consistent with the recommendation that we made to that working group that all public housing should be allocated on the basis of equal access, need and with the promotion and protection of mixed neighbourhoods.

I fail to see how the DUP and Sinn Féin are serious about mixed housing given their rejection of the motion. There is an opportunity to do something different, but, instead, we see more of the same. As I said, mixed neighbourhoods were delivered by the Housing Executive, and we know that they can be achieved, so it is extremely concerning that the DUP and Sinn Féin have not decided to produce proposals that would have moved a shared future forward.

### 8.15 pm

The fundamental abuse of the concept of sharing, if plans were to be selectively marketed by the Housing Executive to particular groups, is of particular concern. At present, on the basis of need and the waiting list, it is highly likely that social housing in the area would be taken up primarily by Catholic residents. The key, however, is that the area is established, as per the Shared Neighbourhood programme, as mixed and open to all on the basis of need; that all residents are safe, welcome and free from any form of intimidation; and that any claims to exclusive control of the territory are countered. Major questions remain about the proposals for Girdwood housing, and they need to be answered by the Social Development Minister and the Housing Executive.

In conclusion, in 1998, 72% of people in Northern Ireland voted for an agreement that stated:

*"An essential aspect of the reconciliation process is the promotion of ... tolerance at every level of society, including initiatives to facilitate ... integrated education and mixed housing."*

Some 14 years later, I call on the Executive and Assembly to heighten the extent of their ambitions for this community and to start taking the courageous public policy decisions that place integration at the heart of government delivery, which the Good Friday Agreement mandated and the people of Northern Ireland deserve.

*Question put, That the amendment be made.*

The Assembly divided: Ayes 17; Noes 62.

### AYES

*Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr A Maginness, Mr P Ramsey.*

*Tellers for the Ayes: Mrs D Kelly and Mr McDevitt.*

# **NOES**

*Mr Allister, Mr S Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Ms Brown, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Mr McClarty, Mr I McCrea, Mr McElduff, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maskey, Mr P Maskey, Mr Molloy, Mr Moutray, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs Overend, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Sheehan, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Ms P Bradley and Mr Easton.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.*

*Question accordingly negatived.*

*Main Question put.*

*The Assembly divided: Ayes 18; Noes 62.*

# **AYES**

*Mr Agnew, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McDevitt, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr A Maginness, Mr P Ramsey.*

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

# **NOES**

*Mr Allister, Mr S Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Ms Brown, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Mr McClarty, Mr I McCrea, Mr McElduff, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maskey, Mr P Maskey, Mr Molloy, Mr Moutray, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs Overend, Ms S Ramsey, Mr G Robinson, Mr P Robinson,*

*Mr Ross, Mr Sheehan, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Ms P Bradley and Mr Easton.*

*Main Question accordingly negatived.*

**8.45 pm**

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

## **Arms Trade Treaty**

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

**Mr McDevitt:** I beg to move

*That this Assembly recognises the strong contribution made by the UK Government as one of the driving forces behind the arms trade treaty; calls on the Prime Minister to publicly affirm his Government's commitment to the establishment of a robust human rights-compliant arms trade treaty in 2012; and further calls on the UK Government to insist, during the July 2012 formal negotiations, that the sale of arms shall not be authorised where there is a substantial risk that it will lead to serious violations of human rights or international humanitarian law.*

I thank Mr Agnew, Ms McCann, Mr Wells, Mr McCallister and Mr Lyttle for joining me in co-sponsoring the motion. This is an exceptionally important issue, and the weeks ahead are an exceptionally important time. Next month, when member states gather in New York to negotiate a new international arms treaty, a unique opportunity will open up to increase the protections of ordinary citizens around the world against the damaging, lethal and tragic effects of illegally traded arms.

A robust global arms treaty is desperately needed to stop the irresponsible transfer of arms that fuels atrocities such as the one that we are witnessing in Syria these days. That conflict has already taken the lives of 10,000 people, and its impact never ceases to shock us. Many of the arms being used were procured through what have been, up to now, perfectly legitimate means. A treaty is also needed because we need to do something about the cost to Africa, which is estimated at \$18 billion a year, of armed conflict and because of the corruption of the defence industry, which is estimated to cost some \$20 billion a year. That undermines those who legitimately seek to make a living in that sector.

It is exceptionally important that the United Kingdom Government continue to take a leadership position during the talks in New York next month. It has taken years of diplomacy to reach this point. That diplomacy has been built around a strong and progressive coalition of nations: the European Union in its entirety, the United States under the current Administration and Administrations such as Australia and others around the world. However, states such as Syria and Iran and, to a lesser extent, China and Russia, seek to undermine the opportunity that is opening up. They seek to allow a deregulated arms trade. They do not want the international human rights standards that are available to us today to be made available to every citizen of this globe, particularly citizens who are in conflict zones and are being subjected to the onslaught of illegally traded arms.

I am very happy today to join colleagues and a much wider coalition of very many non-governmental organisations such as Article 36, Transparency International, Saferworld, Amnesty International and Oxfam, to mention just a few, in strongly recommending that all European Union Governments, but particularly the United Kingdom Government, do everything that they should during the forthcoming negotiations to secure a global arms trade treaty that will unambiguously require states not to transfer arms where there is a substantial risk that they may be used to commit or facilitate serious violations of international rights law or international humanitarian law, including gender-based violence such as rape and other forms of sexual violence.

