

# Official Report (Hansard)

Monday 7 October 2013  
Volume 88, No 3



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Wilson, Sammy (East Antrim)

# Northern Ireland Assembly

Monday 7 October 2013

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

*Members observed two minutes' silence.*

## Assembly Business

### Committee Membership

**Mr Speaker:** As with similar motions, the motion on Committee membership will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That Mr Alex Attwood replace Mr Colum Eastwood as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Fearghal McKinney replace Mr Alban Maginness as a member of the Committee for Enterprise, Trade and Investment; that Mr Alban Maginness replace Mrs Dolores Kelly as a member of the Committee for the Environment; that Mr Joe Byrne replace Mrs Dolores Kelly as a member of the Committee for Regional Development; and that Mr Alex Attwood be appointed as a member of the Assembly and Executive Review Committee. — [Mr P Ramsey.]*

## Committee Business

### Health and Social Care (Amendment) Bill: Extension of Committee Stage

**Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 11 December 2013, in relation to the Committee Stage of the Health and Social Care (Amendment) Bill [NIA Bill 27/11-15].*

Go raibh maith agat, a Cheann Comhairle. The Health and Social Care (Amendment) Bill passed its Second Stage on 24 September 2013 and should, under the 30-working-day rule, complete its Committee Stage on 30 November 2013. The Bill's main intention is to amend the Health and Social Care (Reform) Act 2009 to reflect the purpose for which the Business Services Organisation (BSO) was established. The proposals will allow BSO to provide support services to all Departments' arm's-length bodies and to administer health and social care functions on behalf of the Department of Health, Social Services and Public Safety (DHSSPS).

At its meeting on 25 September, the Committee agreed to call for written submissions from interested organisations and individuals. Although the Bill is likely to be a straightforward piece of legislation designed to put measures in place to correct certain oversights or gaps identified in the Health and Social Care (Reform) Act 2009, the Committee feels that it is essential that it is afforded the time to exercise its scrutiny powers to the full. Therefore, on behalf of the Committee, I ask that the House supports the motion to extend the Committee Stage to 11 December 2013.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 11 December 2013, in relation to the Committee Stage of the Health and Social Care (Amendment) Bill [NIA Bill 27/11-15].*

## **Private Members' Business**

### **Town Centre Strategy**

**Mr 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 in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mrs Cochrane:** I beg to move

*That this Assembly expresses its concern over the ongoing pressures on small businesses, in particular, those in the retail sector; notes the current and forthcoming policies and programmes in relation to business rates, planning, business improvement districts, public transport, the development of shared space and urban regeneration; and calls on the Minister for Social Development to produce an overarching strategy for town centres, high streets and urban villages to ensure the effective coordination of the current and future initiatives.*

I am pleased to move the motion today. I hope that all parties will unite in seeing the importance of the issue. The performance of our small business sector is crucial to the performance of the Northern Ireland economy as a whole in output, value added, productivity, innovation and employment. Therefore, we must be doing all we can to support small businesses.

In particular, town and city centres are battling against the changing nature of retailing and consumerism in Northern Ireland, the pressure of which is becoming unbearable for many small businesses and retailers struggling to keep their doors open. One in seven shops on the high street is now lying empty.

There are many challenges, especially with online retailing. The Policy Exchange report titled '21st Century Retail Policy', which was published just last month, revealed that, in six years, online retail has quadrupled as a share of retail spending and continues to rise. In short, we are increasingly satisfying our consumer needs with the touch of a button. Our businesses and independent retailers, therefore, need to adapt to that trend by

investing in their online services and creating an online presence where they can.

More importantly, they need to ensure that a trip to the high street is a positive, broader experience. The Forum for Alternative Belfast has already completed some noteworthy work around that in its mission to ensure a more equitable built environment in Belfast. We can look to the likes of Arthur Street as a good example of what Belfast city could look like. It has the right mix of professional services, hospitality hubs, leisure and retail. However, that mix is not always easily achievable. We have a range of small businesses with boundless potential, but the potential and enthusiasm are not always matched by public sector support or the appropriate legislative environment. It is becoming increasingly clear that Northern Ireland requires a single and unequivocal strategy for town centres, high streets and urban villages as we move further into the 21st century.

I am not suggesting that our Executive are not giving that area thought. Indeed, we have a mix of government policy from the Department for Social Development (DSD), the Department for the Environment (DOE), the Department for Regional Development (DRD), the Department of Finance and Personnel (DFP) etc, all of which share a common thread: they are determined to protect our town and city centres. However, there is an absence of proper coordination. We need to tie things together to achieve maximum impact. The problem is that we have numerous Departments responsible for town centre regeneration and the economy but no one Department taking the lead.

At the beginning of last year, the Department for Social Development published the high street task force report, which was inspired by the 2011 Portas review in GB. It set out a broad range of recommendations aimed at improving the coordination of city and town centre management and prioritising regeneration initiatives. A significant issue highlighted in the report was the adverse impact on city and town centres of what is perceived as an imbalanced spatial planning policy. Consultation with Northern Ireland's high street retailers revealed that the growth in planning approvals for out-of-centre retail and subsequent development over the past 20 years was considered to be enticing shoppers away from the city and town centres due to things such as free car parking and giving those flagship stores an unfair advantage. That type of thinking is reflected in DOE's updated town centre and retail planning policy.

Equally, DRD strongly acknowledges the importance of our town and city centres in its 'Regional Development Strategy 2035', which sets the framework for development plans. We must, therefore, ensure that amendments to the Planning Bill do not contradict the "town and city centre first" mantra. Planning changes are also required to make it easier to convert empty shops into homes, and for cafes and restaurants to introduce temporary outside seating to be able to create the right mix and entice people to our high streets. The Licensing of Pavement Cafés Bill will be a good opportunity to create that welcoming atmosphere and encourage people to visit an area.

Other key measures that will affect the regeneration of town centres and high streets include the sensible location of bus routes and stops near local amenities, easy and secure cycle storage and cycle lanes, nearby parking, and facilities for pedestrians such as zebra crossings and well-maintained pavements. However, all of those things need to be progressed in a joined-up manner.

Money has been poured into public realm works, and, although I welcome that, particularly in my constituency of East Belfast, such upgrades are often targeted only at areas of extreme deprivation. With no other developments to allow investment potential to be fully realised, you can end up with nice pavements in an area where nothing else is going on. In contrast, you have areas where businesses have got together and are working very hard to develop a real sense of community, but they are some way down the priority list for other investment.

With an overarching strategy and a lead Department, we might see a different approach to some of these things and investment in areas where the private sector is already working hard. Where we see a true success story, we can share the enthusiasm in other areas. I have seen examples of that in areas such as Ballyhackamore, where one businesswoman, Brenda Shankey, has been a key driver of change in the village and has been willing to go out to other traders' associations, share her experience and encourage them to get on board and do something, too.

Another positive initiative by the Assembly was the recent passage of the business improvement districts (BIDs) legislation. That is a very positive move for Northern Ireland because it provides small businesses and retailers with the ability to exert more control over space on the high street. However, it is

important that the outworkings of the legislation are closely evaluated to ensure successful delivery. It is our role as politicians to support the small businesses in our constituencies to drive the success of BIDs and to ensure the sustainability of the high street. As local government reform looms, we need to remind local authorities that BIDs must remain a strong priority. Therefore, I welcome the Social Development Minister's recent decision to appoint a consortium to provide support for capacity-building in areas to take forward BIDs from inception to implementation.

Recent initiatives by DFP are also welcome, including the enhancement of the small business rate relief scheme, which has brought in 8,300 extra ratepayers, providing them with 20% relief. The introduction of the empty retail premises concession, which will allow a 50% exemption on rates for the first year, is also to be welcomed. That is being created to help long-term empty retail premises back into business.

I also want to mention the recently published 'Urban Regeneration and Community Development Policy Framework'. It creates an overarching context within which DSD programmes will be formulated, but it needs to be widened out to include other Departments' policies that are complementary to the aim of strengthening our towns, cities, high streets and urban villages. A proper strategic vision is essential to securing the future of our evolving high streets, and, in tough financial times, we need energetic, entrepreneurial and truly collaborative partnerships across all of the relevant Departments and private sector bodies.

Finally, I will mention the amendment. If it were an addition to the motion, it would be fine to accept it. It is very important to recognise the role of councils in this matter, and, indeed, their role is set to increase. However, I feel very strongly that there is a need for an overarching framework at a regional level to coordinate interventions, and, unfortunately, the proposed amendment drops that key point out of the motion.

I am calling for a single overarching strategy to protect and enhance our town and city centres, high streets and urban villages. As I have mentioned, a number of policies are in place across different Departments but, although they are well intentioned, things are not moving quickly enough for our businesses. We need a lead Department to provide a greater focus on this very important issue to ensure a joined-up implementation process and deliver results for

our businesses and traders. An interdepartmental group that brings together the key people responsible for urban and economic regeneration in the various Departments can ensure that the work of all Departments and their policies will complement one other and that they will be progressed in a joined-up manner. I urge all parties to support the motion.

**12.15 pm**

**Mr D Bradley:** I beg to move the following amendment:

*Leave out all after "regeneration;" and insert:*

*"further notes that the majority of local authorities have extensive town centre plans; and calls on the Minister for Social Development and the Executive to enable these plans by utilising all the funding mechanisms at their disposal."*

Go raibh míle maith agat, a Cheann Comhairle. Tá áthas orm tacaíocht a thabhairt don leasú ar an rún.

Businesses throughout the region have been working their way through a very tough economic climate, and times have been extremely challenging. We do not give enough credit and support to our retail sector, particularly the independent sector, which employs thousands of people across the North, and not just in our cities and regional towns but in the smaller towns and villages.

You can imagine how disheartening it must have been for businesspeople throughout the North to see the Minister responsible for business improvement districts standing behind a speaker calling for civil disobedience. That Minister might take the opportunity today to give businesspeople some reassurance and to disassociate himself from those remarks.

I agree with the proposer of the motion that we need better cooperation and global thinking in policy terms at the Executive table. I draw Mrs Cochrane's attention to the fact that the amendment refers to the Executive. Our inclusion of the word implies that there should be a coordinated policy from all the relevant Departments. That is why we put emphasis on the Executive. Not only that, we also need to be realistic. If we want to achieve real change and make progress, there have to be resources available. Fine words are very welcome at times, but resources are even more welcome.



Sometimes we hear of duplication right across government — numerous efforts being made by numerous bodies to do the same thing. We would certainly support the Executive coordinating policies to ensure that all Departments work to the same end, particularly in supporting city- and town-centre businesses, and, indeed, those in the smaller villages and towns.

I welcome the thrust of today's debate and recognise that the Department for Social Development will be the lead Department, but I am concerned that DSD's remit covers only our larger areas of population. What I hear most frequently is that the same cities and towns always seem to be the focus of our efforts and that we need to broaden the scope of our work to include our rural towns and villages so that they are not left behind in any coordinated strategy or initiative.

**Mr Maskey:** I thank the Member for giving way. I just want a bit of clarification on how the amendment seems to dispose of the call in the motion for an overarching strategy. Will you explain that? We support your amendment in principle, but we are concerned that it would do away with an essential part of the motion.

**Mr D Bradley:** I thank the Member for his intervention. I thought that I had explained that. The fact that we have asked the Executive to enable the plans implies that the Executive should coordinate the efforts of all Ministers involved. I hope that that explains it clearly to the Member and removes any misunderstanding that he may have had.

I believe that we need to see the Department for Social Development, the Department for Regional Development, the Department of Agriculture and Rural Development (DARD), the Department of the Environment, the Department of Enterprise, Trade and Investment (DETI) and the Department of Finance and Personnel under the direction of the Executive, working around the table in a cohesive way.

In specific areas where public realm schemes are being brought forward that will see the loss of on-street parking, we need to seek alternative parking to ensure that areas are not disadvantaged. A case in point is the public realm scheme on Merchants Quay in Newry, where quite a number of parking spaces are being removed and traders find it difficult to see where those are being replaced. There is another example of that in Armagh, where Market Street has seen blue badge holders and

disabled drivers being able to park on that street.

**Mr Elliott:** I thank Mr Bradley for giving way. I appreciate and support what he is saying about a cooperative approach. However, does he accept that it does not always take direct finance to resolve some of the issues and make matters better? A wee bit of flexibility within Departments can always go a long way, particularly in Planning Service, to help some of those aspects in town centres.

**Mr D Bradley:** I accept the point the Member makes that flexibility is always welcome. However, if you talk to the traders on the high street, they will tell you that they want to see greater support through resources being made available. I will make that clear later.

I agree that we need to see greater coordination on public transport. We need to see our bus and rail services accommodate shoppers better, especially shoppers from rural communities coming into towns. Indeed, it is unfortunate that recent changes in street parking charging have created a barrier to shoppers in town centres rather than facilitating them. I raised that issue during an Adjournment debate, specifically in relation to Newry city.

We would like to see an expansion of the small business rate relief scheme to include even more businesses across the North. We believe that another look should be given to the empty properties rate relief scheme, so that it too can be extended to give greater incentive and support to businesses, especially new businesses.

Under the review of public administration (RPA), major elements of urban regeneration will transfer to the new councils. That is why we have included them in the amendment. As I said, they too need to be brought into the mix. They need to ensure that the work they do is in partnership with and complements the work of all the other agencies and Departments involved. It should no longer be good enough for sponsoring Departments to say that they have consulted with one Department or another. What is needed is that they all work together in partnership to deliver a coordinated strategy that protects and enhances our town centres and villages, allows for expansion and development and, at the same time, encourages shoppers to come in to the centre of their local towns and villages.

With that, I will end. Go raibh maith agat as an deis labhartha.

**Ms P Bradley:** As a member of the Social Development Committee, I support the amendment.

For many years, small businesses have been the lifeblood of our communities, from the small corner shop, which helped in many ways to develop and maintain community cohesion, to those businesses on our high street that have, in the past, taken on an active role in supporting the communities that support them. In the past number of years, the pressure on small businesses, especially in the retail sector, has grown to such a level that businesses are crying out for support, on both a local and regional level. As someone who once owned a small business, I am particularly sympathetic and acutely aware of how worrying a time it is for those who have developed their entrepreneurial ability and nurtured their small business but now face these tough economic times.

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

The threats to small businesses come not just from the decrease in people's disposable income but from the rise of the multinationals, which benefit far more greatly from economies of scale than small businesses could ever hope to, and the increasing popularity of out of town, one-stop shopping centres, which can develop free parking as an incentive with which our town centres cannot compete. That, coupled with the rise of internet shopping, favours larger businesses. That is not to say that these do not have an important place in our economy, but there has to be a balancing act to ensure that the growth of one of these does not lead to a disproportionate decrease in small businesses in our high streets and town centres. This is, without doubt, a very difficult balancing act, but it is one that must be attempted.

To that end, the Department for Social Development has spearheaded a number of initiatives to help small businesses in our communities to address the challenges and feel confident about their role in the Northern Ireland economy. Those include developing strategies around business improvement districts, which have been proven over time to work in helping small businesses, improvements in public transport to make it easier for people to access their local shops without having to take the car, and urban regeneration to tackle the message that vacant properties emit to local people and potential visitors and investors.

The Department has been proven to be proactive in addressing those challenges and

providing solutions that are within its remit. However, as I highlighted, the challenges of our small businesses do not come from just one source, but rather through a kaleidoscope of different situations that have developed over the past number of years. Therefore, in my opinion, it would be naive to assert that one Department has the ability to provide all the answers or solutions.

The Department has already planned for that and has worked with other agencies, such as DRD and the Department of Finance and Personnel, to develop key strategies and plans that will help to ease the situation for small businesses. I agree that there needs to be not just cross-departmental working, but close working from local government, to regional government, to national level in order to ensure that small businesses are fully supported.

Small businesses are what Northern Ireland was built upon. During our troubled past, when investors were reluctant to come to Northern Ireland, they kept our economy functioning. Now that more peaceful times have come to Northern Ireland, we need to repay their support during our tough times by developing mechanisms to support them through their tough times, while, at the same time, ensuring that communities in Northern Ireland have maximum choices. I believe that the amendment will go a long way in achieving that.

**Mr Maskey:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. I support the motion. As a party, we have considered the amendment and I suppose will support it. I will say to the movers of the motion and the amendment that, in isolation, both are a little bit flawed, although, if merged, they would have made sense. However, in keeping with the spirit of what the movers of the motion and the amendment have said in their remarks to the Chamber, we are happy to support both.

For example, the motion does not refer in any way to the various measures that are in place in support of town centres and the retail sector and other sectors in the business community. It is unfortunate that that is not placed on the record in the motion, because there are a lot of things being done against all the pressures that have been identified. So, in one way, the motion is flawed.

The amendment specifically deletes a reference to the need for an overarching strategy, but Dominic Bradley, in his remarks to clarify, highlighted the intention behind the amendment to keep that included. So, our view is that while we would have preferred that the amendment

was actually an addendum, we support both. Equally, Judith Cochrane referred specifically to a number of measures that have been put in place by various Departments and Ministers.

It is important that while we note the concerns that we all have and share and the pressures that have been repeatedly articulated to us by people in the broader business community, particularly in town centres, we still have to highlight the fact that a lot of work has been done in that regard to ease some of those burdens, and I have no doubt that more work will be done. However, as I understand it, the Social Development Minister still retains the role of lead Minister on behalf of the Executive in respect of town centre regeneration, and we know that it is a multi-departmental responsibility.

### 12.30 pm

Given the issues that are pointed out in the motion and have been referred to here this afternoon about various policies, which are extant or will evolve in the short time ahead, including business improvement districts and the reform of local government, it is timely to take a fresh look at departmental strategies and, equally, local authority plans for town centres, and so on. Although I do not have evidence to hand to suggest that any of the new council boundaries will be out of kilter with the town centre plans that are already agreed and on the table, in light of the fact that we will have new council boundaries very soon in 2014, it would be wise, timely and prudent to make sure that, as we move into the new district council boundaries, the town centre plans are relevant, current and agreed by the new councils.

There is a lot of work to be done in the time ahead to ensure that all the appropriate policies are in place. We have had many a debate in the Chamber in which Members argued about the conflict between town centre development and out-of-town development. The pressures on the retail sector and other aspects of business have been well articulated. It is important that we send out a clear message from the Chamber today that all the parties are very conscious of the need to support the business and retail sectors. It is important for all of us to build the economy, which is the single highest priority for the Executive. That is why we are not prepared to divide on the amendment. Whatever about the precise wording of a motion or amendment, we need to send out a unanimous signal from the Chamber that all the parties are as one on this matter. All the Members who have spoken so far are very

much agreed that we want to support the sectors that have been identified.

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

**Mr Maskey:** I am going to run out of time; sorry, Chris.

The signal needs to be that all the parties are as one on this matter and that we want to give whatever support we can in addition to the support that we give across a range of Departments. That will be the job in the time ahead. I look forward to the Minister's response to the motion and the amendment.

**Mr Copeland:** I support the amendment. I speak as a retailer, as the great-grandson of retailers, as the grandson of retailers, as the son of a retailer and as the great-nephew of retailers. There were about 11 businesses in the family, some of which span back over a century. Sadly, only one of them continues to function, and, in its centenary year, the difficulties are becoming so enormous that its long-term future is in doubt.

The essential problems are a change in the market, a change in the demographics, a change in the planning structures, a change in the rates levied and a change in energy costs. Against that background, the focus of the motion is welcome. We cannot expect retailers to adapt to fundamental changes in circumstances if the policies of the Executive and our councils are not adapted to suit their needs. Strangely, retail remains the single biggest sector in the Northern Ireland economy, even though 25% of shops in our town centres are now vacant, which is a disproportionately high figure compared with the rest of the United Kingdom.

