

# Official Report (Hansard)

Tuesday 26 November 2013  
Volume 89, No 8



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Suggested amendments or corrections will be considered by the Editor.

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to arrive not later than two weeks after publication of this report.

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Anderson, Sydney (Upper Bann)  
Attwood, Alex (West Belfast)  
Beggs, Roy (East Antrim)  
Bell, Jonathan (Strangford)  
Boylan, Cathal (Newry and Armagh)  
Boyle, Ms Michaela (West Tyrone)  
Bradley, Dominic (Newry and Armagh)  
Bradley, Ms Paula (North Belfast)  
Brady, Mickey (Newry and Armagh)  
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Byrne, Joe (West Tyrone)  
Campbell, Gregory (East Londonderry)  
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Cochrane, Mrs Judith (East Belfast)  
Copeland, Michael (East Belfast)  
Craig, Jonathan (Lagan Valley)  
Cree, Leslie (North Down)  
Dallat, John (East Londonderry)  
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Douglas, Sammy (East Belfast)  
Dunne, Gordon (North Down)  
Durkan, Mark (Foyle)  
Easton, Alex (North Down)  
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Foster, Mrs Arlene (Fermanagh and South Tyrone)  
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Overend, Mrs Sandra (Mid Ulster)  
Poots, Edwin (Lagan Valley)  
Ramsey, Pat (Foyle)  
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Spratt, Jimmy (South Belfast)  
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Swann, Robin (North Antrim)  
Weir, Peter (North Down)  
Wells, Jim (South Down)  
Wilson, Sammy (East Antrim)

# Northern Ireland Assembly

Tuesday 26 November 2013

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

*Members observed two minutes' silence.*

## Private Members' Business

### Broadcasting Powers: Petition of Concern

**Mr Speaker:** The first item of business will be the deferred votes on the motion and the related amendment on the transfer of broadcasting powers. I remind Members that both votes require cross-community support.

*Motion proposed [25 November 2013]:*

*That this Assembly calls on the Minister of Culture, Arts and Leisure to explore with the Secretary of State the potential for transferring broadcasting powers from the Department for Culture, Media and Sport to her Department and for funds for the Irish Language Broadcast Fund and the Ulster-Scots Broadcast Fund to be transferred and mainstreamed. — [Ms McCorley.]*

*Amendment proposed [25 November 2013]:*

*Leave out all after the second "Department" and insert*

*"through the establishment of an independent advisory panel in order to assess the viability of any potential transfer and of the transfer and mainstreaming of the Irish Language Broadcast Fund and the Ulster-Scots Broadcast Fund." — [Mrs McKeivitt.]*

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 44; Noes 47.*

### AYES

### NATIONALIST:

*Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly,*

*Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

### UNIONIST:

*Mr B McCrea.*

### OTHER:

*Mr Agnew, Mrs Cochrane, Mr Dickson, Mr Ford, Ms Lo, Mr Lunn, Mr McCarthy.*

*Tellers for the Ayes: Mrs McKeivitt and Mr McKinney.*

### NOES

### UNIONIST:

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Anderson and Mr Clarke.*

Total Votes	91	Total Ayes	44	[48.4%]
Nationalist Votes	36	Nationalist Ayes	36	[100.0%]
Unionist Votes	48	Unionist Ayes	1	[2.1%]
Other Votes	7	Other Ayes	7	[100.0%]

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

Other Votes 7 Other Ayes 0 [0.0%]

*Main Question put.*

*Main Question accordingly negated (cross-community vote).*

*The Assembly divided:*

*Ayes 36; Noes 56.*

## **AYES**

### **NATIONALIST:**

*Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Ms McCorley and Mr Ó hOisín.*

## **NOES**

### **UNIONIST:**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells.*

### **OTHER:**

*Mr Agnew, Mrs Cochrane, Mr Dickson, Mr Ford, Ms Lo, Mr Lunn, Mr McCarthy.*

*Tellers for the Noes: Mr Anderson and Mr Clarke.*

Total Votes 92 Total Ayes 36 [39.1%]

Nationalist Votes 36 Nationalist Ayes 36 [100.0%]

Unionist Votes 49 Unionist Ayes 0 [0.0%]

## Ministerial Statement

### North/South Ministerial Council: Education

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. A Cheann Comhairle, le do chead, ba mhaith liom ráiteas a dhéanamh i gcomhlíonadh alt 50 de Acht Thuaisceart Éireann 1998 faoin chruinniú den Chomhairle Aireachta Thuaidh/Theas i bhformáid oideachais. Tionóladh an cruinniú in Ard Mhacha 8 Samhain 2013. Mr Speaker, with your permission, I wish to make a statement in compliance with section 52 of the NI Act 1998 regarding a meeting of the North/South Ministerial Council (NSMC) in education format.

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

The meeting was held in Armagh on 8 November 2013. I, as Minister for Education, represented the Executive along with the Minister for Social Development, Nelson McCausland MLA. The Irish Government were represented by Ruairí Quinn TD, Minister for Education and Skills. Tá an ráiteas seo aontaithe leis an Aire McCausland agus tá sé a dhéanamh thar ceann na beirte againn. The statement has been agreed with Minister McCausland and is made on behalf of both of us. I will summarise the main points from the meeting, which range across all the agreed areas of education cooperation.

#### 11.00 am

Since the previous NSMC meeting in February, there has been very successful engagement between both Departments on a collaborative work programme. I commend the successful high-level engagement between both Departments to agree the future education work programme, which includes joint inspection reports on literacy and numeracy, initiatives to address educational underachievement and disadvantage, and work to promote good school leadership. Further progress in that area will be reported at the next meeting, which is scheduled for April 2014.

At the meeting, we noted the report of the two education inspectorates on the structured cooperation between them, which includes participation in professional development programmes, inspector exchanges, joint inspections of specialised projects, and regular meetings of the senior management teams of

both inspectorates. I look forward to a further update on that at April's meeting.

I remain committed to the expansion of services at the Middletown Centre for Autism. I am delighted that the centre has commenced its expansion of services and is already delivering support to an additional number of children referred to it by the education and library boards. I am also pleased to report that the refurbishment works to provide accommodation for newly recruited staff has been completed, as have two model classrooms to support the training of professionals. A number of the additional staff appointed to deliver the expansion of services have taken up post, with others due to start in the coming weeks. The expansion of services in the North will enable a larger number of children to receive direct support from the centre. That will be invaluable to some of our most vulnerable children with complex autism.

Other ministerial colleagues and I were pleased to hear about the continuing work to progress implementation of the recommendations made in the joint inspectorate report on the Dissolving Boundaries North/South programme. It was particularly pleasing to note the increased focus on self-evaluation of the projects being taken forward. Minister Quinn and I welcome the continuing support given by the Education Departments to all-island initiatives promoting literacy and numeracy through Maths Week Ireland and Children's Books Ireland.

We noted that the work of the educational underachievement working group has been reviewed and that the group will now have a greater focus on social-based policies with an intended educational outcome. The group will focus initially on three strands of work linked to those social-based policies: international benchmarking studies; school-based and social interventions to address educational underachievement; and the impact of preschool placements on primary-level performance. I welcome that change of focus, which complements my own priorities for improving educational outcomes for our most disadvantaged young people.

We also noted that work is ongoing between the Education and Training Inspectorate and the Department of Education and Skills Inspectorate on the production of two North/South joint inspectorate reports on best practice guidelines in literacy provision at post-primary level and numeracy provision at post-primary level. That continuing cooperation between the two inspectorates is to be welcomed. I am very pleased to be informed

about the continued success of the collaboration of our inspectorates, North and South, and look forward to receiving, early in 2014, a copy of the joint report relating to literacy in both jurisdictions and, later in 2014, a joint report on numeracy in the North and the South. I note the desire of the inspectors in both jurisdictions to build on the high-quality joint work that they have undertaken to date. I look forward to hearing more of their specific plans for extending the scope of the work that they do together.

On teacher qualifications, both Departments are progressing the implementation of recommendations for improving mobility contained in a joint report produced by the two teaching councils. A decision taken by the Teaching Council Ireland in December 2012 to waive the fee for the assessment of qualifications for teachers from the North who are accredited by the General Teaching Council here has now been implemented. Both teaching councils continue to work together to simplify assessment of teacher qualifications for the purposes of their registration with the Teaching Council Ireland. Although I recognise the constraints posed by the legislative frameworks within which both councils work and the differences in the policy frameworks in both jurisdictions, I have been encouraging officials from both Departments and councils to continue to pursue vigorously the removal, where possible, of all barriers to teacher mobility on the island.

The Marino Institute of Education and the University of Ulster have reached agreement on the provision of assistance and support to students from the North and border regions of Ireland wishing to undertake the An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge and Oiriúnú le hAghaidh Cáilíochta sa Ghaeilge. Under the agreement, candidates can avail themselves of a preparatory course for the Irish language requirement through the University of Ulster's diploma in Irish language. St Mary's University College, Belfast, has indicated that it intends to apply to the Teaching Council Ireland (TCI) to deliver the Irish language qualification in the North of Ireland, possibly in an online format.

Work on the implementation of an extension of the North/South collaborative programme of work in the Irish-medium sector for the 2013-14 academic year has recently commenced. The extended programme, which has been approved by both Departments, includes the following activities and events: Gaelscoileanna Teo in Enfield, County Meath and Comhairle na Gaelscolaíochta in Belfast conferences, which are two two-day events to provide 12 school

leaders opportunities to reflect on leadership, school evaluation, good practice, planning and monitoring; and a blended learning project on numeracy and the development of mathematical language in Irish. This element, which will further develop work started by a working group of practitioners in earlier years of the programme, will involve three Irish-medium schools with support from Curriculum Advisory and Support Service (CASS) officers piloting resources developed to date.

At its last meeting in Dublin on 19 September 2013, the North/South teacher qualifications working group agreed to commission an independent evaluation of the programme to date. The working group is currently drafting the terms of reference for the evaluation. The working group is also giving consideration to widening the focus of the collaborative programme and taking a more strategic approach to its delivery.

Mar fhocal scoir, d'aontaigh na hAirí gur chóir go mbualfadh an Chomhairle Aireachta Thuaidh/Theas i bhformáid oideachais arís ar 2 Aibreán 2014. In closing, Ministers agreed that the North/South Ministerial Council in education sectoral format should meet again on 2 April 2014.

**Mr Kinahan (The Deputy Chairperson of the Committee for Education):** I thank the Minister for his statement to the House this morning. Members of the Education Committee will welcome what he has said about increasing provision for special educational needs and await with interest the outworking of further cooperation between the inspectorates in both jurisdictions, including the best practice guidelines on literacy and numeracy. We also welcome the measures that will enhance employment prospects for teachers qualifying in the Republic of Ireland.

The Minister has previously indicated on a number of occasions that the findings of his cross-border planning survey would be brought to a North/South Ministerial Council meeting. Can the Minister advise what has happened to his cross-border planning survey? Are people still studying the paperwork, or has he given the survey up as a bad job?

**Mr O'Dowd:** There has been no agreement to date to bring the survey forward to the North/South Ministerial Council in educational format, but that has not hindered its work. As the Member is aware — he welcomed the significant amount of work that is currently going on between both Departments — there is a significant programme of work being



developed and implemented by both Departments. I await agreement on the survey being brought forward to the next meeting or perhaps the meeting after that, but it certainly does not hinder the work of the educational sectoral format working group.

**Mr Craig:** Minister, I note with interest what you said about educational underachievement and the three points that you have agreed to work around. They are all very good points that need further investigation, and I am glad to see that there is now a focus on school-based assessments on underachievement, as well. However, what I do not see on the list is a clear and consistent academic standard of assessment in primary schools. Maybe that group could look at that with regard to the entire island, because I have come across a problem that occurs when people move up into Northern Ireland and their secondary schools struggle to understand their achievement levels when they get there. I have no doubt that that works in reverse as well. Maybe that is something that this group could actually look at.

**Mr O'Dowd:** I note the Member's comments, which I am more than happy to pass on to the working group and ask it to investigate further. We want a situation in which teacher or student qualifications at primary, post-primary or university level enable students to travel across this group of islands, and schools are able to understand each other's qualifications.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I also welcome the ongoing work between the inspectorates and the fact that they appear to value that collaboration. In light of that, will the Minister outline what opportunities such collaboration might present to pupils across this island?

**Mr O'Dowd:** That question follows on from Mr Craig's question. Across this group of islands and, indeed, across this island, our educationalists have to understand each other's systems. That is particularly the case as far as the inspectorates are concerned. The inspectorates in both jurisdictions have valued and do value such cooperation. There is an ongoing learning experience and a sharing of resources when needed. That benefits our young people and ensures that educational standards are assessed and matched across this island and this group of islands so that our young people benefit from best practice, regardless of where it exists.

**Mr Rogers:** I thank the Minister for his statement. I also welcome the collaborative work between the North and the South, particularly in dealing with educational underachievement. Minister, will you elaborate a wee bit more on the collaborative work to improve school leadership?

**Mr O'Dowd:** Again, that programme of work has been undertaken by the educational working group. It is a case of learning from each other's experiences: where strong leadership has worked, what practices and policies allowed strong leadership to develop and, indeed, what we can learn from strong leaders. We are fortunate to have many good school leaders across this island, and it is only right and proper that they have a facility to come together and learn from each other so that their best practice is shared across all school leaders, whether on this island or across this group of islands.

**Mr Lunn:** I thank the Minister for his statement. I particularly welcome the section on the Middletown Centre for Autism, although the Minister's statement was necessarily in general terms. Will he give us any more detail on the number of children, North and South, who benefit from that centre and a bit more detail on its activities?

**Mr O'Dowd:** I have reported the number of children previously. I do not have the details in front of me, but I am happy to ensure that the Member receives them.

As far as the expansion of services that are delivered by the centre are concerned, the recruitment of 14 additional staff to deliver expanded services in both jurisdictions is progressing well. Refurbishment work for the previously mothballed and dilapidated residential block at Middletown is also now complete. The refurbishment provided modern office accommodation for staff and two model classrooms to assist with the training of professionals.

The cost of the expansion is being met on a 50:50 basis with the Department of Education and Skills in Dublin. The estimated cost to the Department of Education in year 1 of the expansion of services, on the basis of a full year's costs, will be £950,000, which is an increase of some £300,000 on current totals. That will rise to just over £1 million in year 2. It is estimated that the minor accommodation works to facilitate increased service provision will cost each Department around £90,000.

Although I do not have the exact numbers of young people in front of me, they are quite significant. I will share those with the Member after today's sitting.

**Mr Newton:** Mr Principal Deputy Speaker, as an aside to my question, I wonder whether you will confirm something for me. In the statement, in the fifth paragraph under the heading "Teacher Qualifications", what I believe to be two qualifications or courses of study are mentioned only in Irish, without a translation into English. Many of us in the Chamber will have no idea what they mean. Perhaps the Minister will explain what they are when he answers my question.

My question to the Minister is very much along the same lines as my colleague's. On the issue of educational underachievement, the Minister indicated that he will focus on "social-based policies" — whatever that means. Let us hope that he will not follow social-based policies such as the free school meals criteria that have caused such a furore in our schools.

**11.15 am**

**Mr O'Dowd:** An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge and Oiriúnú le hAghaidh Cáilíochta sa Ghaeilge are the titles of the examinations. They are qualifications in the proficiency of the Irish language. Those are not translations from English into Irish; they are the formal titles of the qualifications. I will send more information to the Member about both qualifications after the sitting.

It is without doubt or argument that social policy affects our young people's educational outcomes, as it will affect their health and other outcomes in life. I am on record — I re-emphasise it — as saying that I will continue to use free school meals until someone comes up with a better formula. To date, no one has.

**Ms Boyle:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I, too, thank the Minister for bringing the statement to the House. Following on from Mr Lunn's question, I, too, welcome the progress report on Middletown and the expansion of services into the North. Will the Minister assure the House that the good work by his Department and the boards will continue with Middletown, particularly the funding stream from his Department, so that, across the board, more children and families will be able to continue to avail themselves of the services there?

**Mr O'Dowd:** I confirm that I will continue to support the work at Middletown, which, through no fault of its own, was, for a period, caught up in a political wrangle, but that has largely now been removed. After a very successful visit by the Education Committee to the centre, there is a greater understanding and promotion of its work. Any concerns that it was a political project rather than an educational and autism project have now been removed. I think that the vast majority of people are now fully behind, as am I, the work that is continuing in the centre.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. The Minister mentioned that St Mary's University College Belfast has indicated that it intends to apply to the Teaching Council Ireland to deliver an Irish language qualification, possibly in online form in the North of Ireland. Will the Minister say when that might happen?

**Mr O'Dowd:** There has been some delay in the project. When I was at the North/South Ministerial Council meeting, I asked for further clarification on why there has been delay. It is a programme of work to assist student teachers to achieve the proficiency in Irish that they require to teach in certain subjects or in certain formats in the South of Ireland. I have no reason to doubt that St Mary's is keen to follow through on that qualification. I am waiting for clarification on the delay.

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. Ba mhaith liom an cheist seo a chur ar an Aire: an raibh aon phlé ag an chruinniú faoi dhíluachú an ghráid A ag ard leibhéal i dtaca le hiarratais a sheoltar chuig an lár-oifig iontrála? I thank the Minister for his statement. I am pleased about the progress made on An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge. Was there any discussion at the meeting about the devaluing of the A-level grade in applications made to Irish third-level colleges through the Central Applications Office?

**Mr O'Dowd:** There were no discussions at that meeting about the A-level issue, but I assure the Member that it has been raised at several of the North/South Ministerial Council sectoral meetings that I have attended and at several of the meetings that my colleague attended when she was Minister. I am confident of Minister Quinn's support. He wants the matter to be resolved, as do I. The issue rests with the admissions authorities and universities in the

South of Ireland, which, to date, have refused to give full points to the A-level qualification and the A\* qualification. They have not recognised how the points systems for qualifications in the South of Ireland pose a disadvantage to some of our students. Somewhere in the region of 600 points is required to get into some of the universities, but they award only 150 points to an A level here. Most of our students study only three A levels; therefore, they are at an automatic disadvantage. That issue has been raised time and time again, and I believe that Minister Quinn is very supportive of our position and also wants to see the matter resolved. Continuing discussions and influence need to be brought to bear on the university bodies to ensure that they recognise our young people's qualifications and abilities.

It is also worth noting that, during the plenary session of the North/South Ministerial Council, Minister Quinn reported that he and Minister Farry are having a worthwhile engagement about students under their responsibility who are travelling back and forth across the border to further and higher education institutes. So, I think that the work on that issue will also prove to be productive, as will work on continuing to influence decision-makers about the A-level issue.

**Mr Allister:** So, under educational underachievement, we are to have even greater focus on social-based policies and more social intervention. There is no mention in the terms of reference of any focus on traditional teaching methods. Will the Minister spell out his understanding of the social interventions that he anticipates? Is his colleague who accompanied him, Mr Nelson McCausland, signed up to those social interventions?

**Mr O'Dowd:** International and local research points to the fact that 80% of a child's learning takes place outside the school and the classroom. It is not a case of having social interventions instead of educational interventions; to have a successful education system, you require both. Although we are fortunate to have many fine school leaders and teachers in our classrooms, we are asking them to operate with one hand tied behind their back if we do not also deal with the social issues affecting a child's educational outcomes.

That is not my research, and, as I said before, it is not Sinn Féin research; it is international best practice. If the Member, who is a very learned gentleman, refuses to accept the evidence, he will continue repeating the mistakes of the past. It is almost like asking our health system to run solely on the basis of acute hospitals. You will

not have a successful health system solely on the basis of acute hospitals; you have to have all the other elements in place to secure good health. You cannot ask our education system to succeed only with good schools. We have to get the social issues and the social impact on young people right as well. We have to identify it and challenge it and assist schools, communities and families through those barriers.

**Mr Dallat:** I welcome the Minister's statement, particularly, the work that is being done on literacy and numeracy. The Minister will be aware that some of the people who are most affected by illiteracy and innumeracy are in our jails. Although the education of our young people in jail is not the Minister's direct responsibility, will he take it in hand to ensure that that group of people who would benefit most from these all-Ireland initiatives will benefit from them?

**Mr O'Dowd:** Yes, and, in fairness to the Member, he has raised that with me on several occasions. I can report back to him that I have had meetings with the Justice Minister about educational provision for young people in our justice system. Our discussions are continuing between my officials and the Justice Minister's officials about how that is transferred over to the Department of Education or how we can ensure that our young people in jails who would qualify for Department of Education courses and support on the outside are receiving that support so that they can have a chance in life and ensure that they can become valuable members of society when they get out of jail.

**Mrs Dobson:** I also thank the Minister for his statement. Minister, you welcome a change of focus in the educational underachievement working group's work.

In 2008, your predecessor said that tackling educational underachievement is a key priority for the North/South Ministerial Council. Why, then, have you and your predecessor, in your own words, allowed it to be out of "focus" for the past five years?

**Mr O'Dowd:** We have not. A programme of work in any body, institution, committee or organisation that is running for five years should surely be open to review, particularly in an area such as education, where research and findings are continually updated.

I welcome the fact that there is a change of focus now, because the work programme that the group was involved in has been completed

or come to an end. It is now focusing on educational underachievement through social policies, which I welcome, because, as I said to Mr Allister, 80% of a child's learning takes place outside school and is impacted on by influences outside a school on that child. Therefore, that is an important area of work but one that in no way means that the previous work that the body was involved in was flawed or faulted. Rather, it means that the work has come to its natural conclusion.

## **Executive Committee Business**

### **Road Races (Amendment) Bill: Accelerated Passage**

**Mr Kennedy (The Minister for Regional Development):** I beg to move

*That the Road Races (Amendment) Bill proceed under the accelerated passage procedure.*

I welcome the opportunity to address the Assembly on the motion. I am sure that Members will recall the terrible weather that led to the cancellation of this year's North West 200 in May, and subsequently the Dundrod 150 in August. That was the second time in three years that the North West 200 had been cancelled owing to rain, and that created the impetus for the Bill.

In accordance with Standing Order 42(3) of the Northern Ireland Assembly, I appeared before the Regional Development Committee on 9 October to explain the need for accelerated passage for the Bill and to outline the consequences of it not being granted. I thank the Chairman and members of the Committee for their recognition of the need to expedite the Bill and for their unanimous cross-party support in seeking Assembly approval for accelerated passage.

Use of accelerated passage is not something to be sought routinely, nor do I take it lightly. My preference when taking forward legislation is to have a full Committee procedure enabling clause-by-clause scrutiny and the resolution of any issue there and then to the satisfaction of the Committee. I will now explain to the Assembly, as is required under Standing Order 42(4), why I am seeking accelerated passage, the consequences of it not being granted and how I will minimise future use of the mechanism.

I believe that there are compelling grounds for the use of the accelerated passage procedure in this case. We have, I think, been presented with exceptional circumstances, because existing legislation requires applications for motor races on roads to be received and granted by my Department by 31 March annually. Once dates have been approved, they are cast in stone, as the existing legislation does not provide any flexibility to alter them. Consequently, where there is torrential rain that renders racing treacherous, such as was

experienced at this year's North West 200, race promoters have only one option, which is to cancel the event.

If new, more flexible arrangements are to be introduced, they will need to be clearly understood by race promoters well in advance of applications being submitted so that potential contingency days can be identified and included in the applications. If the arrangements are to be in place for 2014, use of the accelerated passage procedure is imperative.

I will now deal with the consequences of accelerated passage not being granted. This is an important point. If accelerated passage is not granted, no flexibility can be introduced into race arrangements for the 2014 racing season. Consequently, in the event of further race cancellations occurring as a result of bad weather, major sporting events such as the North West 200 and the Ulster Grand Prix could be placed in jeopardy. I understand from one of the race promoters that a major sponsor may reconsider its support if more cannot be done to ensure that racing takes place.