They should secure a treaty that will make sure that we can continue to divert significant resources towards sustainable development and not away from it into arms trade, which covers a comprehensive scope of equipment and material that would fall under its control, including all conventional weapons, related articles and equipment that are used in military and internal security operations, or parts and components, technologies, technical expertise and equipment for making, developing and maintaining those articles.

The treaty should include all types of international trade, transfers and transactions, including imports; exports; re-exports; transits; transshipments; commercial sales; state-to-state transfers; loans and gifts; brokering; transport and finance. It should provide for robust mechanisms for prior risk assessment, end-user



assurances, brokering controls and criminal sanctions for activities that are not authorised in accordance with the treaty.

It should require that all states keep records of authorised transfers for at least 20 years. It should ensure transparency through annual public reports by states on all transfers and on how they have implemented their obligations under the treaty. Finally, it should ensure that the existing rights of victims of armed violence are recognised, including that states commit to providing them with assistance for recovery, rehabilitation, justice and inclusion.

This is a monumental opportunity for the United Nations and for those of us who live in democracies where we appreciate, uphold and cherish international standards of human rights. It is an opportunity for us to do our bit for young people in particular across the globe in places such as Uganda and the Democratic Republic of Congo, places overrun by the Lord's Resistance Army, which is fuelled by illegal arms. It is a way for us to send a message to Syria and other regimes, which treat their civilians as cannon fodder and which subject their civilians to inhumane treatment and death, that the terms of international trade in armaments are changing.

I am very happy to say that it is a treaty that comes with the sponsorship of those nations to which all in this House feel a greatest allegiance. It is also a treaty that allows us to reflect on our own history. Briefly, I want to recognise the opportunity that I had this morning, with Mr Wells, to meet some of our own victims of conflict. It was a meeting that reminded us of the impact that illegally traded weapons had in our own situation. Let us be a lesson in history to all other parts of the world that are caught up in conflict that illegally traded arms do as much damage and devastation and are as pointless a tool in the purpose of anyone's political objectives.

I thank Members at this late hour for staying on to make sure that our voice is heard and that we get the opportunity to send a strong message to the United Kingdom Government and the European Union Governments.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in this debate. After the dullness of the previous two debates, it is good to have something exciting to talk about. This is a serious issue, and it is not often that we get the opportunity to

speak on international affairs in this Chamber. I welcome the opportunity to do so.

There are a number of questions that we need to answer. Is there a need for an arms trade treaty? What can be achieved by states in the UN agreeing to that arms trade treaty? Even if there is agreement, can it be enforced?

So, is there a need? The arms trade is unregulated, and states need to accept that the absence of common international standards on the import, export and transfer of conventional arms is a contributory factor in the outbreak of conflict and abuse of international humanitarian law and human rights.

The arguments for an arms trade treaty from a humanitarian and human rights perspective is overwhelming. One person dies every minute as a result of armed violence. Millions more are injured, while others are displaced and lives ruined. Irresponsible arms transfers prolong conflict, cause poverty and destabilise regions. Conall gave the example of armed conflict in Africa. According to Amnesty International, that costs \$19 billion per year, roughly the same amount that Africa receives in aid.

What can be achieved by the UN agreeing to an arms trade treaty? A comprehensive treaty with robust implementation and verification measures can help to prevent the transfer of arms where there is evidence that they will be used to seriously violate international humanitarian law and human rights. Some states and regions have agreements but most are not legally binding and are easily exploited by unscrupulous arms dealers. Quite simply, they do not work. Self-regulation will never work in the arms industry.

Conall talked about illegal arms transfers. It is not just about illegal arms transfers. It is also about what at the moment are considered legal transfers of arms. One of the most important questions is whether an arms trade treaty can be enforced. First, there needs to be willingness among states, and there are indications that most states support the move towards an arms trade treaty.

In 2009, at the UN General Assembly, states voted 153 to 1 to move towards formal negotiations, which will take place next month. So, on the face of it, there is support, but the treaty must have strong enforcement measures otherwise it will not be worth the paper on which it is written. Although the treaty will create an international framework of legal obligation, it will

be implemented at a national level. Under an arms trade treaty, decisions on arms transfers will still be made by national governments. In that context, a treaty would help to introduce new levels of transparency and accountability into the international arms trade, particularly with regard to public reporting mechanisms.

The bottom line is that the sale of arms should not be authorised where there is a substantial risk that it will lead to violations of human rights or international humanitarian law. Of course, that does not deny states the right to arm and defend themselves, but every right brings responsibilities. According to the UN:

*“arms control, disarmament, and nonproliferation are essential to the maintenance of international peace and security”.*

It is for those reasons that the world needs an arms trade treaty, with common international standards on the transfer of arms.

**Mr Agnew:** I thank Amnesty International for its work in securing this cross-party motion and ensuring that the Northern Ireland Assembly has a say in advance of the treaty negotiations.

Northern Ireland knows only too well the devastation that can be caused by the end use of the product of the arms trade. An arms trade treaty will go some way to ensuring that governments are not sponsoring human rights atrocities in other parts of the world through the licensing of arms to areas where there is a substantial risk that it will lead to serious violations of human rights.