The previous Finance Minister will be praised for the expansion of the small business rate relief scheme and the empty shops rates concession. However, I call on the Department to make it known that the long-term future of those policies is assured. The level of rates that our small, often independent, retailers have to pay for the privilege of being located on the high street are often disproportionately astronomical. My party, for one, sought relief for Belfast traders when we proposed a change, but unfortunately the measure was not adopted.

One of the biggest problems with the current rating system is that it has become totally decoupled from the economic and rental circumstances that businesses can afford. Such a detachment from reality is unsustainable. The motion raises a number of

other issues. Planning, for instance, is a bugbear for many, not least because of the seemingly unending weeks and months that it takes to come to a conclusion. If the wrong decision is taken, it can have a devastating impact on small local businesses. The millions of square feet of proposed new retail space in out-of-town shopping centres, for instance, will, no matter what we say, eat a certain amount of an ever-decreasing pie and have an impact on those that remain. Although I recognise the purpose and benefits of out-of-town shopping centres, we must do all that we can to ensure that a balance is found.

Sometimes, though, Departments can display common sense. A good example of that was shown a couple of years ago, when Danny Kennedy announced that he was not going to proceed with a planned roll-out of on-street parking charges in 30 towns and cities across Northern Ireland. That is one example, but we need more initiatives like that from the Minister of Enterprise, Trade and Investment, the Finance Minister, perhaps, and, indeed, our Social Development Minister.

I support the principle of the motion, but a so-called overarching town centre strategy should not become a byword for covering up difficult issues. With a little bit of thought and not so little effort, and given the right circumstances, I believe that it would be possible to reinvigorate our town centres.

One of the biggest criticisms that I am sure that many of us get is that once the clock hits five, our town centres shut up shop and, in many cases, become ghost towns. I think that we need to start ensuring that town centres retain their vibrancy through the evenings and the weekends, bringing about a strong night-time economy. We must also examine and, if possible, rectify the anomaly that when cruise ships, which are full of eager shoppers who are laden with foreign currency, come to dock in Belfast on a Sunday morning, those shoppers do not have anywhere to go.

There are many things that the Executive and councils could be doing to support our town centres. An overarching strategy is one, but it should be only the start of what should be a planned roll-out of new, informed and evidence-proven initiatives.

**Mr Clarke:** Thank you very much, Mr Principal Deputy Speaker. I rise to support the motion and the amendment in the names of Dolores Kelly and Dominic Bradley. I have to say at the outset that, given that some see the revitalisation of some of the small businesses

as a very important subject, which it is, I am disappointed that Dominic Bradley chose this opportunity to make a cheap political point in his opening comments.

I support the motion for many reasons, but I suppose that I come at this as someone who is a wee bit sceptical, and I probably share Alex Maskey's view about the wording of it. Although I am happy to support the emphasis of the motion, there does seem to be an awful emphasis and focus on DSD. There is no suggestion of what others have done to help the business sector. One should remember that we are probably in one of the worst economic climates that there has been, certainly in my memory of the business sector. That said, we cannot take away from what councils have done. Today, there have been criticisms of local government, but I have to say that the current Minister for Social Development has been very supportive of Antrim Borough Council, of which I am still a member, and for which I declare an interest.

**Mr Beggs:** Oh?

**Mr Clarke:** Oh? Could you not hear that, Roy? Sorry. I am still a member, and I am proud to be. I did not run away like some of the rest of you. The Minister supported Antrim council's master plan and initiative for about £2.5 million, I think it was, of public realm works. However, all those different ideas do not necessarily bring people back to the high street.

I heard Michael Copeland singing the praises of his Minister for removing on-street parking charges in 30 town centres. I welcomed that announcement. I think that that was a wonderful idea, but I do not think that it went far enough. A bigger idea in that regard would have been to remove car parking charges, per se, except for those who are using the car parking space for parking when they go away on other business, for instance. I am thinking of the principal town in my constituency, which is Antrim. It has two large car parks, and we have a shopping centre that is dying on its feet, because of charges. We have Junction One only a mile and a half away, where people can go. They can do their shopping; they can do everything they want to do. I support the principle of Junction One, but there is a disparity between what is on offer there and what is on offer in our town centres. If you choose to go to the town centre, you have to pay for car parking, but if you go to the out-of-town shopping centres that service is free.

The aspect of the amendment that proposes bringing some of this into the Executive, as

opposed to leaving it purely in the hands of the Social Development Minister, is important, because other Ministers have a part to play in relation to these changes. DOE, for instance, should have a part to play in some of the out-of-town schemes. More pressure should maybe be put on how those decisions are made and on how they play out in small towns such as Antrim and Ballyclare, which are in my constituency.

However, let us not take away from what has happened. We have had the small business rate relief scheme and the empty premises relief, whereby if a shop has been empty for more than a year, 50% rate relief will be allowed for a new business start-up. Other businesses can use vacant shops for shop displays, which does not have an impact on the rates. We have frozen the regional rate for the past six years. It gets to the stage where it is difficult to do more. We heard calls today to do more, but all the things that we wish to do come at a cost.

So it is easy for us all to sit here and say what we want, but we have to remember that, when we want something for businesses, which I support, that puts pressures on other Departments because of the moneys that they have to give up. I will leave it at that. I support the motion and the amendment.

**Mr F McCann:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the opportunity to speak to the motion and the amendment. We have all seen the serious blight that exists in the city and town centres in our constituencies. I am surprised that nobody has mentioned the Committee for Social Development's 2007 inquiry into town centre regeneration. Over a period of about 18 months, the Committee took 43 written submissions and many more oral submissions. It visited a number of town centres and took on board that a serious crisis was gathering at that time.

Successive Ministers for Social Development sat on the results of that inquiry, even though the Assembly accepted 17 of the Committee's recommendations. If we are going to have an inquiry, it would probably be much better to dust down the recommendations that the former Committee for Social Development made and to use them as a base for any future plan or strategy.

When you go out there and talk to people, you find that a huge number of master plans already exist for town centres, city centres and villages. However, there has been a problem with trying

to get Departments or whoever else is responsible to take stock and to rally round with the required resources. Like Mr Clarke, I have been to Antrim a number of times, and I have seen the difficulties that there are for towns such as Antrim, which are dying on their feet. Although there is no coherent strategy there to allow us to tackle the problem, I was recently in —

**Mr Humphrey:** I am grateful to the Member for giving way. I agree entirely with what he just said. DSD invested money in north Belfast in the cultural corridor on the Crumlin Road, but Roads Service was reluctant to use a particular type of stone that DSD recommended and wanted to use tarmac. It is vital that when Roads Service, other Departments, as my colleague the Member of South Antrim said, and, to use Belfast as an example, Belfast City Council are spending money, they do so in a collaborative way so that there is maximum bang for the buck. Would you agree?

**Mr F McCann:** I would certainly agree. It has been difficult, but I can see the rewards of a good public realm strategy and how it has benefited Belfast City Council through its impact on the city centre.

I recently visited Kilkenny, which is a listed town. Many of its buildings go back 150 years, but the town has been able to integrate some of the major stores with the old buildings rather than having out-of-town shopping centres. That offers a flavour of the town for tourism and for local shoppers, and so on, and the town has been able to maintain that. So there are places that we can take stock of and whose good things we can pick up on.

I think that the base from which we should start, however, is the recommendations that came from the Committee for Social Development's 2007 inquiry. It speaks of the RPA and the possibility of the bigger councils taking control of their destiny as far as town centre redevelopment is concerned. However, it needs a commitment from all Departments and statutory organisations to buy into it and give it the resources, which should be ring-fenced. That will allow people to come out the other end and move away from what is a picture of dereliction, and probably depression, when they come to town centres to shop.

**12.45 pm**

**Mr Principal Deputy Speaker:** As this is the first debate in which the Assembly will hear from Mr Fearghal McKinney, I remind the

House that it is the convention that a maiden speech is made without interruption.

**Mr McKinney:** Thank you, Mr Principal Deputy Speaker. I support the amendment.

From Ballycastle to Belleek and from Coleraine to Crossmaglen our town centres are in deep trouble. Main streets that managed to hang on and even thrive through the bombing campaigns of the 1970s and 1980s are now falling victim to an even more deadly attack, where the damage through economic recession can be read in the prevalence of pound shops, charity shops and vacant shops.

As a society, we have deep questions to ask ourselves about the sort of towns that we want to have and are prepared to pay for. Pound shops are great and so are out-of-town hypermarkets, but they come at a price. All the flowerpots and hanging baskets in the world cannot hide the reality that many of our town centres are in serious difficulty. People are looking to the Assembly and the Executive to take a strategic perspective and do something about it.

The decline of our town centres is not just a recent problem. The proportion of local family owned businesses has been declining for decades. However, the decline has been accelerated by the economic downturn of the past few years. In the new streetscapes that are dominated by chain shops, there is an inevitable loss of character and with that comes a loss of footfall. With hindsight, we can see that ringing our town centres with anonymous windswept car parks might not have been such a good idea.

So what do people want from us? I suspect that they want a bit more than fresh paint and hanging baskets. Although many welcome the schemes that improve the appearance of some of our vacant shops, we must acknowledge that that is only for the optics. The real strategies that we should employ will have the top priorities of putting businesses back into those empty spaces and making us think and act differently in our attempts to do so.

We have to measure the sense of loss in our town centres, not just in business but in community. As Mr Copeland pointed out, there was a sense of local ownership when most businesses had been founded by families you knew and were owned and operated by your friends, neighbours and family acquaintances. People want that sense of community back. They do not want their town centres to be anonymous. That is the challenge for the

Minister, but it is not one that he can meet on his own. Our greatest need, and the one thing that the Assembly could deliver, is joined-up government. By their very nature, town centres relate in one way or another to all our public agencies. Town centres are not just about the retail trade; they are the focus of tourism and are transport, social and recreational hubs. All the agencies and organisations that relate to those different aspects have their own plans. The challenge is to bring those plans together, and the key agencies with the best opportunity to maximise local buy-in are the democratic local authorities.

We are in deep recession and our businesses are struggling. For some, their very survival is at stake. There are many trends in our globalised economy that are damaging to our town and city centres, and so we must imagine a potentially different high street of the future. We must recognise the significant challenges that have undermined the high street in the past and ensure that we put vibrancy back at the heart of our community.

We also need to ensure that there is no more self-inflicted damage of the kind that Belfast has suffered from for the past year. The last thing that our businesspeople need is a campaign of civil disobedience, and we do not need a Minister for mayhem. Putting an end to that self-inflicted damage is very much in the hands of the Members of the House. Given the perilous state of some of our high streets and town centres, we must recognise the severe damage that that causes and ensure that it does not happen again.

It is also in our hands to agree that there is a problem and to do something about it. If there were a thermometer — a way of measuring the quality of a community — it would be in the vibrancy, or not, of a city, town or village centre. All of us in this Chamber know the poor state of many of our towns. The statistics show it, too: one in four of our shops is empty, which is twice the UK average. That single statistic shows that we must do something urgently and differently from what we have been doing up to this point.

We need to listen to the business community's anxieties around business rates, planning, transport and car parking charges because it is telling us not just that the problem is bad, but that it is going to get worse unless something is done urgently. It is predicting that many hundreds of high street businesses —

**Mr Principal Deputy Speaker:** I am afraid that I must interrupt the Member.

**Mr McKinney:** — will close in the future if something is not done. That, Mr Principal Deputy Speaker, is a warning that we cannot ignore. We must respond to that warning not with short-term fixes —

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

**Mr McKinney:** — but with a real strategic prosperous vision.

**Mr Clarke:** On a point of order, Mr Principal Deputy Speaker. I apologise for earlier omitting to declare an interest as a recipient of small business rate relief.

**Mr Principal Deputy Speaker:** Thank you. The Member has that on the record.

**Mr Allister:** It is traditional, when one follows a maiden speech, to commend the person who made it. Mr McKinney made his points very ably. I was a little surprised that he appeared to cross the conventional boundary of maiden speeches by being controversial, with unnecessary comments about civil disobedience. Those were surprising comments, given that it was the SDLP that introduced us to the politics of civil disobedience. I found that a little bit surprising. That apart, I commend him on his speech.

I want to focus on the outworkings of the public realm schemes in some of our town centres and to place a particular topical focus on a difficulty that has emerged in the town at the heart of my constituency. I speak of Ballymena, where we have a very welcome £4 million scheme, but which has a very unwelcome dimension: an unnecessary attempt to steamroller a portion of it on the trading centre of Ballymoney Street without adequate consultation with the traders.

It seems that, too often, we hand these matters over to consultants who have all sorts of preconceived ideas and, through some wonderful desktop compositions, come up with aesthetically very pleasing and presentable proposals, but which, at times, are utterly bereft of the most basic component of common sense. We have a classic illustration of that in Ballymena, where the traders of Ballymoney Street are, rightly, up in arms because they will be robbed of essential on-street parking, with the removal down one side of the street of on-street parking in its entirety. What does it mean for traders in Ballymoney Street, who are already competing with out-of-town traders with

free car parking, if we put extra hurdles in the pathway of a person who wants to shop in the town but cannot stop there? I think that I know where he will stop; he will go to the free car park, out of town.

When you look at some of the businesses in Ballymoney Street in Ballymena, you see that on-street parking is not a luxury; it is vital to their operation. Consider one of the largest traders, Moore Electrics, which runs a very big repair operation for appliances. People stop outside or opposite the shop to carry in the appliance that needs repaired or pick up an appliance that has been repaired. However, those marvellous consultants, to whom we are paying endless amounts of money, have come up with a scheme under which you will not be able to do that. How is that business going to survive if people cannot carry the appliance that needs to be repaired into the shop? They will simply go somewhere else because they will certainly not carry the appliance from 300 metres or 500 metres away, where there may be a static car park.

To put the money to good use, we need to ensure that proposals are not just aesthetically pleasing but compatible with common sense. I trust that the scheme in Ballymena will be revised to make it common sense compatible and that we will have something that works, not something that drives those who work in shops out of work, because that is the way in which we are headed.

**Mr McNarry:** It has often been said that we are a nation of shopkeepers. One prominent offspring of a shopkeeper, by the name of Margaret Thatcher, laid claim to that in all that she did to bring that perception home to us all.

One reflects on those days as being perhaps a small journey down memory lane. Sometimes we are reminded by television shows such as the recent 'Mr Selfridge' of what was often described as the joy of shopping or, when I was a young person, trundling down to the shop for a bottle of milk, a loaf or vegetables. People looked forward to shopping itself, because, for many, it was nearly a daily experience, a way of finding out what was going on in the community and of keeping friends. In those days, you could generally leave your house unsecured, in the knowledge that it would be safe when you returned, so things have changed.

Like education, and the flaw that there is in education, we will ignore choice as an option at our peril. I commend those who brought before the House the motion and the amendment, because modern shoppers are key to all the

plans. They are voting with their feet and going to shopping centres and places that are open 24 hours a day to do a main, weekly shop. In many cases, they are also going for value for money, which they do not often see on the high street. We have to accept that that is the public's thinking.

I was in the retail business for 40 years. The lesson for all retailers is to chase the market. If the market is not there, you are not a retailer. Therefore, retailers have had hard times in towns and cities.

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

**Mr McNarry:** I will.

**Mr Clarke:** I accept the Member's remarks. However, retailers and towns have been disadvantaged, because rates in out-of-town shopping centres are not equivalent to those in town centres. The size of out-of-town shopping centres and the fact that their costs are lower means that they can sell more products and be more profitable than retailers in towns. Although we draw comparisons between the two sectors, and I understand why the Member said that the trade goes there, they are not the same.

**1.00 pm**

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

**Mr McNarry:** Thank you for that. I was actually coming to that point. The Member makes a very valid point. I was saying that retailers in towns and cities have had hard times due to rates and parking, issues into which Mr Allister and others have ventured. Particular issues are footfall and the key to making shopping an attraction, not a chore. Each Member of the House would say, "Please shop locally". I tell people to shop in my local village of Ballygowan and to go down to Comber and Newtownards. In the main, society does not attract them to do that. That is the way it is. I have got to say — I am sure that some Member have done so, and I have missed it — that, above all else, we must not forget the staff and workers in those shops. We must not forget the hours that they work and the security of their jobs. All those things are important and are intertwined.

In conclusion, I want to say that I was glad to see Member McKinney make his maiden speech. I am sure that he is pleased that it is over. At times, I just wonder what on earth UTV is doing to us in this place. It seems to be like a

training option for the Assembly. What next? Will we have Dame Purdy and Lord Ken elevated to the House of Lords to haunt us from another place? Nevertheless, I am pleased that he has found his forte now. I take this opportunity to welcome him. I am sure that he will be a good and honourable Member of the House like all the other Members from his party.

**Mr McCausland (The Minister for Social Development):** I thank the Members who brought the motion to the Chamber. I have listened with interest to all the speakers in the debate. I would like to thank them for their contributions. I welcome the opportunity to respond to the motion as amended as I am broadly supportive of its aims. It also provides an opportunity to outline the significant efforts that my Department is making to support retailers in these difficult times. A number of contributions were made during the debate, and I will respond to them in due course.

As Minister for Social Development, I have responsibility for urban regeneration in addition to community development, housing, social security benefits, pensions and child maintenance. That responsibility for urban regeneration relates to urban centres with populations of over 4,500 residents. Smaller settlements fall within the responsibility of the Department of Agriculture and Rural Development. The motion highlights the difficulties that are faced by small businesses, particularly those in the retail sector. I will focus my comments on that group.

The recession, coupled with changes in consumer spending patterns and behaviours, has had considerable impact on the economic performance of town and city centres across the United Kingdom. In Northern Ireland, the experiences of town and city centres and arterial routes over recent years has been similar to those elsewhere: shopper numbers are down, and shop unit vacancy rates in Northern Ireland have risen to the highest in the United Kingdom. My Department has been at the forefront in supporting retailers through a range of activities to help reverse the economic, social and physical decline in areas where market forces will not do so without the support of government. In taking forward the regeneration activities outlined in our corporate business plan, we have also taken regard of the Executive's commitments in the Programme for Government and to a number of related strategies, including the regional development strategy and the economic strategy. My Department has committed considerable resources in carrying out those activities in Northern Ireland. We have invested some £100



million on urban development grants, comprehensive development schemes and public realm improvements over the past five years. Despite that level of investment, my Department is well aware of the continuing problems that face our town and city centres. However, we must acknowledge that those problems are not only the consequence of the financial recession but are being caused primarily by the changes in consumer spending patterns.

Following the publication of the Portas review, which focused on the problems faced by high streets in England, I initiated a task force, comprising departmental officials, to review the Northern Ireland position. Specifically, the task force's remit was to review the support that the Department for Social Development currently provides to regenerate city and town centres; to consider whether that might be further strengthened in light of the recommendations emanating from the review; to consider the proposals being put forward by representative organisations; and to ascertain the views of local traders and high street businesses across the cities and towns of Northern Ireland. The task force consulted a range of stakeholders and the Departments most closely involved with city and town centre issues. In addition, the task force held 29 high street meetings in cities and towns to hear directly the views of high street traders and other parties on the issues affecting them. Approximately 350 individuals attended the high street meetings, representing a wide range of town centre businesses and representatives of local government.

The main issues identified by the task force fall into two broad categories: those that were articulated by the representative bodies and those that were voiced at the public meetings. As you can imagine, there was a significant overlap. A number of recurring themes were raised by the stakeholder bodies, namely town centre management; business improvement districts; planning; access to town centres; vacancy rates; town centre living; commercial rates; town centre performance indicators; and joined-up government.