Road racing events have real value and are an asset that contributes not only to local economies but to Northern Ireland as a whole, through direct spend and the positive international media coverage arising from them. It would be a very poor reflection on the functioning of both the Executive and the Assembly if we did not move quickly to address the potential risk to these truly unique sporting events.

#### **11.30 am**

With regard to minimising the use of the accelerated passage procedure in the future, I have already mentioned my full commitment to clause-by-clause scrutiny at Committee Stage. I will take any necessary steps to ensure that the accelerated passage procedure is not unnecessarily sought.

Members will have an opportunity to raise issues on the detail of the Bill during its Second Stage debate. In the interim, I seek the support of the House for use of the accelerated passage procedure and look forward to hearing Members' comments.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** I welcome the Minister's comments to the House this morning.

The Minister attended a meeting of the Committee for Regional Development on 9 October 2013. At that meeting, he outlined his reasons for seeking accelerated passage, which he has repeated to the House this morning. Following questions from members, I put the question that the Committee was content to grant accelerated passage. I note from the Official Report of the meeting that I indicated that the Committee was unanimous in approving accelerated passage.

Again, I confirm that the Committee for Regional Development is content that the Road Races (Amendment) Bill be granted accelerated passage.

**Mr Allister:** I oppose the provision of accelerated passage. The rules of the House require that that measure be taken only in exceptional circumstances. The circumstances here render it unnecessary and, indeed, prejudicial to the proper consideration of important issues that arise in the Bill.

As I understand it, the Regional Development Committee is one with no backlog of legislative work whatsoever — indeed, perhaps, no legislation whatsoever in front of it. So why it cannot complete its functions within 30 working days to bring the Bill back to the House in January and meet easily the deadline of 31 March is quite simply unexplained. Those are the sorts of issues that need to be explained if the House is properly to be persuaded that this is an exceptional situation. One could well understand it if the Regional Development Committee was snowed under with work on legislation. I do not think that there is any Committee in the House that is snowed under with work on Executive legislation. Certainly, the Regional Development Committee is not.

Accelerated passage prejudices the proper consideration, which hitherto has not been given to an important issue under the Bill. Under the Bill, we are to see a provision introduced whereby, on contingency days, for the first time, we may well see Sunday racing on the public roads in the north-west and elsewhere. If that is to happen, surely there is one critical group of stakeholders. They were never even consulted by the Department in that regard. They are the churches, who actually operate on the very route.

There are four churches on the North West 200 route who, naturally, meet on Sundays, whom the Department never even contacted. Indeed, those churches learned of the legislation only when this MLA advised them of it. Why was there no attempt to consult the churches on the

route? It is not enough to say, "We consulted generically with the nominations; we put them on our list". If four churches operate on the route, why were their views, conveniences and needs never even taken into account in the drafting of the Bill? Indeed, the Minister went to the Committee before he ever met the churches. He met the churches on the same afternoon after he had been to the Committee and persuaded it — it does not seem to have been too hard to do — to assent to accelerated passage. However, it is not just about churches; it is about the rights of the entire churchgoing community that lives on the North West 200 circuit. Many churchgoers do not attend those four churches, but, to get to their church of choice, they must travel the public roads, which means that, if Sunday is a contingency day, they are also placed at a disadvantage.

I wonder whether the Minister told the Committee that the local council — Coleraine Borough Council — carried out quite an extensive consultation and thought to meet the churches and take on board the views of the churchgoing community. I wonder whether he told the Committee that the council is opposed to that aspect of the Bill. Did he convey that to the Committee? If he did not, he left the Committee somewhat in the dark. I do not know whether he did or not: I am asking the question. Local representatives, channelled through the local council, have a view about the inappropriateness of Sunday being a contingency day because of the prejudice it brings to the churchgoing community, whose rights are to be trumped at the stroke of a pen. If the local council has reason to be opposed to that, why does the Committee want to rush its fences? If there has been no proper consultation with the affected churches, and the local council is opposed, why would the Committee not want to hold hearings? Why would it not want to hear from the local churches? Why would it not want to hear from the local council? I respectfully suggest that there is time to do all that within the 30 working days that are normally allocated, but all that is to be shut down by rushing the legislation.

Let me make it very plain: I am wholly supportive of the North West 200, the marvellous job that it does and the marvellous tourist operation that it runs, and I regularly attend the event. It is right that the leaders of the organisation should have had ministerial access, which they had. They met the First Minister and the roads Minister, but no one ever thought about the four churches that sit on the route. No one ever thought about speaking to them to find out how it would affect their

Sunday functioning if Sunday were to be a contingency day or to discuss options. Those churches gladly facilitate the North West 200 operation every year by adjusting their week-night meetings to accommodate practice nights.

However, something is far more singularly important to churches than their week-night services. At the very heart of Christian worship and of the right of religious exercise lies Sunday worship. Some might dismiss it and say, "What about it? It is one Sunday in a year. It might be only one Sunday in 10 years". To churchgoers, that is a relevant, important consideration. We should not rush to a situation in the House in which we say that the rights of road racing trump the rights of churchgoers. That is what the Bill does. The motion to subvert and avoid a Committee Stage means that the Bill will never be properly scrutinised. I think that the House has got ahead of itself on that issue.

I will say more in the Second Stage debate about the merits and demerits of the arguments, but it is a matter of surprise and regret to me that we want to shut off the issues from proper scrutiny and proper debate. For those reasons, I think that it is an ill-advised course of action.

**Mr Kennedy:** I am grateful to the Chair for outlining the Regional Development Committee's support for the request for accelerated passage. I have dealt with the need for accelerated passage to progress the Bill so that next year's road racing calendar can accommodate the change. It is a single-issue Bill designed for the purpose of giving contingency. I hear the comments of Mr Allister. However, because it is such a straightforward Bill and contains only one desire — to give that flexibility for contingency — I think that it is fair and reasonable in these circumstances to seek and obtain accelerated passage.

The Member will know and, I hope, acknowledge, that the Bill is not exclusive to the North West 200 but covers road races all over Northern Ireland. It is important that that is borne in mind. It is also important to confirm and highlight — again, the Member knows this — the fact that the present legislation does not preclude the prospect of Sunday racing, but it has never happened at the North West 200. It has happened in road racing and car racing in certain places in Northern Ireland, but the organisers of the North West 200 have never sought any facility to race on a Sunday.

The Member raised concern about the consultation that was undertaken. We will deal

with that in the next stage of the Bill, subject to it gaining accelerated passage. I want simply to satisfy the House on the matter. I launched a Province-wide consultation on 10 July, which concluded on 7 October 2013. The launch was covered by radio and television, and I gave an interview to the BBC at the home of the North West 200. A press representative from 'The Coleraine Chronicle' was present, and the consultation was widely covered.

Mr Allister raised a point about consultation with Church organisations. My Department consulted the Belfast Hebrew Congregation, the Belfast Islamic Centre, Church of Ireland House, the Methodist Church in Ireland, the office of the Archbishop of Armagh and Primate of All Ireland and the Presbyterian Church in Ireland — all of the Churches in my Department's equality scheme. Given the areas from which responses were received, I am content that adequate consultation took place. For the benefit of Members, of the almost 900 responses received, 92% were in favour of the Bill's proposals. Only 6% were opposed to the potential for Sunday racing, although that 6% otherwise supported the Bill.

**11.45 am**

The Member also raised a point about the consultation that Coleraine Borough Council organised separately. On 16 August, Coleraine Borough Council commenced a local consultation by issuing some 2,500 letters to residents and property owners within the North West 200 road racing circuit. Again, I stress that this legislation is not designed simply for the North West 200 but for road racing generally. The closing date for the council's consultation was 27 August 2013, so it ran from 16 August to 27 August, but recipients were advised that written comments could be forwarded to my Department by 7 October. So, in one way, that facility linked to the departmental consultation and clearly encouraged people to participate in it.

The council organised a public meeting in Portstewart town hall for Friday 20 August 2013. It is my Department's understanding that approximately 25 people were in attendance. We further understand that there were some 196 responses to the council's consultation, and the breakdown of those is as follows: 149 were in support of the Bill's proposals; four were in support but were opposed to the potential for Sunday racing; and 43 were opposed to the Bill. The Department is not aware of whether the council consulted the churches that are on the North West 200 course individually.

I reaffirm my belief that accelerated passage should not be used lightly, but I believe that, in this case, it is appropriate. I appreciate the Committee's indulgence in this case, and I ask for the Assembly's support for the position that all the parties on the Committee have adopted.

**Mr Principal 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):*

*That the Road Races (Amendment) Bill proceed under the accelerated passage procedure.*

## **Road Races (Amendment) Bill: Second Stage**

**Mr Kennedy (The Minister for Regional Development):** I beg to move

*That the Second Stage of the Road Races (Amendment) Bill [NIA Bill 29/11-15] be agreed.*

Although my Department has no responsibility for sporting policy, it facilitates motor races that are held on public roads by making the necessary road closing orders under the Road Races (Northern Ireland) Order 1986. The 1986 order requires applications for motor races on roads to be submitted to and approved by my Department by 31 March annually. There is no provision in the existing legislation to enable race dates to be changed after the deadline of 31 March. That means that, where torrential rain would place the safety of competitors in jeopardy, race promoters cannot postpone races or bring them forward. They really have only one option, which is to cancel them.

Members may recall the case of the North West 200 this year. On Friday 17 May, which was the day immediately preceding the main race day, it was gloriously sunny. The race organisers were aware that the weather forecast for Saturday 18 was for heavy and continuous rain, yet they were powerless to bring the races forward to the Friday. A similar situation arose during the Ulster Grand Prix week in August, when the Dundrod 150 also had to be cancelled due to heavy rain because there was no flexibility available to change the date of the race.

Road racing events have value and contribute not only to the local economies but to Northern Ireland as a whole through direct spend and the positive international media coverage that arises from them. Road racing has become hugely popular, with major international events such as the Ulster Grand Prix and the North West 200 attracting thousands of spectators. They also attract considerable sponsorship from major international companies, often within the automotive and related industries. That sponsorship and the events that they support would be put in doubt if more cannot be done to ensure that races that are scheduled to take place here can be rescheduled, as they are in the Isle of Man whenever bad weather prevents them from taking place.

The Road Races (Amendment) Bill is straightforward. It has a single clause and a single purpose; namely, to introduce flexibility into existing road racing arrangements. My Department received almost 900 responses to the public consultation on the Bill, and 92% of respondents were fully in support of its aims.

The single clause in the Bill aims to provide some flexibility to enable race promoters to use a contingency day when racing would otherwise have to be cancelled. A "contingency day" must be one of the two days immediately preceding or following a day specified in a road closing order. In order for a race promoter to bring a contingency day into operation, he or she must apply to my Department not later than 24 hours before the contingency day or the day specified in the road closing order for the event. Such application and my Department's direction approving the contingency day may be dealt with electronically in the interests of time. For example, where approval is being sought for a race to be brought forward from a Saturday to a Friday, notice must be given by midnight on the Wednesday. Those new arrangements will strike the right balance between providing adequate notice to property owners and businesses in any race area and securing accurate weather forecasts. The Bill does not propose to change any other aspect of existing road racing legislation.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** I declare an interest as an individual who occasionally attends road racing events throughout the Province.

The Bill takes a sensible, pragmatic approach to the problems faced by the North West 200 earlier this year and the Dundrod 150 motor cycle race in August, as well as the 2008 Ulster Grand Prix, all of which were cancelled in

similar circumstances. Those races have a significant impact on the Northern Ireland economy. The North West 200 generates £4.5 million a year for the local economy and is estimated that for every £1 of public money spent there is a return of £30.21. That is significant investment and needs to be protected.

There is, as the Minister said, significant public support for the amendment and what the Bill seeks to bring about. Among the in excess of 860 responses to the departmental consultation on the Bill were a number of objectors, mainly the ministers and congregations of churches on the routes of race meetings. The views of those congregations and parishes are important, and I take comfort from the assurances that we received from the Minister and race organisers that all efforts will be made to ensure that there is continued dialogue and that all arrangements are appropriate for residents, churches and businesses affected in the areas.

May I just take up on a point, Mr Principal Deputy Speaker, that Mr Allister made about the work of my Committee? Mr Allister is inaccurate when he says that the Committee has had no legislation in front of it. In fact, my Committee recently took the Water and Sewerage Services (Amendment) Bill through Committee Stage. We have completed a report on transport, which was presented to the House just last week. I cannot remember Mr Allister taking part in that debate, so obviously it was of no interest to him.

In the not too distant future, the Committee will commence a fourth inquiry. That is a very strong indication of the substantial and important work that we undertake. Indeed, the forward work programme is full, even for members of the Committee to get additional briefings in, even during the next session. So, I take no lectures from Mr Allister on the work of the Regional Development Committee.

In relation to the point that he made about Coleraine Borough Council, I confirm that the Minister was questioned and answered questions about the council's survey. So, again, Mr Allister's information is not fully up to speed.

I indicated earlier that the Committee supports accelerated passage and the principles of the Bill. It is good for the economy, good for sport in Northern Ireland and good for tourism. The Committee supports the Bill.



I turn now to some party remarks, leaving my Chair's hat behind. While we welcome the introduction of the Bill, it is important to balance the rights of the local community, including those of churches. That is something that everyone on the Committee and in this House would want to do in relation to any Bill.

Some have expressed genuine concerns and fears about racing on a Sunday and the impact that that could have on people being able to attend places of worship. It is important that we address those concerns. There has not been racing on a Sunday, and there is no evidence that the organisers have any plans to change that. However, it is important that the legislation takes a long view. The existing legislation does not prohibit applications for road racing on a Sunday, but, by its nature, this piece of legislation would make that a greater possibility in the event of inclement weather on a Saturday.

We will return to this issue at the Consideration Stage, but I hope that we can agree arrangements that will give confidence, not only to the local community but to the race organisers and the sponsors of the event. I hope that I can count on the support of Members from across the Chamber on how we reach a best balance in relation to this matter. I support the Bill.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am not a fan of road racing, nor am I against it. I have many family members who are fans of road racing and who attend it. I know its importance to the economy and tourism, which the Chair outlined.

From what the Minister outlined, I understand that there are sufficient safeguards in place. On behalf of Sinn Féin and as Deputy Chair of the Committee, I support the Bill. It makes sense that we have flexibilities for road racing similar to those that exist in the Isle of Man. I agree with other Members that there are compelling reasons for this Bill to have accelerated passage. We cannot afford to allow another year to pass before action is taken. I hope that the legislation does not have to be used too often, particularly for Sundays, because a number of people objected to that. I support the Bill.

**12.00 noon**

**Mr Dallat:** I declare an interest as a member of the Regional Development Committee. I wish to tell the House that I am suitably offended by the suggestion made about the Committee. As

a member of that Committee, I am honoured to have Jimmy Spratt as the Chairperson. The Committee is very busy. It debated this subject at length, and the Chairperson gave us every opportunity to debate the pros and cons robustly. That is the truth of the matter.

I am not a motorbike fanatic either. I prefer to use my time travelling in my Morris Minor Traveller, which does not require fair weather, because the wipers actually work.

When I joined Coleraine Borough Council as a young person many years ago, I was against the race, because I did not like the idea of people risking their lives. I then had the privilege and honour of meeting Joey Dunlop and his brother Robert and became convinced that I needed to moderate my views and show respect for other people's sports.

Over time, I realised that Coleraine is not the affluent place that people think that it is. It has a very short tourist season, and, during the years of the Troubles, it was very difficult to fill beds. Today, I think that we are privileged to have that event, along with a few others, because it sustains the tourist industry not only in Coleraine, Portrush and Portstewart but in areas far beyond that. The fishing lodge in Kilrea is filled to capacity not for a day or two but for a whole week. I frequently travel over to Donegal where I meet people who are visitors, so everybody benefits.

If the Bill were introducing Sunday racing, I could understand some of the criticism levelled by Mr Allister. However, that is not the reason for it. I listened to the organiser, Mervyn Whyte, last week, and the only other person I can think of who was as devastated as him was the captain of the Ireland team last Saturday. It was the second time that the race could not be finished.

If you travel up and down the M2 or the M1 a week or 10 days before the race, you really would not be very observant if you did not notice that there are hundreds if not thousands of motorbikes coming off the ferries. All those people are carrying well-filled wallets, and they spend the money in them.

**Mr Spratt:** I thank the Member for giving way. I know that he has an interest in the north-west area, but does he accept that this also applies, as I mentioned, to the Dundrod 150 and the Ulster Grand Prix, which is also a week-long event that provides considerable money for the economy, tourism and all the rest of it? Indeed, in recent years, the organisers of that event have been devastated on a number of

occasions. They could have moved some of the races to the Friday or perhaps even the Wednesday, when the practice sessions take place.

**Mr Dallat:** I thank the Chairman for encouraging me to be less parochial about the Bill. I think that that is very important. I neglected that aspect, because I was getting carried away with the scenes back home, as I have very happy memories of the race. I have met people from Stornoway to Swansea and from Malin Head to the cove of Cork. Over the years, those people have built up astonishing relationships with local people whom they would never have met otherwise. It is not easy to evaluate that, but it is an important part of the road that we are on towards normality.

I am sure that Mr Allister will forgive me for saying this, but he is very privileged in that he has a holiday home in a prime spot that overlooks the pits. He must have noticed that this is a critical event that is fundamental to our tourist industry.

I also want to pay tribute to the officers of Coleraine Borough Council for their partnership approach and to the private sponsors down through the years, such as the Kennedy Group, Coca-Cola and other companies, which put their money where their mouth was and supported this. However, we all know that it had come to a stage when, if the finals of the race could not be run, it was over, and drastic steps had to be taken to ensure that that would not happen.

We all have our Christian views, and I do not wish in any way to interfere with the views of others, but, as a public representative, I am confident that the Bill will not be used in the north-west or anywhere else in Northern Ireland to promote a Sunday event if people do not want that. I am happy to support the Bill, and I pay tribute to those who have been involved in motorbike racing, some of whom lost their life. In the meantime, I will probably not attend the event because I will probably want to continue driving my Morris Minor, but I absolutely support that event and other events that help to create jobs for people who otherwise might be on the dole.

**Mr Cree:** I do not know whether I need to declare an interest, but I used to ride a motorbike. Mind you, coming from the Grand Prix, I never could get anywhere near the speed that they do nowadays. It is obviously a different ball game. However, I appreciate the merits of motor racing and motorcycle racing.

Therefore, I welcome the opportunity to speak on the Bill this afternoon.

The consequences of the cancellation of the North West 200 twice in three years because of rain were significant to the local community and to the broader reputation of the race. We have to keep that in mind. This would be a great country if it had a roof. Although the cancellation of the North West 200 made the headlines, we must remember that there are many other races in many other parts of Northern Ireland that are equally at the mercy of the weather. Therefore, I believe that the Regional Development Minister — I think, Minister, that this is what you asked me to say — should be congratulated for recognising that the situation needed to be resolved and for acting so swiftly to do that.

The Ulster Unionist Party generally is not keen on the use of accelerated passage, but we accept that, in certain circumstances, it is necessary. If this Bill were to go through its usual legislative processes, there would be little chance of everything being in place by the deadline of 31 March 2014, when the licences have to be granted. The whole point of the Bill is to get flexibility as soon as possible, and, although it is crucial that we spend time today and next Monday carefully deliberating it, were it not to process it as soon as possible, the House would find it difficult to try to convince race organisers, participants and spectators that they must run the gauntlet of being dependent on the weather for yet another year.

The consultation on the Bill demonstrated overwhelming support for it. However, I ask that the concerns of those who took time to oppose it are not disregarded. I am aware that greater flexibility will be welcomed by many, especially those living along the routes. Understandably, they will require assurances about possible disruption. As other Members said, that applies not just to the North West 200 but to the other races in Northern Ireland.

I listened to the discussion about Sunday racing. Although I understand why many people have some concerns — indeed, I share those — I do not believe that the Bill should be seen as a threat. I expect race organisers to work hand in hand with local churches. Therefore, alongside the fact that no pre-existing prohibition will be broken, I am confident that the Bill should hold the broad support of people and organisations along the routes. So, in conclusion, I welcome the Bill, not least for the North West 200 but for all the races in Northern Ireland.

**Mr McCarthy:** Before I start, I encourage my colleague to my right to keep motoring in the Morris Minor. From one Morris Minor owner to another, John, keep going. We do not need accelerated passage for our Morris Minors.

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

**Mr McCarthy:** I will give way, sir. Yes.

**Mr Spratt:** Does that mean that both of you could be classified as the 'Last of the Summer Wine'?

**Mr McCarthy:** No. Thanks for your comment, Mr Chairman.

As a new member of the Committee for Regional Development, I am happy and content at this point to agree with and support my Committee Chair on the Road Races (Amendment) Bill. The Minister said that this is a single-clause Bill that gives flexibility to the days on which, because of circumstances, road racing can take place. Who can disagree? There probably will be people who disagree, but, as I understand it, that will be in exceptional circumstances.

The Alliance Party has no problems at all with flexibility and, therefore, agrees with the Bill. I can equate the North West road races with Exploris in Portaferry. Both can and do attract many visitors and tourists to their areas, and, as has been said, they contribute enormously to the region's local economy. I fully support the Bill to ensure the continuance of this very popular sport, and I sincerely hope that Members can and will support my efforts to see Exploris in my constituency continue to provide the excellent service of an aquarium for Northern Ireland as a whole. I support the motion.

**Mr Easton:** In Northern Ireland, racing on roads is a popular sport, attracting thousands of spectators to events such as the Circuit of Ireland Rally, the Ulster Grand Prix and the North West 200. They provide much-needed income, tourism and entertainment. Such events are arranged by promoting local motor clubs and are managed under the rules of the Fédération Internationale de l'Automobile (FIA) in the case of car events and the Fédération Internationale de Motocyclisme (FIM) in the case of motorcycles. Both organisations set out stringent safety standards that organisers and competitors must meet.

The 1986 order requires applications for road closure orders for road races to be received

and granted by the Department no later than 31 March annually. The days on which roads may be closed for motor racing or practice sessions must be specified in the road closure order relating to that event. Such road closure orders are normally made at least three weeks before the event to enable race promoters to arrange appropriate notifications of the roads that are involved and the publications of notices in newspapers etc. The Bill seeks to provide promoters with the flexibility either to bring forward up to two of their practice or race days or to defer them to days that the promoter has identified for the contingency. The number of days on which roads are closed would remain at three, and no additional racing days would be approved. Although the proposed flexibility would apply to all motor races on the roads, the rallying sector has indicated that it is unlikely to seek to utilise an arrangement. I support the Bill.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé iontach sásta tacaíocht a thabhairt don Bhille seo.

I declare an interest as a motorcycle fan, and, indeed, I am a regular attendee, particularly at the North West 200. I realise its importance not only for the Coleraine Borough Council area but, indeed, for the entire north-west. Indeed, sometimes during the North West 200, I have to step over people on my landing. That has happened in the past.

I support the principle of the Bill. There has to be a flexibility because of the economic benefit that the event has for the entire region. Indeed, if we had a repeat of what has happened in the past three years, it is my contention that a lot of people would not come back. A lot of our visitors, particularly those from England, Scotland and the continent have come over and invested hugely.

For many of those people, it is their only holiday of the year. They are relatively affluent people, and they part with their money while they are here. As I say, they spend a week or 10 days here, across the board.

It is important that the Bill be brought forward in the manner in which it is so that it can be delivered for the 2014 races. I accept that races also are elsewhere, including Dundrod, but the Bill has my support.

**12.15 pm**

**Mrs Hale:** I welcome the opportunity to pledge my support for the Second Stage of the Road

Races (Amendment) Bill. I am happy for it to proceed.