### 9.00 pm

Whilst there will be advocates in this House and elsewhere of a free market economy, the fact is that we have a mixed economy where, through regulation and taxation, we discourage the purchase of demerit goods, which are goods that are deemed harmful to society. For example, cigarettes now come with the warning “Smoking kills”, which is very true, but a cigarette is nothing compared to an AK-47. I make that point as some in the arms trade will argue against the arms trade treaty or will want a light-touch approach, but we must seek to improve regulation of the arms trade on an international basis. Others may say that existing legislation is sufficient. However, I alert Members to the ‘Dispatches’ programme on the after-school arms clubs, in which comedian and activist Mark Thomas helped two Amnesty

International school groups set up as arms brokers, exposing the loopholes in regulations and showing that getting round the regulation was child’s play. I want to make another point using the cigarette/AK-47 analogy. Some will seek to exclude small arms from any arms trade treaty as if they are somehow benign. Weapons such as AK-47s are considered small arms and are far from benign. In fact, they are lethal and can be used as tools of oppression, which is why they must be covered by the treaty.

The focus of the treaty must be on the protection of human rights, and that must override any economic considerations. The success of the treaty will, to a large extent, depend on the definition of the term “substantial risk” in the motion. For example, any treaty that permits the export of arms to regimes such as Libya or Bahrain does not, in my opinion, go far enough. It is worth noting that, while I welcome the work of the UK Government in supporting an arms trade treaty, they have exported arms to those oppressive regimes in the past. Equally, a regime that continues to oppress its citizens but has made small but significant improvements in its human rights record should not be seen as a legitimate recipient of arms exports. That was the language used by the UK Government in justifying the sale of 72 Eurofighters to Saudi Arabia in 2006, and we must guard against such language. There must also be a responsibility on states exporting arms to track those arms to their end use to prevent the sale of arms to oppressive regimes through a third party state.

While the motion calls on the UK Government to act, we must ensure that our own house is in order in Northern Ireland. In the past five years, Invest NI has given approximately £7 million to companies engaged in the arms trade. When Thales Air Defence, the recipient of that public money, presented to the Committee for Enterprise, Trade and Investment, I asked where it exported arms to, and its response was at best vague. When I then asked directly whether it exported to oppressive regimes, I got no answer and was informed by the Chair that it was not a legitimate line of enquiry. I must ask this: what oversight do we have of our own defence industry in Northern Ireland and how will we comply with an arms trade treaty, should it be agreed in July?

The motion highlights the failure of our current Prime Minister to give his unquestioning support to an arms trade treaty, and I hope that, in advance of the negotiations in July, he will do

that and that the UK Government will adopt a strong position in the negotiations.

**Mr Lyttle:** I express the support of the Alliance Party for the motion and share the hope that the global conference in New York in July will be a major blow to the unregulated arms trade across the globe.

We know from reports from groups such as Amnesty International and Oxfam that the poorly regulated global trade in arms and ammunition has had a direct impact on increased poverty, human rights abuses and conflict. The treaty must also seek to tackle the horrendous reality of gender-based violence during conflict. There needs to be a focus on prohibiting the trade of arms that could be used to perpetrate acts of sexual and gender-based violence, in line with international legal and moral responsibilities to prevent such atrocities.

The challenge is compounded by the increasing globalisation of the arms trade. Components are sourced from across the world, and production and assembly can occur in different countries that have varying levels of control. This is a global problem that requires an agreed global response, and the opportunity that exists in the July negotiations to achieve that cannot be overstated. It is vital that all involved act to end the lack of regulation in the global arms trade. Unfortunately, we know painfully well in this region how arms can ruin lives and damage communities. We have seen at first hand the cost of a society divided and traumatised by violence. Amnesty recently joined with local victims group WAVE to highlight the impact that illegal arms have had on people in Northern Ireland. I therefore hope that the UK Government will heed the difficult lessons learned from Northern Ireland and take them to the July negotiations.

In our 2010 Westminster election manifesto, we in Alliance stated support for:

*"Providing peace and security through a global system that supports democracy, human rights and the rule of law".*

In the same manifesto, we also pledged to support:

*"the effective reform of global institutions, to better promote globally agreed objectives"*

and we recognised:

*"the central role of the United Nations in maintaining global peace and security."*

We stated that:

*"Alliance looks forward to a world based upon the rule of law. We endorse the work of the UN and NGOs in promoting democracy, pluralism, respect for human rights, and good governance."*

I take this opportunity to pay tribute to the NGOs and all campaigners who have worked tirelessly to bring about an agreed arms trade treaty. The commitments outlined in Alliance's 2010 Westminster manifesto have been put into action by my colleague Naomi Long MP, who recently signed an early day motion noting deep concern for the damage to human rights and development caused by the illegal arms trade and stating that the arms trade treaty:

*"should legally bind the regulation of arms exports and imports, provide international oversight and create the necessary enforcement mechanisms"*

to tackle unregulated arms. I welcome that fact and hope that this House also records its support for such action today. The Control Arms Coalition is inviting Members of Parliaments from around the world, including the Northern Ireland Assembly, to send a message in support of a robust arms trade treaty by signing a parliamentarians' declaration. I will add my name, and I urge Members to do the same.

The Alliance Party hopes that all member states will agree a robust arms trade treaty. However, it calls on the UK Government in particular to ensure that this agreement is rigorously effective in preventing the transfer of arms that contribute to heinous abuses of international human law across the globe.