Three issues emerged as the top concerns of traders across Northern Ireland because of their perceived impact: car parking charges and enforcement; non-domestic property rates; and competition created by the expansion of out-of-centre retail development across Northern Ireland. Responsibility for those three issues quite clearly falls to other Departments, but they illustrate the requirement for the cooperation across a number of Departments that the

motion seeks. That is why I have indicated my broad support for it.

It is also why I took the findings of the high street task force report to the Executive's subcommittee on the economy. That was part of a broader discussion of the issues facing our high streets. The task force recognised that the economic downturn that began in 2008 had exacerbated and accelerated the problems besetting high streets but had not been the cause. The rise of internet shopping and out-of-town shopping centres has changed the face of UK retail for ever. The combined impact of technology and the economy on consumer needs and wants has created an urgent need to radically rethink how we regenerate and revitalise our high streets. The strategic challenge for central and local government is how to be more innovative in assisting the diversification of our high street from predominately retail-centric locations to multifunctional social centres, not simply competitors for the same consumers.

I turn to the issues that fall under my remit. DSD's current regeneration policies and activities were welcomed and endorsed at the high street meetings. They included city and town centre master planning — I am pleased to see that the amendment to the motion acknowledges the importance of having those plans in place — urban development grants; acquisition of sites for development opportunities; and public realm improvements. However, it was recognised that the current constraints on public and private funding meant that the implementation of those policies has slowed down, owing to a more cautious approach by developers. It was also recognised at the meetings that strengthening DSD's existing regeneration policies, improving the management of city and town centres, better promotion or marketing of city and town centres and encouraging town centre residential living could make an important contribution to sustaining and improving the performance of our high streets. However, I must stress that there is a clear message in the report that the increase in internet shopping and out-of-town shopping centres has changed the face of retail for ever, and we need to be more radical in our approach. The long-term strategic challenge is how we move from a predominantly retail approach to one that develops these places as multifunctional. We have outlined how we will take that forward, and I will address that in a few moments.

Having considered the issues raised, the task force has made recommendations for DSD, all of which I have considered and accepted.

Since the publication of the report, good progress has been made in implementing the recommendations. A significant number of public realm and revitalisation and restore schemes have been completed or are in progress. Development briefs continue to be brought to the market and urban development grants provided to stimulate private sector investment. Efforts are also being made to support traders through the introduction of legislation on pavement cafes and street trading, and legislation to facilitate the establishment of business improvement districts has received Royal Assent. Regulations have been consulted on, and I have recently announced the award of a contract to provide expertise to support the establishment of pilot BIDs.

In an effort to broaden the role and function of town and city centres, I will also review the Living over the Shop scheme with a view to developing a new scheme to encourage people to live in town centres. I will also bring forward proposals to the Executive on a policy for community asset transfer. That has the potential to stimulate the diversification of services on offer in city and town centres and bring vacant buildings back into use. My Department has recognised those broader issues formally, and, in our recently published urban regeneration and community development policy framework, we have made the competitiveness of our town and city centres a core policy objective. The policy framework will guide DSD interventions in urban regeneration until 2015 and, thereafter, local government, which will have regeneration powers and budgets conferred on it. In the future, I expect that community planning will provide the vehicle for greater coordination on these issues.

In drafting the policy framework, we took account of evidence that stated that our towns and cities are not as competitive as their national or European counterparts. Urban regeneration has a critical role to play to ensure that our towns and cities catch up and do better. We need to ensure that our towns and cities support and contribute to overall economic and social development, and, to flourish, they require quality infrastructure and a sustainable and accessible transport system as well as the ability to attract and retain new and existing businesses and provide people with access to jobs and accommodation. Facilitating and incentivising investment in urban centres is vital. In driving forward our framework objective to strengthen the competitiveness of our towns and cities, we recognise that we must be more innovative.

I will pick up on a number of points that were raised by Members. Judith Cochrane spoke about the need for an interdepartmental group. The issues that traders are raising have been raised at the Executive subcommittee on the economy. In future, when this comes around with the councils, community planning will provide that very mechanism. She spoke of the need for a joined-up approach, but DSD's promotion of master plans provides that and a holistic approach to the regeneration of town centres.

Mr Allister referred to the issues in Ballymoney Street in Ballymena. I will bring him up to date on the situation: parking spaces in that area are being looked at. In fact, my staff are already working on the issues that were raised by traders, which shows the importance of engagement and consultation.

Dominic Bradley spoke of the Executive being the appropriate forum for coordinating departmental activities. I agree that there is no need to create another forum because the forum is already there. I was disappointed by Mr Bradley's rather nasty comment in his contribution: I stand four-square behind all that my colleague Nigel Dodds said at the event on Saturday, fully behind what Arlene Foster said yesterday and behind what my colleagues William Humphrey and Nigel Dodds said before the event on Saturday. I do not welcome advice from a party that campaigned for the release of Marian Price and Gerry McGeough, named a playground in Newry, which the Member mentioned, after a terrorist, said sorry for doing it but will not do anything to put it right. It is not exactly the party to give advice to anybody on anything.

Alex Maskey said that it was timely to look at existing plans in this context. The Department will work with the new council structures to ensure that town centre work continues seamlessly; there has to be a seamless transfer of powers to councils.

#### **1.15 pm**

Fra McCann spoke about the Committee for Social Development's report on town centres, rightly so. The recommendations, which were accepted by the Department, helped to inform the development of the new policy framework and the existing programme. I assure him that that was very much in our thinking.

People want a sense of community back, as Fearghal McKinney said. That is why DSD not only supports retailers but advocates greater

diversification in town centres. He said that people wanted more than fresh paint and hanging baskets: that is why they are getting a lot more than fresh paint and hanging baskets. That is why we have invested so many millions in town centre regeneration and master planning.

That, I think, covers most of the issues. On just one brief point: David McNarry spoke about the need to increase footfall; that is absolutely essential for businesses. Public realm schemes have been successful in doing so. Newcastle is an oft-quoted example, where a 300% increase in footfall was produced. I see that the Member is nodding, and he is right about the fact that the approaches that my Department has been taking forward work.

Finally, as regards rates, the small business rate relief scheme was mentioned. Almost 25,000 non-domestic properties in Northern Ireland now benefit from a discount of at least 20% through the scheme. It will provide over £60 million in rates relief to business ratepayers during its lifetime, along with the rating of empty non-domestic properties and other initiatives taken forward by my party colleague in the Department of Finance and Personnel.

In closing, I thank those who have taken part in the debate, and I hope that it has been useful in underlining my Department's commitment to the retail sector and to town and city centres in Northern Ireland.

**Mr Dallat:** It is my pleasure to wind on the debate. It is not the first time that I have had such a task; over the years, we have had several debates on the subject. Hopefully, after today, we will get some results.

The motion refers to urban towns and villages. The debate has widened that out to include all towns and villages. I hope that that is accepted by the proposer, because the problems in Kilrea are no different from those in Killinchy, Swatragh or Saintfield, and I am sure that the Minister will accept that.

The amendment to the motion was proposed by my colleague Dominic Bradley, who has incurred the wrath of a few people because he referred to the Minister's extra-curricular activities. I will not get involved in that, but I respectfully suggest that the public, who may watch the debate, are far happier when we are at our work in here representing the people of Northern Ireland, particularly those who happen to own small or medium-sized businesses that are struggling for survival. It is sobering to remember that 80% of employment is

generated by that sector. So, it is a serious business.

Dominic went on to say that this was a "cross-curricular" activity, if I may use that term again, involving several Departments. The Executive need to look, perhaps, at the ability to develop cross-departmental issues. The Department for Social Development certainly has a proud history of regeneration over many years. I remind Members that my party held that Ministry for several of the years during which the country had to be rebuilt and restored.

Paula Bradley, as she always does, made constructive contributions. The only little thing with which I would take issue is that the internet is not, necessarily, just for big business. Our smaller businesses need to be advised on how they, too, can take up and benefit from the internet. I am really not taking issue with Paula at all, but we need to get across the message that the internet, if we use it, does not have to destroy our towns and villages.

Alex Maskey is not here. He needed some clarification, but, at the end of the day, I think that he was happy to support the amendment, particularly the issues that confront us in relation to the reform of public administration.

Michael Copeland had so many relations involved in the retail trade that I lost count. I am sorry to hear that only one of them is left and that their business is under threat. I am sure that many other traders will identify with that.

Trevor Clarke had some constructive points to make. However, I was a bit confused: he supports Junction One, but, at the same time, he takes issue with out-of-town shopping centres. Perhaps an out-of-town shopping centre is all right in your own patch but not anywhere else. I am sure that Trevor will want to clarify that.

**Mr Clarke:** I am happy to clarify that. I support Junction One, but the point that I was trying to make is that every place should have an equal playing field. It follows on from David McNarry's point that, if you want out-of-town shopping centres, that is fine, but DRD should do its bit with free car parking and rates should be aligned so that the two types of business can compete on an even playing field.

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

**Mr Dallat:** I am delighted that I got that extra minute out of that.

I do not take issue with that and I do not want to confuse or cause any more controversy, but someone needs to talk to Jeffrey Donaldson about the John Lewis out-of-town shopping centre at Sprucefield. That is a major issue and not just here in Northern Ireland. Reference was made to England, and we could go across the Atlantic to America: where out-of-town shopping centres develop uncontrolled, that is the death knell of our towns.

Fra McCann made some interesting points and brought us back to a 2007 Assembly report. He was right to do so. Fearghal McKinney made his maiden speech, and I am sure that you would all agree that it was up to the standard that we would expect from Fearghal. It was nice that he got compliments from Jim Allister, who has also left us at this stage. *[Interruption.]* I am sorry, it was David McNarry; I apologise for that.

All in all, it was a good debate. We should not merely take note of it but ensure that some of the excellent contributions that all the political parties made are put into action. Perhaps, then, those issues about rates, car parking and all the other things that have been affecting our town centres can be addressed.

In my final five or 10 seconds, I encourage young people in particular to consider going into business because new ideas and new thoughts will motivate new types of business and regenerate our town centres and villages.

**Mr Dickson:** Let me say a word of thanks to all who contributed to the debate. We will not oppose the amendment. Whether we believe in an overarching strategy for town centres or think that the Minister for Social Development and the Executive should work their way through the issues, the difference is not sufficient to divide the House on. A very clear message has come from the Chamber today: support for our town centres, whether the strategy should be overarching or the Executive should get in total control of this. I recognise the work that the Minister for Social Development and his predecessors have done on these issues, but there is also recognition that that Minister on his own cannot address it. Other people need to get involved and need to use their Department and their influence in these matters as well.

The functions relating to the strategic development of town and city centres are dispersed across Departments. Whether we have, as I said, an overarching strategy that brings together relevant Ministers or the

Executive set it on the agenda and deal with it through key players in retail and town centre management, we need to ensure that we have effective coordination. I think that that signal has come very clearly from around the Chamber.

Specific areas were referred to that I will highlight. Reference was made to transport. Local authorities, not in Northern Ireland but in England and Wales, have much more input into transport planning, with statutory rights and, indeed, duties to contribute to local area transport plans. That has been omitted from the relevant transport Acts in Northern Ireland. As a former member of the Regional Development Committee, I know that good focus has been placed on the need for a joined-up approach in the coordination of transport across education and health, and a pilot scheme is currently running in the Dungannon area. Nevertheless, Transport NI now needs to look at a far more coordinated approach to transport both in and out of our town and city centres so that we can deal with bus routes, stops near local amenities, cycle lanes, storage, parking and pedestrian facilities. All those issues and factors are essential to vibrant town and city centres. There are deficiencies in strategic transport planning. Transport NI needs more transport planners, and if and when those people are recruited, the focus must be on working with the new local authorities to deliver and put in place solutions that will work for town centres.

The Minister referred to housing and specifically to how housing development and accommodation could be developed in our town centres. In fact, I raised this matter in a question to the Minister last week. Work is ongoing, and valuable work needs to be done to help us use surplus space in town centres and as part of the regeneration effort there. If people live in a town centre, they may wish to work there and they may wish to buy a cup of coffee, shop and do other recreational activities there. If that policy was genuinely to be revitalised, key issues in resolving the problem of accommodation will need to be developed. The Minister has recognised that.

Perhaps more important than all of that is how we deal with town centres as shared spaces. They should and must be shared spaces for all residents of Northern Ireland, not just for those from a particular community that may lay claim to that town. They cannot be the exclusive realm of one community. In practice, however, violence and intimidation over many years has prevented us from translating the principle of equality of access to public services into

genuine sharing. We must break the pattern of choice that is determined by fear and intimidation by actively fostering shared and genuinely shared neighbourhoods, workplaces and public amenities, meeting places where people can come to socialise and interact in freedom without fear of intimidation. Creating shared and open spaces that are welcoming to all of us is essential to the development and redevelopment of our town centres.

In 2010, a Life and Times survey found that 54% of people did not believe that our town centres were safe or welcoming places for people from all walks of life. That perhaps demonstrates some of the scale of the challenge. There is the downturn in retail business, the change to internet shopping and all the other difficulties that are piled on us because of an economic recession — and then we in Northern Ireland add a sectarian dimension to it. We need that cross-departmental action and cooperation if we are genuinely to deal with these issues and bring life back to our town centres.

The DRD, the DSD and the DOE need to bring forward new procedures to ensure that regional planning policies and strategic and local area plans take full account of access and accessibility to shared resources in our towns and villages. We believe that the DOE, in order to follow best practice in the design of urban environment and maximise cross-community mixing, should develop a policy planning statement on the matter. The DSD should develop measures to assess the use of public space and report to the Assembly on an annual basis on how it is achieving the sharing of public space.

The management of public thoroughfares is also a key issue. Why, if you came from one community or another, would you wish to use a main thoroughfare that takes you to one of our towns across Northern Ireland to be confronted by a mile-long stretch of road with sectarian flags and graffiti littering the area? That is not a "Welcome" sign to any town or village in Northern Ireland.

In short, we believe that many good initiatives are going on across Northern Ireland, and I, too, want to pay tribute to the Minister, particularly for the work that has been completed in my town, Carrickfergus.

I have been a member of that local authority for so long that I can even remember the previous public realm scheme more than 30 years ago, which had a major impact on the town. However, so did the Troubles, a lot of the

graffiti, and the upsets that we have seen recently.

### 1.30 pm

I genuinely welcome the investment that the Minister has made and the amount of money that has been spent in developing the infrastructure of our town centres. The knock-on effect of that is that we have seen improved electricity supplies and drainage. We have even seen improvement in broadband for businesses in the town centre because the utilities took that opportunity when the street was dug up and re-paved. There are genuine benefits but more can be derived from good cooperation among Departments. Above all, whether through an overarching strategy or the involvement of the Executive, we need to ensure that our town centres are vibrant, deliver for people, are places that people want to go to, and that they are shared spaces.

*Question, That the amendment be made, put and agreed to.*

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

*Resolved:*

*That this Assembly expresses its concern over the ongoing pressures on small businesses, in particular, those in the retail sector; notes the current and forthcoming policies and programmes in relation to business rates, planning, business improvement districts, public transport, the development of shared space and urban regeneration; further notes that the majority of local authorities have extensive town centre plans; and calls on the Minister for Social Development and the Executive to enable these plans by utilising all the funding mechanisms at their disposal.*

## Car Parking Companies

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

**Mr Frew:** I beg to move

*That this Assembly expresses its concern over the practices of some car parking companies and how they operate; questions the adequacy of signage both on parking times and penalties, as well as the quantum, nature, content and design of penalty demands, the threat of legal action and the absence of appeals mechanisms; believes that we need a more robust code of practice for enforcement and more effective regulation by the British Parking Association; and calls on the Minister of the Environment to meet with the Secretary of State for Transport to outline these concerns.*

I propose the motion because it is an issue that concerns me greatly. I have dealt with a number of constituency matters and constituents on this issue over the past number of months and years. It grieves me that we seem to be treated differently in this part of the UK compared with the other regions, particularly England and Wales. I am concerned about the practices of some car parking companies. I am concerned about the adequacy of the signage that they use to display parking times and penalties, as well as the quantum of fines and penalties that they can receive, the nature and content of codes of practice, and, of course, the absence of an appeals mechanism here in Northern Ireland.

I am not against the regulation of car parks. It is good and proper that we have regulated car parks so that no one gets a free ride or tries to run over the wishes of shoppers and retailers in our towns. It is proper that we have strict guidelines and rules, and that we try to discipline or at least educate drivers in respect of how they park. I am not here to defend people who park badly, break the rules and are just ignorant and arrogant in their methods and practices when using car parks. Those people block thoroughfares and bung up our town centres and retail parks. It is vital that we have smooth running and traffic management so that our towns tick over nicely. The one thing that will hurt our town centres and retail parks most is if people do not want to travel and park there because of the inconsiderate practices of other

drivers. However, it is also true to say that people are frightened to use parking spaces in case they do not know the full rules and are not aware of how to park, where they can park, and how long they can park for. The retailers and the parking companies that they employ and that are contracted to do the job need to ensure that they make people aware. It is fair to say:

*"Everyone should benefit from good parking management; Everyone should know the rules and how to park compliantly; Everyone who undertakes parking enforcement should be appropriately qualified and properly regulated; ... Proper and effective parking and traffic management is essential to support sustainable growth in our high streets; Every car park should be a safer car park; Every car park should be properly serviced and maintained; Every parking and traffic Order should be easy to understand and simple to implement".*

That is from the British Parking Association's 'Master Plan for Parking 2013-14'. There has been a failure to put it into practice. I am sure that many MLAs have seen that failure at first hand at constituency level.

I want to discuss and bring to the fore for the Minister and other Members a couple of case studies. The first is that of a husband who went shopping for his wife and four children. We can all be very forgetful as husbands. If we go with a list, we try to get exactly everything that is on it. Mr Principal Deputy Speaker, you will know that it takes a lot of time and hard work to concentrate and get everything on the list. If we cannot find something on the shelves that is on the list, it is not very often that we will use our common sense to pick another brand. Therefore, you phone your wife to find out what else will be acceptable. It takes time to shop. One constituent took one hour and 13 minutes to do a shop for his wife. She, of course, had the four babies with her. He could park there for only an hour, and he was totally unaware of that. As a result, this gentleman found out a couple of weeks later that he was liable for a fine of £150. If he paid it within 14 days, it would be only £75.

If you ask me, it is atrocious that someone could be liable for that amount of fine for a 13-minute breach of the conditions. It is fair to say that, when you park in a privately owned car park, you are entering into a contract. Very rarely do constituents realise the contract that they are in, and this man was penalised £75 if he paid within 14 days or £150 if he did not pay within 14 days. I was able to get on to the company to harass it and harass it some more.

Meanwhile, the constituent was getting letters threatening him that he would be taken to court, that he would receive a black mark and that he would not be able to get credit if he did not pay. The letters were legalistic, and those threatening letters stopped only after about six months. They stopped out of the blue, not because of some technicality or some loophole that I had found in legislation but because the company had had enough and did not want bad attention in the media. The company waived the fee.

I have another case study. Patrons drive into a retail park and go into one of the premises. They come back out and fill their boot, and they then decide that they have a message to do a couple of yards up the street. They walk out of the car park, and, as they do so, the man who is enforcing and in charge of monitoring the car park lets them walk by without telling them or warning that, if they walk out of the premises and out of the car park, they will be liable for a fine. Those people walked out to pick up, I think, tickets for a theatre show and came back to see that they had been fined £100. It is incredible that, in this day and age, that can happen. When you try to fight for them, it is the same story. Those people will be bombarded with threatening enforcement letters, saying that the company can get their details from the Driver and Vehicle Agency (DVA), which is quite right, and that they could be blacklisted, which could mean that they cannot get credit. They will also be threatened with court action. Again, you spend six months writing to those car parking companies, and then, at the end of it, they simply waive the payment and stop, not because you have done something right or been smart about it, but because they have just given up trying to get the money. It has caused so much heartache to constituents who have had to go through that. Sometimes those people are pensioners or are unemployed and do not have the money to fight big companies and take them to court. They fear being taken to court themselves.