Having seen many of the consultation responses to the issue, I know that it is clear that the overwhelming majority of people want to ensure that road racing in Northern Ireland has the added flexibility that many other sporting events already have in place. As a road racing fan — indeed, Dundrod is in my constituency — I was incredibly disheartened to see all the work that went into the North West races lost owing to poor weather conditions. The same can be said for the Ulster Grand Prix, which has also fallen victim in recent years to the weather. The then clerk of the course, Mr Noel Johnston, estimated that, in 2008, the event lost a whole year's planning at a cost of a staggering £600,000. We cannot allow that to happen to one of our most prized and, indeed, indigenous sporting events. The flexibility to have a contingency day has been warmly welcomed by households, providing that the 48-hour notice is adequate to make different arrangements. I can see no reason why the Bill should not be granted accelerated passage at this stage. Spectators, competitors, sponsors and race organisers want to see a safe and competitive spectacle. We need to ensure that that can be delivered. The swift delivery of the Bill will have huge benefits for all. I welcome the Second Stage of the Bill.

**Mr Dunne:** I welcome and appreciate the opportunity to speak as a non-member of the Committee. As one who has a keen interest in motor sport, I think that it is important that we support the Bill today.

It is vital that the right flexibility be put in place to ensure that first-class motorsport events such as the North West 200 continue to run with success. By the way, the North West 200 is scheduled for the week of 10 May to 17 May. I take this opportunity to announce that, God willing and weather permitting, the main race day will be Saturday 17 May 2014. It is one of the premier events that Northern Ireland has to offer and is a fantastic spectacle every year for so many who come from across the world to see such motor racing. The issue is that very few countries can run such races on open roads, so it is a unique event that attracts many spectators.

The professionalism and excitement of the race festival is second to none. It is imperative that we do all that we can to ensure that this magnificent event continues to go from strength to strength. It is important to recognise that, nowadays, the organisers do everything that they can to manage the risk in racing. I fully

support the actions of the organisers, who make difficult decisions in managing that risk, including cancelling races when the weather is unsuitable. Years ago, such events would have gone ahead, taking the risk, and the results could have been very serious indeed, even causing death. As an Assembly, we must do all that we can to support the organisers in their assessment and management of risk. That is one reason that they need flexibility. It would be remiss of us not to pay tribute to the work of Mervyn Whyte MBE. He and his organising team have done so much to keep the event going. They work as a small team, all year long. I spoke to him yesterday. He is just back from a number of world bike events, where he was making contacts and building relationships to bring teams, organisers and sponsors here. That is the success of it.

Given the complexity and scale of the event now, it is imperative that the organisers be given the flexibility that they deserve to ensure that the event is a success. The weather has unfortunately severely impacted on the race programme. It is understood that the organisers have now linked up with the Met Office — I am sure that the Minister is aware of that — to ensure that they have more accurate weather forecasting for the race week. Having spoken to Mervyn and having been a regular attendee at the North West for many years, I know that the amendment, which will allow for contingency days for racing, will open up new avenues of flexibility for the event organisers. The smooth and complete running of the event, as well as ensuring that the event has a future, is critical for fans, competitors, sponsors and teams alike.

I understand that the plan for 2014 — this is important — is to run the practice on Tuesday, with a flexible race programme on Thursday. They had that flexibility this year, and they used it on the Thursday. Mervyn was saying that, had he not run those three races on Thursday this year, the whole thing would have been a disaster. However, they used that flexibility this year. They will have the flexibility to run races on the Friday next year, if needs be. The main races, all being well and God willing, will be on the Saturday.

As has been said, there are genuine concerns about Sunday racing. Those concerns have to be considered. I understand that the organisers have already been involved in discussions with the three race chaplains. They have already had meetings with the chaplains, and they also intend to have meetings very shortly with the churches on the circuit.

An event of this magnitude, which is growing, involves having over 800 people out on the course. Mervyn made the point that it takes 800 people out on the course to run the event. It is a huge logistical operation to have 800 people out there. We all recognise that you cannot just switch a race from one day to another at short notice. It has to be organised, as it involves marshals and first aid personnel, and that is the intention. It needs and deserves flexibility.

It is important that any changes are worked through and managed with local residents. Local residents are key. If the local residents are not on board, the event cannot run. You have to have the cooperation of local residents, as is the case with any motorsport event. I know from my interest in rallying that it is getting more and more difficult —

**Mr Spratt:** I thank my friend for giving way. Does he agree with me that, up to this point, there has been absolutely brilliant cooperation between the organisers and the local residents not only in the Coleraine and north-west area but in the Dundrod area? Does he also accept that the present legislation allows for Sunday racing? It has never been applied for, and, as he rightly points out, there would need to be very close consultations. However, you have already stated that the organisers' idea is to be able to move to the Thursday or the Wednesday, given that both of the events that we are talking about today are run over a festival period of a week.

**Mr Dunne:** I thank the honourable Member for his comments. As I was saying, it is important that we have cooperation between local residents, businesses, councils and churches. Jimmy has made that point. From speaking to Mervyn, I know that the intention is not to run it on Sunday. Running it on Sunday would be a very last resort following clear consultation with all those involved. If it were to be run on Sunday, it would be Sunday afternoon before a wheel was turned; that is my understanding.

The points have been well made. I welcome the flexibility for organisers of all motorsport events. We are very fortunate in Northern Ireland and, in fact, throughout the island of Ireland that we have the ability to close roads and, therefore, get rallying, racing and other sports on public roads. In the main, that cannot happen on the mainland. One of the reasons why we have such a strong interest in rallying and motorbikes is that we can close the roads. It is part of our culture and background. There is a great interest in it. Contrary to that, the media seem to miss out on the fans and the

support that there is for motorsport and especially the bikes, which have a huge following. We can look at the North West and hundreds of other events. People get out their bikes, clean them down for the spring and off they go to these races and become part of the whole event.

I think that I have said enough. I support the amendment.

**Mr Allister:** I make it absolutely clear that I am a friend and not an opponent of the North West 200. I have attended it for many years, and, as was pointed out, I own a house on the circuit and have seen at first hand, not just on race week but for many months in the lead-up, the sheer unparalleled dedication of the hundreds of volunteers who put so much effort into the build-up to race week. No one could gainsay their dedication and enthusiasm. Likewise, no one could doubt the very deep-seated disappointment if and when the weather is inclement and all that they have worked so hard for during those months, indeed virtually for the previous 12 months, comes to naught on the day. It is devastating and heartbreaking for them. I understand and see that entirely.

I also know, because naturally I have had the opportunity to speak to the organisers over the years, that they are led by a management team that is considerate of the concerns and needs of local residents. It is a two-way process. You could not live on the circuit during that week in May without a lot of give and take between the organisers and the residents. In the main, the residents give back very generously through their cooperation, which is how it should be. Everyone recognises that it is not only a momentous and great event in its own right but a huge contributor to the economy of the north-west and the tourism potential of the north-west. You could not find a circuit in the world that looks better on television than the one around the north coast, which has to be an unrivalled prime circuit. So nothing that I say in any way dissipates the appeal and role of the North West.

In consequence, I recognise that there is a need for flexibility in the operation of that particular week. Historically, there have been practices on Tuesday and Thursday evenings, racing on the Saturday and, more recently, practice on the Tuesday and Thursday during the day and racing on the Thursday night and Saturday. I well understand the need for the flexibility to shift from Tuesday night to a Wednesday night or from Thursday night to a Friday night and all of that, and I think that the residents understand that and would be happy

to work with it. There is an issue when there is a possibility — that possibility is unrestrained in the Bill — of that flexibility switching the racing from the Saturday forward to the Sunday. This is not a "Never on a Sunday" issue; it is an issue of religious freedom. It is one thing for people to say that they object to all Sunday sport, including that conducted in a private stadium when there is a choice about whether to go or not to go. That is one issue. There is a huge difference between that and saying that the public road shall become the sporting forum and the venue. If that is the case, the ratepayers and taxpayers who fund that facility are entitled to ask, "What about my rights?". They are also entitled to ask that when it comes to their right to religious freedom, which is ensconced and protected in law. The right to exercise one's religious freedom is emboldened in our law. Therefore, you cannot easily and at a stroke say to churchgoers who live on the circuit, "Your rights are to be trumped by road racing rights".

**12.30 pm**

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

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

**Mr Dallat:** Does the Member agree that there are not and never will be any plans to organise races at a time when church services are taking place? Does he further agree with me that Mervyn Whyte and his team are the last people who would want to deny anyone their religious freedom?

**Mr Allister:** I am sure that what you say about Mr Whyte is right, but the Bill imposes no restraint on the time of day on a Sunday. I put the question back to the Member: will he, therefore, support an amendment that would put it beyond doubt that there will be no racing during churchgoing times on a Sunday? Let that be the test of the Member's intervention. Will he take that stance? Indeed, I look forward to hearing from the Minister what his attitude will be to such an amendment.

Churchgoers have rights, too. Yes, I have a house on that circuit. Yes, unashamedly, I am a churchgoer. Yes, I feel that I have an entitlement to exercise my right to go to church. Why should I or anyone else who feels entitled to exercise that right be suddenly told, with 24 hours' notice, "Sorry, your right has just been trumped. The public road that you use to travel to church will not be available to you. If you choose to go to a church on the circuit, it will not be possible for it to open, and, if you choose

to go to another church, you will not get there because the roads will be closed". I do not think that the House or any legislation has the right, rationally and reasonably, to say that. If the House agrees that it does not have that right, the natural follow-through is to shape the Bill by amendment in such a way as that threat is removed. There is no great assurance in being told that that is not the intention. It may never be the intention of anyone, although sponsors might sometimes have different intentions. However, if you put it boldly and clearly in the legislation, the temptation and the threat will be removed. Mr Dallat made his intervention on me, and I say back to him that, if that is his belief and his contention, I am sure that he will have no difficulty backing an amendment that puts that beyond doubt.

Whether we like it or not, there are four churches on the circuit: Ballywillan Presbyterian Church, Portrush Baptist Church, Portrush Reformed Presbyterian church and the Portrush Brethren assembly. Indeed, three of those are located at a famous part of the course: church corner. Are we to say not only to the people who wish to go to those churches but to any churchgoer who lives anywhere on the circuit, "Your rights are trumped by racegoers, because you will not be able to exercise your religious freedom to worship according to your conscience on the day that is so precious to you in that regard". I do not think that the House should be party to doing anything that is capable of having that outcome. Therefore, a Bill that, without distinction, makes that a possibility is unworthy of support in that form.

Matters can be done in such a way as to marry together the need for flexibility and the protection of local residents' rights. Never forget that, although many local residents hugely enjoy the week, it is also an imposition on many, because it brings restraints and restrictions when the roads are closed. If you are now to add to that an overbearing restriction on something as fundamental as their freedom to worship, I have to say that that is a step too far. The Bill, in its present form, would permit that step and in that, I believe, falls into error. It requires alteration in that regard. I trust that the Minister will be supportive of such change. Indeed, I am disappointed that he has brought the Bill without that change. However, he is the Minister who is piloting the Bill through the House, and, no doubt, the attitude that he takes on that issue will be crucial to the outcome. I trust that the Minister will —

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

**Mr Allister:** Yes.

**Mr McNarry:** Mr Allister has cleverly introduced an element of intrigue in response to Mr Dallat's point. If it can be indulged, the logic of what he said seemed to be about a timescale. I wonder whether, in his proposal, which will lead to an amendment at some stage, he has had time to think about the logistics involved in closing a road, reopening a road and organising a race in the time that he envisages could facilitate churchgoers. I think that he is talking specifically about churchgoers. It seems that the merits of that are not beyond discussion, but at what stage will Mr Allister wish to elaborate on the course along which his amendment might take the House?

**Mr Allister:** I cannot say —

**Mr Principal Deputy Speaker:** I remind Members that interventions are meant to be brief and to the point.

Is the Member coming towards the conclusion of his remarks? In no circumstances do I wish to curtail his comments. Will he give some indication to the Speaker's Chair of whether it would be more appropriate to resume after Question Time?

**Mr Allister:** I think that I can conclude relatively quickly, subject to interventions and the length thereof.

In response to the intervention, I will say that there now arises an opportunity — assuming that the Second Reading is agreed — between now and next Monday for the tabling of amendments. I will take an interest in what amendments are tabled and may well avail myself of the opportunity to table amendments. In due course, it would be a matter of measuring the appropriate window, but I am quite clear that we have to protect the rights of churchgoers. For some, churchgoing is not just something that happens on a Sunday morning; it happens for some on a Sunday evening. Therefore, the closure of the public roads has to fit with those exercises of religious freedoms. You cannot say to a church, "Oh, well. Sure, you can move your Sunday services to a Monday". Sunday is a critical, inherent and intrinsic part of the exercise of Christian worship. Therefore, you have to respect the fact that there must be an adequate window on a Sunday to do that.

That is why the borough council, as local representatives in touch with local feeling, felt constrained to arrive at an official position. It

was not entirely clear to me from Mr Spratt's speech whether it was conveyed to the Committee that the council had officially taken a position of opposition to a contingency day on a Sunday, which would interfere with religious exercises. It may well have been conveyed that the council conducted its own consultation, but whether it was conveyed that it had, in consequence, arrived at a position that was opposed to a contingency day on a Sunday that influenced or adversely affected churchgoers' rights was less clear to me. There is a very good reason why the council, being in touch with local opinion, would have taken that view.

There is a strong onus on the Minister to give leadership on the issue and to indicate the Department's attitude to restricting the option of contingency days in so far as they apply to Sundays. The Minister could help the House if, in his reply to the debate, he were to give something of an indication in that regard. I noticed with interest other Members in the House speak in an unspecified way about amendments. I am sure that the Minister has been thinking about those matters and might be able to give the benefit of some leadership to the House on them.

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension today. I propose therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. When we return, the first item of business will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.43 pm.*

**2.00 pm**

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

## Oral Answers to Questions

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

**Mr Deputy Speaker:** We will start with 30 minutes of listed questions. Before I call Mr Kieran McCarthy, I should tell Members that question 2 has been withdrawn and will receive a written answer.

### Together: Building a United Community

1. **Mr McCarthy** asked the First Minister and deputy First Minister for their assessment of the implementation of the proposals in Together: Building a United Community over the past six months. (AQO 5102/11-15)

**Mr M McGuinness (The deputy First Minister):** With your permission, Mr Deputy Speaker, I will ask junior Minister Jennifer McCann to answer this question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** Together: Building a United Community sets out a clear vision of how society here can move forward through greater interaction, mutual respect and social cohesion. The vision centres around four main themes of children and young people, safety, sharing and cultural celebration. Within those themes, strategic projects focus on education, young people not in education, employment or training (NEETs), regeneration and deprivation, housing and learning from the past. Significant progress has been made across all these areas, and we expect to see projects being delivered on the ground early in the new year. The United Youth programme is being progressed through an intensive, co-designed engagement with statutory, community and voluntary organisations, and that will result in an event in January to finalise the design, which will then be passed to us for approval.

We have approved a year-round intervention pilot that will see United Community summer schools and camps being held in summer 2014, well ahead of the 2015 target. Building on existing good practice, officials are working with community representatives, the Department of

Justice and statutory agencies to design a process to create the conditions that will allow interface barriers to be removed. The most recent workshop with community representatives was held on 15 November, and we expect to receive firm implementation proposals before Christmas, with work getting under way on the ground shortly afterwards.

This is an Executive strategy that will be delivered by a number of Departments. We are working with the Department of Education, the Department of Culture, Arts and Leisure and the Department for Social Development to progress the 10 shared education campuses, the cross-community sports programme and the 10 shared neighbourhoods and urban villages, respectively. The relevant Ministers will bring forward details of their progress on those three commitments to the ministerial panel, which meets in December.

**Mr McCarthy:** I thank the junior Minister for her response. Is her Department not grossly disappointed, if not entirely ashamed, to say that, out of the number of combined places that were identified, only one — at Lisanelly — has been talked about, and that, out of the 10 shared neighbourhood developments, very little has been done? How soon and how quickly can that be rectified?

**Ms J McCann:** The Member has to appreciate that this is a large project that we are embarking on. I think that some progress has been made. I mentioned the seven key actions, and substantive progress has been made on some of those. We hope to announce the urban villages soon. We have taken forward the United Youth programme and it has already approved summer camps and schools, so quite a lot of work has been done. The design groups have also been collaborating with the community and voluntary sector to take that forward. So, I have to say that I disagree with the Member: good work has been done and is still in progress.

**Mr Nesbitt:** I thank the junior Minister for her answers. Six months into Together: Building a United Community, as the question says, will the junior Minister tell us whether there is a defined budget and, if so, what is it?

**Ms J McCann:** As I said, the design groups are working on what way the progress will be rolled out. There is no definitive budget as such that would allow me to give you a ballpark figure. I will say that the design groups are working out what budget will be attached to each programme that will be implemented, and we



are working to get that rolled out. With a project as vast as this, we will look at existing budgets. A substantive good relations budget has already been rolled out by the Office of the First Minister and deputy First Minister (OFMDFM). There will be other strategies, depending on which lead Department rolls it out. Therefore, I cannot give you a ballpark figure. There is a substantive budget, to which we will add.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister update the House on the United Youth programme?

**Ms J McCann:** It is essential that the United Youth programme delivers the best possible outcomes for our young people. There are many good examples throughout society of programmes being delivered, and we want to learn from what works best. It is important to reiterate that. We are trying to look at existing models of good practice for the implementation of other programmes. Key stakeholders have been written to with a series of questions to help them to inform the programme's design. That has been followed up with one-to-one meetings. There have been a number of meetings with organisations and stakeholders that work in the field. There will be another meeting with the design group in January, after which we will roll out the United Youth programme. It is a work in progress.

**Mr Eastwood:** I thank the junior Minister for her answers thus far. How many businesses and organisations have signed up so far to the apprenticeship element of the projects?

**Ms J McCann:** I am sorry: is the Member talking about the United Youth programme? As I said, it is a fairly substantive programme. We are looking to develop it as a work in progress. We will obviously work with the Department for Employment and Learning (DEL) on the apprenticeships programme, particularly when we target the NEETs category. We need to be at the stage at which that is ready to be rolled out before we contact those employers whom the Member mentioned. That is being done through Departments, in particular, DEL. We are working closely with the Minister and have met him about apprenticeships. It is all a work in progress.

**Mr Deputy Speaker:** As indicated, question 2 has been withdrawn.

## Welfare Reform

3. **Mr Gardiner** asked the First Minister and deputy First Minister for their assessment of the warning that £5 million a month will be cut from the block grant from January 2014 as a result of failure to implement welfare reforms. (AQO 5104/11-15)

**Mr M McGuinness:** We have, of course, made a careful assessment of what is being said. We are conscious of any funding that might be withdrawn from the block grant. That said, let me be very clear: we have a clear responsibility to the many thousands of people who will be affected by the welfare reform/cuts agenda. A ministerial subgroup was set up to look at the outworking of the welfare reform programme. The First Minister and I have had a number of discussions on which mitigating measures the Executive might take to offset some of the worst aspects of what is likely to be imposed on us.

**Mr Gardiner:** I thank the deputy First Minister for answering my question. Will he tell us what outstanding points of dispute there are in OFMDFM that prevent agreements being reached with the Treasury? Is there a danger that it could be only the first of many disputes of a similar nature, when indecision here will lead to financial penalties?

**Mr M McGuinness:** There have been discussions with the Minister for Social Development and Ministers and representatives from the Department for Work and Pensions (DWP) about what is being proposed with regard to welfare reform. We have pushed for changes and flexibilities, and have proposed mitigating measures. All that has been done for one clear, simple reason: we have a responsibility to protect the most vulnerable members of society. We continue to explore the changes and flexibilities that can be brought about and the further mitigating measures that we as an Executive might be able to take. Our approach is governed by our Programme for Government commitment, which is to tackle disadvantage and protect the most vulnerable members of society. As the Member and many other Members know, we have had a number of contributions to the debate in recent times, not least of which came from NICVA.

I know that there are question marks about the amount that people believe will be withdrawn from our economy as a result of the decisions taken by a Government that the Ulster Unionist Party supported in the first place. Therefore, that places a major responsibility on us in

government to continue to explore what more can be done to ensure that we can offset the worst effects on some of the most marginalised and vulnerable.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers so far. What is his assessment of how welfare reform is rolling out in Britain?

**Mr M McGuinness:** I am sure that people are well aware of the interview that Mike Penning gave to the BBC here just a short time ago. Instead of threatening cuts of £5 million a month from our block grant, it would be better if Mike Penning spent his time working out why DWP has already written off £34 million on an IT system that is not fit for purpose, and departmental estimates suggest that the total figure for write-offs could reach at least £140 million. The outworking of welfare reform in England is being constantly challenged and tested in the courts. DWP has not got it right, so I am not sure why people are in such a rush for us to get it wrong as well. On 6 November, for example, the Appeal Court in London unanimously quashed the Government's decision to close the independent living fund on the grounds that it breached the public sector equality duty. There are also shortcomings in the work capability assessment, and about 1,000 people have died shortly after being deemed fit for work. We have to ensure that there is no repeat of private contractors assessing people as fit for work only for them to die a short time later. In particular, we need to ensure that that does not happen during the transition from the disability living allowance to the personal independence payment.

**Mr Agnew:** Has an assessment been made of how much extra is coming in each month to the Northern Ireland economy as a result of us not having implemented welfare cuts?

**Mr M McGuinness:** Obviously, welfare reform is one of the biggest issues that we face. Look, for example, at the negotiation of the economic pact that the First Minister and other Ministers were involved in with the British Government. Then, consider the good work done there and the very clear damage that could be done to our economy by a welfare cuts agenda decided by people, many of whom are millionaires in the British Government, who have no comprehension whatsoever of life in some of the most disadvantaged parts of the country. In assessing how we move forward, we have a clear responsibility to do everything in our power as an Executive — I am sure that every Member would agree — to ensure that the

funding streams available to us are able to deal with the challenges that we face in the time ahead.

We cannot take lightly the opinions that are being expressed about the level of funding that will be withdrawn from our economy as a result of these decisions. This is big stuff: this is about real people, and it is about some of the most marginalised and disadvantaged. Therefore, we all have a duty and a responsibility to do everything in our power and examine every option to see how we can take this forward.

**Mrs D Kelly:** Although I support the deputy First Minister not being bounced by threats from Mike Penning, will he tell us whether there is a plan B if the threats to cut our Budget become real, and how that will be managed through the Executive?

**Mr M McGuinness:** It is too soon to go into that. From our perspective, we are dealing with the reality of the here and now, and the fact is that useful discussions have taken place between members of the Executive. Quite clearly, people are very focused on the challenges that welfare reform poses for us. Mike Penning's interview was one of the worst I have ever heard from a direct rule Minister. Not only did he attempt to deal with that issue in a very clumsy way, he ventured into areas of responsibility for the Assembly and the Executive — areas that he had no right to venture into.

2.15 pm

## Executive Office: China

4. **Mr Newton** asked the First Minister and deputy First Minister to outline the expected benefits to the local economy as a result of opening an Executive office in China. (AQO 5105/11-15)

**Mr M McGuinness:** During our meetings with senior Chinese Government Ministers earlier this year, we discussed the potential economic, social and cultural opportunities that could result from a closer relationship with China. We were asked to consider opening an office in Beijing to represent the Government and to promote our interests in China. We are advised that the Chinese Government will view that positively. We anticipate that the development of a closer relationship with China will assist us in accessing markets for our products, particularly agrifood, in lobbying for government support, in encouraging investors to work with

Invest NI and in attracting greater numbers of students and tourists here.

There is already tangible evidence of the benefit of that growing relationship, with more local companies than ever securing orders in China, attendance of Chinese companies at the recent investment conference and an invitation from the Chinese Government to the Minister of Agriculture and Rural Development to discuss agrifood trade and technology. The Chinese Government have also invested in the expansion of the Confucius network here, and we expect more strategically important announcements in the coming months.

**Mr Newton:** As I understand it, the culture of China demands that there are long-term relationships before business is done. Will the deputy First Minister outline exactly what our strategy is and how long he thinks that strategy will be in operation before it delivers tangible business results?