**Mr Wells:** As the honourable Member for South Belfast Mr McDevitt indicated, we had a meeting this afternoon with some of the victims of the illegal arms trade in this part of the United Kingdom. Indeed, we heard testimony, for instance, from some of those who were terribly injured as a result of Semtex imported from Libya and what was then Czechoslovakia by the Provisional IRA to inflict dreadful pain, injury and destruction on our Province. We also had testimony from those who had suffered at the hands of weapons illegally imported from South Africa under the apartheid regime, weapons that were used to indiscriminately attack members of the nationalist community. So, we in the Province are very aware of the damage that can be caused by illegal weapons. There may even be people

in the Chamber who have used such illegal weapons. Therefore, it is important that we support the motion and try to drive out this evil trade.

Some of the statistics are quite shocking. Between 1989 and 2010, there were 131 armed conflicts throughout the world, leading directly to the loss — it is an estimate; we cannot be specific — of between 794,000 and 1.1 million lives. That is over 50,000 a year. Even more shockingly, it is reckoned that, each year, 200,000 people lost their life indirectly, as the result of famine and population movements caused by the use of illegal weapons. The countries involved include Burma, Sudan, Afghanistan, Syria and Sri Lanka. The list is very sad and very long. Even more shockingly, on top of all that, it is reckoned that, in the same period, 43.3 million people were displaced as a result of those conflicts. So, this trade is causing an abhorrent amount of misery.

We are not here to condemn the arms trade per se. There is a legitimate use of arms. For instance, if the United Kingdom or the Republic of Ireland, which, by the way, is the ninth highest producer of arms in the world — an extraordinary statistic that I did not know until today — wished to supply arms to Sweden, a democratic state where there are basic human rights and a solid democratic structure, that is fine. The problem arises when arms that are supplied legitimately go astray into less reputable states. That is why we support the need for an arms treaty and welcome the fact that our Government of the United Kingdom are playing a leading role. It is also reassuring that the three leaders of the political parties in the UK — Conservatives, Labour and Liberal Democrats — have all come out strongly in support of the campaign. Indeed, the United Kingdom and the Irish Republic were among the 153 countries in the UN that backed the arms trade treaty. There were 19 abstentions and, interestingly, the only country that objected to the treaty was Zimbabwe, which is hardly a shining example of human rights, democracy or the protection of the freedoms of minorities. Therefore, it is clear that the vast majority of civilised democratic nations in the world want to bring this trade under immediate control.

Many of the Members who contributed to the debate referred to the effects of the arms trade in hostilities. However, it must also be remembered that it is estimated that 42% of global homicides are committed by criminal gangs using illegal firearms. That works out at 199,000 homicides a year. One has only to see the devastating effect of the use of illegal

weapons in places such as Mexico, where the evil drugs trade is spiralling out of control, and tens of thousands of people are being killed. So it is absolutely imperative that we back the treaty.

The motion poses no threat to the legitimate manufacture and distribution of arms, but, properly implemented, overseen and enforced, it will reduce dramatically the number of weapons getting into the hands of juntas, gangs, dictators and those who cause such dreadful torment in places such as the Democratic Republic of Congo as we speak this evening. I support the motion, and I hope that, when the negotiations become extremely serious in July, they will conclude successfully, leading to a treaty that is enforceable throughout the world.

*Question put and agreed to.*

*Resolved:*

*That this Assembly recognises the strong contribution made by the UK Government as one of the driving forces behind the arms trade treaty; calls on the Prime Minister to publicly affirm his Government's commitment to the establishment of a robust human rights-compliant arms trade treaty in 2012; and further calls on the UK Government to insist, during the July 2012 formal negotiations, that the sale of arms shall not be authorised where there is a substantial risk that it will lead to serious violations of human rights or international humanitarian law.*



*Motion made:*

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

## Adjournment

### Magilligan Prison

**Mr Principal Deputy Speaker:** The Minister of Justice has advised the Speaker that he is unwell and unable to respond to the debate. The Minister for Employment and Learning will respond on Mr Ford's behalf. The proposer of the topic will have 15 minutes, the Minister will have 10 minutes in which to respond, and all other Members who are selected to speak according to the list that we have at present will have five minutes.

**Mr G Robinson:** At the outset, let me wish the Minister a speedy recovery. I thank the Minister for Employment and Learning for sitting in on his behalf tonight.

I fully and proudly support the retention of Magilligan prison. The Justice Minister must be made aware of important considerations. We must all remember that the loss of the prison will mean the loss of approximately 440 jobs and about £10 million from the local economy. In a written answer to me, the Minister recently stated that 332 of those 440 jobs were in the East Londonderry constituency. The argument that there would be no economic impact does not stack up with that admission, and nor does it tally with the Minister's comment during a recent Question Time, when he told me:

*"I do not see how moving a facility from A to B is wiping out jobs or decimating the economy".*

In our case, it certainly would do that.

We must also be conscious that, by 2014, approximately £16 million of taxpayers' money will have been spent on the upgrading of Magilligan prison. I am sure that spending approximately £250 million on a new prison at any location is not good value for public money, in the light of the money that has already been spent on the prison, particularly in these harsh economic times.