We need adequate signage that will make people aware of what they are actually getting into. When you have all that, and you go down the road of trying to appeal or trying to get a fine reduced or waived, you will find that, in Northern Ireland, we do not have a right of appeal as England and Wales do. I was in correspondence with the previous Minister of the Environment on this issue, and I know that he was very sympathetic to my cause. The current Minister should keep pressure on the Secretary of State for Transport and find a way, by whatever means, to make sure that we have an appeals structure in Northern Ireland that is

fit for purpose, that is the same as that in England and Wales and that will treat our constituents, shoppers and retailers with fairness.

The appeals mechanism in England costs the car parking companies £29 every time somebody takes a case to appeal. That in itself will hopefully focus the minds of those companies to, at least, have a human face on them when dealing with the population and not hide behind threatening letters.

I am running out of time but I hope that I will have the support of the House in trying to get something better for the constituents of Northern Ireland and for them to be treated with the same respect, with the same rules and regulations, as everyone in England and Wales. I hope that Scotland will follow suit and will be listening to this debate also.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá, agus ba mhaith liom labhairt i bhfabhar an rúin seo. I rise to speak in favour of the motion. I want to thank those who put the pack together for the debate. To be honest, until I started to read up on it, I did not realise that this was a problem in some parts of the North, and it is becoming more and more prevalent. I am broadly supportive of the motion and its highlighting of the problems. I share the sentiment that the current system is open to abuse by some elements of the private parking industry.

I want to use a couple of examples. I was talking to one of my colleagues, who told us that she dealt with a case in Newry, where a gentleman parked outside a well-known clothes shop in Newry and went in. I will not mention the shop. As you do in that type of shop, you shop around the racks; you may get a bargain or some designer gear there. It is a very well-renowned shop in Newry. The key element was that, when the man and his wife left the shop, there was a ticket for a £100 fine sitting on his car. The man said that he could not have been looking around the shop for more than 10 or 15 minutes. When he enquired about it, the issue was that the company could not rescind the ticket there and then. He had an opportunity to write in relation to it, but, basically, he was told that he needed a receipt from the shop to overturn the ticket. Also, when one of my colleagues phoned up to intervene on his behalf, the company said that it did not deal with public representatives. Obviously, a £100 fine in any circumstances — especially given today's climate — is very severe.

The widespread and growing use of private companies to enforce parking restrictions on private land has, unfortunately, given rise to increasing instances of abuse and unfair practice. Although, in many cases, the landowners and parking companies operate reasonable practices to deal with a legitimate issue, undoubtedly there are some less scrupulous elements within the industry who seek to take advantage of circumstances simply to turn a profit. It goes without saying that stern condemnation should be placed at the door of any company that would seek to operate in any way that would confuse, mislead or, indeed, intimidate members of the public.

**1.45 pm**

I accept that a greater degree of regulation is perhaps necessary to ensure that adequate signage is on display in all such parking areas and facilities so as to leave members of the public in no doubt as to the parking policy in operation on that site. I refer Members to the Armagh city end of the district. Since reading up on the motion, I have just noticed, in one area of Armagh city, a car park attendant walking around in a fluorescent jacket. I looked at what kind of signage there was and had a chat with the person to see exactly what the story was. There is a sign that says, "parking for two hours only", but there is no talk about clamping, fines or anything else. The proposer of the motion mentioned that there needs to be better regulation and signage. I certainly support him in that. Further, I suggest that much more needs to be done to educate drivers as to the precise extent of their rights in disputes arising from such matters and to ensure proper access to an accountable and transparent —

**Mr Frew:** I thank the Member for giving way. Does the Member agree that although we probably have a lot of examples of constituents coming to us, so many shoppers and constituents simply pay the fine and do not try to fight it or appeal? They simply pay it because they are scared not to. That builds up resentment and could hurt retailers and town centres.

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

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

I agree with the Member and thank him for his intervention. When I started to look into the matter, I realised that it is becoming more and more prevalent. It does affect the consumer

and is something that we need to look at. Maybe the Minister can indicate some way forward on this.

Like I say, we need to ensure proper access to an accountable and transparent appeals process. In the meantime, the Department and the statutory agencies should be doing more to identify the practitioners of underhand or intimidatory tactics, which in some cases amount to little more than extortion. With that, I support the motion.

**Mr P Ramsey:** On behalf of the SDLP, I welcome the motion and will certainly be supporting it. We can all understand the testimonies and examples that Paul has given, because we have all heard them in our own constituencies.

As recently as May, the SDLP, through its Environment Minister, Alex Attwood, pledged to put a stop to this and to protect the motorist from being hounded by private companies demanding, as both Members who have spoken have said, punitive parking fees of up to — as Paul said, in particular — £140 for literally 10 minutes. That is very punitive. He has confronted those firms and challenged them. However, as the Member said, we need tougher guidelines and regulations and a code of conduct, which I will reference later. Furious drivers are sharing their stories of being hounded by private companies. My constituency in Derry is no different, with problems in two particular areas; not so much within the city centre as we commonly would know it but at Crescent Link and the out-of-town shopping centre at Lisnagelvin. Neighbours of mine have come in, nearly in tears, with these tickets demanding money. I agree with the Member; people panic and genuinely believe that this is, in some way, a public agency enforcing a penalty on them. Clearly, it is not. It is those English companies coming here, which have been licensed as well, may I add.

There is a need to get a handle on what is going wrong. Cathal was right about the underhand and intimidatory methodology used by these companies. They think that they can get away with it, but they should not be getting away with it. The SDLP has been pushing for this through our Minister. I am sure that our own Mark, coming into office, will reflect on today's debate and bring forward a much stronger code of conduct that will put disciplinary action on those companies that are abusing this. There is a need for clearer guidelines, information campaigns and notices advising drivers of their rights, aimed at helping those who receive threatening letters,



particularly on private land. Motorists need to be reassured that anyone accessing the data is stringently assessed by DVA to ensure that it is necessary and proportionate.

Although the information is processed in Northern Ireland, all the moneys raised to date — last year, it was almost £50,000 — go straight to Westminster's Department for Transport, via the Driver and Vehicle Licensing Agency (DVLA) in Swansea. Our Minister, Mark Durkan, will need to make a strong case, as Alex Attwood previously did. He met his London counterpart, as Paul Frew has asked our present Minister to do, and asked for the DVA's work to be devolved to Northern Ireland. That will help not only to protect the motorists using the car parks but to protect the jobs that are under threat of being redirected out of Northern Ireland.

The amount of stress, anger and frustration felt by young drivers, married women with children and older people is very worrying, and they believe that the private companies that are coming into Northern Ireland are getting away with it. A line has to be drawn today. The private companies have not come across very well in the media. I do not think that there is a local newspaper in Northern Ireland that has not covered a story about the outrageous fees that people are being asked to pay. Unfortunately, as Members said, the fact that people are paying those fees is worse again. If you pay your £100 within 14 days, it is reduced to £50, and a lot of nonsense comes with that. We should give a clear, united message to those companies and site owners. In the context of my constituency, the shopping centre owners in Crescent Link and Lisnagelvin should take greater control of the companies that they have asked to manage the sites.

I take the point that we have to be mindful that there is a need for effective traffic management in small car parks in city centres that are being managed by private companies. Those car parks need a turnover, but we cannot have people getting a £130 or £140 fine because they are parked on a line in a car park. That is also happening, and it is not because people are overstaying their welcome by one or two hours. It is being done in circumstances in which people are being given fixed penalties for the most minor offences.

The SDLP supports the motion, and we look forward to our Minister bringing forward clear guidelines, definitions and a code of conduct.

**Mr Elliott:** I thank the Members for tabling the motion. There is an interesting aspect because

it is not only about the implementation of charges but the lack of an appeal mechanism in Northern Ireland. One thing that appears to be missing with the people who enforce the charges is common sense. Where has all that gone in our society? I am not here to defend those who park illegally and try to trespass on people's ground. In particular, businesses have a right to protect their areas and keep them for their shoppers, but they do not want to put shoppers off. Business is tight enough, and in the previous debate, we heard about how tight the economic situation is in Northern Ireland. To be fair to those businesses, they do not want to put people off, but the issue is how these companies are engaged in traffic enforcement.

My understanding is that there is no criminal law that supports these parking tickets or charges. It is a trespass law and a contract law as opposed to a criminal law. Other Members spoke about a code of conduct, but we do not have a proper appeal mechanism, and we require a proper legislative base. If we had that, everybody in Northern Ireland would be broadly aware of what is required, and people would not be forced into making the rash decision to pay an exorbitant fine. Some of those fines are £150. People should not be forced into paying those exorbitant fines without the proper protection of the law. That is one of the difficulties of this system.

I am not sure that a code of conduct will resolve the matter. We need specific legislation here in Northern Ireland to deal with the system so that we are not relying on contract and trespass law, which is very vague. We should put in place the proper regulations here in Northern Ireland to protect the businesses that own that private property and the consumers who park there. I will be interested to hear from the Minister about how he can deal with that.

I got a bit of information on parking charges issued by private groups from BBC 'Watchdog', which states:

*"there is nothing in criminal law to support a penalty or fine for parking on private land ... This isn't a criminal matter despite any impression given to the contrary by the operator."*

Unfortunately, as was outlined earlier, not every consumer knows that. They panic and go and pay the fine, which is wrong. Consumers need the protection in law just the same as business owners require it.

I support the motion, as does the Ulster Unionist Party. I will be interested to hear from

the Minister and whoever winds on the motion about how they would provide real protection for businesses, property owners and, more importantly, consumers.

**Mr Principal Deputy Speaker:** As Question Time is due to begin at 2.00 pm, I suggest that the House takes its ease until then. This debate will continue after Question Time, when the next Member to speak will be Ms Anna Lo.

*The debate stood suspended.*

**2.00 pm**

*(Mr Speaker in the Chair)*

## Oral Answers to Questions

**Mr Speaker:** We now come to Question Time. We have topical questions first, but, before we come to those, let me say that Members from all sides of the House will know that topical questions have been ongoing for some weeks. We are keeping a watching brief on them. However, I have to say that some Members are lifting questions for oral answer from the Order Paper. They are not their own questions, but they ask them as topical questions. We are keeping a watching brief on that. That needs to stop, and I assure the House that that is something that we are watching very carefully.

**Lord Morrow:** On a point of order, Mr Speaker. On your point about Members lifting questions and using them for the unnotified question, is it your intention to make representation to the Committee on Procedures to have that procedure put in reverse so that it cannot happen or will be minimised?

**Mr Speaker:** First of all, Lord Morrow, there should be no points of order during Question Time. Briefly, however, to answer the Member's question, we are watching a number of issues in topical questions, and there are a number of suggestions that we will certainly put to the Committee on Procedures to look at for us sooner rather than later.

## Culture, Arts and Leisure

### Bands: Funding

1. **Mr Craig** asked the Minister of Culture, Arts and Leisure whether she agrees that there is room to give more assistance to the band movement in Northern Ireland, given that over 30,000 people are involved, they receive annual funding of approximately £200,000, and most bands spend about £20,000 a year on uniforms alone, never mind the equipment, some of which is very expensive, that they have to purchase. (AQT 161/11-15)

I listened to a very interesting article on that this morning. However, hopefully, I am not stepping on the toes of anyone who has tabled a question for oral answer. I could not even tell you what the questions for oral answer are, Minister, so apologies for that.

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his very topical question. Funding for marching bands is purely for musical instruments and tuition. There was a public interest test on whether support or moneys should be provided towards uniforms. People could understand the return through musical tuition and purchasing the instruments, but, when it came to the rationale for providing support for uniforms, it did not stack up as well. I appreciate the Member's point, but I certainly have no plans to introduce funding for bands to buy uniforms. I am certainly happy to continue with the purchasing of instruments. The Ulster-Scots bodies do a very good job in tuition, but there are no plans to provide money for uniforms.

**Mr Craig:** I thank the Minister for that answer. Obviously, the Minister has researched the uniforms issue. Does she agree that bands are one of the key mechanisms for getting people into the music in our culture in Northern Ireland? Although you cannot give money towards uniforms, as you clearly pointed out, can you increase the grant funding for the musical instruments, as they are, unfortunately, getting more and more expensive?

**Ms Ní Chuilín:** I appreciate the Member's concern about the pressures that some of the marching bands face in keeping up with music, uniforms and stuff like that, but I have absolutely no intention of increasing the money that is there. In fact, it is not that I have not got an intention to increase the money; there are bigger demands from other bands, not just marching bands but those that come together to play pop or traditional music. We need to look at that. Certainly, if there is an increased demand and there is evidence of increased demand, I would certainly be happy to review it, but I cannot go beyond that with commitments.

## **Bands: Cultural Contribution**

2. **Mrs Hale** asked the Minister of Culture, Arts and Leisure whether she recognises the valuable contribution that marching bands make to the cultural expression of the community in Northern Ireland. (AQT 162/11-15)

**Ms Ní Chuilín:** I do recognise it, for some bands more than others. In rural areas, in particular, the band is often the hub of the community, and music tuition and musical expertise are passed on from one generation to another. That is valued and recognised, but that does not mean that there will be additional money for bands. If there is bigger demand for the purchase of musical instruments across the

board, not just for marching bands, I will be happy to look at it, but I have not seen any particular increase in requests for support. However, they will probably come flooding in after these two very topical questions.

**Mrs Hale:** I thank the Minister for her answer. My supplementary question ties in with my colleague's question about funding and how we encourage the next generation to participate and improve our marching bands, given that they teach young people about time routine, commitment to organisations and recognising the culture of Northern Ireland. Does the Minister agree that, in order to encourage the next generation to join our bands, funding is absolutely necessary?

**Ms Ní Chuilín:** Funding is necessary, and it is awarded through the Arts Council and the Ulster-Scots Agency. They do an excellent job and have an excellent relationship with a lot of the marching bands, particularly in Protestant, unionist and loyalist communities, and long may that continue. There is no indication that money will be removed from bands, unless they break the law or the conditions of their letter of offer for funding. That is the case for anyone who gets a letter of offer, regardless of what the investment was used for in the first place. I go back to the point that I made to the Member's colleague: if there is an increase, we will be happy to review the situation, but I cannot give a commitment for additional money.

## **Exploris**

3. **Ms Lo** asked the Minister of Culture, Arts and Leisure whether she will commit herself to working with other Departments to find a long-term solution to sustain Exploris as a regional facility. (AQT 163/11-15)

**Ms Ní Chuilín:** I recognise that there has been a very good campaign to increase public awareness of the situation at Exploris, but let us be frank about this: we cannot have a situation in which people claim that a council-run facility that is currently under threat — a decision has been made to close it, although that has been stayed for two months — is regional, which, I am sure, it is, and expect the Executive to pick up the cost. I am happy to work with colleagues on the issue, but I will not commit myself to funding it. We could end up with a queue, particularly in preparation for RPA, of other facilities that we will be expected to fund as well. That is as much as I can say at this stage.

**Ms Lo:** I thank the Minister for her response, although I am disappointed by it. What impact will the loss of Exploris have on the provision of leisure activities for families and for tourists who come to Northern Ireland?

**Ms Ní Chuilín:** I have absolutely no idea of the impact that it might have. Other than the headlines that we see in the media, we need to see detail. There has been an absence of detail. The campaign has been very effective and has highlighted how people feel about Exploris; I appreciate that. Even if — it is a big "if" — the Executive were to support it, there needs to be a lot more detail coming forward other than headlines. I regret that the Member is disappointed, but any MLA or Minister worth their salt will not be press-ganged into an answer just because a Member has asked a question.

## Irish Football Association

4. **Mr Weir** asked the Minister of Culture, Arts and Leisure for an update on the progress of her discussions with the Irish Football Association on overcoming any difficulties that there are with its governance arrangements and articles of association. (AQT 164/11-15)

**Ms Ní Chuilín:** The discussions are ongoing, and I am sure that the Member will appreciate that there is a lot of sensitivity in the matter. I remain confident that we can resolve the outstanding governance issues.

**Mr Weir:** I thank the Minister for her response. On the other side of the issue, what discussions has her Department had with the European Union to ensure that there will be no blockage to funding from that end?

**Ms Ní Chuilín:** Again, we have been in Europe, and we will continue to talk to Europe. We are hoping to have an outcome from those ongoing discussions before Christmas. Either way, it is still a very sensitive issue. I have fought the issue on behalf of the IFA in particular but also on behalf of the whole Executive. The state aid issue raises questions for every investment that we have made in the past 10 years, not just in DCAL but across the board. The Member will appreciate and understand that I am robustly defending any challenges on state aid. Needless to say, we are working through it well.

## Inland Waterways

5. **Ms Brown** asked the Minister of Culture, Arts and Leisure whether inland waterways could be

developed to provide a major leisure and recreational activity resource. (AQT 165/11-15)

**Ms Ní Chuilín:** Inland waterways to that. Waterways Ireland is one of the all-Ireland bodies that my Department has responsibility for. You can see the value of the work that it does, particularly in rural areas. I am also working with some councils to improve some of the waterways within their control. I agree with the Member that inland waterways provide brilliant opportunities not just for tourism but for local leisure. They are the economic driver in some towns and villages.

**Ms Brown:** I thank the Minister for her answer. She has touched on my supplementary question. Does the Minister agree that the development of inland waterways, while a great source of leisure and recreational activities, can also act as a catalyst for urban and rural regeneration?

**Ms Ní Chuilín:** I agree. I made a statement to the House in July, I think, about some of the events that take place at inland waterways across the island. Those events include festivals and family fun days. Huge numbers attend those events, and they act as economic drivers. Not only are those responsible keen to make sure that they are further developed, but people from other areas visit those festivals in towns and villages to see how they can extract that product for their area. They see the potential and outcome of those events.

## Sports Programme

6. **Mrs Cochrane** asked the Minister of Culture, Arts and Leisure whether she will set a deadline for submitting proposals for the Together: Building a United Community cross-community sports programme, and, if so, has she submitted proposals. (AQT 166/11-15)

**Ms Ní Chuilín:** I am working with Executive colleagues on submitting proposals not just to the Together: Building a United Community programme but to Delivering Social Change and others. I may be wrong, but I think that the Member has asked me about this before, particularly in relation to those with disabilities. I am advancing proposals and making access to sports for those with disabilities a priority. There are other proposals, and we are doing good work with Executive colleagues to bring those forward. Deadlines bring a degree of focus, but there is no point in battenning down the hatches when we are at a good stage. As the Member will expect, work has started and is progressing, but we are not done yet.

**Mrs Cochrane:** I thank the Minister for her answer. Have you engaged with Ulster Rugby in working on your proposals?

**Ms Ní Chuilín:** I engage with Ulster Rugby and the other governing bodies regularly. The Member may recall that DCAL invested additional money in rugby, soccer and Gaelic games, particularly for their work in promoting equality and tackling poverty and social exclusion. That will certainly be a theme in any proposals that I bring forward. Discussions have been ongoing in that vein for some time.

### **GAA: Proposed Casement Development**

7. **Mr Attwood** asked the Minister of Culture, Arts and Leisure, given, no doubt, that she supports the principle of transparency and accountability, whether she considers it desirable, if not essential, that the GAA shares with the residents of Mooreland and Owenvarragh in west Belfast its full business plan for the proposed stadium at Casement in order to ensure that the residents know what they might anticipate if the stadium goes ahead. (AQT 167/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. The issue has been raised before. I went to a meeting with the residents and, indeed, with his brother and party colleague, at the behest of the MP for West Belfast, Paul Maskey. The residents asked me for the full copy of the outline business case and were advised that they could have the parts that were not commercially sensitive. They accepted that. If the Member is telling me that the situation is otherwise, I am happy to meet him to talk about it.