**Mr M McGuinness:** Everybody that we speak to in Administrations such as the Irish Government and British Government tells us that building relationships with the Chinese comes before anything else. That is why the First Minister and I have put such an emphasis on building those relationships. It all began with a very important visit by deputy premier Liu Yandong to the North, after which she invited the First Minister and me to China. We have been there twice. As a result of our contacts with the authorities in China, we have taken the decision that we are going to open a bureau in China. I think that that is a sensible thing to do; it will assist us in building those relationships. Quite clearly, the complex nature of Chinese society, particularly Chinese business society, means that, in all probability, this is a longer-term project than, for example, the work that we do in North America with the United States and Canada.

We are very satisfied with the progress that has been made. We think that there are clear opportunities for us to exploit in the time ahead. During our time in China, we had very useful conversations with Madam Liu Yandong. She clearly pointed us in the direction of specific areas in China that will benefit from huge financial investment by the Chinese Government. She suggested that we consider striking up partnerships with some of those areas. It is an ongoing work in progress, and the Member is absolutely right that building relationships is crucial whenever you are dealing with the Chinese.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle, agus gabhaim buíochas leis an Aire go dtí seo. Will the Minister outline our current trade activity with China?

**Mr M McGuinness:** China is an important and growing export market for our local companies, many of which visit China each year with trade delegations that Invest NI organises. In 2010-11, we exported almost £112 million worth of goods to China, and that increased to £116 million in 2011-12. Invest NI has had an office in China for many years and is now firmly established in Shanghai. Shanghai was chosen because it has become China's business capital. Invest NI has contracted three full-time advisers, who are based in Shanghai and Taiwan.

Their role is to provide bespoke research and advice for our companies and to identify market opportunities.

Our commitment to China is evidenced by Invest's strategy, which includes two trade missions annually to key business centres such as Shanghai, Hong Kong and other developing cities across China. Over the past six years, a total of 350-plus local companies have participated in the trade visits. As a result of the strategy, that market is worth in excess of £110 million in exports from local companies and sustains valuable employment here.

Invest NI recently recruited a territory manager for the Asia-Pacific region to place greater emphasis on trade and foreign direct investment opportunities. Our local companies recognise the huge business potential and emerging opportunities that exist through China's dynamic marketplace.

**Mrs Overend:** Further to Mr Newton's question about building relationships with China, will the deputy First Minister inform the House how we in Northern Ireland have been working with UK Trade and Investment in building that relationship, how that has benefited Northern Ireland and of the plans to continue with that?

**Mr M McGuinness:** It is hugely important that we work with everybody, including the body that you mentioned. We consistently seek advice and support from those who have had experience of working at first hand with the Chinese. During our visits to China, we have been very ably supported by the Irish and British ambassadors. A lot of lessons have been learnt by our officials. It is important that we work with everybody, and we know that there are great opportunities. In September,

our Minister of Agriculture and Rural Development paid a very important visit to China that opened up prospects for further exports of an agricultural nature from here to China. Again, it is about relationship building and recognising the importance of going there, and I think that we all have learnt from our experiences, particularly in North America, that, if you do not go, you do not count. It is vital that our Ministers travel the length and breadth of the planet to seek whatever investment we can get to provide jobs for people here. That is why our Minister of Enterprise, Trade and Investment has been travelling probably more than most. I think that benefits are now being seen, because, over the past three or four years, we have clearly managed to attract more foreign direct investment than at any other time in the history of the state. To do that against the backdrop of a world economic crisis is, I have to say, some achievement.

**Mr McNarry:** Are there any positive signs of students from China coming to Northern Ireland to study?

**Mr M McGuinness:** The short answer is that they are already here. They are here in huge numbers at Queen's University and the University of Ulster. We built up important relationships with the Confucius Institute during our previous visit to China. Madam Liu Yandong attended an event at the University of Ulster at Jordanstown that the First Minister and I also participated in. Clearly, attracting students from China is very important. Language is also important, because people increasingly recognise that English is an absolute prerequisite for people involved in foreign direct investment and trade.

Given the level of contact that we now have with the authorities in China — in fact, when the First Minister and I were there, we met the Chinese Minister with responsibility for education as well as many other influential figures — it is undoubtedly something that can be built on. The Member is absolutely right: it is crucial that we continue to attract foreign students, not just from China. However, China obviously has a huge population, which presents huge opportunities for us.

## Investment: USA Visit

5. **Mr Hilditch** asked the First Minister and deputy First Minister for an update on their recent trade visit to the United States. (AQO 5106/11-15)

**Mr M McGuinness:** The First Minister and I travelled to Boston and Chicago between 21 and 25 October to undertake a number of engagements to promote the local business message and build on the success of the economic conference that took place on 10 and 11 October. Our five-day visit was a great opportunity to reinforce our bonds with existing and potential investors in the United States, to promote our region as an attractive investment location and to promote connected healthcare and university collaboration.

Our attendance at a major EU/US connected health conference in Boston attended by an international audience from over 20 countries provided a platform to showcase our growing expertise in the connected health arena. We were pleased to have the support of our colleague, the Minister of Health, Social Services and Public Safety, who also spoke at the conference. We also pushed the wider research and development agenda by supporting the work of the two local universities in collaborative clinical research by meeting US universities that have established links with Queen's and the University of Ulster.

In Boston, we addressed an audience of 170 senior business executives on the benefits of doing business here. In Chicago and Peoria, we visited Chicago Mercantile Exchange and Caterpillar, two of our most important American investors. We played an instrumental role in helping Chicago Mercantile Exchange to make its decision to invest during an earlier visit to the city. The visit to Caterpillar allowed us to meet the company's top management team and reiterate the Executive's support for consolidating relationships with existing investors. While there, we were particularly pleased to announce a further £7 million investment by Caterpillar to expand its manufacturing business here. That reinforces our position as an investment location for global companies.

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

**Mr M McGuinness:** Caterpillar is an important investor, not just in terms of jobs and wealth creation but also in the credibility that its presence lends to doing business here.

**Mr Hilditch:** I thank the deputy First Minister for his answer. In a constituency that has benefited from the recent trade visit we are thankful for that and the confidence that Caterpillar has shown in that workforce. Can the deputy First Minister assure the House that we are at the top of our game and the right and

best structures are in place to maximise our trade links with the United States in between those visits?

**Mr M McGuinness:** There is no question or doubt whatsoever that we are performing well in excess of any other region in these islands. A lot of work has been done by our representatives in the United States and Invest NI, coupled with the important investment conferences that we have all participated in. When you get senior executives from prominent world brands coming to the investment conference and making the argument for us with other potential investors, it is then that you clearly know that you are going places.

It is one thing the First Minister and I going to the United States and making grandiose speeches and statements about what we have to offer, but the best way to promote what we do here in terms of FDI and the success of companies that have invested here is to get the companies that have invested and reinvested to articulate to a wider audience the benefits of doing business here. That is principally why we see such an increase in foreign direct investment in recent times, particularly from the United States and North America.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhnairle. Gabhaim buíochas leis an LeasChéad-Aire. Can the Minister tell us of any future investment trips?

**Mr Deputy Speaker:** Very briefly, Minister.

**Mr M McGuinness:** This has been a very busy year for the First Minister and me, because we place great importance on our position to promote the economy by engaging face to face with existing and potential investors. We think that the level of contact has paid huge dividends, so we are committed to taking that forward.

The evidence is there to prove it. HBO decided to use the Paint Hall as far back as 2009 and is still here, with something like 800 people employed. There have been meetings with financial giants such as the New York Stock Exchange, Chicago Mercantile and others, bringing them over the line. There was bringing about the devolution of air passenger duty to the Assembly after engaging with the CEO of United Airlines. All of those outcomes only happened because we went. They could not have happened if we had been behind a desk in Belfast. In the past couple of years, we have travelled to Brazil, India and the Middle East and made successful visits to the US and

China. We have been invited to visit Japan by the Japanese Prime Minister, whom we met at the G8. That visit will happen in the next short while. I reiterate that the visits present a significant time commitment from the First Minister and me, but we know their value, and the evidence is there to prove it.

**2.30 pm**

**Mr Deputy Speaker:** Order. That ends listed questions. We move on to topical questions. I call Mr Sam Gardiner.

**Mr Gardiner:** Thank you, Mr Deputy Speaker. Question 1. *[Interruption.]* Oh sorry, my apologies —

## Haass Talks

1. **Mr Gardiner** asked the First Minister and deputy First Minister to confirm that Dr Haass is dealing with strand one issues. (AQT 421/11-15)

**Mr M McGuinness:** The issues being dealt with by Dr Haass are clearly on the public record: they are parades, flags and the past. Whatever strand people want to put them in is of no relevance to me, nor should it be of any relevance to anybody else. These issues affect us in the here and now, and they have come about as a result of a very damaging year in which we have clearly seen elements such as the Ulster Volunteer Force and elements of the Orange Order in north Belfast and other parts of Belfast fomenting conflict on the streets. That conflict has to be unreservedly condemned, alongside the activities of so-called republican groups that have no support in the community and have, over this week, been trying to create mayhem on the streets. The answer to all of them is that it is not going to work.

We need solutions to parades, flags and the past. It is incumbent on all of us to do everything in our power to find solutions to those problems, because, if we do not find solutions, all we do is leave openings for those who wish to exploit their agenda, which is clearly anti-Assembly, anti-Executive and anti-peace process. So we have to do our job as politicians and come up with results while giving our wholehearted support to the police as they combat the lawbreakers.

**Mr Gardiner:** I thank the deputy First Minister for his answer. Will he confirm that the Dublin Government will not be involved in the Haass process?

**Mr M McGuinness:** Richard Haass was charged with the responsibility to do this job by the five major parties in the Assembly. We collectively agreed, against all odds, on who the independent chair would be. As a result of the responsibilities that he has been given, he finds that he has to speak, obviously, to the panel that was established here, which represents the five main parties, and also to the British Government and the Irish Government. Very few people in the House would expect that he would move forward with such an onerous task against a backdrop of not speaking to both the Irish Government and the British Government.

We are all also conscious that the White House has taken a keen interest in this. Richard Haass has met people at the highest level of the Administration. He has met Joe Biden. The First Minister and I took phone calls from the vice president, and they are retaining a keen interest in the process. There is a lot of interest in what is happening, and it is appropriate that the US Administration, the Irish Government and the British Government have their say. At the end of the day, the decision-making process will be a huge responsibility for the parties in the Assembly.

## **Terrorist/Criminal Activity**

2. **Mr Buchanan** asked the First Minister and deputy First Minister whether they agree that it is now time for all those involved in terrorist and criminal activity to come clean about their past. (AQT 422/11-15)

I declare an interest as a proud member of the Orange Order.

**Mr M McGuinness:** The past is being dealt with in the context of the Haass talks. It is an element that obviously creates a lot of pain for people who were victims during the conflict. Of course, we have seen from recent television programmes, not least the latest 'Panorama' programme, that there is no moral high ground for anybody in all of this. There are many in the House who supported these activities. Many Members on the Benches opposite supported these groups and activities. We have to recognise that we are in this situation today because of the conflict on the streets over the past year. There has been an agenda headed up by a paramilitary organisation, the Ulster Volunteer Force, which I have challenged publicly and privately about its activities. *[Interruption.]* We need to get a resolution to the challenges posed not just by the UVF but by the so-called republican groups living in cloud cuckoo land. They are living in a little cocoon,

totally detached from the reality of people's lives. *[Interruption.]* How we deal with the past or, as John Dunlop, rightly, put it on 'Sunday Sequence' last Sunday, how we "cope" with the past represents a real challenge. However, it does not just represent a challenge for republicans, folks; it represents a challenge for everybody, including the British Government.

**Mr Deputy Speaker:** Order. Before calling Mr Buchanan for a supplementary, I remind Members not to shout from a sedentary position. I will not tolerate it.

**Mr Buchanan:** Does the deputy First Minister believe that his party leader, Gerry Adams, was not a member of the IRA, despite all the evidence to the contrary from witnesses?

**Mr M McGuinness:** I am on public record as saying that I was a member of the IRA. It did not do me any harm when standing for election in Mid Ulster. When the people of south Derry and east Tyrone decided to make me their MP in 1997, they did so because they believed that I was absolutely committed to building the peace process. They wanted peace and saw my contribution to that as important. I hope that I have made an important contribution. I think that people who make the argument that you cannot further contribute to society in a meaningful way because you were a member of the IRA in the past are making a huge mistake. *[Interruption.]* They are making a huge mistake.

**Mr McNarry:** Answer the question.

**Mr M McGuinness:** It is irrelevant, totally irrelevant. In my opinion, Father Alec Reid, who died recently, made a massive contribution to peace in this country. Gerry Adams made a massive contribution to peace in this country. John Hume made a massive contribution to peace in this country. Sometimes, it is probably worth asking some of the most negative elements, who try to use these situations against the peace process, what contribution they have made.

## **Shackleton Barracks**

4. **Mr Mitchel McLaughlin** asked the First Minister and deputy First Minister for an update on the soft market testing of Shackleton Barracks. (AQT 424/11-15)

**Mr M McGuinness:** The soft market testing exercise commenced on 18 November — this will be of great interest to the Deputy Speaker — and will be completed by the end of January

2014. After the level of interest is determined, a decision will be taken on the suitability of going forward with development plans. Officials have, on an ongoing basis, met local landowners, the local council and community groups to inform them of the position with the site and listen to their views. The intention is to continue with that dialogue as we move forward. All interested parties have expressed an interest in the Shackleton Barracks site to OFMDFM or B T W Shiells, including local farmers and residents' groups. They were sent details of the expression-of-interest process on Thursday 14 November.

**Mr Mitchel McLaughlin:** I thank the deputy First Minister for that update. Given what some might perceive as a conflict of interest between local entrepreneurial interests and the Minister of Agriculture and Rural Development's stated intention to decentralise her Department, will the deputy First Minister indicate whether he believes that both sets of ambitions can be accommodated on the site?

**Mr M McGuinness:** The simple answer to the Member's question is absolutely yes. We recognise that the value of the site is not just monetary but economic and social. Although we continue to explore the sale of the site, we have not lost sight of the other local needs. Let me also point out that one of the greatest needs in the north-west is employment, and the decentralisation of the Department of Agriculture and Rural Development headquarters has the potential not just to create employment but to be part of the economic regeneration of the area. Given those two positions, I believe that the further development of the Shackleton site offers great potential for all concerned.

I am increasingly excited about the site, and I think that DARD's decision, supported by the Executive, to relocate to Shackleton Barracks has created a focus for other interests. We are now getting serious expressions of interest. This is an absolutely massive site that can cater not just for the needs of DARD but for other interests, including those of the local community.

## Economic Powers

5. **Mr B McCrea** asked the First Minister and deputy First Minister whether they support the devolution of more economic powers to the Northern Ireland Assembly, given that Westminster is considering such devolution to other regional Administrations. (AQT 425/11-15)

**Mr M McGuinness:** One of the most important powers that we seek, which the Member and other Members will be well aware of, is the power to devolve corporation tax. We estimate that, if we can get that, particularly against the background of the very positive answers that I gave on foreign direct investment during this question-and-answer session, it could lead to the creation of something like a further 58,000 new jobs. That is crucial for us, and we think that we are making progress. Obviously, the British Prime Minister has decided that he will not make a decision on this until the Scottish referendum is out of the way.

There will be various opinions in the Assembly about further powers. Some parties here are for a lot of new powers to be given to the Assembly, and others have concerns, some of which might be political and not just financial. I think that all this can be resolved through a process of dialogue, discussion and agreement between us. The key job of work that is to be done in the next very short while is on corporation tax, and, if we can achieve that, it will be a massive step forward for our Administration.

**Mr B McCrea:** Further to that answer, Minister, would you support the creation of a commission on devolution similar to the Silk commission to investigate the possibility of devolving more powers to see what would be advantageous, what would not be advantageous and what could command support?

**Mr M McGuinness:** The Member knows, as do all Members, that, during Question Time to the Office of the First Minister and deputy First Minister, I answer as best I can, as I know the First Minister does when he is asked questions. We try to answer for both of us. From my perspective, that can certainly be considered. I would not be opposed to it, but I would like to come to a position on that in the aftermath of a discussion with the First Minister and, ultimately, if we were to proceed along that route, with other members of the Executive to get their agreement.

## Flag Protests: Belfast City Centre

6. **Mr A Maginness** asked the First Minister and deputy First Minister whether they agree, given the march on Saturday in the centre of Belfast, which will, once again, disrupt business etc, that these people have made their point about flags and should therefore desist from future demonstrations and, if possible, enter into the Haass process where they could make their points more effectively. (AQT 426/11-15)

2.45 pm

**Mr M McGuinness:** I absolutely agree that it is a responsibility of everyone who is involved in this to recognise the importance of discussion and dialogue. I do think that people have made their point, and I note with interest that the media are now exercised about who is actually organising Saturday's parade. I do not have any doubt as to who is organising this parade. The parade is being organised by the UVF and is being supported by elements in the Orange Order. I think that there clearly is a responsibility on the Progressive Unionist Party, as it calls itself, to recognise the damage that can be done if these protests continue.

Yes, I think that people have made their point, but the main point to be made is that they have a duty to face up to the concerns that are being expressed consistently by the business community in Belfast about how damaging these protests can be. I come from a society that believes that people have the right to protest, but, in protesting, people have to take decisions about whether that protest will contribute to a resolution or an exacerbation of the problem. I think that ongoing protests of this nature, particularly if the main people behind them are the likes of the UVF, are very worrying indeed.

## Employment and Learning

### Higher Education: Update

1. **Mr D Bradley** asked the Minister for Employment and Learning for an update on the higher education strategy and the review of the maximum student number formula. (AQO 5116/11-15)

**Dr Farry (The Minister for Employment and Learning):** I thank the Member for the question. Work is proceeding well on the implementation of projects flowing from the higher education strategy, Graduating to Success, and the widening participation strategy, Access to Success. Good overall progress is being made on those projects requiring early action, with a number of outcomes having already been achieved. The vast majority of other outcomes are on schedule to be achieved within the target timescales. For those projects that have longer-term time frames, project teams are in place, and preliminary implementation work has commenced. Given the long period over which the outcomes flowing from the strategies span, from 2013 to 2020, I am satisfied with the solid progress that has been made to date.

My Department will be commencing the review of the maximum student number (MaSN) formula in early 2014. As Members are aware, MaSN is currently used as a means of controlling student support costs and the block grant allocation to the higher education institutions. Therefore, my Department will be reviewing the MaSN formula as an integral aspect of the higher education funding review. As outlined in Graduating to Success, I wish to ensure more flexibility for learners, an increase in part-time provision and a focus on economically relevant activity through the funding of higher education.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. What measures does he intend to put in place to ensure a more regional spread of student places across the sector?

**Dr Farry:** I thank the Member for his question. I highlight the role that our further education (FE) colleges play. They are also providers of higher education, and, in particular, we are keen to see an expansion of foundation degrees. Already we have managed to facilitate some increases in the full-time places that are available across the FE campuses in Northern Ireland, and we have ambitious plans to do more. Often it is that type of learning that is much more flexible and responsive to the needs of the economy, and of business in particular.

**Mrs Overend:** How does the strategy now complement, or does it duplicate, the Success through Skills — Transforming Futures strategy, which was launched last year, and the Further Education Means Business strategy in demonstrating the Department's integrated approach to providing skills, supporting people and contributing to the creation of jobs?

**Dr Farry:** I thank the Member for her question. Further Education Means Business goes back to 2004 and I intend to commence a review of it during 2014. Success through Skills should be seen as the overarching document when it comes to the activity of my Department. As such, it falls under the Programme for Government and the economic strategy as a cross-cutting economic document at Executive level.

Within the skills strategy, we have very clear targets for upskilling the workforce in Northern Ireland — the current workforce and indeed the future workforce — with a focus on higher level



skills and science, technology, engineering and mathematics (STEM) subjects. Around that, a number of different strategies will support the skills strategy. The higher education strategy is a clear example of that and relates to, for example, the promotion of a much more economically relevant offering and increased investment in research, alongside a greater number of PhDs. All the other strategies and actions that my Department takes have the skills strategy targets very much in mind. I will also make reference to the forthcoming announcements on apprenticeships, which will provide an alternative pathway to the more traditional higher education route. Once again, this will be something that has very much in mind meeting the overarching objectives within the skills strategy.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí. Will the Minister give us an update on his plans for a rural university as part of the higher education strategy and widening participation?

**Dr Farry:** The Member is referring to what is, essentially, project 10 in the higher education strategy. We are in discussion with a number of providers in that regard. I am sure that the Member could guess which ones those would be, given the rural aspect of the project. Essentially, it is about opening up access to higher education provision and having particularly in mind those who may experience barriers and those who are studying part time and trying to balance work; they are the people who would maybe be best placed to take advantage of this. Discussions are ongoing and I hope to make some announcements on the way forward within the next number of months.

**Mr Lyttle:** Does the Minister agree that higher education is essential to building a knowledge-based economy in Northern Ireland, where jobs have 25% higher than the average wage income? Does he welcome the news that the knowledge economy in Northern Ireland is growing faster than in the rest of the UK?

**Dr Farry:** It is very clear that the investments being made, not just by my Department but by the Executive as a whole, are making real headway in transforming our economy. We have had a clear focus on building our footprint in the knowledge-based aspects of the economy, and I am glad to see that progress is being made in that regard.

We still have significant scope for further development. Northern Ireland remains very much open for business. That said, we have to continue to invest in the supporting drivers that will make that a reality. That includes investing in skills for those who come in through university as graduates and those who will, potentially, come through higher level apprenticeships in the future.

We also need to continue to invest in high-quality research of international standard. Our three local universities are already well recognised for their research contributions. Over the past number of years, we have made a number of investments to grow the basic research grant to the universities and the higher education innovation fund. All that will put our universities on a stronger footing. We need to take much greater advantage of international networks. I am pleased that we are part of the US-Ireland Research and Development Partnership. We also have huge opportunities flowing from Horizon 2020, which has just been confirmed over the past weeks and for which we have over €70 billion available through to 2020. We are determined to increase Northern Ireland's drawdown from that fund significantly.

## Employment Law: Proposals

2. **Mr Ross** asked the Minister for Employment and Learning when he will bring forward proposals on the reform of employment law. (AQO 5117/11-15)

**Dr Farry:** In July, my Department launched a 16-week consultation on a review of employment law to fulfil a commitment in the Executive's economic strategy. The consultation, which closed on 5 November, elicited 41 responses. In the interest of obtaining as much evidence as possible, extensions have been given to a small number of stakeholders who did not meet the deadline.

The responses received provide a significant amount of information and comment on the Department's initial proposals. My officials are analysing the responses and drafting the Department's response. That will outline the firm proposals for reform that I intend to bring forward. I plan to publish the response early in the new year. However, many of the policy proposals will require primary or secondary legislation. I will, therefore, arrange for the Committee to be briefed on the outcomes of the public consultation early in the new year. I plan to present final policy proposals to the Executive as soon as possible thereafter.

**Mr Ross:** I thank the Minister for his answer. He knows that this is something that I am very keen to see. It is very important for Northern Ireland that we ensure that we maintain our economic competitiveness against others regions in the UK and that we follow suit and reform our employment law. I am glad that the Minister now has a date on which he thinks that he will be able to bring forward proposals. From his discussions with the business sector and the unions, does he believe that he will be able to bring forward proposals that will meet with approval both from unions and business organisations?

**Dr Farry:** I thank the Member for his question. I echo his comments about the importance of this review. However, I view this as a Northern Ireland solution to fit our own particular circumstances that has to take into account what is happening elsewhere and the need for Northern Ireland to be competitive in the local economy. Good progress is being made in discussions with the business sector and trade unions. I am particularly grateful to the Labour Relations Agency for sponsoring a round-table forum at which those discussions are occurring.

I imagine that there will be a number of issues on which a high degree of consensus will emerge. As the Member will know, there will be other issues on which finding consensus will be more difficult. However, we still give that process a fair wind. The more that we have a consensus among the key stakeholders in society, the easier it will be, in turn, for both the Executive and the Assembly to take forward the outcome of the review. In the event that that is not forthcoming, we will still need to address the issues and find an agreed way forward.