**9.15 pm**

Although stating that the cost for greater Belfast families to travel to Magilligan is prohibitive, the Minister must also realise that it will be equally

costly for families who live in the north-west to visit family members in a prison on the outskirts of Belfast. A more sustainable argument is needed if we are to spend a vast amount of public money. If Magilligan prison is permitted to close, the loss of employment and the economic devastation on the north-west area will be catastrophic. The Finance Minister was with us in Limavady last week. He is aware of the major difficulties faced by traders in Limavady and other north-west towns. We cannot permit such a loss of employment or damage to the north-west economy. As 332 members of the Magilligan prison staff live in East Londonderry, 16 in Foyle and 71 in North Antrim, the impact would be widespread.

I understand that the site at Magilligan is entirely owned by the prison authorities and, therefore, there would be no cost to the taxpayer in purchasing a new site. That is a significant financial plus point for Magilligan's redevelopment and removes what is a substantial part of any building programme. The redevelopment would also create much-needed construction jobs for the local economy. It must also be remembered that Magilligan was given the go-ahead for redevelopment in 2007 by Paul Goggins, the Minister responsible for justice. In 2009, the Prison Service director, Robin Masefield said:

*"This is an important milestone in the Magilligan re-development".*

That puts the support of the Magilligan site beyond all doubt. Indeed, the redevelopment can go ahead using the current accommodation. That sounds like the perfect economic solution.

The Bain report supported the roll-out of Civil Service jobs, but it appears that Limavady may lose its courthouse, and Dungiven police station in my constituency has already closed. Now, there is the proposed threat to close Magilligan prison. I ask all MLAs to support the debate to ensure that employment is retained and that our economy in the north-west of Northern Ireland is supported in the most practicable and sensible manner. The Minister's legacy can be very positive, not one of creating more unemployment and economic hardship in the north-west. I appeal to the Minister to give every consideration to the upgrading and redevelopment of Magilligan prison.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Tá mé breá sásta a bheith ag labhairt ar an ábhar seo inniu.

I am pleased to speak about Magilligan prison. However, I wish that the debate had come slightly earlier in the day.

I support the overall review of the prison estate, and the proposal to close Magilligan is an integral part of it. There are reasons for the justification of the closure of Magilligan, as, indeed, there are reasons to retain it, and it is important to examine both.

When Magilligan opened in May 1972, it consisted of eight Nissen huts. Some of those are still in operation today as workshops in the prison. Two years ago, when I was mayor of the borough of Limavady, I visited Magilligan and was shocked at the state of the infrastructure in the prison. As we know, today's prisoners are held in four of the H-blocks there. A report from eight years ago by HM Chief Inspector of Prisons and the Chief Inspector of Criminal Justice Inspection described the prison then as unfit for purpose. That followed an earlier report from 2001. Prisoners have no integrated sanitation in cells and must slop out at night. Magilligan has one of the highest rates of suicide in any of the prisons.

Magilligan was obviously placed where it was in 1971 for reasons different from those why it exists there today. It is 71 miles from Belfast. Of course, either of the two routes to Magilligan has a bottleneck: the Frosses or the impasse at Dungiven, as it has no bypass.

The prison, which contains upwards of 1,000 people between staff and inmates, has an inadequate sewerage system and will not have an adequate sewerage system any time in the next two years, when the new Magilligan waste water treatment plant is delivered. Raw sewage goes straight into the dunes or the sea beside a blue flag beach. That is a great tourism deterrent from the point of view of the status and designations that the area has. The Magilligan area is, of course, the gateway to the Inishowen peninsula and the Causeway Coast, and we are rightly proud of it.

The operating cost of Magilligan prison makes it one of the most expensive prisons in western Europe. When the original proposal to close the prison was announced in 2005, an audit report established that, at the time, it cost the taxpayer £25.2 million. That was roughly

£70,000 for each prisoner, each year. That was to house low- to medium-risk prisoners with less than six years to serve.

There are, of course, reasons to maintain Magilligan prison. It provides jobs locally. I had a crowd from Magilligan here yesterday, including the new mayor, who is himself a Magilligan man. The number of people from Magilligan working in the prison is somewhere in the region of 12. Another Member, speaking recently on the radio, claimed that 90% of Magilligan employees lived within 15 miles of the prison. I find that very, very hard to believe. I would love to see the travel expenses and allowances for staff.

The closure of the prison would have a negative impact on the parish of Magilligan, as the local parish priest, Father O'Hagan, is chaplain to the prison. If the prison were to close, that may make the parish of Magilligan untenable as it stands. There would also be a negative impact on the village. The local Spar shop, which has a comprehensive range of services, including an ATM and the local sub-post office, and employs upwards of 15 people, would be seriously impacted on.

In fairness, we have to look at the entire project. If Magilligan prison is to close — we have been given a six-year timescale — we need to look now at what we intend to put in its place. We do not want to see it become another Fort George or Shackleton, as it sits empty at the minute. There is great potential there. We are beside the longest beach in Ireland. If the prison closes, I will be looking for the closure of the MoD range and an opening up of that entire area for tourism. As I said, we are ideally located between the Causeway Coast and Inishowen.

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

**Mr Ó hOisín:** We have wonderful potential for tourism in that area, if, indeed, Magilligan prison is to close.

**Mr Swann:** I welcome the opportunity to speak in this Adjournment debate. I commend Members for securing a debate on such an important topic.

The Prison Service is going through a period of reform, while the prison review team report of October last year, setting out 40 recommendations as well as the strategic efficiencies programme, is moving forward and making progress.