**Mr Attwood:** The narrative is very different from my point of view. Setting aside the issue of commercial sensitivity, the residents have such a weight of concerns around the project that they need the fullest possible information. I note the point about the commercial sensitivity of the GAA's business plans, even though, in the view of the residents, that is stretching the point. Do you not agree that it is time for the full plan to be released to the residents?

**2.15 pm**

**Ms Ní Chuilín:** I am glad to see that the Member has taken an interest in this. He is bordering on accusing the GAA of misleading the residents, when it has not. The GAA has engaged with the residents, as it has engaged

with others, and I have engaged with them. It is rich for anybody to suggest that the residents have been kept in the dark. That is not what the residents say to me at all, and I have met them. Therefore, I wonder about the Member's motives.

**Mr Speaker:** That ends topical questions. We move on to questions for oral answer.

### **Ulster-Scots Academy**

1. **Mr G Robinson** asked the Minister of Culture, Arts and Leisure for an update on the Ulster-Scots Academy. (AQO 4705/11-15)

**Ms Ní Chuilín:** The ministerial advisory group on the Ulster-Scots Academy (MAGUS) is tasked with progressing the Ulster-Scots Academy approach. In response to comments received during the public consultation, the MAGUS development and research strategy includes a strategic objective to:

*"identify, consider and progress options for the creation of a physical ... academy."*

A business case, which should be completed by November, is being prepared to examine a shortlist of options and recommend a preferred option, including potential location and premises. It is intended that the academy should link with universities, research institutions, historical and tourism bodies and Ulster-Scots sectoral bodies, including the Ulster-Scots Agency, as well as with the wider community, to ensure the benefits from collaboration and partnership working. Community involvement and connections with rural areas will also form an important part of the academy's activities. I expect it to provide opportunities to promote equality and tackle poverty and social exclusion by contributing to personal and community development, enhancing skills and creating employment and new heritage tourism offerings. Following a period of public consultation and after securing the views of the Committee for Culture, Arts and Leisure, I aim to make an announcement before the summer recess next year.

**Mr G Robinson:** Does the Minister agree that education on the Ulster-Scots tradition is beneficial for placing Northern Ireland's history in its proper context for future generations?

**Ms Ní Chuilín:** I agree with the Member. I believe that, particularly around development and research, there are massive opportunities not only to talk about the cultural and heritage

opportunities for now but to future-proof it. I believe that the Ulster-Scots Agency in particular, working with the Ulster-Scots Community Network and the MAGUS, has huge opportunities to make sure that the product that it offers has better long-lasting potential, particularly for the decades ahead.

**Mr A Maginness:** I thank the Minister for her answers. Will she please give an update on the development of an Ulster-Scots hub at the Oldpark library site? I have fond memories of borrowing books on many occasions from that site in my youth.

**Ms Ní Chuilín:** I am glad that both the Oldpark library and the Member are still here and thriving. Certainly the Oldpark library — not so much the Member — needs some TLC. I will leave that to you [*Laughter.*] The cultural hub will not be hosted in the Oldpark library, because the Ulster-Scots Agency — the network and others — felt that a city centre location, with a view to having something in a rural area, was better use of public money. I am going to meet Libraries NI, and I have met the Minister for Social Development and others to look at how we can preserve the Oldpark library as part of the footprint for the development of Girdwood.

## Rathlin Island

2. **Mr McKay** asked the Minister of Culture, Arts and Leisure whether she plans, through her Department's arm's-length bodies, to bring new opportunities to Rathlin Island. (AQO 4706/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. He is aware that, last month, my officials visited Rathlin Island and met representatives of those living and working there. A variety of ideas was discussed. The ideas reflected the diverse range of support and programmes offered across the DCAL family. I have subsequently asked Sport NI to assess sporting needs and ways in which to bring more sporting opportunities to that community. I understand that a visit has been arranged for later this month. I am also keen to explore other ways to improve the tourism offering and opportunities for DCAL to enhance the culture, arts and leisure offering on the island.

The Member is also aware that Libraries NI currently provides a door-to-door delivery service on the first Friday of each month, weather permitting. It has 45-plus regular customers who use that facility. Those initial discussions will be developed, and I intend that

DCAL will be represented on the Department for Regional Development's cross-departmental forum responsible for taking forward the Rathlin Island policy and action plan.

**Mr McKay:** I welcome the Minister's response and the news that she will go to Rathlin Island. She will be very welcome there, as all Ministers are. Are there any themes or areas that islanders can focus on for their own participation as well as promoting the island's tourism opportunities?

**Ms Ní Chuilín:** I thank the Member for his supplementary question. In initial discussions, there seemed to be interest in the Líofo programme, access to creative industries and, as I said in my main answer, in increasing physical participation in, maybe, sports. The islanders are proud of and proactive about their heritage and the history of the island, not just those with the Irish language but those with Ulster Scots, as in relation to a previous question. I am keen to make sure that DCAL has a footprint on and investment in the island, but those need to be based on the needs of the islanders and must stack up, as the Member will appreciate.

**Mr Campbell:** The Minister responded specifically to her party colleague's question regarding Rathlin. In a different context, can she bear in mind what she has said when she is dealing with the island of Rathlin whenever she uses a different, politically charged context talking about matters of North and South within this island?

**Ms Ní Chuilín:** I thank the Member for his consistency. I am not really too sure what he is talking about. I assume he could write it down for me and perhaps be more specific instead of sitting there making silly remarks and silly points.

## Innovation Strategy

3. **Mr Nesbitt** asked the Minister of Culture, Arts and Leisure what input her Department had into the draft innovation strategy, (AQO 4707/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. DCAL has been proactively involved in the development of the innovation strategy. That is reflected in the draft strategy's recognition of the important role that the creative industries and the wider creativity agenda can play in driving forward innovation.

The draft strategy, for example, identifies as a key action the development of a creative NI framework to foster and nurture a culture of creativity and design thinking. It also gives commitments to increase the capacity of the creative learning centres as well as to introduce a creative credits voucher.

DCAL also provided one of the evidence packs that were published as part of the consultation on the draft strategy. It outlines the guiding principles and initial actions informing the Department's approach to growing the creative industries, supporting the creative economy and stimulating social innovation.

**Mr Nesbitt:** I thank the Minister for her answer. Will she expand on where she sees the balance between the work of the Department of Culture, Arts and Leisure and the Department of Enterprise, Trade and Investment in promoting this important sector?

**Ms Ní Chuilín:** There is a very good synergy. What is more, I have taken a lot of advice and listened to a lot of the views and opinions of people in the sector. They are glad to see the two Departments actively promoting economic as well as social and cultural opportunities for the creative industries. The balance is right, it is a good balance, and the lesson that we need to learn is to listen to people. When they have views that will enhance the potential for people to access education, jobs or the economy through the creative industries, our job is to listen. However, this strategy has proved that DETI and DCAL have done just that.

**Miss M McIlveen:** How did the CAL Committee's inquiry into maximising the potential of the creative industries shape the Department's submission to the draft innovation strategy? Also, how does the Department plan to monitor the effectiveness of its proposals?

**Ms Ní Chuilín:** The CAL Committee's report and investigation into the creative industries was broadly welcomed, not just by me but by people in the sector. It will be an integral part of the framework; it has to be. It is very good work. A lot of work was put into it. The sector got very involved with it. It participated in it and felt that some of the views that its members gave were represented in the strategy, and that is good work. Not just that: we need to make sure that the consultation exercise and report are part not only of the framework but of the monitoring and evaluation of anything that we do. The work is too good and it is too good an opportunity to miss if we do not do that. It is also insulting to people who spent an awful lot

of time and energy to produce what I think is very good work that we can all use, not only in DCAL and DETI but, certainly, across the Executive.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her answers.

Can the Minister outline how her Department's focus on STEAM subjects supports the work that others are taking forward through STEM?

**Ms Ní Chuilín:** I thank the Member for his question. I know that, even just in terms of the question that the Committee Chairperson asked about how it will be brought forward and reviewed, science, technology, engineering and maths are, certainly, crucial to the economy. However, I certainly argue and, I think, the report argues that so, too, are creativity and design skills. Look at the power of the arts and creativity, particularly in industry: it is something we cannot ignore. Let us be honest about it: creative industries include using, in particular, things like phones, iPads, computer generation, graphic design and set design. I could go on. To make sure that what are known now as STEAM subjects have a partnership and relationship with STEM is crucial not just to those who are not involved in STEM subjects but have an opportunity to develop and learn through STEAM.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí go nuige seo.

Touching on the Minister's response a wee moment or two ago about taking us into the digital area with phones, apps, iPads and the like, can she indicate whether her Department has, in fact, had any discussions with DETI or DEL, for that matter, to ensure that the innovation strategy deals with the skills gap in that sector and related sectors, such as the digital apps economy?

**Ms Ní Chuilín:** I thank the Member for his question. I like the way he talks about those technical things as though he does not have any of them and still uses a telephone, not a mobile, iPad or any of the rest. He makes a valid point: there is absolutely no point in missing opportunities where you can influence and actually change curricula to make sure that children, young people and people returning to education have the opportunities to be involved in the development of the creative industries. I think that that is happening. From what I have

heard, we are not quite there yet, but the discussions have been robust, and they will be fed in. DETI and DCAL are taking forward the innovation strategy, but DEL certainly has a huge role to play in that, as does DE.

## Libraries

4. **Mr Frew** asked the Minister of Culture, Arts and Leisure what investment and promotion is planned for libraries in the next five years. (AQO 4708/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. Libraries has a 2014-15 budget of £34.5 million. Future budgets are, as yet, unknown as they are dependent on the outcome of the next spending review. That budget is used to run 98 libraries and approximately 37 mobile libraries and home call vehicles.

Investment projects over the next few years include £28 million for the e2 project to replace Libraries' computer system; new libraries in Lisnaskea and Kilkeel at a cost of £2.5 million; and £1 million plus of maintenance work that is also scheduled to take place this year.

Libraries promotes events in its buildings through engagement with the press and by the use of social media. It also has promotional partnership arrangements with other organisations, including DARD, to assist rural dwellers, and DEL, around access to benefits and job assistance. Those are just two examples of activities that have been carried out to ensure that the public library service remains at the heart of all our communities.

**Mr Frew:** I thank the Minister for her answer. What confidence can she give the House that rural libraries have a future and that she will protect that future, considering that, with regard to their user numbers, they sometimes outperform urban libraries? Although their numbers are significantly lower, they are a bigger proportion of the local population.

**Ms Ní Chuilín:** I assure the Member that I have made libraries a priority. Indeed, last year, seven libraries were in a precarious and vulnerable situation. One example at the heart of the Member's question is the library at Draperstown where, recently, the Minister of Agriculture and Rural Development and I worked with the community. We were involved at the launch, but we certainly worked with the community and came together to look at all the activities that happened in that area through the conduit of the library.

I am aware that the figures are relative. They are not the same. You cannot compare urban areas with rural dwellings; it is like comparing apples with oranges.

## 2.30 pm

At the same time, a library's survival is down to the many people who use its facilities. The wider the range of facilities and the better those are embedded in the community, the stronger a library's chances of survival. I agree that it is crucial that we try to secure the future of libraries, because they provide valuable public services.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. Will the Minister provide an update on the seven libraries originally identified for closure following the Libraries NI review?

**Ms Ní Chuilín:** I thank the Member for his question. As I said, one has already been taken forward. The ones in, I think, Killyleagh and, certainly, Carnlough are progressing well. The remaining four are in Fintona, Kells and Connor, Richhill and Greystone in Antrim. There have been ongoing discussions with Libraries NI about trying to look at different partnerships and different provision in those libraries — some more than others, I have to say. I received representations about Fintona library from my colleague representing West Tyrone. It is crucial that the community come together to look at what libraries can provide and to get behind them to make sure that the service is sustained not just in the here and now but for the future.

**Mr McGimpsey:** In the Minister's answer, she talked about keeping libraries at the heart of our communities. When she took up office, she was aware that eight libraries had been closed in Belfast, all of which were in disadvantaged communities, including Sandy Row, Andersonstown, Belvoir, Braniel, and so on. Will she look at rebuilding the libraries in those areas and at investing in the service for the communities affected, as she goes forward with her investment strategy?

**Ms Ní Chuilín:** I have to be honest with the Member: I have not looked into reopening those libraries or even building new ones. I do not believe that the decision was the right one. I share the Member's concern, particularly about those deprived areas where there is little opportunity for people to get involved in a service that has no stigma attached to it. You



go through a library door, and there is no stigma at all attached to it. The service that people received there was, I believe, second to none; that is what I have been told. However, people in those communities have moved on. Library provision in the context that I spoke about previously has been looked at, but I appreciate that it has not been done in all areas. If there is an increase in demand, I am happy to receive the Member, along with whomever he likes, to argue for that and to hear his case. I cannot give any other commitment above and beyond that.

**Mr Lyttle:** This morning, an Assembly working group heard that one in four people and as many as two in three in older people in Northern Ireland do not have access to the internet. How is the Minister working with libraries in Northern Ireland to promote better digital inclusion among the population?

**Ms Ní Chuilín:** The Member may have heard about the new contract for the libraries' computer system, the E2. That includes using things such as Kindles and iPads, particularly for home visits, to help people who cannot access the library service, either because they have mobility issues or because they look after dependants. It is not just about getting a book; it is about providing access to broadband. It really is important that people, regardless of their gender, age or where they live, have that access. Broadband and internet use are as vital as ever, particularly in breaking down isolation, improving numeracy and literacy, and looking at opportunities for jobs and training.

## **Newry and Armagh: DCAL Investment**

5. **Mr D Bradley** asked the Minister of Culture, Arts and Leisure what capital arts investment has been made in Newry in the past three years. (AQO 4709/11-15)

12. **Mr Brady** asked the Minister of Culture, Arts and Leisure for an update on the current funding from her Department for the Newry and Armagh constituency. (AQO 4716/11-15)

**Ms Ní Chuilín:** With your permission, Mr Speaker, I will answer questions 5 and 12 together.

In the past three years, my Department, through the Arts Council, has awarded almost £87,000 of capital funding for arts projects in the Newry area. Those funds have been awarded through funding programmes such as

the musical instruments for bands programme and the public art programme.

I visited Newry in the summer and met various groups, including representatives from Sticky Fingers at the behest of Megan Fearon. I am pleased that they have been successful in their bid to bring the Small Size, Big Citizens event here in February 2014.

My Department directs funding to the wider Newry and Armagh constituency through its arm's-length bodies. I will draw the Member's attention to some of that. There are libraries, the observatory, the planetarium and the county museum. Foras na Gaeilge and the Ulster-Scots Agency also invest money, as does the inland waterways branch for water recreation projects at Clare Glen. Sport NI funds soccer, Gaelic football and boxing. Those are just a few examples.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. Does the Minister agree that Newry is grossly under-represented in capital investment in comparison with other towns and cities? I refer to the arts specifically. Will she give an undertaking to work with local partners in Newry city to remedy that situation and to help provide a high-quality arts space in Newry?

**Ms Ní Chuilín:** I met Sticky Fingers and other groups in the constituency and advised them, and they have all mentioned that there is regional disparity in investment, particularly, but not exclusively, from the Arts Council. They mentioned other arm's-length bodies through DCAL, and I advised them, in the first instance, to have meetings with the chief executives and the chairs and to come back to me after those conversations. Each area that I visit claims that Belfast gets everything and they get nothing, and there is some truth in that for some but not for everybody. I look forward to the result of the conversations that those groups will have, particularly with the Arts Council and sports council, and we will take it forward from there.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer. I also thank her for her recent visit to the Newry and Armagh constituency; it was very well received. What other areas of DCAL have made capital investment in Newry and Armagh in the past three years?

**Ms Ní Chuilín:** As I said in response to Dominic Bradley's question, there has certainly been investment. NI Screen has invested through

the AMMA centre, and community festivals have been done in the Newry and Mourne District Council and Armagh City and District Council areas through the Arts Council. Sport NI has invested over £300,000. The Member was there, as was Dominic Bradley, I think, at the reopening of the library in Newry in April last year. There is also Friends of Millview, Mayobridge Community Association, Newry City Athletic Football Club and St Colman's College. I do not have a full list, but I am happy to write to the Member about other capital investments in his constituency.

**Mr Irwin:** In the rural hinterland of my constituency of Newry and Armagh, is the Minister aware of investment in community sports in Markethill, Tandragee and Richhill?

**Ms Ní Chuilín:** I do not have the details of that specific request, but I am happy to write to the Member. In the areas that he mentioned, a lot of investment has gone in to marching bands, pipe bands and silver bands. I am happy to write to the Member with other details.

## Gaeltacht Quarter

6. **Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure whether she has any plans to provide a project, similar to the Gaeltacht Quarter, in a rural area. (AQO 4710/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. While there are no immediate plans to develop a project similar to the Gaeltacht Quarter, I am happy to enter into discussions with any rural communities that are interested in developing a project similar to Ceathrú na Gaeltachta i mBéal Feirste. The Carntogher Community Association is an example of how the Irish language can be promoted in a rural area through economic, social and environmental projects aimed at developing a prosperous and environmentally sustainable community.

Work is also progressing to consider the viability of an Ulster-Scots hub social economy project inspired by the Cultúrlann in west Belfast. That would also provide a central hub and a base for satellite Ulster-Scots cultural and resource centres and provide strong community involvement as well as connections with the rural areas. In June 2012, the Ullans Speakers Association based in Ballymoney applied for a full-time radio licence. At the end of July this year, Ofcom awarded it with a full licence for an Ulster-Scots radio station. I would like to see similar projects replicated in other areas.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Specifically, what support has she given to the Glór Dhún Geimhin and Glór Léim an Mhadaidh Irish language projects?

**Ms Ní Chuilín:** I have not yet given specific investment to Glór Dungiven or Glór Limavady. I am aware that both projects have applied to the SIF programme. Following previous requests, I will ask my officials to meet the groups to see what, if any, support we can give to them. I am happy to look at where the Irish language is used as a primary regeneration factor, and, in the case of Carntogher, to look at the economy, environment and social provision of services in rural areas.

**Mr Dallat:** I thank the Minister for her answer. Can she give the Assembly any indication of the number of projects that are operating under the Líofo scheme and whether she plans to extend it?

**Ms Ní Chuilín:** I thank the Member for his question. I am not too sure about the number of groups, but I know that almost 4,500 people have signed up for Líofo thus far. The Member will be aware that the programme was launched in September 2011, and the target was to have 1,000 people by 2015. By December of that year, we had reached that target and set another of 2,015 for 2015. We surpassed that and set a target of 5,000. So we are well on the way and certainly hope that it extends. The evidence is that it will.

I have plans to extend the target. I will launch Líofo with Ministers Deenihan and McGinley in Leinster House, hopefully, at the end of this month or the beginning of next, to look at extending Líofo across the island.

## Poverty and Social Exclusion

7. **Mr Copeland** asked the Minister of Culture, Arts and Leisure how her Department is tackling poverty and social exclusion through employment, as outlined in the 2013-14 departmental business plan. (AQO 4711/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. One of the of the key ways that DCAL delivers on its commitment to tackle poverty and social exclusion is by creating employment and providing opportunities to people to improve their employment prospects. Appropriate social clauses will be built into DCAL's procurement exercises. Social clauses in the stadia contracts will require contractors to

provide over 100 opportunities for the long-term unemployed, apprenticeships and student placements.