**Mr A Maginness:** In considering reforms to employment law, will the Minister avoid a recommendation made by Mr Beecroft in his report to give the power to employers to sack underperforming staff? Does he agree with me that Vince Cable got it right when he said that that is utter nonsense?

**Dr Farry:** I can assure the Member that we have already ruled out that Beecroft reform. It did not form part of the employment law review that we took forward in Northern Ireland. It did not meet our shortlist of things to be considered further, not least for some of the reasons that the Member outlined. We did not think that it is appropriate or something that would find favour locally.

**Mr Beggs:** Has the Minister received specific examples from trade unions and employers of

how many jobs may be lost or, indeed, gained if the changes that have been implemented elsewhere were to be implemented in full in Northern Ireland?

**Dr Farry:** The Member stresses the importance of an evidence base for reforms that we take forward. We are in continued discussion with both the business sector and trade unions. I encourage them to back up a lot of the assertions that they make with solid evidence. We also have the ability to take into account how similar reforms have had an impact in other jurisdictions.

I want to stress the importance of trying to find a consensus on this. A lot of public attention can be directed towards some of the more headline or controversial reforms. However, where I believe the real difference can be made in Northern Ireland is through some of the real nuts and bolts of how the system works in practice. Things like greater use of alternative dispute resolution, early neutral evaluation of cases and reform of the rules of tribunals are really where the heart of how we will change the system will lie. We are in a good place to not just follow what happens elsewhere but put in place Northern Ireland solutions that put us in the lead.

**Mr Deputy Speaker:** Before calling Mr Pat Sheehan, I will say that I should have told you that questions 5, 9 and 10 have been withdrawn.

## Apprenticeships

3. **Mr Sheehan** asked the Minister for Employment and Learning how people undertaking an apprenticeship are encouraged to start their own business. (AQO 5118/11-15)

**Dr Farry:** My Department provides a comprehensive range of support for anyone unemployed or economically inactive who wishes to establish their own business. My Department offers a number of practical routes to self-employment that include the European social fund (ESF) and Steps to Work programmes. Current ESF projects that promote self-employment include the Exploring Enterprise and Women into Business programmes, and the Journey to Success project. Steps to Work provides support ranging from basic awareness of self-employment and participation in Invest Northern Ireland's Regional Start programme, through to the opportunity for people to avail themselves of up to 26 weeks of supported self-employment, during which participants may retain their

benefit entitlement while testing their business idea.

### 3.00 pm

My officials also work closely with Invest NI, which has a suite of programmes and advisory services available to potential and existing entrepreneurs in Northern Ireland. Those include the Regional Start initiative and programmes aimed at under-represented groups such as female or young entrepreneurs, individuals not in education, employment and training (NEET), and those who live in neighbourhood renewal areas. The Apprenticeships NI programme is employer led. The employers create apprenticeship positions and recruit suitable individuals as apprentices, in line with future business needs. Apprentices are paid from day one as they work towards achieving an industry-approved level 2 or level 3 apprenticeship framework qualification.

Traditionally, apprentices in occupational areas such as construction have gone on to become self-employed or to establish their own business. In that way, apprentices have become employers and, in turn, employ apprentices. As the Member will be aware, we announced in February a review of my Department's apprenticeship policy. That all-encompassing review is progressing well, and I will be reporting on its findings shortly.

**Mr Sheehan:** Go raibh maith agat. Gabhaim buíochas leis an Aire as ucht a fhreagra. Will the Minister update us on any discussions he has had with the Minister of Education on encouraging and cultivating entrepreneurship in schools?

**Dr Farry:** John O'Dowd and I are acutely aware of that issue. The Member will note that we confirmed yesterday our intention to take forward jointly a major review of careers in 2014. One key theme of that review will be to expose young people to a wide range of opportunities that are much more in line with the needs of the Northern Ireland economy. That includes more and more people starting their own business. Despite a number of strengths in our economy, we still do not have enough young people considering the option of running a business. The more we can spread the message about those opportunities, the better we will stand. The Member can be assured that both Departments are seized of that requirement.

**Mr Campbell:** The Minister outlined a number of ongoing projects, but can he assure the

House that, particularly where young people not in education, employment or training have gone into apprenticeships, his Department and the Department of Enterprise, Trade and Investment (DETI) are actively targeting people who excel as apprentices so that they can start their own business? It should not just be the case that that is available; they must actively promote that.

**Dr Farry:** The real opportunity for that individual and tailored approach lies in the new Steps 2 Success programme, the successor to Steps to Work. We will be taking people who are, in a sense, unemployed, as opposed to those who are in an apprenticeship, on an employment pathway. Already, Steps to Work can provide support to people who are setting up their own business, and some very good results have become apparent.

We are hoping to move to an even more flexible system under the new contracting arrangements. It is up to the new contractors and subcontractors to work closely with those who are showing a flair for business and to invest particular resources in them to make sure that we are getting a productive result. We are trying to move away from treating everyone the same; rather, we are working with people's particular needs, aspirations and aptitudes.

**Mr Rogers:** What percentage of young people who have completed an apprenticeship have gone on to start their own business?

**Dr Farry:** I am happy to try to provide those figures for the Member, but I think it is worth stressing that apprenticeships are not, per se, a pathway to self-employment. In many cases, apprentices will go on to set up their own business in due course, and, as I mentioned earlier, employ other young people as apprentices in the future. An apprenticeship is a way of providing employers with the quality staff that they require for their businesses to grow and prosper. We are very keen to reform the system that we have to make sure that we have a much more demand-sensitive system that meets the needs of employers in that regard. There is no doubt that self-employment can be a spin-off from the system that we are putting in place. Those who have good training will have the drive and ambition to go on to be successes in their own rights.

### Unemployment: Young People

4. **Mr Givan** asked the Minister for Employment and Learning what measures have been taken

to reduce youth unemployment. (AQO 5119/11-15)

**Dr Farry:** I have introduced a comprehensive range of measures to address youth unemployment in Northern Ireland. The youth employment scheme provides help to unemployed young people aged 18 to 24 to obtain work experience, develop additional skills and gain employment. To date, 1,038 young people have started the work experience programme, 898 have started the skills development programme and 689 have started employment under the enhanced employer subsidy.

The Steps to Work programme also assists people to find and sustain employment. It is available to any person aged 18 years or over — or 16 in the case of lone parents who are not in work. In November 2012, First Start, a 26-week waged initiative for young people aged 18 to 24 who are unemployed for six months or more, was introduced. First Start will provide supported employment for 1,700 young people before the start of the 2014-15 financial year. Almost 18,000 young people have entered employment following participation on the Steps to Work, First Start and youth employment scheme programmes.

Through its Training for Success programme, my Department also offers a guaranteed training place for all unemployed 16- to 17-year-olds who do not wish to remain in, or are unable to benefit from, mainstream education or further education. The guarantee is extended for young people with a disability or those from an in-care background, up to the ages of 22 and 24 respectively.

**Mr Givan:** I welcome the efforts that are being made by the Minister and this Executive to tackle this problem. What measures are being put in place to ensure that university degrees and courses at our higher and further education colleges are tailored to the needs of the economy, so that people, once they are qualified, can get jobs based on the qualifications they have?

**Dr Farry:** The Member has touched on a broad strategic issue that is faced by not just our economy but a lot of modern economies around the world. Undoubtedly, we all have a challenge to invest much more in higher-level skills. Those who invest in higher-level skills are, in the main, much more likely to be in employment, to sustain employment and to have higher levels of wages or salaries. However, we do have issues regarding skills

shortages and skills mismatches in our economy and, often, a general higher education or further education qualification is not enough to find and sustain employment, particularly in the absence of work experience. That is why, in the short run, we are putting such an emphasis on work experience, including for recent graduates, and also some of our graduate programmes, GAP, to address the needs of unemployed graduates.

I come back to the point about apprenticeships, which should not be seen as a secondary alternative to someone going to university. In particular, a higher-level apprenticeship could be seen as a viable alternative for someone with good A levels. They will have the advantage of moving straight into a job, but will reach essentially the same point as a graduate through learning on the job while earning a salary or wage in the process.

We are hoping to broaden the range of pathways to higher-level skills that are available. In that way, we will see a reduction in youth unemployment. It is worth noting that, around Europe, those societies that invest most in their apprenticeship and vocational training systems have the lowest levels of youth unemployment. The same goes for those societies that place the greatest emphasis on work experience. They also have the lowest levels of youth unemployment.

**Mr Swann:** I thank the Minister for his answers. A recent DETI report showed that 63,000 young people between the ages of 18 and 24 have never had a job and that we are the worst region in the UK. When does the Minister think that his schemes and initiatives will start to result in jobs for those young people?

**Dr Farry:** We are making good headway with what we are taking forward. It is worth stressing that our Pathways to Success strategy is emerging as an exemplar in the European Union, particularly because we have placed such a heavy emphasis on the community and voluntary sector and on looking for localised solutions to tackling the issue of those who are, perhaps, furthest from the labour market.

Our claimant count in youth unemployment is falling, notwithstanding the fact that the labour force survey, given the small samples, can bounce up and down.

The performance of our youth unemployment scheme in Northern Ireland, even though we started a little later, is significantly better than

the performance of the youth contract in the rest of the UK. That shows the advantage of devolution in action; we can shape the nature of schemes to suit local circumstances. Although it is still early days, we are making a real difference, and the emerging statistics tend to back up that supposition.

**Mr McCarthy:** The Minister has partly answered my question. How do our local schemes compare with what is going on for young people across the water?

**Dr Farry:** If we look at some of the published figures for the youth contract, at the end of May 2013, against a target of 53,000 subsidised jobs a year over a three-year period, payments were made to employers for just under 5,000 wage incentive scheme jobs, which represents a 9% uptake against the target. In comparison, the youth employment scheme, against a target of 2,500 subsidised jobs, secured 812 employment opportunities, and 563 young people have started. That represents a 22.5% uptake against the target. In the early days of the programmes, we can see a marked difference between the figures in Great Britain and those in Northern Ireland.

**Mrs D Kelly:** The Minister will be aware that young people today are called the lost generation because of the high levels of youth unemployment in the North. Will he comment any further on the news today about labour having to be flown in from elsewhere for the apprenticeships at Harland and Wolff? Minister, you talked about Northern Ireland's solutions to problems as they emerge around the £500 that seems to be the main stumbling block for our young people to be able to continue in their apprenticeships.

**Dr Farry:** The £500 issue is a red herring and is not a stumbling block. With the Harland and Wolff jobs, a very short-term contract was achieved at relatively short notice. We are talking about 50 days for the contract to be fulfilled, so the positions are not long-term. Of the 600 opportunities, about 200 are being filled locally. For sure, I would like more of those to be filled locally. The difficulty is that we can invest well in general skills, but some specialist skills are required for some of this work. We need to work closely with employers so that they approach my Department's skills solutions service as early as they can for us to consider whether we can put bespoke training in place to turn people's good general skills into the specific skills required for that type of work. For us to train people speculatively would put public funds at risk, so we need to be responsive to

demand in the market and get as much lead-in time as possible. In that case, the transformation time was not long enough for Harland and Wolff to approach my Department for assistance.

We are not talking about apprentices; we are talking about contractors doing a short piece of work. We need to make better longer-term investments in engineering skills. The Department and I chair a working group comprising the colleges, universities and the business sector to make sure that we are planning effectively for that sector of our economy, which is dynamic and will create major opportunities.

**Mr Deputy Speaker:** Ms Megan Fearon is not in her place.

## Student Numbers: One Plan

7. **Mr Eastwood** asked the Minister for Employment and Learning what discussions he has had with the University of Ulster with regard to achieving the One Plan target of 9,400 students by 2020. (AQO 5122/11-15)

**Dr Farry:** My officials and I have discussed the expansion of the University of Ulster's Magee campus on various occasions in the past few years. The focus of those discussions was the One Plan's interim target for an additional 1,000 undergraduate places by 2015. Within the resources available to me for higher education, I have been able to allocate an additional 652 undergraduate places to the University of Ulster, which it has undertaken to locate at Magee. Those will be in place by 2015. I will continue to bid for resources for additional higher education places in Northern Ireland, and I hope to move the university close to achieving, if not achieving, the interim target by 2015.

## 3.15 pm

**Mr Eastwood:** I thank the Minister for his answer. I understand what he says about the interim target, but I want to ask him about the main target of 9,400 by 2020, which was in the One Plan and was accepted and supported by the Executive. Is he convinced that the Executive support the One Plan and that target? Does the university support them?

**Dr Farry:** I am very clear that I would like the university to expand significantly in Derry and the north-west. I believe that there is a huge opportunity, and it would have a major impact

on the economy. Against that, we have to bear in mind that for the Executive to resource that degree of expansion would require a recurring investment of tens of millions of pounds every year. That has to be taken in the round against other aspects of higher education: for example, I remind the House that Northern Ireland already has to fund the tuition fee freeze, which is not covered in the block grant. Of course, the university has the ability to move places around Northern Ireland if it chooses to do so. The university's position is that it is happy to put the additional places that may well be allocated to it into the Magee campus.

I also highlight the potential for attracting many more international students to the north-west and to Northern Ireland as a whole, and no doubt, building on the success of the City of Culture, Derry will be well placed to do that. We do not necessarily need that expansion to occur purely in full-time places. International students and part-time students are not counted as part of MaSN. That is another route through which, in part, the 9,400 target could be met.

**Mr Deputy Speaker:** That ends the period for questions for oral answer to the Minister for Employment and Learning. We now move on to topical questions.

## Open University

1. **Mrs Hale** asked the Minister for Employment and Learning how valuable the Open University is to the Northern Ireland economy through upskilling. (AQT 431/11-15)

**Dr Farry:** I thank the Member for her question. First, we should formally welcome the Open University to the local higher education family. It is a very welcome addition. I believe that it will bring variety in its offering. It has a good research footprint and one of the highest, if not the highest, student satisfaction ratings in the United Kingdom. As we move towards promoting different types of learning in higher education, and as we try to link higher education with a revised form of apprenticeships, I believe that the Open University in particular will be well placed to take advantage of the changing policy environment and to provide a lot of solutions for the local economy.

**Mrs Hale:** I thank the Minister for his answer. Given that upskilling is of immense importance to the growth of our economy, how is your Department engaging with the sector skills council to attract and retain talent and skills to facilitate growth in our key industries?

**Dr Farry:** There is a range of sector skills councils in Northern Ireland, such as e-skills and Semta. This morning, I was with Creative and Cultural Skills at the Lyric Theatre for the launch of its ambitious plans to increase the number of jobs in that sector in Northern Ireland. Ongoing work and discussions with the sector skills councils are critical to the future of policy development. The more we can hear a collective voice from industry on training and skills requirements, the more efficient and effective government will be.

## Higher Education

2. **Mr Spratt** asked the Minister for Employment and Learning how he will ensure that the higher education sector, which is vital to the Northern Ireland economy, will continue to thrive, especially in light of last week's joint university showcase in the Long Gallery, which was attended by many Members. (AQT 432/11-15)

**Dr Farry:** I thank the Member for his question. He is right to highlight the success of the showcase last week, and I congratulate the Committee for facilitating that. The university sector will be critical to the future of the economy, and, in particular, cutting-edge international research will give us a real boost and impetus as we further develop the knowledge-based economy.

Over the past number of years, we have sought to make strategic investments in the universities, so we have increased the number of undergraduate places and postgraduate awards. We are now, essentially, facilitating a doubling of state-supported PhD opportunities over this decade. We have also increased research funding across different programmes. However, it is worth stressing to the Member and the House that, with the decision to freeze tuition fees — I note that across parties, people are keen to follow through with that, including, notably his party — we are diverging from what is happening with funding arrangements in the rest of the UK. So, we have to fund that locally.

To date, the Executive have a financial package that has allowed us to maintain funding for the universities while freezing tuition fees. As we move to the future and, no doubt, continue to freeze tuition fees, it is important that we, at the very least, continue to resource our universities at the current level or, if we do not do that, increase their funding strategically to allow them to expand. I am sure that everyone agrees with me in saying that there is no point in freezing tuition fees but ending up in the situation where people can pay less but end up

with a lesser product. We want people to pay less to stay at home to go to university but have the best possible education.

**Mr Spratt:** I thank the Minister for his answers so far. What specific measures or actions will he recommend to his Executive colleagues to ensure that the commitments that were enshrined in last week's all-party motion calling for continued support and investment in higher education are met?

**Dr Farry:** Again, that is very much a partnership. It falls to my Department to deliver the higher education strategy that we have set out, which, I believe, gives us a good foundation from which to move forward. We have also made different bids for resources. In turn, it is for the Executive, particularly the Finance Minister, to look at the overall funding package that is available to my Department and, in due course, to the universities. Members will be aware that we need to start considering what will happen in the next Budget round beyond March 2015. Discussions are already under way between Departments on how that will look. Certainly, from my perspective, higher education funding issues are perhaps key in those discussions.

## Confucius Institute

3. **Mrs D Kelly** asked the Minister for Employment and Learning what representations, if any, he has received from the Confucius Institute or local colleges, including the University of Ulster, on implementing its work programme or facilitating exchanges with teachers and students, given that he will be aware of the work and linkage with the institute — I realise that some of it crosses with the Department of Education — and that, if this region is to do business with China, there needs to be better promotion of the culture, ideas and relationships. (AQT 433/11-15)

**Dr Farry:** I thank the Member for her question, in which she indicated a major area of potential expansion for our local higher education institutions. The University of Ulster has been proactive in the establishment of the Confucius Institute in Coleraine. Opportunities for teachers and pupils in schools will flow from that, and it also reflects that universities are an issue not simply for my Department but a resource that is available across all aspects of life in Northern Ireland, never mind just in government. There will be a showcase event on that in Parliament Buildings on Friday that will provide another opportunity to discuss how

exactly we can assist in this regard. Overall, I am keen to promote internationalisation as one of the key themes in the higher education strategy.

That works in two ways. We want to attract more students from overseas to our institutions. Compared with other regions, we have a comparatively small footprint, which, again, is a legacy of the Troubles. However, equally, we want to ensure that, as part of their studies, as many as possible of our students have the opportunity to experience other societies. We run almost a parallel programme to Study USA, which is Study China, that allows our students to access opportunities in what is still a very different culture but a radically transforming and successful economy.

**Mrs D Kelly:** I thank the Minister for his answer. He mentioned foreign students in particular. What is his assessment and analysis of the provision of accommodation to meet their needs?

**Dr Farry:** Both, shall we say, campus-based universities have fairly reasonable accommodation footprints. In some ways, they are better placed than other universities on these islands. Obviously, there are issues with accommodation provision in the Holylands in South Belfast, which is an issue for Queen's University, the University of Ulster and the further education colleges. It is also an issue for society as a whole, not simply for the institutions.

One of the other key accommodation issues relates to the relocation of the University of Ulster campus from Jordanstown into Belfast and what housing implications will flow from that, including those for international students. Discussions are ongoing under the aegis of Belfast City Council to ensure that we plan effectively for that.

## Careers System

5. **Mr McElduff** asked the Minister for Employment and Learning, following yesterday's debate on the Committee for Employment and Learning's report and his announcement of a review of the careers system, to ensure that careers advisers are fully skilled in the CAO system as well as the UCAS system. (AQT 435/11-15)

**Dr Farry:** I thank the Member for his question. I have to say that we missed his contribution to the debate yesterday. It was much poorer for that.

The Member touches on a key issue, which is more than just about careers. It is about ensuring that there is a natural flow of students on the island. It is not about our directing students either to Great Britain or the Republic of Ireland but ensuring that they are fully informed of the choices. At present, we do not send as many students southwards as are coming from the South to the North. Therefore, there is scope for expansion of student flows in both directions on the island of Ireland. For that to happen, there needs to be proper information on university admissions. It is more than simply a case of knowledge of how of the Central Applications Office CAO system works; there is also the issue of recognition of qualifications, which is an ongoing source of tension between the two jurisdictions.

**Mr McElduff:** Perhaps the Minister will elaborate on those tensions. The issue of equivalence and how A levels are regarded by some universities down South presents a major obstacle to students who wish to go to university or third-level institutions there. Can the Minister elaborate on those tensions and, more importantly, how they might be resolved?

**Dr Farry:** I thank the Member for his supplementary question. John O'Dowd is leading on that issue on behalf of his Department and mine. I am more than happy to support his efforts in that regard. My understanding of the issue is that, at a political level, there is no real resistance. Our counterpart, Ruairí Quinn, accepts the arguments that have been made. It is essentially an issue of the independence of the universities and their admissions policies. That is where the blockage lies and efforts are ongoing to try to remove it.

## Youth Employment Scheme

6. **Mr I McCrea** asked the Minister for Employment and Learning for an assessment of the youth employment scheme. (AQT 436/11-15)

**Dr Farry:** I am more than happy to give that assessment. It is something that has been discussed already during questions.

The scheme is very much designed to try to break the vicious circle whereby young people cannot get a job without experience and cannot get experience without a job. Essentially, they are caught in that vicious circle. If we do not intervene, there is a real risk of a lost generation emerging. We have invested in people's skills to a certain point at a general

level. However, unless they are able to apply them, their skills will go rusty. Not only will individuals have a longer period on benefits but society will lose the benefit of their contribution and particular skills. Therefore, the scheme has three different strands: subsidised employment, work experience and a skills-development piece. Uptake of all three is encouraging. I am particularly pleased with the level of support that we have had from employers who have offered places. They really appreciate the importance of investing not only in the future of their companies but the economy as a whole.

### 3.30 pm

**Mr I McCrea:** Given the level of youth unemployment, does the Minister agree that, now more than ever, such programmes are important? Does he also accept, if there are flaws in the scheme, that he would be willing to address those flaws to deal with the youth unemployment issue?

**Dr Farry:** The Member makes a very valid point. It was for that reason that we had a post-implementation review of the youth employment scheme over the summer to make sure that it was meeting the purposes set out for it. We made a number of adjustments to it on the back of that review. I am happy that performance has increased significantly on the back of the changes that we have made. That is something that we have undertaken already, and we are more than happy to do it again as we continue to monitor the scheme as it rolls out.

## Theatre: SERC

7. **Mr Weir** asked the Minister for Employment and Learning for an update on the financing of the proposed theatre at the South Eastern Regional College in Bangor. (AQT 437/11-15)

**Dr Farry:** The issue is contained in my Department's capital allocations, so we have the headroom to take it forward. A business case has been approved by me and the Department of Finance and Personnel. The moneys contained are within my capital allocations, so we do not need to bid to the Executive for any additional resources. Therefore, subject to everything else being in place with the final stages of procurement, everything should be set to go early in the new year.

**Mr Deputy Speaker:** Order. Time is up. I am sorry, Peter.



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

## Executive Committee Business

### Road Races (Amendment) Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Road Races (Amendment) Bill [NIA Bill 29/11-15] be agreed.  
— [Mr Kennedy (The Minister for Regional Development).]*

**Mr Kennedy (The Minister for Regional Development):** I thank all Members who contributed this morning and this afternoon during the Second Stage debate. Some general issues and several specific points were raised. I will attempt to deal with the points raised by Members. If anything significant is missed, I will endeavour to come back in writing once we have examined the official report

I was greatly heartened by the tone and the constructive nature of the debate. It was opened in that fashion by the Chairman of the Regional Development Committee, Mr Spratt. He, very sensibly, indicated that we should adopt a sensible and pragmatic approach to the issue. He spoke about the considerable economic benefits generated by events such as the North West 200, the Ulster Grand Prix and road races generally and, of course, that investment needs to be protected. I very much agree with him when he said that events such as the North West 200 are good for sport, good for tourism and, ultimately, good for Northern Ireland.

Mr Spratt then made some remarks wearing his party political hat and indicated that he would seek to agree arrangements and reach the best balance. I will return to the theme of amendments, or possible amendments, at the end of my winding-up speech.