I will not delay things any longer. I will just put forward the Ulster Unionist position on the case. At this stage, we object to the closure of Magilligan prison and will do anything that we can to support its retention. The cost of such a move would be huge. I have heard estimates of around £140 million, should a new prison be built at the preferred site of Maghaberry prison. I have to question the rationale behind that expenditure, given the economic climate in which we find ourselves.

George Robinson referred to the number of people from North Antrim employed in the prison. Indeed, many of my constituents are concerned about any closure of Magilligan prison. Indeed, the public in general are more interested in the Executive creating jobs, tackling unemployment, providing an effective health service and fixing our education system, as opposed to building new facilities in which to house those who partake in criminal activity.

There are approximately 400 or 600 — could someone remind me of the number of jobs? I apologise, Mr Principal Deputy Speaker.

**Mr McClarty:** Four hundred.

**Mr Swann:** There are roughly 400 jobs.

**Mr Storey:** Approximately.

**Mr Swann:** Approximately. It is important we do all that we can to protect those jobs in the current economic climate.

As was mentioned, the Bain report talked about the devolution of Civil Service jobs. We should support that, and we should not look to recreate a centralised facility. A number of areas have been mentioned for the building of a future prison. Magilligan is ideally situated, and it has served a purpose for a long period of years. We should support the retention of the prison at Magilligan at this stage.

**Mr Dallat:** I am sitting here wondering why I am involved in an Adjournment debate to keep a prison open, especially one with “Her Majesty’s Prison” in the title. I will tell you what influences me: it is my 30 years in the teaching profession and what I experienced when I went into that prison to meet the staff and to talk to the inmates. I saw at first hand something unique. It was something that could not be transplanted to Maghaberry or to the greater Belfast area. That is primarily the reason why I support the

debate that has been put forward by Mr George Robinson.

The third dimension that was mentioned — the support from the voluntary sector and from the chaplains — is unique. However, what really made up my mind was a graduation ceremony that I was invited to. Young people who had gone into prison, who had failed society and been failed by society, had got enough qualifications for entrance to university. Those people were going to go back out into the world able to contribute something, which, I think, was very special because of the experience of being in jail and of meeting very humane staff. The staff were very strict, but, at the same time, the prison did not have that awful empty clanging feeling or the empty shouting and such things that you very often associate with prison. It symbolised to me some of the things that St Francis of Assisi said. It replaced hatred with love; it replaced loneliness with affection. It had all of those things being translated into something extremely positive.

Magilligan is probably no different from other institutions, in that a very high percentage of the young people who go in there have serious literacy and numeracy problems, but the service that is provided there is second to none. The greatest wish of the inmates whom I talked to was that they would not transfer to the next generation the problems that they had and which, perhaps, the previous generation had. Very often, it was those problems that brought them into contact with drugs and criminality and so on.

One experience really made me think. It occurred on an occasion when the prison inmates and staff were out together raising funds for some very deserving cause by doing a sponsored walk from Coleraine to Kilrea. At some stage, I decided that I was not doing the walk, so I got the car. I spotted the minibus sitting along the road, so I got in for a yarn with a member of staff, as I thought. I started to ask him how long he was in the Prison Service and so on, but he told me that he was an inmate. That showed me something that I had not known existed: the trust was there, the minibus was not driven off, and the inmate did not escape. From what I hear, you will certainly not get that kind of behaviour in Maghaberry. You do not get it in other prisons.

I suppose the same argument could be applied to universities. You do not uproot a university,

plant it somewhere else and expect all the support services to come with it. Why should a prison be different? I do not think that the new prison would have to be on exactly the same site. There has been concern about the route to the ferry service and Donegal and so on, but the north-west, in particular, desperately cannot afford to lose any jobs. There is prison reform. In the future, many more people will be employed in the Prison Service; people will need those jobs. The local businesses that are struggling against big supermarkets and so on could also do with the work.

The disadvantage of families having to travel a greater distance does not outweigh the tremendous opportunities that exist and the ethos of that crumbly, knock-down prison, from which people leave different from how they were when they went in.

### 9.30 pm

**Mr Storey:** I commend my colleague George Robinson for securing the debate. One might ask why a Member for North Antrim has an interest in ensuring that Her Majesty's Prison in Magilligan is retained, and the reason for that is not because we want to see the retention of another prison. Although it is a sad reflection of our society, it is a reality that we need places where those who have breached and broken the law can be placed so that they can pay their debt to society.

There are many things that the Member who spoke previously said about Magilligan that we concur with, and I speak as someone whose brother-in-law taught in Magilligan for a number of years. My brother-in-law will concur with many of the comments that the Member who spoke previously made, and I know that the time that he spent working in Magilligan prison was very useful and profitable.

People should not go away with the idea that it is a prison that is somehow unlike any other. Unfortunately, however, it still is a prison, and it is still a place where, if you are locked away in it, you will pay your debt to society in an environment that is not the most becoming. There is an issue about the humanity of what goes on there for the prison officers, the inmates and the community that has built up over the long number of years.

Not that many years ago, in my own town of Ballymoney, we benefited as a result of a

scheme under which, in conjunction with the council, the inmates did some work to tidy up a number of properties in the town. That was very much appreciated.

I mean this about the Executive and Departments across the piece, but there now seems to be the idea that, to resolve a problem, you build everything bigger and centralise it. That is being done with schools. The sustainable schools policy has been thrown out of the window, and we are now talking about having schools of 2,000-plus children in some cases, rather than 500 pupils in post-primary schools.