The music business support programme included social clauses committing the delivery organisations to providing work and placements totalling 156 weeks for the long-term unemployed. DCAL will also lead on projects such as the Gaeltacht Quarter, which will use the Irish language and culture to generate economic growth and benefits.

**Mr Copeland:** I thank the Minister for her answer so far. Harking back to what I see as one of the keys to tackle these issues — libraries — will the Minister again indicate whether she will reconsider, particularly in the East Belfast constituency, the provision of library services in the new Templemore Avenue school complex? That is quite close to where a library was closed, and the facility could be delivered fairly cost-effectively.

**Ms Ní Chuilín:** I marvel at the Member's ingenuity in ignoring his own question to ask his colleague's previous question to get it on the record. However, I appreciate that he has lobbied me on this before. I believe that you need a cluster of community activities to help to support a library, particularly in areas of multiple deprivation. I have no plans to go back and reopen a decision that a previous Minister made. However, I am happy to talk to the Member, along with other Members from East Belfast, about the viability of the premises that he mentioned. However, I will not give any guarantees at all.

**Ms McGahan:** Go raibh maith agat. Will the Minister explain how DCAL's social clauses for the stadia development are helping to tackle poverty and social exclusion?

**Ms Ní Chuilín:** Certainly, one of the things that I am looking at is the provision of a living wage foundation. When you have huge capital developments, it is crucial that, particularly in the lifetime of this Assembly, opportunities must be provided. We are looking at opportunities for the long-term unemployed, apprenticeships and student placements. We will make sure that we take all steps to ensure that those who are placed in the stadia programmes receive appropriate accreditation. That will help to tackle poverty and will look at challenging social exclusion, particularly for those who live beside such opportunities and who are, more often than not, on the outside looking in. We need to make sure that they are in the middle, availing

themselves of this great opportunity that they have.

## Sport Matters

8. **Ms Brown** asked the Minister of Culture, Arts and Leisure whether her Department has identified public land or countryside in South Antrim for development in line with the Sport Matters strategy. (AQO 4712/11-15)

**Ms Ní Chuilín:** I thank the Member for her question. The Sport Matters strategy recognises that to encourage the development and use of open spaces for a variety of recreation and outdoor pursuits, public access to and sustainable use of publicly owned land for sport and physical recreation are required. DCAL, through Sport NI, supports local councils and other stakeholders in considering opportunities in their area to develop public land or countryside.

In 2010, Sport NI commissioned the Outdoor Recreation NI document, which looks to key stakeholders in taking forward the Sport Matters strategy to underpin a mapping exercise for all public land use here.

## 2.45 pm

**Ms Brown:** I thank the Minister for her answer so far. Does she agree that the construction of new facilities would greatly increase and improve child-centred play?

**Ms Ní Chuilín:** I am not too sure what Antrim Borough Council's plans are for that, through the RPA. However, it would be missing a huge opportunity not to look at play activities and opportunities, particularly for the very young, in the design or redevelopment of any facility. Through the Sport Matters strategy, DCAL, and its partners, the Department of Education, has been looking at that and raising it as an issue in the rebuilding and redevelopment of any new facilities in council areas.

## Education

### Immaculate Conception College

1. **Mr P Ramsey** asked the Minister of Education for a formal update on the future of the Immaculate Conception College in Derry. (AQT 171/11-15)

**Mr O'Dowd (The Minister of Education):** I understand that the Council for Catholic

Maintained Schools (CCMS) proposes to publish a development proposal that would see the closure of the Immaculate Conception College in Derry. To date, no such proposal has been published. If such a proposal is published, it will be subject to a consultation period of two months, during which time Members of the House, the public and interested parties will be able to put across their views on the matter.

**Mr P Ramsey:** I thank the Minister for his response. Does he understand the absolute worry, concern and anger of the parents of pupils attending the school, and amongst the staff, that this, the only Catholic post-primary school in the Waterside, has been starved of funding and any form of modernisation for decades? Will the Minister in the future reflect that their opinions are important, and make sure that there is the most effective consultation with everyone, including community leaders, in that area?

**Mr O'Dowd:** I am legally obliged to carry out an effective consultation with everyone in that area. The reason I brought area planning into place is so that we do not see scenarios whereby — as has been said to me before — schools are allowed to die on the vine.

We want to see schools move forward, in a planned schools estate, providing excellent education for young people in the future. I am not in a position to talk about what has happened in the past, but I will be in the position to do so about the future. If I am involved in the decision-making process and if a development proposal is published, my decision will be about ensuring that all the young people in that area have access to high-quality education services.

**Mr Speaker:** Mr Hussey is not in this place for question 2.

## Learning to Learn

3. **Mr McQuillan** asked the Minister of Education whether today's publication of the Learning to Learn strategy means that he has given up hope of an early years strategy. (AQT 173/11-15)

**Mr O'Dowd:** My answer is no. The very fact that I published the Learning to Learn strategy this morning proves that the Department of Education now has an early years strategy. The previous early years strategy was published at a time when a greater role for the Department of Health and other Departments

was considered appropriate for early years. That strategy ran into difficulties. We recognised those difficulties and responded to the consultation responses, and I acknowledge that the Department of Education had a key role in developing its strategy and needed to put its policies on paper. Learning to Learn does that. It sets out clearly how we are going to invest in our preschool education services and move forward. It also acknowledges that there is an ideal opportunity, in the Executive's Delivering Social Change programme, for all Departments to cooperate and deliver an early years strategy for our entire society. So, I have not given up on any of those things. We have put down a firm commitment today in our Learning to Learn strategy, and we will continue to develop close working links with all the other relevant Departments through the Delivering Social Change agenda.

**Mr McQuillan:** I thank the Minister for his answer. What are the implications of today's announcement for the funding for preschools such as the Harpurs Hill Children and Family Centre in my constituency in Coleraine?

**Mr O'Dowd:** I congratulate the Member for getting his constituency mentioned in his question. Learning to Learn will have no negative financial implications for any preschool settings. It sets out a programme of policies and curriculum activities that should be taking place in our preschools etc. There are no negative funding implications in the Learning to Learn programme.

## Literacy and Numeracy

4. **Mr Dallat** asked the Minister of Education whether he agrees that one of the most deprived sections of our community in literacy and numeracy terms are the young people who find themselves behind bars, and, given last week's Criminal Justice Inspection report, what he can do, perhaps in conjunction with the Justice Minister, to ensure that those young people are not failed for the second time in their lives. (AQT 174/11-15)

**Mr O'Dowd:** I am aware of that issue as a former member of the Justice Committee and in my role as Education Minister. The unfortunate truth of the matter is that many of our young people and, indeed, older people who find themselves in jail have a very poor educational record and attainment level. That is one of the things that I have focused my policies on to correct. How we move forward with education in our jails estate is a matter for the Justice Minister. However, I have met him to discuss a

proposal to move responsibility for schooling the youngest people in prisons to the Department of Education. Those discussions are continuing with officials.

**Mr Dallat:** I thank the Minister for his answer. He will, of course, be aware that there are excellent examples of good educational practice at Magilligan prison. What can he, as Minister, do to ensure that those schemes are rolled out at the other prisons, particularly at Hydebank and the young offenders' centre, which seems to be a place where good education is badly needed but not delivered?

**Mr O'Dowd:** Again, I currently have no responsibility in that field. Magilligan is an adult prison. Even if those individuals were outside prison, I would have no responsibility for their education beyond 16, unless they were in a formal school setting to do A levels etc. I think that the Public Accounts Committee published a report on literacy and numeracy that used the example of Magilligan, which appears to be doing good work with its inmates, but that is a totally different scenario from a classroom setting. I advise the Member to raise those matters with the Justice Minister.

**Mr Speaker:** Mr Sammy Wilson is not in his place to ask question 5.

## Teachers: Development Opportunities

6. **Mr D Bradley** asked the Minister of Education whether he agrees that providing high-quality developmental opportunities throughout a teacher's career is a key element in raising standards in our schools and, in that respect, what lessons he brought back from his recent visit to Canada and the United States. (AQT 176/11-15)

**Mr O'Dowd:** The Member will be aware that I was in Toronto and New York last week to look at their education systems. The trip was very useful from a number of points of view. They are facing similar challenges to our own. Perhaps they are on a larger scale in some areas in relation to social deprivation, etc, but they are certainly facing similar challenges. Particularly in Toronto, similar measures to ours have been put in place to raise educational attainment for young people. One of the areas identified there was continuous professional development for teaching staff. We received a significant amount of information on our visit, and we will analyse that further. I found it informative that the Toronto government have

given the trade union movement a significant amount of money to carry out continuous teacher development. I will examine that.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra; bhí sé thar a bheith suimiúil. I thank the Minister for his answer. Considering the recent and proposed cuts to teacher development, how does the Minister propose to deliver real improvement through continuous professional development?

**Mr O'Dowd:** All areas of our education system have seen cuts to their funding as a direct result of British Government cuts to the block grant. Education faced pressures because of that, including continuous professional development. We have to work within the resources that we have. The current resources still allow us to continue with a programme of continuous professional development for our teachers. I do not argue that the measures that we have in place are the best possible. We have to continuously improve even our own measures for teacher development. We will continue to do that, but we will have to do it within the resources that we have.

## Visual Impairments

7. **Mr Douglas** asked the Minister of Education what his Department is doing to support people who are visually impaired and registered blind. (AQT 177/11-15)

**Mr O'Dowd:** Each child with a visual impairment has unique needs, and teachers of children with a visual impairment provide tailored advice to meet pupils' individual learning needs so that the curriculum can be fully assessed. Where a visual impairment prevents a child from fully accessing the curriculum, the education and library boards (ELBs) will address that through the statutory assessment process.

**Mr Douglas:** I thank the Minister for his answer thus far. His constituency is one of the highest in the league table. Is there some way that he could carry out an investigation, perhaps with some other Departments, to find out why the North Belfast constituency and his constituency are at the top of the league table?

**Mr O'Dowd:** The Member will appreciate that I do not have the details of that information in front of me now. I suspect that poverty levels might play a role. The Department has a very good working relationship with the Royal

National Institute of Blind People. The Education and Training Inspectorate carried out an inspection report of the services in 2011, and the report came back that ELBs provided a very good standard of visual impairment support. I will certainly investigate further the matter that the Member raises about constituencies.

**Mr Speaker:** Question 8 has been withdrawn, and Mr McAleer is not in his place for question 9.

## Looked-after Children

10. **Mr Easton** asked the Minister of Education what the education system is doing to help looked-after children. (AQT 180/11-15)

**Mr O'Dowd:** Over the past number of years, including under my predecessor, Caitríona Ruane, we have introduced funding formulas to our schooling system. Through those funding formulas, we identify looked-after children and ensure that additional financial support is offered to them. We are also conscious of the additional needs of looked-after children in the services that are delivered to schools, including child psychologists and counselling services. Therefore, we are aware of the additional burdens placed on our looked-after children because of circumstances that are not of their making and that are beyond their control that place barriers on their education. I assure the Member that support is offered to looked-after children in our education system.

**Mr Easton:** Do all looked-after children have personal education plans, and if not, why not, considering that they were meant to be implemented by June 2013?

**Mr O'Dowd:** All looked-after children might not require a personal education plan. It is down to the school and the education boards to assess such matters. You cannot simply say that all looked-after children will require a personal educational plan. Let the assessments be carried out, and let those assessments determine what is required for each child.

**Mr Speaker:** That ends topical questions. We now move on to questions for oral answer to the Minister of Education.

**Mr Storey:** I apologise to the House for being absent last Tuesday for questions to the Minister for Regional Development.

## Area Planning

1. **Mr Storey** asked the Minister of Education what progress he has made on securing a place for a representative of the controlled sector working body on the area planning steering group. (AQO 4719/11-15)

**Mr O'Dowd:** I knew that you would not miss me. *[Laughter.]* The role of the area planning steering group is to support my Department in taking forward work to coordinate and oversee the continuing development of the area planning process and the area plans. Its role is to embed further the area-planning process and to address the gaps in the current area plans, to embed a single approach to area planning and to identify priority areas for action in the short to medium term. I have considered the requests from a number of bodies seeking to gain membership to the area planning steering group, including the controlled sector working group. Although I am continuing to consider the matter, the current controlled schools sectoral support body has no legislative basis. The controlled sector support working group is part of the Education and Skills Authority Bill, which is required to complete its legislative journey before the controlled schools sectoral support body will have any legal identity.

There is a clear and unequivocal commitment from the Executive and me to establish a sectoral support body for controlled schools. That commitment was clearly reflected in the heads of agreement published by the First Minister and the deputy First Minister last November and in papers that I have tabled at the Executive. I have acted on that by setting up a working group that is representative of the controlled sector. I have tasked that group with the establishment of a body that will represent and advocate for controlled schools. My Department has funded the activities of the working group from October 2012 and has funding in place to support its work through to December 2013.

I have also acted on the commitment in the legislation that I have brought to the Assembly. The provisions in the Education Bill are designed to deliver parity of representation for all sectoral support groups. Passing the Education Bill is, therefore, the quickest route to a defined and funded sectoral support body for the controlled sector with key representative functions — for instance, area planning — that would have a basis in law. I, therefore, suggest that, if the Member is serious about any future role for a controlled sector support body, he should dedicate his energy to the delivery of the

Programme for Government commitment to establish ESA in 2013.

**3.00 pm**

**Mr Storey:** I thought that that would be the answer that the Minister would give: bring ESA into existence, and all will be well. That is in stark contrast to what the Minister said in the House on 16 April, some five months ago, when he said that he would give serious consideration to the representation of the controlled sector body in area planning. Currently, the controlled sector body is not represented fairly, while the maintained sector, through the Northern Ireland Commission for Catholic Education (NICCE) —

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

**Mr Storey:** — which has no legislative position, is at those meetings. Will he rectify the situation by ensuring that the maintained sector has only one representative at those meetings?

**Mr O'Dowd:** It should hardly surprise the Member that a Minister is keen to deliver on a Programme for Government commitment, the ESA Bill. Five months ago, I was of the firm view that the ESA Bill was progressing as agreed under the heads of agreement of November 2011. Now I am not convinced that it is, and I am deeply concerned that a Programme for Government commitment will be missed in regard to the ESA Bill, and ESA will not be established in 2013. That should be a matter of concern to the entire House, including the Member.

There is no point in us having agreements. We have had several agreements over ESA; I have been involved in negotiations around ESA for five years now. I have several agreements in place with the Member opposite's party. We have a Programme for Government commitment to establish ESA. If the Member is serious about the controlled sector support body, I welcome his belated interest in the controlled sector, because the five years of negotiations were not tied up with the needs of the controlled sector; they were tied up in the needs of another sector. His belated interest in the controlled sector is heart-warming, but, if he is serious about getting it established, they need to get serious about ESA.

**Ms McGahan:** Go raibh maith agat. Will the Minister reiterate how the area planning steering group will work to protect the future of rural schools?

**Mr O'Dowd:** Contrary to some representations, there is no policy to close rural schools; there is a policy to improve educational outcomes for all our young people. I am on record as stating that those in rural communities have the same right to access to good education as their counterparts in urban communities. I have emphasised to the area planning steering group — indeed, I will be the final decision-maker in regard to these matters — that rural communities need to have access to schools in rural communities. Therefore, there is a clear commitment from me, both in policy direction and terms of reference, that the steering group's task is to support rural communities in the delivery of education.

**Mr P Ramsey:** I thank the Minister for his responses so far. Will he acknowledge the importance that further education plays in the career and employment opportunities of young people? Has he had any discussions with the Employment and Learning Minister to ensure that there are representatives on the area steering groups?

**Mr O'Dowd:** I acknowledge both. I have had discussions with the Employment and Learning Minister, and I am pleased to report that a DEL official will sit on the steering group as an observer from its next meeting.

**Mrs Dobson:** Will the Minister assure the House that voluntary, integrated and controlled schools will all have an equal position on a par with CCMS in the current deliberations on area planning?

**Mr O'Dowd:** Their status is outlined in legislation. There is a legislative commitment for us to promote and facilitate integrated education and Irish-medium education, and CCMS is established through legislation etc, so of course they will have their voice recognised, as the legislative format sets out.

## **Schools: Vacant in South Antrim**

2. **Mr Girvan** asked the Minister of Education to outline the number of vacant school properties in South Antrim. (AQO 4720/11-15)

**Mr O'Dowd:** Bruslee Education Centre in Ballyclare in the North Eastern Education and Library Board area is the only vacant school property in the South Antrim constituency. In the controlled sector, decisions on the use of vacant buildings, including declaring them surplus, will rest with the relevant education and library board in conjunction with Land and

Property Services (LPS) advice. LPS guidance requires all owners of public sector property to keep their land holdings under continual review and to release surplus property with the least possible delay, subject to the need to realise the best value for the public purse. Voluntary grammar, maintained and grant-maintained integrated schools are not owned by the Department. Decisions on the use or sale of vacant properties in those sectors are the responsibility of each school's trustees.

**Mr Girvan:** I thank the Minister for his answer. Ballyduff Primary School was sold off. Did the proceeds received from that sale go back in to be used in education?

**Mr O'Dowd:** I am not aware of the individual school, but, if it fell under the control of the North Eastern Education and Library Board, it has to fall under Land and Property Services' advice and guidance with regard to those matters. Any finances would have to have been returned to the appropriate source, as outlined in that guidance and advice.

**Mr Kinahan:** In line with his comment about getting value for the public purse not just in South Antrim but throughout Northern Ireland, will the Minister tell me whether many library board areas are leased between either the board and the Department or other parts of government where we are not necessarily getting value for money?

**Mr O'Dowd:** I do not have that information in front of me. There is clear guidance from my Department and the Department of Finance and Personnel. Indeed, it is a principle of government that any agency acting on behalf of government should be getting best value for money. If the Member has concerns about particular incidents or cases, I would be happy to talk to him further, if he wants to bring them to my attention.

### **Schools: Funding in Strangford**

3. **Mr Nesbitt** asked the Minister of Education, based on the reworked 2013-14 budget on the new common funding scheme, what proportion of schools in the Strangford constituency will have a reduction in their funding. (AQO 4721/11-15)

**Mr O'Dowd:** Indicative budgets for each grant-aided school were prepared as part of the consultation process. Those budgets are for illustrative purposes only and reflect the delegated budget that individual schools would

have received in the current financial year, if the proposed changes had been implemented. My proposals on the reform of the common funding scheme are still out for consultation. I have not taken any final decision on those proposals yet. It is not possible, therefore, to provide figures on the budgets that will be made available to schools for next year until those decisions are made. In addition, other factors, such as the increase in the aggregated schools budget (ASB) for next year, overall enrolment levels, the number of pupils entitled to free school meals and the number of newcomer and Traveller pupils etc will impact on funding levels at individual school level.

The independent review led by Sir Bob Salisbury recommended that more funding should be targeted at pupils from socially disadvantaged backgrounds and that this funding should be weighted towards schools with significant concentrations of disadvantage. It should be remembered that investment in schools is on the way up rather than on the way down. The aggregated schools budget is set to increase by £15.8 million next year, and I have already announced my intention to inject an additional £30 million into it over the next two years, targeted at social deprivation. I have not made any final decisions on changes to the scheme. I am open to hearing alternative ideas. The consultation closes on 18 October. I encourage everyone with an interest in education to take part in the debate and to submit their views to my Department by that date.

**Mr Nesbitt:** I thank the Minister. I have debated with some local heads in the Strangford area, and it is their clear view that, if the Minister goes ahead, the proposals will hit the most vulnerable. Special educational needs and wrap-around services will suffer, and, in fact, the outcome will be robbing Peter to pay Paul. Does the Minister agree?