Mr Seán Lynch then told us that, although he is not a fan, he is certainly not against the Bill, and he indicated that Sinn Féin will support the Bill. I think he took a constructive approach on the need for accelerated passage, and I welcome that.

Mr Dallat, in turn, confirmed that, in his view, the Committee had given the Bill the appropriate and proper scrutiny. He confessed that he had moderated and changed his own

view on road racing over the years because of various engagements with legendary figures from motorcycling sport, the Dunlop brothers, Joey and Robert, who were tragically killed. Mr Dallat also recognised the international reputation that events such as the North West 200 achieve for the north-west and, importantly, that there was a need for certainty with the sponsors and everyone involved.

Mr Leslie Cree my party colleague told us that he used to ride a motorbike. I think there is a difference between riding a motorbike and racing a motorbike, but we thank him for that confession. He reminded us that we are always at the mercy of the weather in Northern Ireland, and it is therefore important to get the necessary flexibility. It is also important that organisers work with churches, residents and people who operate businesses on any of the routes.

Kieran McCarthy appears to be part of a fairly exclusive Assembly club, along with John Dallat — the Morris Minor club. I think that I reflect the concern of the entire House if either of them was to attempt accelerated passage when driving their cars. *[Laughter.]* Mr McCarthy welcomed and supported the legislation. He talked about something called Alliance Party flexibility. I could spend much time on that but I do not think that I will. He wheeled into his contribution another plea for the aquarium.

Alex Easton highlighted the need for flexibility given the current restrictions. Cathal Ó hOisín is apparently an enthusiastic aficionado of motorcycle racing and was able to indicate that he is supportive of the flexibility and alluded to the benefits to the local economy. Brenda Hale, a Member for Lagan Valley, is a very strong supporter of the Bill, and I thank her for that. She mentioned the racing that takes place at Dundrod. It reminds us all that the Bill is not simply a quick fix, or any kind of fix, for one particular event such as the North West 200. There has been a lot of focus on that in particular, but we would do well to remember that it is about all the road races that take place in Northern Ireland.

Gordon Dunne expressed his keen interest in motor sport, which was very evident from his contribution, and he gave strong support. I join him in his tribute to Mervyn Whyte, the organiser of the North West 200, and, indeed, to all the race organisers, male and female, across Northern Ireland. It is very much a labour of love for a great many of them. It means a lot of voluntary work, and it clearly is to the benefit of the wider community, so I am happy to endorse his warm tribute to race

organisers in general. He also spoke about the important role that race chaplains play in the motorcycle sporting fraternity. I know that the race organisers of the North West 200 have been engaged in conversation with the race chaplains and are, I think, soon to meet the representatives of local churches, so it was a positive contribution.

Mr Allister is, by his own admission, a proclaimed supporter of the North West 200. He recognises the need for give and take. I think that he also recognised the need for flexibility. He raised the issue of religious freedom but said that, with flexibility, there would have to be protections.

All in all, I thought it was a very useful debate, and I welcome all the contributions. There was some discussion during the debate of potential amendments to the Bill. I understand completely the concerns expressed about what was rightly categorised as, at best, a possibility rather than a probability. I make it absolutely clear that I am more than happy to consider any amendment that Members may seek to table for discussion.

The Road Races (Northern Ireland) Order 1986, as it stands, affords me and my Department very wide discretion in considering what requirements need to be in place before a road closing order is made for a Sunday or, indeed, any other day of the week. I am comfortable with that current protecting discretion, but, given the general area of the discussion on amendments, I respectfully draw attention to one point that may be of assistance to Mr Allister and possibly others. Given the wide discretion that is currently available, care would need to be taken not to put in legislation narrower discretion that would lessen my ability, in approving a race day or in approving a contingency day, to properly take into account local concerns, whether they be the concerns of residents, retailers or churchgoers, and to reflect those concerns in any decision to approve or not to approve. Seeking to put that in the Bill may create a position in which local concerns, in their fullest sense, are not able to be reflected in any decision taken.

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

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Road Races (Amendment) Bill [NIA Bill 29/11-15] be agreed.*

## Private Members' Business

### Single Farm Payments

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

**Mr Frew:** I beg to move

*That this Assembly notes, with concern, the rising number of reviews of decisions regarding single farm payments; further notes, with concern, the time it takes to process these reviews; and calls on the Minister of Agriculture and Rural Development to ensure that her Department adequately resources the processing of the reviews to ensure expeditious outcomes.*

I very much welcome the opportunity to bring this important issue to the House. It would be remiss of me if I did not say that my colleague David McIlveen had to go home early today because he was feeling ill, so I am proposing the motion and will be making the winding-up speech. I wish David a speedy recovery, and I hope that he has not smitten me.

Members will be aware that David and I have the pleasure of representing the beautiful area and rural constituency of North Antrim. As a consequence, a huge amount of our constituency work involves the farming community, which we have been fortunate in being able to assist in times of crisis. From last year's horrendous snow scenes to the worries around the Schmallenberg virus, to issues around bovine TB, low profit margins, high fuel costs, high feed costs, fodder shortages, banks closing in on people and confusion around maps, we have fostered very close links with farmers and the farming community, not just in North Antrim but beyond, especially in my role as Chairperson of the Agriculture and Rural Development Committee.

**3.45 pm**

More recently, our office staff have found an increasing body of work coming to us by way of review of decisions of single farm payments. If a farm business is found to have breached cross-compliance, made an over- or under-declaration of land or failed in some other way regarding its single farm payments, it is fined.

In one case that we have been dealing with, a young man who took over the farm business immediately after the sudden death of his father faces losing well over £15,000 of this year's single farm payment, all because of confusion over three cattle tags. In this case, on-farm inspection took place a matter of days after his father passed away. Of course, that is an extreme and sad example, yet I have a number of these reviews ongoing in my office. For each farmer involved, the worry and stress over the potential loss of thousands and thousands of pounds is horrendous.

I am grateful to be in a position to assist them. My office works hard to prepare appeals and guide them through the process. However, the fact of the matter is that they are facing huge penalties and the loss of an income that, for many, is vital to sustain them through quieter months.

I have tried to set out the context of what the review of the single farm payments procedure means to those affected by it and highlight how much of an effect it can have on those going through the process. How long do those farmers living hand to mouth, under pressure to keep their businesses going and wondering whether they will survive this year, as well as those farmers who are efficient, have massive capacity and farm intensively, relying on cash flow and money coming in and flowing out, have to wait to hear whether their single farm payment has been successful?

We have done many of these appeals for farmers and are becoming increasingly frustrated at having to telephone Orchard House every number of weeks for an update on what is happening with an appeal. In February of this year, for example, we issued a straightforward appeal regarding over-declaration of land. The stage one decision was not issued until October, so David McIlveen asked questions of the Minister. I brought it up at the Committee for Agriculture and Rural Development, asking how long it took to process stage one and stage two reviews of single farm payment decisions in each of the past three years. I am going to read out the answer from the Minister:

*"In 2011, the time taken to process a Stage 1 application from receipt to decision issued averaged at 263 calendar days. In 2012, the average was 186 calendar days and in 2013 (to date) the average is 205 calendar days ... In 2011, the time taken to process a Stage 2 application from receipt to decision issued averaged at 975 calendar days. In 2012, the average was 1,383 calendar days*

*and in 2013 (to date) the average is 612 calendar days."*

To complete a stage one review, at best, on the average, took 186 calendar days in 2012, which is around six months. At worst, it took 263 days in 2011, which is around nine months. Moving to stage two reviews, things get much worse. This is bearing in mind that you have to pay a fee of £100 if you want to progress to stage two review. This year to date has been the quickest turnaround of stage two reviews in the past three years at 612 days. While we have and can see improvements that we must congratulate, that is over 20 months, or nearly one and three quarter years.

In 2012, the worst of the past three years, the average time to process an application was 1,383 calendar days — almost four years. I will put that in context: from January 2008 to December 2012, over 264 stage 2 reviews were received, which is approximately 50 a year. That is not acceptable. The Minister needs to ensure that her Department has the resources to deal with these reviews. If it is not a question of resource, she needs to do whatever it takes to ensure that the reviews are dealt with quickly and in a manner befitting the businesses that they affect.

The DUP has been applying massive pressure on the Department and the Minister to improve performance on single farm payments and everything associated with them. We have scrutinised and interrogated the figures and stats in a wide spectrum of single farm payment processes. We have had countless debates in the House on advance payments, remote sensing and inspection processes. All have worked to apply massive pressure on the Department and the Minister. We now turn our attention to the specific issue of the review process, when a farmer has experienced an inspection and goes through a horrendous time to get to the other side of that appeal, whether it is article 1 or article 2.

The Committee recently visited Orchard House and saw at first hand the work that goes into processing single farm payments. As an ordinary Member for North Antrim, a member of the DUP and Chair of the Agriculture and Rural Development Committee, I appreciate the hard work that goes on in Orchard House. I appreciate and value the staff who work in that office, who are pressurised and work in front of computer screens — most of them work in front of two computer screens — and go across all the fine detail of a single farm payment application process. I would not want to do that

work, so I appreciate what is involved. I also appreciate the systems that are in play.

I ask the Minister to look at these results and put pressure on the Department to shorten the time that it takes to review decisions. That is vital, because when farmers find themselves in the middle of an inspection and realise that there has been an error somewhere in the system or in their application process, they go into a horrendous system, and it takes months — in some cases, years — to process applications and get a conclusion.

This is very similar to our planning system. We need a planning system to come up with decisions quickly so that people can move on and businesses can react. We need decisions quickly so that farm businesses can move into the future.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. Single farm payments are vital to the farming industry. In a lot of cases, they form the bulk of a farm's income. They are worth around £300 million a year and are claimed by some 38,000 farmers on 25,000 farms and around 750,000 fields. It is vital that the whole process works.

As with every system, there will be faults, and we need to work on the faults in the single farm payment process to improve the figures. We cannot be looking back at what happened in years past; we must be forward thinking and look at what is going on today and at what will happen in the future.

The Member quoted figures, but he failed to say that, in stage 1 for 2012, there was a reduction of 30 days a case; in stage 2 for 2013, so far there has been a reduction of 24 days a case. As of June this year, two additional case officers have been seconded to the stage 1 team to assist with clearing the backlog. So things are being done.

We all need to work to improve the present figures. On 4 February this year, 90% of payment claims were finalised, leaving around 7.5% unpaid for a variety of reasons. The 90% included some 900 inspection cases, which is four times more than last year. So there is proof that the system is starting to work for the Department and farmers.

Important changes for farmers, such as the new maps, will cut the time spent processing claims. Each map now has a maximum eligibility area for each field. That tells the Department the exact area of a field for which it should make payments.

We need more applications to be made online. Farmers still have the option of a paper application, but making an application online will speed up the process and cut the time spent by the Department processing and checking claims. Chairperson, you saw that on your visit to Orchard House. In a way, you answered your question when you talked about the time that it takes to look at the applications. It is because of the European directives, which we are compelled by.

I agree that some farmers have been left waiting for up to and, in some cases, beyond six months. That, I wholeheartedly agree, is wrong. In my area of east Antrim, the majority of the farmland is in less favoured areas (LFAs). It is a fact that the bulk of LFA income on those farms is from the single farm payment. So getting payments to the farmers in time is paramount.

We have to keep the pressure on not only the Department but the banks, because they are sometimes not that lenient on farmers when they are waiting to get their money. Indeed, in one of the many cases that I have dealt with through our east Antrim office, a farmer had to sell part of his machinery to pay the bank because it would not wait an extra fortnight for him to pay the money in.

Tomorrow, I will visit the new Department of Agriculture and Rural Development (DARD) offices in Ballymena to see how everything is going there. The discussions there will be about the payments, and I am looking forward to that.

All the signs are that the new system is starting to work, but we must keep working on the problems that arise. The target is to get payments to farmers on time and, as I said previously, we must also keep pressure on the banks.

Finally, I congratulate the Minister — this has not been mentioned — on the rural broadband programme that she funded. More broadband in rural areas will allow more farmers to go online and more applications to be made online. That will speed up the application process and payments.

All in all, I think that we must all work together and look to the future, not the past, to see how we can improve the system. If there is one thing that we all agree on in the House, it is that we have to make sure that farmers get their payments on time, because it affects not only the farmers but their families and, indeed, the

whole community. I agree with everybody here that we are all working towards the faster processing of applications.

**Mr Rogers:** I welcome the opportunity to contribute to the debate, which highlights farmers' legitimate concerns about how the single farm payment scheme is implemented by the Department. Whether you live in north Antrim or south Down, the issues are the same. I am particularly concerned about the rising number of farmers seeking reviews of decisions taken by the Department on their applications. The time that it takes to process those reviews is unacceptable. Farmers eligible for the single farm payment are often faced with a bureaucratic nightmare when they apply to the Department for a review of their application.

The review of the decisions procedure was aimed at addressing farmers' concerns. The procedure is meant to ensure that the Department has acted in accordance with the relevant EU regulation and policy. The previous Minister said that the review process was designed:

*"to ensure that the outcome ... will provide farmers and rural dwellers with access to an appeals system that is fair, objective, transparent and independent."*

The review process is falling well below that standard. More is expected of it. It is failing farmers and impacting on their ability to sustain a living. The Department must expedite the processing of any reviews of decisions on single farm payments, particularly in light of the difficult years that farmers have had recently. Farmers face an unnecessary delay when availing themselves of that crucial payment. I, too, am very complimentary of the work that is carried out in Orchard House and in the other DARD offices, but farmers need to see results on the ground.

#### 4.00 pm

A further concern relates to the Minister's failure to get an advanced payment for single farm payments. There was an opportunity to avail ourselves of a 50% upfront payment on the single farm payment in October. Farmers in the South availed themselves of that advanced payment, but, unfortunately, DARD did not deliver for our farmers here. Compared with their neighbours in the South, the North's farmers have again been placed at a distinct disadvantage, and that is unacceptable. What a difference an advanced payment makes to cash flow. It seems that DARD is not yet able

to properly administer the single farm payment or, indeed, the review procedure. Quite simply, there is a need for a radical reform of DARD. That is essential if the agriculture and food processing industry is to develop and maximise its potential. We continue to miss the big prize.

I farmed maybe 20 years ago, and when the agriculture advisers came out, yes, they could be critical, but they were the critical friend. Today, after visiting DARD officials have come, farmers say to me that the officials are acting as enforcement officers rather than as farm advisory officers. That leads, in some cases, to fractured relationships between DARD and the farming community.

I have no issue penalising non-compliance, but, very often, the farmer gets penalised over a bureaucratic and administrative issue or a negligible non-compliance. Given that DARD employs over 3,000 public servants, it would make sense to have 10% of those people deployed as farm advisory officers with clearly defined operational areas to build a consistent and productive relationship with farmers to ensure that DARD becomes an enabling instrument of government so that the economic contribution of the agrifood sector can be maximised going forward. It will cost at least £400 million to implement the agrifood strategy over the next three to seven years. The comprehensive shake-up of DARD is essential, and it is timely and necessary if we are to realise our economic potential from the land.

The Minister and senior DARD officials must grasp those issues and deal comprehensively with single farm payments as evidence of their commitment to the North's farming community. Given that the agrifood strategy report is earmarked as the way ahead over the next 10 years, surely it is sensible to review the operation and effectiveness of DARD, the vehicle that is responsible for delivery, to ensure that the goods are delivered and that we really kick-start our economy.

**Mrs Dobson:** At the outset, I declare that my husband receives the single farm payment.

On behalf of the Ulster Unionist Party, I welcome the motion. As has been said, the single farm payment forms one of the most important elements on the balance sheet of every single farm business here in Northern Ireland. However, DARD's track record in handling the payments has been nothing short of shambolic. On its website, the Department describes the review-of-decisions process as "fair". I challenge the Minister to repeat that assertion in this debate, because it is far from

fair. It is not fair on those farming families that are faced with repaying thousands of pounds and, as a result, are faced with hardship and uncertainty. Far from helping the industry to grow, DARD's review-of-decisions process is putting the business and livelihood of our local farmers in danger.

The Minister will be aware that I have written to her on a considerable number of occasions regarding individual farmers and their single farm payments. The farmers who have contacted me have been from my constituency, as well as from across Northern Ireland. In many cases, those turn into lengthy appeals that, as Mr Frew outlined, can stretch from month to month.

For instance, a farmer's wife called into my office last Wednesday to explain the extreme distress and worry that she has for her husband because of a request from DARD that he repay 100% of his 2012 single farm payment. In their case, that is just under £14,000. She is deeply worried for her husband's mental health as a result of that request. That is a huge weight hanging over that young farming family. They have 150 cattle on their farm, and they have told me that they will soon be unable to receive meal deliveries because of the debts that they owe. Those debts are compounded by the fear and worry that has been caused by the Department's retrospective request to pay back those thousands of pounds.

Minister, sadly this is not an unusual situation for farming families to be placed in. It is an undeniable fact that there is a link between farming finance and poor mental health. The Department has a huge responsibility here — a responsibility to ensure that it is not just policing farm families but helping them to stay in farming.

Farmers have told me of the cold attitude that they receive from DARD officials. That needs to change. The primary function of the Department must be to help, not police, our farmers. The Department must understand the extreme pressure that posting a letter to a farming family requesting the repayment of thousands of pounds puts on that family. Currently, there is no recognition whatsoever of the impact of those letters. A Department official presses "Print", posts a letter, and that is it. There is no thought whatsoever for the impact on the family who open the letter at the other end. The Minister must urgently look again at how her officials handle their communication with farmers. I would welcome an assurance from her today that she will do so. To ignore the consequences of such letters landing on the mats in farm homes across

Northern Ireland is at best cold and bureaucratic and at worst potentially life-threatening.

However, a review of this whole process has already been conducted and recommendations made. The Minister will be aware that, in 2011, her predecessor commissioned PricewaterhouseCoopers to undertake an independent review of the decision process. In its conclusion, the report highlighted:

*"the inordinate length of time required to complete the Review process".*

The report did not stop there. It went on to describe:

*"the sense of faceless process including a lack of personal communication by Departmental Officials with applicants."*

That is a 2011 report, yet two years later we are debating the same issue. Recommendations were made, but nothing has changed. Farmers are still facing the same faceless and impersonal snail's-paced progress.

**Mr Deputy Speaker:** Will the Member draw her remarks to a close?

**Mrs Dobson:** Sensible suggestions were rejected, and those that were accepted were not carried out. I support the motion and urge the Minister to act urgently. Continued failure to reform and modernise the system can damage the industry —

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

**Mrs Dobson:** — and the confidence of farmers.

**Mr McCarthy:** I could have given my comrade a few minutes of my time, because I do not have that much to say. I support the motion and register an interest in the single farm payment, in that I am a recipient. The service that has been given to me by the Department has been first class, but I am not the recipient of payment for thousands or even hundreds of acres. That may justify the good service that I get.

I can sympathise with farmers and landowners who have experienced problems associated with the single farm payment. Human nature being what it is means that people do not like to see officials, be they from DARD or any other Department, hanging around their property. Unfortunately, that is something that has to be done, and, on occasions, the visits are

necessary. It is in everyone's interests to cooperate, furnish any information that is required and get agreement as soon as possible.

We are all too aware of what happened as a result of the mapping errors, and the consequences that flowed from them, that occurred a few years ago. Hopefully, that episode is behind us, and that, with cooperation all round, everyone knows exactly what his or her entitlement is and receives it on time. That is the important factor. This review is expected to examine all aspects of the single farm payment, and we all hope that the contents of the review will bring answers to all the questions.

From listening to the Chair of the Agriculture Committee, Paul Frew, I have enormous sympathy for any farmers or landowners who have had to wait such a lengthy period for the completion of their application.

I am sure that the Minister is equally disappointed at these lengthy waits and will do all in her power to ensure that vast improvements are carried out in the near future.

On behalf of the Alliance Party, I fully support the motion.

**Mr Irwin:** I thank the Members, my colleagues, for tabling the motion. As a farmer and someone who is in receipt of a single farm payment, I must declare an interest at the outset of the debate.

As on previous occasions when issues surrounding the single farm payment system have been debated in the House, I can relate in some way to the problems associated with administering the scheme. Indeed, as someone who sits on the Agriculture Committee and serves a largely rural constituency, I am in regular contact with farmers who are, in many cases, at their wits' end with the bureaucracy and endless waiting for payments. Single farm payments remain a vital and valuable part of our farming industry at the present time, and many producers rely on the payment to help cover the rapidly mounting costs associated with food production, such as fuel, energy, fodder and machinery costs.

There have been many motions before the House on the general processing of payments. On those motions, I have made my views clear. Having spoken to staff in the Department who have voiced their concerns about the infrastructure in the Department, it is clear to me that further resources are required to further

speed up the payments and, indeed, the review procedures.

I note that, back in January 2012, the ARD Minister responded to a report by an independent panel on the reviews of decisions processed. In that statement the Minister said that areas were highlighted in which important improvements could be made. With two years having passed since the report was published, I am interested to enquire whether, having viewed the report and the departmental response to its many points, the Minister is happy that the agreed recommendations have been implemented. What has been the result of any implementations?

I am sure that all Members will be concerned at the lengthy periods quoted for carrying out reviews of decisions, with most taking many, many months to complete, indeed years in some cases. One major issue that farmers raise with me is the fact that, when farms are inspected, any obvious oversights are corrected and DARD has cleared the inspection, farmers are still waiting and waiting for their payment to be processed. I would like the Minister to explain why it takes so long to make the payment when all outstanding issues have been dealt with. It is extremely frustrating and exasperating for farmers and is a further drain on their already under-pressure finances.

I come to the debate from quite a straightforward perspective: I want to see what is due to the farmer actually given to the farmer in the shortest possible time and with the least avoidable delay. In my opinion, the farmer is being asked to take on more and more red tape. Instead of the Department investing more in its processing resources, DARD is forcing more of a burden on the farmer. The mapping fiasco is a solid case in point. Instead of taking full ownership of their mistakes, DARD and the Minister lumped a further burden on the already under-pressure industry.

I welcome the debate today and await with interest the views of the Minister on what extra resources she intends to invest to ensure speedier resolutions to the reviews. I support the motion.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion.

As has already been said, the single farm payment is vital, not only to farmers but to the rural economy as a whole. Recent debates in the House have highlighted the negative impact that delays can have on individual farm businesses and families. It is therefore

imperative that DARD works as efficiently and effectively as possible to ensure that the payment is issued in a timely manner. To that end, I welcome the announcement by Minister Michelle O'Neill that over 85% of the single farm payment will be paid before Christmas, with a projected rise to 95% by February. The December payments will amount to approximately £213 million, which will be a tremendous boost.

**Mr Elliott:** I thank the Member for giving way. Although I and many others will appreciate that 85% rising to 95% in February, does he accept that it is extremely frustrating for the 15% who will not get it in December and the 5% who will be waiting through to June or beyond?

**4.15 pm**

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

**Mr Milne:** I accept what you say. I appreciate that it is rough on people who have to wait that length of time.

Given the fact that there were substantial changes to the applications process this year and adding the technical difficulties with the final batch of maps issued, it is encouraging that the percentage has increased since last year. That, in itself, gives a sense of confidence that the new system, when fully bedded in, will make a significant difference. Every effort must be made to lift the percentage year on year to ensure that the maximum number of farmers get their entitlements as early as possible. That means the Department and farmers working in partnership.

Small changes can make a big difference. Things that could be done include the early submission of applications and the increased use of online systems, which would lead to reductions in small errors before submission and speed up the administration process; getting the maps as accurate as possible; increased use of remote sensing to speed up inspections; and, of course — the issue before us today — ensuring that, where disputes arise, they are dealt with as quickly as possible.