The same is happening in health. We are told that we do not need all the hospitals, and that we need to build larger hospitals. Now it looks as though they are telling us that we can do away with Magilligan and build a bigger prison somewhere else and that that will be a great benefit. I do not think that that is the best way for us to go. For a variety of reasons, I caution any decision to move the prison from Magilligan. That includes those reasons that Member who spoke previously gave, as well as the local economy, which is vital in an area that has suffered over the years. Also, from a North Antrim perspective, it has been mentioned that the prison officers have had a very decent travel-to-work distance, and if they were to move to some other location, whether it be in the greater Belfast area or wherever, that distance will greatly increase.

Although I trust and pray that, as a society, we are moving into better days than those we came from, there is also the issue of Magilligan being a secure prison. It has had a number of incidents in the past, but if I recall correctly, I do not think that it ever had any massive breakouts or similar events. Therefore, it is relatively secure, and I think that that still has to be taken into consideration.

When I commenced, I said that, in an ideal world, we would not be building more prisons but that we would be trying to reduce our prison population. However, there is another element to the work at Magilligan that has been useful, and that is the purpose that it serves for inmates who are serving the last years of their sentences. It prepares prisoners for the transition from prison into society in a way that I do not think happens in any other prison in Northern Ireland. Therefore, for that and many other reasons, it is illogical to consider



moving Magilligan to any other location. I think that Magilligan should be retained. I support the topic for debate, which my colleague Mr Robinson brought.

**Mr McClarty:** I know that the hour is late, but I am delighted that Mr Robinson has secured this debate and that I have been here to witness a unique occasion: a public representative arguing for unemployment in his constituency — a constituency that has already been devastated by the loss of a great number of jobs in recent times. I have never heard anything more ridiculous. I, of course, firmly oppose the Justice Department's proposal to close HM Prison Magilligan. The decision promises to be an absolute economic disaster for the north-west and a ridiculous haemorrhage of public money. I urge the Justice Minister to consider the severe consequences of the proposed closure.

HM Prison Magilligan helps to feed the local economies of Coleraine and Limavady, and although the Minister admits that he is not capable of seeing how moving the facility from A to B would wipe out jobs and decimate the economy, he is very capable of trivialising a situation to suit his means. If this were a simple case of moving from A to B, we would not be having this debate this evening. The closure of Magilligan will wipe out jobs, which does decimate the economy.

I am astonished that one of the reasons for the proposed closure is that it will benefit the families of prisoners from the greater Belfast area. What about the families not from the greater Belfast area? Although I appreciate that most prisoners in Magilligan probably come from that area, the move will have a negative effect on more people than it will benefit, particularly if you consider the 400 staff who live within a 20-mile radius of the prison, as well as the prisoners not originally from the greater Belfast area. The Minister's prison reform is proposing to uproot 400 families of honest, hard-working staff to benefit the families of prisoners. Prison is a punishment; it is not meant to be convenient. Prisoners knew the consequences of their crime and the impact that it would have on their families when they made the decision to offend. It is not rational or fair to accommodate those in prison for crimes at the expense of those who work honestly for their living.

It is claimed that Magilligan prison is not fit for purpose and needs radical refurbishment. Many of my constituents would argue that their living arrangements are not fit for purpose, but they simply make do. Some of our hospitals, schools and care homes are not fit for purpose either, and yet the Executive are reluctant to equal the money proposed here to fund those necessary projects. I appreciate that the Minister has a budget to spend. If it is necessary, spend it on a new security facility at Magilligan rather than taking it to Belfast.

I believe that the proposal is a ridiculous haemorrhage of money. What sense is there in investing £4 million in a facility, with a further £2 million proposed, only to eventually tear it down? It is absolute nonsense. Furthermore, why spend a ludicrous sum of money buying new land at Maghaberry when we already own perfectly good space at Magilligan? I would ask the Minister to be mindful that we are spending money from the public purse.

The Justice Minister claims that he is working to best meet the needs of everyone in Northern Ireland. He has yet to convince me and many others how moving the facility to Maghaberry will do that. It seems that it will suit the population of greater Belfast, but no one else. West of the Bann has suffered greatly since the beginning of the economic downturn. The area does not need this. I just want to remind the Minister that there is life, an economy and another place beyond Glengormley.

**Mr Principal Deputy Speaker:** I call Dr Stephen Farry, the Minister for Employment and Learning, to respond on behalf of the Minister of Justice.

**Dr Farry (The Minister for Employment and Learning):** First, I congratulate Mr Robinson on securing this Adjournment debate and bringing the issue to the House, and I thank the other Members for their contributions. In doing so, I want to pass on the apologies of the Justice Minister, David Ford, for his absence from this evening's debate. It is certainly no reflection of his attitude to the matter and should not be seen as diminishing the importance of the issue. He is, unfortunately, unwell and has asked me to stand in. Hopefully I am a somewhat adequate replacement for him.

I will endeavour to respond to the debate as best I can. If there are particular issues that I do not cover during my remarks, officials from the Department will be taking a careful

note of everything that has been said and will respond to Members in writing to address those outstanding issues.