**Mr O'Dowd:** There are no proposals in the consultation to cut special educational needs services, so I am not sure how those principals have come to that conclusion. Special educational needs services have been ring-fenced throughout my time and my predecessor's time, so I am not sure how that conclusion has come to be.

The Member would surely agree with me — we had a discussion about it during a previous Question Time — about the effects of poor educational attainment on the chances of the child. Our prisons are full of young people from a socially deprived background who did not have the chance of a good education or were



failed by education in the early part of their life. We know that people with a poor educational background and from a socially disadvantaged background are more likely to suffer poor health and more likely to be unemployed. If the Member and his party are serious about investing in early years and in the early part of a person's life and if there are alternatives out there, I will listen to those alternatives. However, my proposal is that we put more funding into schools that have more children from a socially deprived background. I think that that is a good thing. Exactly the same thing is being done in Toronto and New York because they also recognise that children from a socially disadvantaged background have less chance of succeeding in education. The Programme for Government commits us to tackling social disadvantage, and I believe that my proposals are a step in the right direction in tackling social disadvantage. However, I put the challenge up to the Member and his party: if you have an alternative proposal, please forward it during the consultation process.

**Mr Campbell:** The Minister referred twice to alternatives and said that, if there were alternatives, we should put them forward. He will be aware that the Chairman of the Education Committee and, I think, the Committee itself have looked at and asked him to examine another way of examining and assessing areas of particularly acute underachievement. Will he ensure that he examines those closely to come to a more rounded opinion?

**Mr O'Dowd:** I am not sure which document or proposal the Member refers to. I know that the Committee proposes to investigate further whether there are elements that should mark out disadvantage other than free school meals, and I welcome that. It is going to look at international examples, which is a good piece of work. I will always consider any reports and documentation from the Education Committee. I assure the Member that, if the Committee has or is formatting alternative proposals, they will be given the weight that such proposals deserve.

**Mr Rogers:** Thanks to the Minister for his answers thus far. I heard you say that you have not yet made any decision on the common funding formula, but there is a lot of fear in hundreds of schools that they will lose money. We are talking about schools with fewer than 105 pupils losing an average of £24,500. What can you say today to give some reassurance to those schools, other than that you have not yet made up your mind?

**Mr O'Dowd:** It is a consultation process, and I am saying that those schools should respond to that process. Political responsibility comes with being in the Assembly, so, if the Member's party has alternatives to my proposals, I will welcome them.

The consultation is out there. We are targeting social disadvantage, which is the key principle. I will not deviate from that, but, if there is an alternative way to fund the targeting of social disadvantage, I assure the Member and the schools that he refers to that I am open to listening.

I also emphasise strongly that the budgets that schools are working with do not include the additional £15.8 million that will go into the aggregated schools budget next year. They are working on this year's figures. Our schools budget goes up dramatically next year, so all schools will see a percentage rise in their figures, depending on final decisions being made, the number of pupils and the other elements that I read out in response to Mr Nesbitt's question.

## **Knockbreda/Newtownbreda High Schools**

4. **Mr Newton** asked the Minister of Education for an update on the merger of Knockbreda and Newtownbreda High Schools. (AQO 4722/11-15)

**Mr O'Dowd:** Development proposal number 237 for the amalgamation of Knockbreda High School and Newtownbreda High School was published by the South Eastern Education and Library Board (SEELB) on 16 April 2013. The statutory two-month consultation period ended on 16 June. However, on 25 June, the Belfast Education and Library Board (BELB) advised my Department that it had not carried out the required consultation with the schools in its area that may be affected by the three SEELB development proposals: Knockbreda/Newtownbreda High Schools, Dundonald High School and Priory Integrated College, Holywood. The consultation was initiated by the BELB in the week commencing 9 September and ended on 30 September. A response from the BELB is expected in the next few weeks. I will then make my decision on the proposal as soon as possible to provide clarity and certainty for the schools affected.

**Mr Newton:** Does the Minister acknowledge that the outcomes and the history of school mergers have been mixed at best and that, among the parents and teaching staff of both

schools, there are still major concerns? What does the Minister intend to do to assuage those concerns?

**3.15 pm**

**Mr O'Dowd:** I am aware of the concerns raised during the consultation period by elected representatives for the area, a number of the schools involved and parents' representatives groups, which I also met. I accept that there has been an unacceptable delay in coming to a decision, but we could not reach a decision until that statutory work was carried out by the board. Uncertainty about a decision always causes further concern among the people affected. I can assure parents that any final decision that I come to will be based on educational evidence of the best way forward and on ensuring that a long-term decision is made in relation to the schools in that area and that parents, pupils and teachers can have certainty going into the future of the make-up and shape of the schools estate.

**Mr Copeland:** Does the Minister consider that we have sufficiently clear direction regarding the future of shared education to wisely proceed with the current area planning process?

**Mr O'Dowd:** Shared education will evolve over years. The shared education report gives us a sense of the direction in which it is going. I believe that area planning can continue in the absence of a definitive and clear direction of travel for shared education. I advise the Member that I intend to make a statement to the Assembly on the shared education report in the very near future.

I do not believe that shared education will affect the proposals that are before us in any way, given the nature of our society and the physical divisions in our society. We are confident that we can make decisions moving forward. As I said, shared education is evolving and will evolve over a number of years. No one can predict the speed of that evolution, although I hope that it is fast and determined. There may be future opportunities for a greater shared education element in this area and — I am not picking on this area — in other areas.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Will the Minister provide a summary of the current position of the area planning process?

**Mr O'Dowd:** Area planning has progressed further than many would have expected. We have now completed consultation on draft area plans for our post-primary schools. The primary school consultation has concluded, and the boards are going through the consultation responses before providing my Department with the latest draft.

Our investment plans are based on area planning and the intelligence that has come out of area planning. For me, one of the positive things coming out of area planning is that communities have started to take ownership of their schools. I would like to have seen it happen earlier in some cases but it is refreshing to see communities that have been excluded from their schools over many years taking ownership of them and demanding the right to high-quality education for their young people. That is the way forward for education.

**Ms Lo:** Would the Minister consider merging those schools into an integrated school, given the big demand for integrated education?

**Mr O'Dowd:** It is not up to me, as Minister, to make a proposal for integrated education or any other form of education for that matter. It is up to either the school or the managing authorities to come forward with a proposal for integrated education or any other form of education. One of the proposals, which has been referred to, is the expansion of Priory Integrated College in Hollywood. I will be in a position to make a decision on that when the other matters have been concluded.

## Entrepreneurship

5. **Mrs Cochrane** asked the Minister of Education what he is doing to promote entrepreneurship in schools. (AQO 4723/11-15)

**Mr O'Dowd:** Employability, including entrepreneurship, is a key theme underpinning the revised curriculum, which aims to better prepare all our young people for all aspects of life and work and enable them to develop as confident and articulate individuals able to play their full part in society and the economy. At primary school level, through the area of personal development and mutual understanding, pupils are given opportunities to develop the knowledge, skills, understanding, attitudes and personal qualities related to enterprise and entrepreneurship. At post-primary level, entrepreneurship is covered under the employability strand of Learning for Life and Work with a focus on work in the local

and global economy, career management and enterprise and entrepreneurship.

Pupils are given the opportunity to reflect on their own skills and areas of self-development; explore the changing concept of career and various types of jobs, including those in the local area; explore enterprise and entrepreneurship; and develop and practise some of the skills and attributes that are associated with being enterprising.

**Mrs Cochrane:** I thank the Minister for his answer. It is good to hear about some of the work that is going on. In primary schools, most children have one teacher for the year. That means that there is a constant relationship with pupils, and it provides the ideal time to introduce new concepts to open minds. Does the Minister agree that more could be done at primary-school level so that children can learn entrepreneurial skills? Has he considered something like the junior entrepreneur programme, which is being run down South?

**Mr O'Dowd:** We have a programme of work going on in our primary schools to encourage even our youngest children to think outside the classroom and to think about work skills and where they might go. In primary schools, we have resources, including the 'Anything's Possible!' enterprise story stack for Key Stage 1, the 'Precious Waste' employability story stack for Key Stages 1 and 2 and the 'Out of this World' enterprise resources for Key Stage 2. I am always open to new ideas, of course. New ideas often require resourcing, and our resources are quite limited at this time. However, I will explore further the scheme that is operating down South.

**Mr Gardiner:** Can the Minister tell us how many previous STEM initiatives have fallen by the wayside? What has been put in their place, or what does he plan to put in their place?

**Mr O'Dowd:** Off the top of my head, I cannot recall any previous STEM initiatives that might have fallen by the wayside. STEM is now a central core element of our education. It is heavily promoted by the Department of Education and the Department of Employment and Learning (DEL), and rightly so, in moving forward for our individual learners and our economy. I think that we promote it quite well. We have programmes in place between business and education and between business and the Minister for Employment and Learning. So, STEM is out there and is being promoted.

I think that, and I have said this previously in the House, when it comes to careers guidance, the most influential careers advisers continue to be parents. Parents have to realise that our economy and, indeed, the world economy has moved on. STEM subjects are central to any young person's career development going into the future. If we want to compete on a worldwide basis, or if an individual wants to compete on a worldwide basis, we need to have a firm understanding of the STEM subjects.

**Mr McKinney:** Thank you, Mr Speaker, and I thank the Minister. Does the Minister agree that one of those good ideas might be ensuring that our universities take a lead role in supporting entrepreneurial education in schools and colleges? Can he tell us whether he has had discussions with the Minister for Employment and Learning on that?

**Mr O'Dowd:** It is not up to me to dictate what our universities do, but there is a good working relationship between my Department and the Department for Employment and Learning and between me and the Employment and Learning Minister on cost-cutting themes. I used an example of where we brought a DEL representative on to the area planning body so that both sides knew exactly what was going on with future infrastructure.

The Member will also be aware of my recent announcement on A levels and GCSEs and that the organisations that were represented on that expert body were the universities. We wanted to hear their views. I have had discussions with our universities about education and employment in its totality moving forward, and I will continue to do so. I have also had recent discussions with key employers in our economy. I have talked to them about what skills they require, what their experience has been of our young people who have left school and what further skills they have to apply in numeracy and literacy etc. I found those conversations very enlightening for the outcomes of our education system and how it interfaces with employment. So there are continuing discussions across a wide range of stakeholders inside and outside our education system, and they are helping me to formulate policy moving forward.

## Education and Skills Authority

6. **Mr Elliott** asked the Minister of Education to outline the anticipated annual budget for the Education and Skills Authority. (AQO 4724/11-15)

**Mr O'Dowd:** It is anticipated that the annual budget for the Education and Skills Authority (ESA) will largely be the sum of the budgets of the existing eight arm's-length bodies that will transfer to ESA. They are the five education and library boards, the Council for Catholic Maintained Schools, the Staff Commission and the Youth Council. The budget in 2013-14 for those eight bodies is £1,511,000,000 resource and £70 million capital. In addition, the Department currently carries out the role of funding authority for voluntary grammar and grant-maintained integrated schools. That function, and some other operational duties that the Department carries out, such as capital funding for the voluntary maintained schools, will also transfer to ESA with the associated resources.

Work is ongoing to establish the level of funding for ESA, but at this stage, a high-level estimate of the annual budget would be in the region of £1.8 billion resource and £0.2 billion capital based on the budget available for education in 2014-15.

**Mr Elliott:** I thank the Minister for that detailed information. I am just surprised that there will not be more efficiency if all the functions go into ESA as opposed to going into the number of bodies that are currently operating. Given that the Northern Ireland Audit Office has indicated that the Minister's Department has the worst efficiency budgeting, will he explain how he will try to improve that in moving from a number of bodies to ESA?

**Mr O'Dowd:** I am not sure which report the Member has been reading or whether he has liberally interpreted the Audit Office's report, which I suspect may be the case. My Department is one of the very few Departments that does not have to return money to the centre; because we spend it. We spend it on education, where it is required. That is quite a remarkable feat, given the budget lines that we have. We have a very complicated management scheme for the boards and the bodies that I have mentioned and we have in the region of 1,100 schools, which also operate budgets. All those matters point to the fact that the Department of Education is doing quite well in spending its budget.

The estimated savings of ESA over a 10-year period are £185 million. We could have been making those savings now had the Member's party not been instrumental in blocking ESA. The Member's party has been pulling the strings of other parties in the Chamber to ensure that ESA has not moved forward. Every day and every week, every month and every

year that ESA is delayed because of political game-playing between the parties on the opposite Benches, the public purse loses out on millions of pounds that could be used for front line education whether it is in Fermanagh, Omagh, Belfast, Lurgan or wherever. Perhaps, in its deliberations, the Member's party might consider, when it is playing games with ESA and other projects, how much money it is withholding from front line education systems because it wants to play politics over the issue.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Will the Minister outline where the savings would occur with the establishment of ESA?

**Mr O'Dowd:** The savings would be largely because of a more centralised administration system, a reduction in senior management posts and a more efficient operating system coming from the amalgamation of eight bodies into one. There will be a centralisation of bodies, but it is my vision, as set out by my predecessor and me, that ESA would be at the front line, in the sense that it would operate in our towns and would be accessible to rural and urban communities, and it would not be centralised in one of our cities or major towns. It will continue to be a local education service, delivering for the needs of local people.

We have to get there. We have spent years messing about on this issue and we are losing money that could be used for front line education services and to allow me to continue with my common funding scheme to target socially deprived areas and not at the expense of other schools. We are losing out on ESA as every day, week and month passes. It is long past time for the Assembly and Executive to realise that.

**Mr Speaker:** That concludes questions to the Minister of Education.

## Private Members' Business

### Car Parking Companies

*Debate resumed on motion:*

*That this Assembly expresses its concern over the practices of some car parking companies and how they operate; questions the adequacy of signage both on parking times and penalties, as well as the quantum, nature, content and design of penalty demands, the threat of legal action and the absence of appeals mechanisms; believes that we need a more robust code of practice for enforcement and more effective regulation by the British Parking Association; and calls on the Minister of the Environment to meet with the Secretary of State for Transport to outline these concerns. — [Mr Frew.]*

**Ms Lo:** I thank the Members who tabled the motion, which I support. I am sure that many Members have dealt with this issue in their constituency offices. Constituents have contacted my South Belfast office when they have been on the receiving end of these, often unfair and seemingly inexplicable, fines.

I am aware of the inconvenience that an improperly parked car can cause to a neighbourhood or a business. Cars that take up precious spaces can have a significant impact on business. Cars that are parked where they should not be can also cause serious risks to other drivers and pedestrians. I take this opportunity to ask all drivers to be mindful of others when parking. However, I also encourage businesses to think carefully before employing the services of companies to give out tickets on their behalf.

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

**3.30 pm**

From some of the reports that my office has received, I have learned that workers can often be quite hostile or even rude. They fail to see reason or listen when genuine reasons are given that would mitigate the need to issue a ticket. This can inadvertently lead to bad feeling on the part of customers towards the business in whose premises they may have been parked. That was the case with a constituent of mine, who is aged 84 and who, when parked in a private retail park, had merely forgotten to display her disabled pass. That was a very simple oversight, and the decision to give her a ticket could easily have been

overturned if there were a suitable appeals mechanism. My office is helping her to liaise with the owners of that car park.

**Mr Weir:** I thank the Member for giving way. The lack of common sense was also highlighted by a Member who spoke previously. I agree with you about the need for an appeals mechanism. However, part of the problem is also the attitude of those who issue the tickets. Even when faced with a reasonable excuse or a common sense reason as to why it should not be issued, they take the view that the ticket cannot be taken back. Those who receive tickets have to write in with their reasons, rather than those who give the ticket saying that they understand and will withdraw the ticket. Does the Member agree that that inflexibility of approach is also part of the problem?

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

**Ms Lo:** Thank you. I could not agree more. It was so simple a matter. The woman showed her disabled pass to the worker, and that should have been fine and the matter forgotten about. I thank the Minister for his contribution. I hope that we will get a sensible —

**Mr Weir:** Thanks for the promotion. *[Laughter.]*

**Ms Lo:** I hope that we will see a sensible outcome on this issue.

I am sure that no one in the House is calling for the system to be done away with entirely. As I said, for some local businesses, for instance those on the Lisburn Road in my constituency, it is often the only way to police private car parks. As the motion suggests, a clear code of practice for enforcement and more effective regulation by the British Parking Association would ease the problem. As other Members have said, we need a more common sense approach.

If the issue can be dealt with through the Environment Minister meeting with the Secretary of State for Transport, I would support that call. The Minister has a lot on his plate at the moment with the large amount of legislation that is going through his Department and the Assembly, not least the reform of local government. However, I hope that he can find time for this issue because any move to rectify the current situation would be a positive step forward and would be welcomed by all MLAs. I support the motion.

**Ms Brown:** I welcome the opportunity to take part in the debate. I support the motion because I feel that the issue is important, and if it passes successfully, it will demonstrate to the public that the House is genuinely interested in making a difference on behalf of ordinary people.

There are two issues to look at: the regulation of the industry, and the need to examine the practices and methods by which those in the industry conduct themselves. There has long been a perception that motorists are an easy target, and I have some sympathy with that view. Although there might be little that we can do when it comes to fuel duty, vehicle duty and insurance premiums, at least in those instances we are in step with motorists throughout the rest of the United Kingdom. However, that is not the case when it comes to the regulation of the practices of car parking enforcement companies. It appears that we in Northern Ireland are seriously disadvantaged in having any sense of redress against those companies.

There is no doubt that there is a requirement to keep town centres flowing and to ensure that those who abuse the existing parking arrangements are penalised. Of course, if you are a trader, a company or a hospital with limited parking resources, it is obviously in your interests to do whatever you can to ensure that your facilities are properly managed. Most sensibly minded people accept that. They accept that if they have breached the guidelines, there will no doubt be a fine or a penalty. Accordingly, most people will pay that fine and chalk it up to experience. However, that is entirely different from the sense of outrage that they feel when caught in the web of the seemingly outrageous practices adopted by private companies. When it comes to operating in Northern Ireland, those companies seem to be able to operate without scrutiny or guidelines and to be answerable to no one.

If individuals or businesses choose to use a private parking company to enforce a specific parking operation, those companies should be obliged to ensure that the system is fair and transparent and that those who are penalised have the right of appeal and access to a legitimate oversight body that regulates the industry. Many of those caught and penalised are not aware that they have done anything wrong. In many cases, the signage used to mark out the property is perhaps deliberately hard to find and read. Indeed, many of the people who have been caught and issued with either a clamp or a fine are elderly or vulnerable. In this day and age, it cannot be right that companies are permitted to prey on

the vulnerable in that way. We have heard from the proposer of the motion how his constituents experienced very large fines that caused undue stress and hardship. No one can argue if caught fairly and squarely. However, today's motion seeks to ensure that Northern Ireland's motorists are not seen as easy prey for unscrupulous operators. It is vital that we act now to protect citizens and ensure equality.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the opportunity to support the motion. Although, thankfully, this has not been highlighted as a major problem in the area that I represent, I recognise that there are a number of concerns surrounding the practices of some private car parking companies. Therefore, as we approach the Christmas shopping period, when you can expect large numbers of people availing themselves of parking spaces in areas unfamiliar to them, it is timely that we take this opportunity to highlight the problems that exist and ask the Minister to address the issue.

In the current economic climate, it is vital that we attract as many people as possible into our towns and cities. However, it is in those very places that parking becomes difficult, and, despite a number of reliable car park owners who operate reasonable practices to manage the well-known parking problems, some consumers will find themselves at the mercy of some of the less scrupulous private car parking companies.