The delays faced by those engaging in the process, particularly at stage 2, appear unreasonably long. The report commissioned by the Minister on the review process found that, while it is largely fit for purpose, there are areas that need improvement. Unsurprisingly, the time taken to get a decision was highlighted as one of those areas. Despite the time lapse

since the findings of that report, the problem of delays continues. This can cause farmers untold and, in some cases, unnecessary hardship in real terms. Often, by the time the payment has been issued, a considerable amount has disappeared in overdraft fees.

There is no question that some disputes can be detailed and complicated, but the onus is on the Department to bring even those to a swift conclusion. The Department needs to revise its procedures and set targets that it can be held accountable for. Farmers need to know where they stand on their single farm entitlement so that they can plan for the year ahead and avoid further penalties. While they have a responsibility to do what they can to speed up the process, so does the Department.

**Mr Buchanan:** The motion is of the utmost importance to the Democratic Unionist Party and the farming community, which is concerned by the rising number of reviews of decisions regarding single farm payments and the time that it takes to process those reviews. That is why we call on the Minister to ensure that her Department adequately resources the processing of reviews to ensure expeditious outcomes.

Single farm payments are made to approximately 38,000 farming businesses in Northern Ireland and are worth around £300 million to our economy. They are a vital aspect of our overall economy and an essential element of farming life. Therefore, ensuring that the payments are made on time and with the minimum delay and administration is crucial to the agriculture industry.

The single farm payment review of decisions procedure was established to ensure that farmers who felt that they had been short-changed by the Department in their single farm payment could appeal that decision and receive a fair, impartial and independent hearing. While that procedure is right and proper, the serious difficulty facing those who are compelled to go down that route is the time that it takes for stage 1 and stage 2 of their appeal to get a hearing and for a decision to be forthcoming. The proposer of the motion outlined the number of days that it takes for stage 1 and stage 2 of an appeal to be heard and a decision to be forthcoming. Everyone around the House today will agree that that is far, far too long a time frame.

Rather than having a system that is effective and efficient, we appear to have an appeal system that is so bogged down in bureaucracy that, in some cases, it takes years for a



decision on an appeal to be forthcoming. Again, I see that as totally unacceptable. Through the work of my constituency office, I could give countless examples of farm businesses stretched to breaking point because the single farm payment has been withheld. The lack of information and the uncertainty and stress caused by the restriction of cash flow for a minority of farmers is a total nightmare.

Folks, I have one file here that contains details of a case for one field. You can see how thick that file is and the amount of work that has gone into it. That is for one field. This one query has been going on now for four and a half years, since June 2009. It is still not completed, and it is worth around £4,000 to that farmer. I challenge anyone in the House today to say that that is an acceptable time for our farmers to wait. That is only one case that is being dealt with in my office. We appreciate that the vast majority of farmers receive their single farm payment in December each year. The Minister has said that that represents 85% of them, but 15% are still suffering. The banks are closing in on them, and we must seek to help them. The problem lies not with the 85% but with the 15%.

There is a real problem with the selection of farmers for inspection. Some farmers have told me that they feel totally victimised by the Department when it comes to farm inspection. I know that farmers are selected at random and some are targeted, but farmers need more honesty from the Department. What exactly constitutes an at-risk farm? In an area where there may be an application with errors, some of them very minor, why should farmers be forced to go through endless delays before getting any payment? Something must be done, even along the lines of upfront payments, to assist those farmers.

The weaknesses of the current review of decisions process are the time required to complete the review process; the lack of targets against which to measure the performance of the Department in managing the process; and a lack of personal communication between departmental officials and applicants. Those are serious problems. Significant opportunities exist to revise the operation in order to improve its efficiency, transparency and, therefore, its accessibility and ease of use for applicants.

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

**Mr Buchanan:** I appeal to the Minister today because something more has to be done than what is in place. I urge the Minister to put in

place more finances or some system to ensure —

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

**Mr Buchanan:** — that the farming community gets the money in a quicker and more efficient way.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I, too, support the motion. Indeed, as an MLA from a rural constituency, I share the concerns about the time taken for reviews and, importantly, the impact that that has on farming families.

I want to pick up on something that Paul Frew referred to. He spoke of the visit that the Committee made to Orchard House on 3 October. In my time as an MLA, that was probably one of the better learning experiences that I have had, and I know that fellow Committee members felt the same way. It gave us a sense of the sheer scale of the operation of processing single farm payments. I was reflecting on some of my notes from that visit, and some figures jumped out at me and are worth mentioning.

In the 2013 single farm payment year, there were 37,633 applications, 65% of which were submitted in the first two weeks of May. The first two weeks of May are the last two weeks of the application period. That equates to 24,461 applications landing in Orchard House in those two weeks. Of those, 20.4% were completed online, which means that 80% of farmers still do not complete them online. That needs to be addressed. Interestingly, 35.9% of the 20.4% completed online are completed by the farmer, not the agent. In real terms, only 7.3% of farmers complete applications online, as agents do the others of the ones who do them online. A total of 29,763 came into Orchard House in paper form, 7,685 were completed online and, obviously, some were invalid.

As far as the scale of the work involved for the Department is concerned, they come in from when the window opens in March. It takes 10 weeks to scan and key in the data from all the applications, and over 50,000 errors were identified in the first validation. That gives a sense of the scale of the operation. I am very conscious that, when we talk about cases, we are talking about individuals and their families. In previous debates, we have been told that it is extremely important to get as many applications as possible online to make the payments more efficient and get them out more quickly.

The other mechanism for speeding things up is remote sensing. Last year, there were 250 remote sensing cases. This year, that has more than quadrupled to 1,100 remote sensing inspections, with 940 still of the classic on-field method. That represents a huge advance in adopting that methodology.

In conclusion, I want to send the message that I support the motion. That view is shared by my party colleagues and colleagues across the House. We want to see a reduction in the time taken for the review of single farm payments. I commend the Minister for the fact that she has set a target for 85% to be paid out before Christmas. That represents an increase of in and around 3% on last year. The message needs to go out to the farming community that it is important to get the application forms in as soon as possible after the application window opens in mid-March and not to leave it until the last two weeks of the application window, as two thirds of farmers did this year. I welcome the progress on the remote sensing. Once again, I advise farmers that the online version of doing this is quicker, easier, avoids standing in long queues and makes correcting mistakes easier. There is also a challenge for the Department to raise the online application percentage and make the process a bit more efficient.

**Mr G Robinson:** I would like to briefly raise two issues regarding single farm payments. First, there is the time taken after an appeal is lodged regarding a decision on a single farm payment. Those delays are costly for farmers, who need the payments to keep them solvent in difficult trading conditions. The delays are unduly long and should be minimised. They can cause untold stress to our farming community and their families. As profit margins are down and markets are difficult, the delays in payments can mean the difference between the viability and the closure of a farm business. Therefore, it is essential that the delay between appeals and their outcomes is addressed as a matter of urgency. A delay may not seem much to us, but it can prove disastrous for others. As Northern Ireland produces a top-quality farm product, we must all support our farmers where possible.

Secondly, I want to raise the issue of fines that farmers may accidentally incur and the proportionality of fines to infringements. In some cases, a very minor issue involving a few hundred pounds at most can lead to farmers being penalised by thousands of pounds. Not only is this unjust, it is plainly ridiculous. There can be no argument for deliberate infringement of the rules, but any punishment imposed must

be in proportion to the offence. Many of those infringements will also be accidental. Whether the issues have to be addressed locally or via Europe is, in some ways, irrelevant. It is important that they are addressed as a matter of urgency. Perhaps the Minister will give the House the figures for farm businesses that have been forced out of business by disproportionate fines.

I welcome the motion and see it as a vital tool in resolving these difficult problems, which have severe outcomes for many from the farming community in Northern Ireland. I support the motion and hope that the Minister will ensure a satisfactory resolution as a matter of priority, either here or in Europe.

**4.30 pm**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I very much welcome the debate on the review of the decisions process. It gives me the opportunity to provide an update on the current position with stage 1 and stage 2. I hope to reassure Members that we have already made some strides to improve the situation with the processing of reviews of decisions and that that will continue in the run-up to the 2015 CAP reform.

The review of the decisions process, which predates single farm payments, was introduced to provide subsidy applicants with an impartial and transparent assessment of the Department's decision against the framework of EU and national legislation. The process is not a formal appeals process, but applicants can have further recourse to the ombudsman or to judicial review if they remain unhappy with the Department's decisions. It aims to ensure that the decision made is correct and in line with legislation. As you will appreciate, regardless of the circumstances that apply in individual cases, the Department does not have scope to make decisions that do not comply with the scheme rules. It is in the Department's interest, therefore, to get those decisions right and to correct them if they are incorrect.

Farmers who consider that DARD did not reach the correct decision on their SFP, LFACA or agrienvironment claim should, in the first instance, contact the relevant scheme staff to discuss their case. In many cases, that resolves the issue without the need for a more formal review. In cases in which that option does not resolve the issue, a farmer has access to the two-stage process. That gives farmers the opportunity to explain why the Department's decision should be changed.

Some reviews affect a single claim year but many go back a number of years. Cases are processed in order of the date that they are received. As Members would expect, the cases are often very complex. If legal advice or other information is required from a farmer or third party, they can take longer to process. The stage 2 review, because of the preparation and the setting up of a panel, also takes additional time.

In looking at the numbers of SFP cases received and finalised under the process, I can advise that, from 2005 to date, 3,399 stage 1 and 735 stage 2 applications have been received. Although, in overall terms, that is a relatively small number of cases, given the hundreds of thousands of decisions on payments, with around 350,500 being made in each of those years, and that around 99% of all payments related to decisions are accepted without challenge, I do not underestimate the importance of reassessing the situation if a farmer has a concern, especially if payments have been reduced through the application of penalties.

In looking at the 3,273 cases finalised to date, I advise that, in 166 stage 1 cases, the Department's decision has been changed; 345 were changed in part; and, in 2,762 cases, which is about 84%, the original decision remains unchanged. Of the 571 stage 2 decisions issued, the decision has been changed in full in 93 cases; 46 were changed in part; and, in 432 cases, the original decision remains unchanged.

As Members said, there was an external review of the process in 2011, which resulted in some changes. The head of the paying agency, for example, assumed the role of final decision-maker, and there was a review of guidance issued to applicants about the review process. Other changes will be introduced as part of the CAP reform process. Over the past year, a key focus has been on reducing the backlog of cases at stage 1 and stage 2. At stage 1, additional staff were seconded to the team in June of this year to assist with clearing the backlog. Since then, 272 cases have been cleared, and the current caseload has been more than halved to 117 over the past five months.

In 2012, I secured additional resources for the stage 2 team. Although additional staff were brought onto the team because of the number of duplicate field cases that were on hold since 2006-07, the impact of those staff has not yet been fully realised as work was mainly focused on clearing the long-standing cases. This year,

we have finalised 63 cases and hope to have a further 17 cleared before the end of the year. That is in line with the target that was given to the Committee in October.

Some progress has been made, but there have certainly been ups and downs depending on circumstances. In 2011, the time taken to process a stage 1 application still averaged 263 calendar days. In 2012, the average was 186 calendar days, and, in 2013, the average is 206 days. For stage 2, the average timing in 2011 was 975 calendar days. In 2012, it was 1,383, and, in 2013, it was 561. These averages include the time taken to process the duplicate field cases mentioned earlier. If we exclude those cases, the performance at stage 1 for 2012 reduces to 156 days, which is a much better position than we were in previously, and those cases are largely through the system.

Stage 2 comparative figures, if we exclude the duplicate field cases, show that, so far in 2013, the average was 537 days, so that is a reduction of 24 days per case. Although I fully recognise that some cases will always take a long time to clear, I would, ideally, by 2016, like 90% of stage 1 cases and at least 60% of stage 2 cases to be cleared within 12 months of receipt. I recognise that that is a challenge and will, in part, be dependent on successfully clearing the backlog. As well as dealing with an unknown number of new cases and the outworkings of CAP reform, these targets are dependent on my Department having all the information that it needs to complete the casework, but these, I believe, give us a way to measure the throughput of cases and plan for the future workload.

In addition, I have asked that all the component parts of the process, especially those that are in DARD's control, be reviewed to identify what factors contribute to delays in finalising cases and that those factors be addressed to reduce the timescales. I have also asked that, where possible, technology should be introduced to speed up the process and give the farmer as much transparency as possible in what can be technically complicated cases.

I will monitor the situation over the coming months. It is important that we finalise as many of these cases as possible before the end of 2014 to avoid carrying a significant body of casework into CAP reform and to ensure that we are in a better position to deal with any reviews arising from decisions made under CAP reform. For example, the possible fresh establishment of entitlements.

In closing, I reiterate that I welcome the opportunity to update Members on the review of the decisions process and to assure them that the number of reviews is small compared with the number of subsidy applications dealt with yearly. That said, I absolutely recognise the pressure that that puts individuals under, particularly with income support. I accept that the review of decision cases need to be dealt with in a more timely manner, and I have asked my officials to put in place performance indicators to consider other ways, including using technology, to speed up the processing at stage 1 and stage 2. We are making progress and we will continue to make progress in the time ahead.

**Mr Frew:** I welcome today's debate on the very specific issue of reviews of the single farm payment process. Some Members took the opportunity to widen the debate to the whole single farm payment process. That is very important and, in the whole, it is all part of the same process. We are making progress on the single farm payment process. We acknowledge the work done on remote sensing and the fact that 1,100 cases have been clocked off this year, which will make a difference in the overall speed of the process and enable the Department to go forward with more applications and make more payments.

About 700 more farmers will be paid this December compared with other years. That is progress, and it is good news. However, although I acknowledge the work that the Minister and the Department have put in, the debate was specifically on the speed and time taken to process reviews of the single farm payment inspection process and any subsequent appeals. How complicated is it? Stage 1 is an internal review in the Department and is split into three areas. For a simple single farm payment, the stage 1 review is completed in Orchard House; for LFACA, the stage 1 review is completed in a different branch in Orchard House; for agrienvironment schemes, the stage 1 review is completed by the countryside management development branch, which is based at the Loughry campus. There again you have the complications in and details of where the actual process goes. However, on that point, once you receive your decision on your single farm payment and your inspection results, the Department asks that your completed application form be received no later than 42 calendar days after the date of its decision letter.

Although it is good to be prompt and you have to put a date on something, black and bold print tells the farmer and the applicant that their

submission must be received no later than 42 calendar days later. I am saying that just to illustrate the point that, although we time bind and time limit farmers and applicants in any reviews of the Department's decision that they might seek, once they have made their decision quickly, it can take weeks, months, and, in a lot of cases, years to process.

If you are not happy with the stage 1 review, you go to a stage 2 review. That is a review by an external panel with the head of DARD, which is the paying agency, making the final decision. You can apply for a stage 2 review only after the stage 1 review has been completely exhausted. At stage 2, you have a choice of going for either a written or an oral review. Again, that costs money, albeit that the cost is £100 or £50, which is small fry considering the amount that you might stand to lose because of the first decision. However, you are again asked to return that application within 42 days of the date of the letter on the stage 1 decision. So, again, farmers and applicants are time bound. That is proper order, but you would expect to see a wee bit of reciprocation by the other side, even though some appeal reviews are highly complicated.

Why do we need these reviews? Is it important? It is important. To date, there have been 3,229 applications for stage 1 reviews. Of those, 362 were changed in full, and 134 were changed in part. Also, 2,534 were not changed, and 199 were not processed, as they were either out of time for review or were withdrawn. I will not go into the stage 2 figures because I will not have time, but that, in itself, shows you the reason, rationale and need for reviews of decisions on single farm payment inspections. So, they are very important.

Tom Elliott intervened to say that 15% or 10% were left behind. However, this is an even smaller number who are left behind. Nonetheless, we are talking about thousands of pounds for businesses in our Province. When you look at 362 of the Department's decisions being changed in full, you see that that goes some way towards illustrating how important it is to review decisions in such situations.

I will now discuss some Members' contributions. Oliver McMullan acknowledged the issues and the problems. I realise that the Members on the opposite Benches are looking at this realistically. I heard and acknowledge what the Minister said in her response. I also acknowledge her commitment to make things better, speedier and more expedient. The Member talked about the European directives that are bearing down on us. We all know

rightly the pressures that Europe applies and the infraction fines that it has imposed on us so far. The importance of the single farm payment to the community was also discussed, and banks have a role to play where cash flow is concerned.

The Member also spoke about visiting the DARD office in Ballymena tomorrow. I wish him all the best there. He is no stranger to North Antrim, of course. It would be very much appreciated if he would stop to get his tea there and spend a wee bit of money in the town. He made a very important point about broadband, and I want to congratulate him for that. If rural areas can get more efficient and speedier broadband, farmers there might be able to use the internet to apply for their single farm payments, which will speed up the process.

Sean Rogers was complimentary of Orchard House. I think that we were all complimentary about the personnel who work there. It is very important to recognise the work that goes into this highly complicated process.

I ask the officials in the Officials' Box to take the wishes of the House back to the staff for all their hard work. This issue is more about the system than it is about any personnel or one person involved in the process.

#### 4.45 pm

Mr Rogers mentioned advanced payments and how the lack of them hurt and disadvantage our farming community, especially when it competes with neighbouring jurisdictions. He said that, years ago, DARD was a critical friend but that it was now more like a police force. He said that people are scared to invite officials in or see them on their grounds for fear of fines or other complications. He also talked about the Agri-Food Strategy Board. He called for a comprehensive review of how DARD does things in future, and we should always be mindful of how to do things better.

Jo-Anne Dobson supported the motion. She talked about the real fear that is associated with the inspection process and gave examples from her constituency.

Kieran McCarthy sympathised with the farming community. He illustrated that by talking about the process and how he appreciates the pressure that the farming community is under.

William Irwin knows only too well the issues with the single farm payment inspection

process. He works in a constituency where it is an issue day and daily.

Ian Milne talked about the changes to the system so far and the pressure on it caused by the maps. He spoke about how that impacted on the Department and had an effect on overall outcomes. Of course, we acknowledge the work done by DARD and the changes that it has had to implement that have been bearing down from Europe. That should also be acknowledged. He talked about the review of the review of decisions, information on which was in our packs.

Tom Elliott, in an intervention, mentioned the people who are left behind. As I said before, it is all well and good to say that we can pay the farmers on time in December — that is good and should be supported — but it will always be the people who are left behind and placed in the inspection process, sometimes through no fault of their own or because they have made a mistake, who are the ones who are burdened and have to wait months and months for their payments.

Tom Buchanan used the example of a substantial case, worth thousands of pounds, that he has been working on for four years. He illustrated what that looked like.

Declan McAleer talked about the trip to Orchard House.

**Mr Deputy Speaker:** The Member must draw his remarks to a close.

**Mr Frew:** That was a very useful trip. I enjoyed it, too. I learned from that trip. I believe that it educated the Committee about the scale of the operation at Orchard House. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes, with concern, the rising number of reviews of decisions regarding single farm payments; further notes, with concern, the time it takes to process these reviews; and calls on the Minister of Agriculture and Rural Development to ensure that her Department adequately resources the processing of the reviews to ensure expeditious outcomes.*

*Motion made:*

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

## Adjournment

### Ards Peninsula: Economic Development

**Mr Deputy Speaker:** The proposer of the Adjournment topic will have 15 minutes in which to speak. On this occasion, all other Members who are called to speak will have seven minutes.

**Mr McCarthy:** I am very grateful to have the chance to debate and discuss the low level of economic activity — in other words, jobs — and the lack of employment or future prosperity for everyone living on the Ards peninsula. This Adjournment debate has come about with the proposed closure of Exploris — based in Portaferry, at the very tip of the peninsula — with the possible loss of up to 40 or more jobs. The area simply cannot afford to lose one job, let alone over 40. The debate may give us, as an Assembly and as local representatives, the impetus to do something about that.

I am delighted to see the Minister of Enterprise, Trade and Investment present with us this evening. Hopefully, together we can improve employment opportunities in the peninsula and give young people the chance to stay in their localities and contribute to the local community.

As it is at present, there is very little manufacturing or call-centre work. The main areas of work are farming, fishing, small shops, tourism and hospitality, all of which have suffered over recent years. A huge number of people were engaged in the construction industry. They were all highly skilled craftspeople and tradesmen and tradeswomen. Now, with construction and development totally in the doldrums, they are finding it extremely difficult to get work of any description. They simply either sign on the dole or, unfortunately, emigrate to find work in far-off fields. By having this Adjournment debate, we may find a direction to travel to create more local employment.

Apart from the few operating companies in the Ards peninsula, we are extremely lucky to have such a fantastic environment, which includes Strangford lough and the potential tourism opportunities that go with this exceptional attraction. The Minister has acknowledged this

superb natural asset with its unspoilt landscapes, coastlines and stunning scenery. Those product areas will be the key to developing the tourism experience across Northern Ireland and will, in particular, drive investment and development in regional areas such as the Strangford constituency. These are all very fine words and sentiments, but we really must see more investment and, indeed, promotion of the region to capitalise on what we have.

I mentioned Exploris and how its very existence is under threat. I appeal to the Minister to ensure that Exploris continues and expands so that it can be the catalyst to draw tourists and visitors down into the Ards peninsula and across the lough on the ferry into Strangford and beyond. In her answer to Chris Hazzard and me a few weeks ago, the Minister was prepared to help Exploris — and we were delighted to have had that response — provided that a reasonable and viable business case was put forward by Ards Borough Council. At the council's recent development meeting, senior officials were tasked to do precisely that during the next two months. With help and assistance from the Department of Enterprise, Trade and Investment (DETI) and other Departments, Exploris will, and must, survive and continue to play its part in attracting visitors to the Ards peninsula, thereby saving the existing 40-plus jobs. I ask the Minister to respond positively to Ards Borough Council's chief executive, and for her officials and others, including Friends of Exploris, to acknowledge the business case with funding so that Exploris can continue and be the catalyst for attracting visitors and tourists.

The Minister will, of course, be aware that, unfortunately, we have pockets of social exclusion, isolation and deprivation in the Ards peninsula. The Assembly has a duty to put measures in place, if at all possible, to help all our people to achieve a better standard of living, which, in turn, will help with their general health and mental well-being, thus allowing them to contribute fully to the economic life of Northern Ireland.

I pay tribute to the local entrepreneurs who have small businesses along the peninsula, perhaps employing one, two, three or up to a dozen people. Those employers must be supported by the Executive and the banks — and we all know the problems associated with the banks in recent years — to ensure continuing business and employment. I am aware that spare capacity is available in the buildings in the fishing village of Portavogie, and if we could see improvements and

opportunities opening up to the fishing fleet to bring products for processing into those buildings, it would give further opportunities for local employment.

I also pay tribute to the local volunteers throughout the peninsula who organise and run regeneration groups, community groups and partnerships, and to all the others who work to provide employment for local communities.

Yesterday's debate on the Committee for Employment and Learning's report on its inquiry into careers education, information, advice and guidance was interesting. It was an excellent report and it received full backing from the Assembly. It is vital that there is interdepartmental studying and working together to further prosperity and enterprise in distant regions such as the Ards peninsula.

Many in the peninsula still do not enjoy full broadband provision. That is something that the Minister, or her companions in the Executive, might wish to upgrade. It is something that modern employers and entrepreneurs will see as an essential part of running a successful business. Until we have that essential improvement of provision in the Ards peninsula, we will be at a disadvantage.

We in the peninsula want to see road infrastructure greatly improved. The Department for Regional Development (DRD) has recently invested in parts of the peninsula, but a lot more needs to be done. I will mention the main road in Portavogie. I was on it last night, and it is absolutely atrocious for a main road out of a fishing village. Something needs to be done. I know that it is not this Minister's responsibility, but that is something that needs to be looked at. We are in line to get, in the near future, a new vessel to cross Strangford lough to Strangford. Some might say, "What about a bridge across the lough?" That would surely create much-needed employment.

The Programme for Government has the economy as its number one priority. We welcome that commitment. In her written statement to Members on 14 November, the Minister stated that she is to conduct a review into the Northern Ireland Tourist Board and wider tourism structures. Within that review, her tourism priorities are under four main themes, which are: promotion; people and business; products and places; and making it happen. The Ards peninsula has so many tourist attractions that I have no doubt that, with commitment and zeal from all concerned, we can reach that visitor number target of 4.2 million, which will bring with it the revenue of up

to £676 million, by December 2014, as the Minister hopes.