The effective management of offenders in custody and the subsequent benefits for society in improved public safety and reduced levels of reoffending are matters that affect all of us here and, indeed, the people we represent. That is why the Minister of Justice has committed his Department to fundamentally reforming the Prison Service. It is why he established the independent review of prisons led by Dame Anne Owers and why he is driving forward the implementation of that team's recommendations. It is why, last week, he launched the Northern Ireland Prison Service's outline estate strategy, which sets out the proposals for the strategic development of the prison estate in order to ensure that our prisons are best equipped and configured to provide not only safe, secure and decent accommodation but a physical environment that can support work to rehabilitate offenders and to enable individuals to change.

No doubt Members will already be familiar with the range of proposals included in the strategy. Those proposals have been informed by the Executive's priorities and by the Department of Justice's strategic objectives, and they represent the Northern Ireland Prison Service's assessment of how the prison estate can be best developed in respect of specific prisoner population groups, whether they are young or adult, female or male offenders. The strategy needs to be seen as a package of proposals that, taken together, represent what the Minister of Justice believes is the most effective configuration to meet the aims of the Prison Service, to reduce the risk of reoffending and, in doing so, to improve public safety.

I am sure that the Minister of Justice would want me to acknowledge the very good work that is being done at Magilligan. Indeed, that work has been commended by Criminal Justice Inspection Northern Ireland and the prison review team. However, Members will recall that the review team also considered that the effectiveness of that work is limited by its location. I certainly want to put on record that we fundamentally recognise and respect the good work that is being done at Magilligan.

Mr Dallat referred to universities. Universities and prisons are not polar opposites. They have

a lot of common ground in what they are trying to do to improve people's lives and contribute to society. I can also comment directly on my Department's work with Magilligan through the North West Regional College's partnership with it. In doing so, the point I am trying to make is that although Magilligan is the most successful of the current establishments, and, indeed, the prison review team recognised that, it attributed it to the fact that it has a single task, which is to hold what are essentially low-risk men who will soon be returned to the community.

The strategic efficiency and effectiveness programme aims to address any imbalance and to embed cultural change across all the Northern Ireland prison establishments. It is about trying to create a new focus on rehabilitation. Rehabilitation is not the polar opposite of punishment. Of course, punishment is an element of why we send people to prison, and the loss of liberty is, itself, a major punishment. However, that must go hand in hand with rehabilitation, because people are ultimately going to be released into society and we have to focus on reducing the level of reoffending.

It is also about trying to introduce new, effective working practices. It is about a revised focus on training and the development of staff. What I am trying to get across in making those points is that the Prison Service is not trying to lose the culture of Magilligan but to build on it and ensure that that type of culture is more effectively reflected throughout the existing estate.

#### 9.45 pm

Research has identified a number of clear factors or pathways that can support the effective resettlement and rehabilitation of prisoners and has emphasised the importance of strong family links and employability. The review team stressed that Magilligan is too dislocated from the families and communities of most prisoners. Indeed, records show that the home locations of almost 50% of the adult male prisoner population are within 20 miles of Belfast, and a further 25% are within 40 miles of Belfast, making a total of 75% that are within 40 miles of Belfast. Again, the review team also observed that Magilligan is too far removed from the large-scale sustainable employment opportunities to realise the full potential for effective rehabilitation work. That is why the future accommodation model that is proposed

in the strategy includes the development of a new medium-security prison in a central location.

It is important to stress that this is not simply about providing for the convenience of prisoners and their families, as some have suggested, nor should it be about providing for the convenience of Prison Service staff, although the Minister accepts that more detailed equality and economic impact assessments will be needed in relation to these proposals. This proposal is and should primarily be about what is best for society in Northern Ireland by providing what is the most effective environment to tackle offending behaviour, and, in doing so, to make society safer.

There are other considerations. The physical deficiencies of Magilligan have been well documented. Criminal Justice Inspection has criticised the physical environment as oppressive and not fit for purpose, and has condemned the continued use of the H-blocks. The Prison Service assessment is that the prison has outlived its useful economic life.

Magilligan prison was never designed to provide a long-term solution for the accommodation of Northern Ireland's prison population. The prison complex was opened in 1972, and has been periodically added to over the course of its lifespan. It now consists of a collection of buildings. The most recent addition to its accommodation is Halward House, which was opened in 2008, but it also includes former army Nissen huts and the H-blocks that were built in 1979. They are difficult to supervise and have no in-cell sanitation. Much of the infrastructure is in need of replacement, resulting in inefficiencies and excessive utility and energy costs. Outdated design also means that many parts of the prison, such as the H-blocks, are costly and resource-intensive to staff.

Moving to a new, purpose-built prison would enable the Prison Service to take advantage of the latest thinking in technology and design in order to create an effective and efficient built environment. It would also afford greater flexibility in managing evolving prisoner populations.

I understand the concerns that have been voiced about the impact of these proposals on the economic life of the area around Magilligan prison, as does the Minister of Justice. As Members will know, he launched a public consultation on the strategy last week, and, subject to the outcome of that exercise, he is committed to carrying out full economic and

equality impact appraisals on the proposals as they are progressed. However, he is ultimately confident that the proposals set out in the strategy for the development of a new prison and the subsequent decommissioning of Magilligan constitute an important investment in public safety for Northern Ireland. Indeed, the economic appraisals of the outline case to date suggest that the costs of a rebuild on the Magilligan site are significantly more than those of a build elsewhere. It is important that that is factored in when we are considering the overall case, particularly because of the pressures on public money.

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

**Dr Farry:** I will leave it there, Mr Principal Deputy Speaker.

*Adjourned at 9.49pm.*







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