Every village on either side of the peninsula has something to offer. I am convinced that, in working with the Department, our local inhabitants will step up to the mark to offer a fantastic visitor experience and, at the same time, create local employment.

In conclusion, if only the peninsula could have another Cyril Lord factory. I am sure that the Minister will remember who Cyril Lord was. I hope that she does.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** No, she does not.

**Mr McCarthy:** Cyril Lord was a gentleman who came from Lancashire and settled in Donaghadee. He organised a factory employing, at one time, over 1,000 people from the Ards peninsula and, indeed, from other places. That would solve all of our problems. That is information for the Minister this evening.

As I said earlier, Exploris in Portaferry has brought over 100,000 visitors per annum into the region. They, in turn, spend up to £3 million, helping to sustain many local jobs. Given those figures, if Exploris was to close, I hope that the Minister realises what a disastrous effect that would have in an area of low economic activity.

We are all in the Assembly to make life better for our constituents. I sincerely hope that not only this Minister but other Ministers in the relevant Departments will rise to the challenges ahead and provide economic development for the Ards peninsula.

**Miss M McIlveen:** I thank Mr McCarthy for securing this Adjournment debate. I know that he and I share a deep affection for the Ards peninsula and a keen desire for it to achieve its full potential. As a local MLA, I am a regular visitor to the peninsula, with an office in Ballywalter and three other monthly surgeries dotted around the area. It is truly one of the most beautiful areas in Northern Ireland. Some might say that it is even more beautiful than Fermanagh.

I am grateful that the Enterprise Minister is present today to respond. The debate comes two years after I tabled a similar Adjournment debate on regeneration in Portavogie. On that occasion, the Minister of Agriculture and Rural Development responded in the Chamber, but

there was certainly no response from her on the ground.

Mr McCarthy has detailed the case for the need for investment in the area, and I do not plan to duplicate but rather to complement his comments. There are a number of programmes ongoing to promote the Ards peninsula, not least among which is the Mourne coastal route, which will direct tourists and day trippers along the peninsula as a more scenic means to travel to the Mournes. As part of that, and in partnership with Ards Borough Council, brown signs are being erected along the route, and picnic and car parking facilities are being upgraded.

### 5.00 pm

Given the breadth of history along the Ards peninsula, from the Vikings, the Normans, the Hamilton-Montgomery plantation up to the modern day, there is a wealth of information to be soaked up by any visitor, including at abbeys, castles and the Mount Stewart, Greyabbey and Ballywalter estates. That is, of course, all set against the stunning scenic backdrop of the drumlins and Strangford lough.

There is also excellence on the peninsula in the agriculture sector at thriving farms. In recent times, we have seen the opening of Harrisons in Greyabbey, which has been a wonderful success. With the right investment, businesses can become established and be very successful.

*(Mr Speaker in the Chair)*

The Culture, Arts and Leisure Committee conducted an investigation into the creative industries in Northern Ireland. It was clear from that work that the Ards peninsula has a thriving creative sector, much of which is based around sole traders. Ards Borough Council was and should continue to be commended for the work that it does through the Creative Peninsula project in supporting and showcasing the creative talent that is evident in the area.

Among the Committee's recommendations that the Enterprise Minister may be most able to comment on are the following: the development of mechanisms for business in the creative industries to better access experienced business mentoring and approved signposting for services within the creative industries; collaboration with appropriate bodies to create guidance on the creative industries to better enable investors and funders to more adequately assess the viability of creative

products and companies, making the provision of funding or investment easier and more likely; building on the access to finance strategy around the creation of investment funds that are better suited to supporting the needs of creative industries; for DETI to be more proactive in signposting rural creative enterprises to the support funding that is available; and for DETI to examine how rural social enterprises in the creative industries can be supported and helped to link with similar businesses in urban areas. I encourage the Minister to look again at that inquiry report and its recommendations because I believe that it is pertinent to this debate, specifically to the area around the Ards peninsula.

The peninsula is a hotspot for creative talent in ceramics, pottery, glass, musical instruments, weaving, and so much more. For all the talent in and stunning natural beauty of the peninsula, there is a need for a strategy and assistance to regenerate the area. I have outlined some of the raw materials that are present in the area upon which that regeneration can be built.

As Mr McCarthy stated, every village on the peninsula has something to offer, but I want to spend some time focusing on Portavogie because it is one of the main villages in the area. Portavogie is unique in Northern Ireland in that it relies and has relied on fishing as almost its sole source of income and the basis for its economy. The other commercial fishing ports in Northern Ireland have a significantly higher level of diversification. The huge cuts to the fishing fleet, reductions in catch and the narrowing of profit margins have, therefore, hit Portavogie harder than most other areas. This has had a knock-on effect on marketing, harbour jobs, boatbuilding and chandlery supplies. The fleet and, as a result, Portavogie in general have further been affected by rising fuel prices and the devastating impact of weather patterns in the past 12 months.

Given the over-reliance on fishing and its connected industries, I called on the Agriculture Minister to establish a task force to assess options for diversification and to take the lead in developing a vision for Portavogie to create sustainable jobs, regenerate and rejuvenate the village, and to tap into the tourist potential, which I felt would have had wider benefits for the entire Ards peninsula, including villages such as Ballywalter and Ballyhalbert. Sadly, that call was ignored. In response to that debate, a group of local people has come together to try to develop plans for the regeneration of the village. I have been pleased to meet them on several occasions, and I recently met them, the peninsula



councillor Robert Adair and the acting director of development in Ards Borough Council to discuss their strategic plans for the village. Such local groups are invaluable in contributing to debates around regeneration in their area, because nobody knows what a locality needs more than those who live there.

There are areas in the village such as Harbour Road — and Main Road, which Mr McCarthy mentioned — that have numerous boarded-up premises crying out for redevelopment. Those are prime spots overlooking a working harbour that should be utilised in tapping into any potential tourist market.

Ards Borough Council has been involved in many excellent schemes to assist the peninsula, but there needs to be a higher-level strategy to encourage outside investment and tourism into the area. As I indicated, I believe that the materials are there, but direction and investment are required.

**Mr Nesbitt:** May I, too, thank Mr McCarthy for bringing forward the debate? You learn something new every day, and I am surprised that the Minister was not aware of the great Cyril Lord, carpet manufacturer, but that, perhaps, has something to do with certain ages. I am certainly of an age to remember the great ad, "Luxury you can afford, by Cyril Lord". However, as Mr McCarthy at least will remember, Cyril Lord is remembered for going bankrupt.

Yesterday, the Unite union was in this Building to launch a working paper on the economy, entitled 'Growing the Economy and Living Standards'. All the main parties welcomed the report but also agreed that that on its own — just shaking hands and clapping each other on the back — would not be enough. There was a necessity to make it part of the debate, so I am keen to mention a couple of elements that are particular to growing the economy around the peninsula.

The foreword of the report states:

*"Our starting point is that employment and enterprise creation is a social and collective activity requiring substantial public interventions, expansionary economic policies, rising wages and living standards and a profound extension of stakeholder participation ... We have an excellent opportunity to fundamentally re-think our models and strategies for indigenous enterprise development."*

That applies to the peninsula as much as to anywhere else in Northern Ireland, so I am glad to use it as a starting point today. The document makes reference to the potential of renewable energies. As I have said before, the peninsula is an ideal location because if you extend your reach up to east Belfast and Belfast harbour, there is the £50 million logistics centre that is being put together for DONG Energy, which will develop offshore wind.

If you then come down to Newtownards at the top of the peninsula, you have the regional college with its environmental unit, very much practically based and testing prototypes of energy efficiency in heating, cooling and other areas of modern technology. You then make your way down the full length of the peninsula and there is SeaGen, which has now been joined by other tidal renewables, so you find that the lough is a global leader in experimentation in renewable tidal energies. You see that there is the potential for this area of Northern Ireland to become at least a UK centre of excellence for the study of renewable energy. That research arm could also be the missing element in rejuvenating the Exploris centre, which does not have any element where you can go and study what is being done in renewable energies in Strangford lough.

The Unite document also talks about key target sectors. I often refer to the fact that 100 years ago, when our economy was booming, it was built on a small number of sectors, such as shipbuilding, engineering, agrifood, rope works and linen. The document talks about renewables. It also talks tourism and eco-tourism. The peninsula is ripe for development in terms of tourism. Mount Stewart is consistently voted one of the top three gardens in the whole of the United Kingdom. Now beside it, as Miss McIlveen mentioned, Harrison's has reinvented itself with a brand new garden centre and restaurant. Once you develop a market for people who are keen on gardening, which means that you need more than one day to comfortably visit all that is on offer in one venue, then you have cracked the difficult problem of getting them to come back. The combination of a renewed Mount Stewart and these new developments such as Harrison's begins to offer that sort of product to gardeners.

Those who know gardeners or who are keen gardeners themselves know that the one thing gardeners do is spend money.

The peninsula has a unique tourism offer in Ulster Scots, including the Hamiltons and the Montgomerys. What could be better than to

educate people, possibly even Members, in the history of the Ulster Scots. To quote A T Q Stewart's 'The Narrow Ground':

*"The Hamiltons and the Montgomerys did not wrestle a fertile, cultivated and prosperous region from Gaelic proprietors. They came instead to a country devastated by war and by famine."*

It is for the people of the peninsula to claim the Ulster-Scots heritage of the Hamiltons and the Montgomerys.

Perhaps more controversially, one of the greatest fighting men in the history of the British Army, Blair Mayne, was born at the top of the peninsula in Newtownards, close to the Somme Heritage Centre. There is military history and heritage, which has tourism potential for the Ards peninsula.

There is also agrifood and food processing. As was said, we have some of the most outstanding food entrepreneurs not only in Northern Ireland but in the United Kingdom or on this island. The lough, the soil and the sea have great potential for the economic development of the Ards peninsula. When driving down the peninsula, you see farmers proudly displaying, at the edges of their fields near the road, that they supply the products that they grow in their fields to major supermarket chains.

We have to move away from the old notion that the economy is some sort of binary construct and that it is either public sector or private sector. There is a third way: the social economy. It seems that, with the rural nature of the Ards peninsula, there is potential for the social economy — the so-called not-for-profit sector. That sector does generate profit, but it goes back in for the benefit of the people of the area. There is huge potential from the public, private and social economies working together to generate real wealth and to give real hope to the people of the Ards peninsula, which is part of the Strangford constituency that I am so proud to serve.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Member who secured this debate. He is a very active and proud champion of the Ards peninsula, so fair play to him. It is not incumbent on me to say that I am surprised that there are more people in the Chamber tonight who are not from the Ards peninsula than those who are. Maybe that speaks louder than any voices in here.

We must recognise and appreciate that the single biggest hurdle to the economic development of the Ards peninsula is the poor transport and connectivity features of the area, which make it one of the most socially deprived areas in the North for accessibility to basic services. The lack of public transport availability and connectivity for transport corridors makes the area virtually untouchable for prospective investors, whether in the public or private sector.

When you consider the greatly dispersed rural nature of the peninsula and the urgent need to upgrade various main routes, it beggars belief that the Ards peninsula receives so little from the Department for Regional Development for maintenance, road schemes and larger infrastructure projects. No doubt my colleague from south Down will say that he knows what it feels like because his constituents have been waiting for the Ballynahinch bypass for the best part of half a century.

Infrastructure on the peninsula is extremely poor. For nearly 20 years, there has been a sustained campaign for the resurfacing of the main A20 road from Newtownards to Portaferry. Only in the past year have works commenced on addressing the issue on certain parts of the road.

The last large infrastructure scheme to be completed was the Newtownards bypass, which was signed off by my colleague Conor Murphy after a 20-year campaign. That welcome addition has improved the commute to and from the peninsula and has the added bonus of clearing congestion in Newtownards town centre.

Without improved connectivity and transport links, the economic development of the Ards peninsula will always struggle. On that note, I welcome recent correspondence received by Down District Council indicating an expression of interest from a Russian energy company to explore the opportunity to build a dam across the lough, with a connecting road on top. That proposal will certainly meet varying degrees of reaction but, at the very least, it will open up the debate once more about the level of community and government support for a connecting structure across Strangford lough. People and businesses in the Ards deserve that at least.

**5.15 pm**

The loss of banking services in lower Ards has had a detrimental effect on individuals, families and businesses in the area. In particular, the closure of the Northern Bank in Portaferry has

left a huge gap in local service delivery. People are now forced to travel out of Portaferry and often as far away as Newtownards to carry out very simple tasks. The same can be said for villages such as Portavogie and Ballywalter, which have little or nothing in the way of available services to offer visitors or shoppers coming into the area. If you were to walk through any village in lower Ards, you would not be able to count on one hand the number of derelict, vacant businesses and residential buildings.

Portaferry Regeneration is a great example of how community leaders can work for the development of their area. There is opportunity in every community for local people to aspire to what Portaferry Regeneration has achieved. After securing a £1.2 million grant from the Heritage Lottery Fund two years ago, the group has been to the fore in addressing some of the key social and economic deprivation in the town. A number of years ago, Portaferry Regeneration, in conjunction with some local community groups, rolled out a fantastic programme of streetscapes to regenerate the town centre. Its work is to be commended, as is the work of groups such as Kircubbin Regeneration, which has successfully put its village on the map by attracting new business to the area and investing heavily in community facilities. I understand that Portavogie Regeneration recently secured DARD rural development funding, which I hope will help that community to break down some of the barriers that it might face in developing and attracting business.

At a recent event that I co-hosted with my colleagues Cairiona Ruane and Martina Anderson MEP, we discussed the sustainability and future of the fishing industry across the east Down coast. I was very grateful to the representatives from Portavogie who attended because, ultimately, the fishing sector will be a key economic driver for the village. Miss McIlveen touched on the need for diversification. In fact, we spoke to one particular group that is applying to SEA for European funding worth £2.6 million to do just that. That money will be very important.

The abject failure of local government and associated organisations to build economic prosperity on the Ards peninsula has been highlighted since the council's disastrous decision to move towards the closure of the Exploris aquarium. The benefits to the local economy of Exploris have been well rehearsed in the House over the past few months, but, once again, I reiterate the importance of finding a long-term solution to the future of the facility.

As a direct employer of 18 people, a contributing factor to a £3 million secondary spend in the local economy and a world-class tourist attraction, the facility must be saved. Without Exploris, I cannot emphasise enough how every business in Portaferry at least, and possibly as far afield as Downpatrick and Newtownards, is likely to be hit very hard by a loss of footfall, visitors, trade and profit. It is not an overestimation to say that the closure of Exploris might lead to the closure of Portaferry.

Tourism is the ultimate driver for the economic development of the Ards peninsula. From sights such as Kearney village to Mount Stewart gardens to Kirkistown racetrack to Saint Patrick's Trail, the area offers many already first-class destinations, and there are hundreds more that, with the correct investment and support, could be developed to make the peninsula one of Ireland's most attractive and visited areas. The area is a key facet of the Tourist Board's Strangford lough tourism destination plan. The recent decision by DOE to accredit the lough as a marine conservation zone is a platform upon which we have an opportunity to showcase the unique visitor experience on offer.

We must recognise the demographics and dynamics of local employment trends in the Ards. It is quite depressing to watch the mass exodus every morning from towns such as Portaferry and Kircubbin, with hundreds of cars leaving the district and transporting people to work in Belfast or further afield. Many of those people are, however, simply grateful for the opportunity to avail themselves of work at all. If you compare them with the ones they are leaving behind, you see that the situation is more depressing to the eye. In a town such as a Portaferry, which has relied heavily on the construction industry as a key economic driver for many years, times are, indeed, very gloomy. To that end, local and regional government need to step up to the mark. They need to work with communities, particularly in rural areas such as lower Ards, to improve employment opportunities and increase business start-ups, to support the construction industry and to target major infrastructural projects in order to get our construction people back out to work.

**Mr Rogers:** I welcome the opportunity to contribute to the debate. I congratulate Mr McCarthy on bringing this very important issue to the Assembly. I am glad to see the Minister here because every little bit that she does for the Ards peninsula enhances south Down as well. Michelle talked about the Mourne coastal route. There is a lot of potential to get people to

the Ards peninsula and then, by coming across on the ferry and so on, into south Down.

A number of weeks ago, the Assembly gave a clear endorsement of the Exploris facility and an assurance that everything will be done to keep it open. The aquarium is crucial to the local economy and, indeed, to the local tourism sector. An improved Exploris, which ranks as a first-rate tourist attraction for the North, will help to complement efforts to drive the economy of the Ards peninsula.

As Mr Nesbitt indicated, Exploris has other potentials, whether those are in renewable energy or promoting aquaculture. Exploris contributes directly to the tourist economy in south Down and complements the family-friendly cultural tourism that is on offer in the neighbouring St Patrick's country and Lecale area. That is why it is imperative that the Executive and, in particular, relevant Ministers put their heads together to work out a comprehensive and foolproof plan for saving Exploris. If we fail to deliver such a plan, the economic prospects of the whole area will be seriously impacted.

Through the use of the Strangford ferry, many people visit the lough area to access the bars, shops and restaurants. In the most recent monitoring round, money was allocated to improving the ferry. That is welcome, and it will provide an additional incentive for people who are hoping to sample what the area has to offer. Danny Kennedy also made an announcement at the end of July this year about £271,000 for resurfacing the road. Those improvements are needed if we are to fulfil the economic prospects of those who are living in and around the Ards peninsula. The improvement works to the ferry and that road surfacing will help to improve accessibility to the area. That should lead to greater numbers of tourists in the area and provide a welcome boost for the local economy.

I am only too aware of the challenges that all our fishing ports are experiencing, but the recent FLAG initiative, which is, by the way, the DARD fishing villages' initiative, will hopefully assist the regeneration of Portavogie.

Economic development in Ards is heavily dependent on the unique sites in the area. Those need to be developed. Scrabo Tower, Mount Stewart House, Grey Abbey and the Kirkistown motorsport circuit could be fully promoted. Those attractions have not always been properly utilised, but they need to be if we are to maximise the number of tourists in the area.

Finally, the Ards peninsula needs a robust plan for economic development. Ards Borough Council must work in conjunction with colleagues in north Down, Down and the Assembly to find a way to improve the economic prospects of the area.

**Mrs Foster:** First, let me thank Mr McCarthy for providing me with the opportunity to speak on this issue and to say to him that, as an MLA for a peripheral constituency, I understand completely the issues that he talked about today. Obviously, I did not know Mr Lord. I asked my friend Miss McIlveen whether she recalled him, and she said, "I was a child at the time". Considering that she has the same birth year as me, that lets me off that particular hook, Mr McCarthy. However, I recognise the importance of textiles and all the jobs that it brought. Exactly the same thing occurred with the textile industry in Fermanagh.

Any current discussion on the Ards peninsula cannot ignore what is happening in and around Exploris at present. I had a very good meeting with Jim Shannon MP and the representatives of Friends of Exploris in October, at which I confirmed that, since 1991, the Northern Ireland Tourist Board (NITB) has provided over £1.8 million in support to the facility for capital, marketing and, indeed, other schemes. However, I have made the point on a number of occasions that, in considering the future of Exploris, it is vital — I think that Mr Hazzard made this point — that the long-term commerciality of the project is improved so that it can continue into the future.

I think that all of us want to make sure that Exploris continues to operate. However, it must do so in a viable way and not in a way that simply defers issues that are quite clearly present at this point in time. In short, we need to ensure that any solution to Exploris's problems is commercially focused. On that basis, I have given a commitment to Friends of Exploris that, if any such commercially focused proposals come to me, I will look at them in a positive way. I hear what the Member is saying about the council. I wait to hear from the council about the motion that was recently passed, and I reiterate the commitment that I already made in the House to him today. Furthermore, although no financial support is available at present from NITB through its capital grant schemes, it will, of course, be there to work with Ards Borough Council on marketing activity, business planning and all those other ancillary elements that will hopefully help to make the project more commercially viable.

I turn to the wider issue of economic development in the Ards peninsula and across the Strangford constituency. It is interesting to listen to the different contributions and to acknowledge that I heard mentioned in the debate the Minister of Agriculture and Rural Development and the Minister for Regional Development. There was a reference to skills, and, of course, we talked about local government. My role, of course, was mentioned. Again, that is a recognition that economic well-being and economic development lie with the Executive as a whole and not just with one Minister. That has been recognised in the contributions that have been made today.

For our part, Invest Northern Ireland has made some 700 offers to businesses in the area, amounting to £10 million of support. That will lead to total investment in the constituency of some £63 million. That underlines the fact that we are far from being complacent about seeking to work with businesses in areas outside of city centres and are actually engaging regionally to help businesses in more remote locations to grow and develop. Of course, it is very important that we work with all the small businesses and indigenous companies across Northern Ireland in that respect. That support has led to the promotion of over 550 new jobs across the Strangford constituency, and it is not unreasonable to assume that many people who live in the Ards peninsula will have benefited, both directly and indirectly, from those jobs and the new employment opportunities that are being created.

Our help and support is not exclusively focused on job creation, and many programmes and interventions from Invest Northern Ireland are aimed at improving the overall competitiveness of the economy. In Strangford over the past five years, that has resulted in almost 130 offers of support to help companies engage in research and development or, indeed, invest in improving the skills of their workforce.

Strangford, like all the constituencies across Northern Ireland, has not been immune to the impact of the economic downturn, and that has meant that many businesses have either had to reduce the size of their workforce or take an unavoidable decision to close completely. Again, we have been trying to help through our intervention with the jobs fund to help companies employ people quickly and deliver jobs on the ground as quickly as possible. In Strangford alone, there are currently 17 jobs fund projects at various stages of development, with the potential to lead to a total of 170 new

jobs, 69 of which have already been created. So, a lot of activity is ongoing in the Strangford area.

As well as the mainstream Invest Northern Ireland activity, we are working with Ards Borough Council and the South East Economic Development (SEED) group of councils on a range of new initiatives under the European Union's local economic development measure. To me, those measures at local council sometimes work very effectively because they are very much grassroots-based. Miss McIlveen mentioned the Portavogie regeneration group, and Mr Hazzard mentioned a number of other regeneration groups. Those are very much to be commended, because it is often local people who will know what the answers are to the local issues, and when they come together in an organised way such as that, they can lobby local councils and government more effectively for what they need in the area. I am a great believer in coming together at local level to come forward to government to make a plea. When you come forward positively with a solution to issues, that is much more beneficial than just complaining about the fact that nothing is happening in your area. I am a great believer in self-help in that respect. Of course, one has to respond positively when you have the case put in front of you, but I believe very strongly that that is the way ahead.

I will deal with at some of the issues that Members mentioned. Mr McCarthy mentioned a bridge across Strangford lough. I am not sure that that would work, given that Strangford lough is the most protected piece of water in Northern Ireland. There are so many different environmental protections. That having been said, SeaGen has been put in place in an environmentally friendly way, and, indeed, Queen's University has its laboratory in Portaferry and does a lot of very good research and development down there, so who knows what is possible in the area?

### 5.30 pm

I did have a little bit of a laugh, Mr Nesbitt, if you do not mind, when you mentioned the gardens of Mount Stewart and the new garden centre. I think that garden centre unionists are very important, and we know that from previous times. Therefore, we commend the work going on in Mount Stewart and look forward to the regeneration; I understand that everything is going well. I had a meeting with the National Trust just today and heard, amongst other things, about how Mount Stewart has been

progressing. It is good to hear of the work that is going on in that area.

Connectivity is a key element of what has been mentioned today. I will pass on those comments to the Minister for Regional Development. We all know that, in peripheral areas of Northern Ireland, connectivity is critical to economic development; that is physical connectivity and telecoms as well. I hope to bring forward a plan in the very near future in relation to more interventions in that space.

*Adjourned at 5.31 pm.*





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