A negative and costly experience in any town or shopping complex will have an impact on your decision to return there. Therefore, it is important that a code of conduct be created and a clear set of rules outlining maximum tariffs and penalties be agreed. It would appear that guidelines have not proven to be very effective. One of the biggest difficulties that I see is the lack of consistency among companies. The rules appear to vary from car park to car park, making it difficult for users to know what is expected of them. The signage relied on to explain the rules is often inadequate or vague. However, there seems to be no such vagueness when it comes to issuing and pursuing penalties. The experiences of many have been well documented in the media. Many of those who have returned to their vehicle to find it clamped or issued with a penalty notice are often unclear about what they did wrong and are rightly frustrated by the lack of an appeal mechanism. With the growing demand for parking spaces, it is imperative that the issue be properly addressed and that private car parking companies be properly regulated, with the same rules and procedures

in place across the board. That would ensure consistency of service and expectation, and it would allow users to park with confidence.

**Lord Morrow:** I, too, support the motion. It strikes me that one chord goes right round the House — I do not think that I have done two minutes and 58 seconds, Mr Deputy Speaker, as the clock suggests, but anyway — and that seems to be that the motorist has become an easy touch and good to earn a living from, whether through high fuel costs, taxation or insurance. Now we have this debate telling us that we have a big problem with what we would call parking in a private/public sphere.

It is not the responsibility of only the Minister of the Environment to tackle and look at this subject. There has to be some joined-up thinking across some Departments. As we look through some of the papers that were prepared for us, we see where the Department of Justice had, I think, work done in relation to this matter.

The Department for Regional Development has a role to play. I wonder whether the Minister, when he responds to the debate, will tell us what, if any, joined-up thinking has been done on this subject. I see his predecessor sitting behind him, and he might be able to give him the odd wink and push here and there, although I know that he cannot speak on his behalf any more. Has he, for instance, had meetings with his counterparts in the Department for Regional Development or the Department of Justice? I do not believe that this is just a stand-alone issue. It would be useful if the Minister could intimate whether he has had discussions with his colleagues in other Departments.

We have two — or maybe three, but certainly two — types of enforcers, as it were, in this parking field. Even the DRD enforcers, namely our wardens, seem to overdo it at times. It is difficult to understand why, for instance, in a town the size of Fivemiletown, you would have three wardens prowling around the town to pick up their victims and hand them a parking fine. That has a direct impact on the business and economics of our towns and villages. Very often, those are big deterrents. This is an issue that I am concerned about in Fermanagh and South Tyrone, and I suspect that other Members are concerned about it in their constituencies.

As we look through the notes that were prepared for us, and some of the headline news, we see that one motorist was fined £100 by a firm of clampers. I could think of another word, taking one letter out of that, and I might

arrive at a different definition, but I will refrain from doing that today. However, it is important that the Assembly debates issues such as this. Although it maybe does not have the attention that it deserves, as I see from the empty Benches, I do not think that that reflects in any way on the importance of this issue. It is an issue that is beginning to really rile the motorist, and we as a House are right to take cognisance of it.

It is good to see that the Minister in his place and that he thinks the issue is important enough to respond to. Therefore, I hope that, as a result of this debate, we will see this issue moving forward. Unfortunately, this is not a new issue. It has been about for quite some time. I was reflecting on a report on the matter that came to the House of Lords in the early 1990s. It might be more pertinent here in Northern Ireland in recent times, but it is an issue that the Minister needs to take a long, hard look at.

**Mr Frew:** I thank the Member for giving way. Will he agree that it is time that the appeals mechanism, which exists in England and Wales, as you will be aware, Lord Morrow, is reviewed to include Northern Ireland? That mechanism should be in place in Northern Ireland to give Northern Ireland constituents and motorists the same level of protection against those fines.

**3.45 pm**

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

**Lord Morrow:** I thank the Member for making that very salient point. Now is the time. Those who have brought the motion to the House are to be congratulated because theirs is a timely intervention, too. This is the time when, in fact, there should be a holistic look at just how the issue is going forward.

If we take a look at the number of licences that are issued, we would be interested to know just exactly how many licences have been issued. Or is it the case that some have assumed this responsibility without being fully and properly licensed? I do not blame the Minister or the Department for that in any way. However, as a matter of clarification, I would like to hear the Minister tell us how many licences, for instance, have been issued within the past five years here in Northern Ireland to private clampers — I want to make sure I get that right. The point that I want to make is that I fully support this, and —

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

**Lord Morrow:** Mr Deputy Speaker, you are intimating that, in fact, my five minutes are up. I will abide by your ruling. I am happy to do so.

**Mr Attwood:** First of all, I agree with Anna Lo that there is a need to protect legitimate commercial interests, not least because, in these days and times, the letting of retail accommodation might depend on whether you can guarantee free parking. Leases have not been signed when people were unable to guarantee that because of inappropriate parking. I also agree with Anna Lo that there is a need for drivers to respect other drivers. All of us will have experience of being frustrated in a retail park by the inability to park because of other people parking badly.

I also want to say that I am entirely confident that the Minister will take forward those issues. I am sure that he will outline how that can be done. It needs to be done not only with a new code, but a code that serves the interests of consumers, not the industry, and touches upon all the issues of signage, the nature of letters that are sent, the tone of those letters, the scale of penalties, and so on and so forth. I have no doubt that the Minister will reply comprehensively to all of that.

I just want to caution about an appeals process. There needs to be one; Paul Frew is quite correct to make that call. However, this is the experience, which I will read into the record, of one of my constituents, who went through an appeals process following the service of a penalty notice by UK Parking Control Ltd (UKPC). This individual parked in a Belfast retail park, went into a shop, did not buy anything and left again. He was then served with a penalty notice. UKPC, after it conducted its own appeal process, replied as follows:

*"If you are able to provide a copy of your receipt showing that you shopped at the retail park at the time of the contravention, we will re-investigate your appeal and may be able to rescind your parking charge."*

Therefore, the responsibility to prove that he had been in the car park legitimately fell to the driver. The only way to prove it was to produce a receipt from one of the shops in that centre — impossible when you have not bought anything. All of us have been in a shop and not bought anything. UKPC's approach was that he must prove that he bought something, in circumstances where he could not prove it. That was after an appeal.

Equally as bad was that the agent who was acting on behalf of the owner of that car park at that retail centre justified UKPC's approach in an e-mail to my constituent. The e-mail said:

*"Having spoken to the owner this afternoon",*

— which was the afternoon of 5 September —

*"he believes responsibility to prove that you did not leave the retail park rests with yourself."*

Therefore, not only does UKPC require the driver to prove something that cannot be proved, but the car park owner justifies that approach.

In passing, this was the attitude of the owner's agent to my constituent. He said:

*"In future, any communication from yourself will not be acknowledged."*

He added:

*"Your repeated and frequent communication on the subject is not advancing your cause".*

He then wrote:

*"Something of this nature has to be considered against the standard of spelling out the commercial advantage to the owner".*

That is the attitude of not only a car parking enforcement company but an agent and a significant landowner in the city of Belfast. The problem has multiple expressions, not least when the agent said to me, "Do you not have more important things to do than ring about a penalty of £100 or £120?" That is the level of respect for political representatives making representations on behalf of their constituents. So what is the answer? What should the Minister do?

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

**Mr Attwood:** Car park owners and agents in this city and in Northern Ireland should pull their neck in.

**Mr A Maginness:** It is very plain that what is required is some form of regulatory intervention. I hope that the Executive or the Minister can provide that. As Lord Morrow pointed out, there are different responsibilities across



Departments, but I hope that the Minister of the Environment can produce some form of regulation that will satisfy the various complaints highlighted in the Assembly today.

It is important that there is some form of regulation. The code of conduct is clearly inadequate and has to be addressed, perhaps by providing regulation in a statutory form. The lack of an appeal mechanism, which the proposer pointed out to the House, also has to be addressed. There has to be a robust and independent form of appeal. The disproportionate penalties imposed on people are penal. Of course, the irony is that, in the public sphere, car parking offences were decriminalised quite some time ago, but here you have the penal imposition of fines. We have to arrive at a situation in which there is regulation, and if fines are to be administered within that context, they have to be proportionate. The fines that Members talked about are outrageous and absolutely monstrous. For an ordinary family on a limited income, such fines represent a very severe penalty indeed. It is quite wrong that those private firms and landowners get away with it. That cannot be right in our society. As an Assembly, we have a duty to all our citizens to introduce reasonableness when dealing with infringements.

**Mr Frew:** I thank the Member for giving way. He brings me to a valid question: what is the remit, role and responsibility of the car parking companies? Are they there to make sure that vehicles have safe passage and do not bung up our system, whether it be in a retail park or town centre, and that there is free-flowing traffic in our town centres, or are they there to make money on the penalties? We should ask ourselves that very valid question today.

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

**Mr A Maginness:** I am inclined to suspect that the latter is correct and that this is a happy money earner for private firms and even the landowners themselves. Penalties for very minor infringements — parking your car incorrectly, and so on — cannot be seen as effective traffic management in the real sense. If there is a real obstruction, action obviously needs to be taken.

It is clear to me, from listening to the reports of colleagues in this Chamber, that those firms go out of their way to impose incredible fines that are quite unsustainable, unbearable and disproportionate to any offence that people

might have committed. I believe that the private car parking firms have shown themselves not to be capable of internal regulation and have acted so unreasonably in so many instances that it is now necessary to impose the discipline of statutory regulation. I hope that the Minister will consider that, and I hope that his Executive colleagues, including the Minister of Justice and the Minister for Regional Development, will be supportive of that, so that comprehensive legislation that all of us can support can be brought to the House. That will be to the benefit of the whole community.

**Mr Durkan (The Minister of the Environment):** I thank all contributors to today's debate. I am very aware of the widespread concern about the activities of car parking enforcement companies, and those concerns have been reiterated by all Members today, many of whom related tales of their constituents and the outrageous actions of some car park enforcement companies.

It is important that Members are very clear about the role of my Department in the activities of those companies. Car parking enforcement companies that work for the owners of car parks, often large and well-known retailers, patrol car parks looking for vehicles that they believe have breached the conditions that apply to the use of the car park. Typically, alleged breaches involve overstaying the time involved, parking badly so as to take up more than one space or cause an obstruction, or using the car park when not a customer of the facility. It is important to acknowledge that all those examples constitute inappropriate behaviour by motorists and that companies that supply car parking for customers, usually free of charge, are entitled to take reasonable steps to ensure that the facility is not abused and that the users of the car park do not cause problems for other shoppers. Most often, when an alleged breach is spotted by an enforcement company, the driver of the vehicle will not be on the scene. In such cases, the enforcement company will usually place a notice on the windscreen and note the registration mark of the vehicle. The enforcement company then asks for the name and address of the keeper, and it is only in that part of the entire process that my Department is involved. Information is only released to companies that are members of an accredited trade association and for which DVA holds details of their agreements with the landowner. The enforcement company is required to make a separate written request for the information about each vehicle. That request must set out full details of the vehicle — registration, make and model — to avoid information being given about the wrong vehicle if a registration mark

has been taken down incorrectly; the date of the alleged incident, which must have been within the past 28 days; and an explanation of the alleged breach and why that could not be dealt with at the time.

It is very important that Members appreciate that vehicle licensing is an excepted matter. It is not devolved to the Northern Ireland Assembly and remains the responsibility of the Department for Transport. However, as Members will be all too aware, vehicle licensing services have always been delivered locally by DVA, and we, as an Assembly, just last week reaffirmed our commitment to retaining the local delivery of vehicle licensing by opposing the DVLA centralisation proposals. Under the terms of the agreement between DOE and DFT for the delivery of vehicle licensing services, DVA must accept policy direction from the DVLA in Swansea. The relevant legislation permitting the release of data from the vehicles register is regulation 27 of the Road Vehicles (Registration and Licensing) Regulations 2002, which states:

*"the Secretary of State may make any particulars contained in the register available for use ... by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him."*

Under those provisions, the DVLA policy direction is that data should be released to car park enforcement companies where there are alleged breaches of car park rules. The enforcement companies that get those data are subject to periodic audits to ensure that the data are held securely, are deleted as soon as action has been completed and are not used for any other purpose. To date, those audits have never uncovered any evidence of the abuse of the data in these ways.

#### 4.00 pm

Since November 2009, DVLA has made it a prerequisite of getting keeper information that car parking companies are members of an accredited trade association. Originally, only one trade association — the British Parking Association — was accredited, but, on 24 June this year, accredited status was awarded to a second trade association, the Independent Parking Committee. Accreditation has been awarded initially on a probationary basis to allow the IPC to progress its proposed scheme.

The BPA's code of practice specifies the required standards that its members must meet to retain membership and therefore their entitlement to obtain keeper information from the vehicle record. The code of practice sets out requirements such as maintaining professional standards in dealing with motorists; no use of aggressive or abusive language; using only uniformed staff who have visible, photographic identity badges; displaying signs at the entrance of car parks setting out the main conditions for using the car park and other signs showing charges and penalties, and the signs must be clear and of a specified size; and not misrepresenting that there is any statutory authority for enforcement, including not misrepresenting penalty notices as statutory penalty charge notices. Although the code of practice represents reasonable standards of conduct, I share Members' concerns about adherence to it.

**Mr Frew:** I thank the Minister for giving way. On the specific point about signage, it is clear that, even in the past number of months, car park companies have increased the amount of signage because of media attention to this matter. However, the signage can be very misleading. Once you enter the car park, there is a sign saying, "Three-hour maximum wait: see all other details in other signs". When you drive in, you get the quantum of the penalty in the smaller signs in much smaller text. That is misleading.

**Mr Durkan:** I thank the Member for that intervention. I agree wholeheartedly, and I believe that a large part of the problem is the lack of uniformity, if you like, across car parks, particularly in signage.

I am also concerned that the BPA acts more as a representative trade body that promotes its members' interests than as a regulator of the industry. Following representations from several public representatives, my predecessor, Alex Attwood, raised concerns on a number of occasions with the Department for Transport in London about the policy of giving virtually unfettered access to vehicle keeper information to car parking enforcement companies. Those concerns are reflected in the motion. They include inadequate signage warning about parking conditions and the penalties incurred for breaches; penalty letters designed to appear as official, legal documents; and excessive penalty charges and overzealous enforcement.

Alex Attwood's representations culminated in a meeting with Stephen Hammond in London on 7 May. Following that meeting, he wrote to Stephen Hammond specifically requesting a

fundamental review of private car parking; consideration of the suspension of DVLA release of information to car park operators; and the withdrawal of Departments from the BPA. At the meeting and in subsequent correspondence, Mr Hammond firmly rejected those proposals and declared that he was completely satisfied with the existing arrangements, under which car parking enforcement companies get vehicle keeper data. The release of information to private car parking companies was also discussed during a Westminster Hall debate on 19 June this year on a motion tabled by my party colleague Margaret Ritchie. In the debate, Simon Burns, the Minister of State for Transport made his Department's position very clear. He reiterated that the Department for Transport was satisfied with the existing arrangements and, unfortunately, rejected calls for any changes.

Since coming into office, I have continued to pursue these issues. One particular concern that I and other Members have is the absence of an independent appeal procedure in Northern Ireland. In GB, the BPA administers and funds an independent appeals system for motorists who wish to contest parking charges. The scheme, called Parking On Private Lands Appeals (POPLA), was established after the implementation of the Protection of Freedoms Act 2012, a measure that does not extend to Northern Ireland. Included in the provisions of the Act is the creation of vehicle keeper liability to pay parking charges for the use of private car parks. If the driver of a vehicle is not known, the keeper of the vehicle is liable to pay the charges. In my correspondence with the chief executive of the BPA, he has claimed that, without the power to make vehicle keepers liable, an appeal process cannot be implemented here. I simply do not accept that argument, and I have requested a meeting with him next month to press for the extension of POPLA to Northern Ireland.

I am often asked, "What if I get one of these parking notices and do not pay?". My understanding is that, if a penalty charge notice is issued and the recipient decides not to pay, the owner of the car park may seek to instigate court action. Only a court may determine the enforceability of the notice. That would be a civil matter. Essentially, in order to succeed in court, the car park owner would have to show on the balance of probabilities either that the vehicle driver was in breach of an implied contract or that the driver was trespassing. There are obvious evidential and procedural issues involved in taking a non-payer to court, and I understand that court action is seldom taken.

It is wrong to condone the abuse of car parking facilities. We want to see fair and reasonable behaviour by all concerned. The rights of car park owners should be respected and the needs of other shoppers acknowledged. At the same time, conditions for using car parks should be reasonable and clear, and, above all, enforcement should be reasonable and fair. Enforcement should be for the purposes of the good management of the car park to the benefit of both the retailer and the shoppers and not, as some suspect, a money-making exercise for the enforcement companies.

**Mr Elliott:** I thank the Minister for giving way. This is just a short point on his previous point about the court aspect. Is the Minister aware of any specific cases that have been taken to court and, if so, what was the outcome of those? Has anyone been put on a bad credit listing because of the non-payment of any of those charges?

**Mr Durkan:** Although I said "seldom", the research that I have shows no record of anyone having been taken to court. However, I do not think that that is comprehensive. As regards bad credit rating, I can check that out and get back to the Member in writing.

I am sure that I am not the only person who suspects that squeezing every last penny of profit out of motorists is the prime objective of many enforcement companies, and it is this that leads to unreasonable and, at times, unscrupulous actions. One argument that has some validity and is often put forward by the car park enforcement companies for retaining the existing arrangements that enable them to send payment notices to vehicle keepers is that the only practical alternative available to them would be the use of clamping, an activity that is still lawful in Northern Ireland but can no longer be used in GB except by statutory authority. Fortunately, there is very little use of clamping on private land in Northern Ireland, and we must acknowledge that finding your car clamped would be much worse than getting a parking payment notice through the post.

Although the focus tends to be on the car parking enforcement companies, let us not forget that they act as agents for the car park owners, who, as I said, are usually national retail chains. Those chains often get let off the hook, and I urge Members to remember that when they are dealing with complaints from constituents.

I reiterate that DOE's only involvement in the activities of car park enforcement companies is in relation to providing keeper information.

Around 11,000 such enquires are made every year, and the companies pay a fee of £2.50 for each. It is important to state that that money goes to the DVLA in London; it is not retained by my Department.

I share the concerns that have been set out by Members. I intend to do all that I can to promote better, fairer and more reasonable practices by the enforcement companies and more effective regulation of their activities. My Department has no statutory authority to regulate the activities of car park enforcement companies on private land. As far as I am aware, no legislation is in place anywhere in Britain —

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

**Mr Durkan:** — to regulate car parking on private land. I have engaged in correspondence with the Minister of Justice and the Minister for Regional Development on these issues. I will continue to pursue the matter with them, as I will with Stephen Hammond, with whom I have a meeting next month.

**Mr Weir:** I welcome the contributions from all sides of the Chamber. The issue seems to touch many and various parts of Northern Ireland. Mention was made of the urban setting of Belfast and of towns across Northern Ireland. It seems that the issue impacts on all corners of Northern Ireland; it appears to be a reasonably universal problem.

In the debate, no one has sought to say that the problem applies to every car parking company or made a broad-brush statement that everyone is guilty. However, as a number of Members indicated, the system that we have at present is open to abuse. Indeed, there seems to be plenty of evidence that it has been abused. That is clear not simply from the wide range of locations that were mentioned; Members have mentioned specific incidents. Anna Lo referred to the situation of an 84-year-old woman, and Alex Attwood gave the example of trying to provide evidence in a particular case. An unusual feature of the debate is that it is one of the few occasions in the House on which I remember Alex Attwood sitting down after less than five minutes. The proposer of the motion also highlighted a number of examples. He kicked off with the incident of the husband who was sent to get the shopping and took a little bit longer than an hour. If there was a silver lining to the £150 fine that he received, I suspect that it is that his wife will not ask him to do the

shopping again. He may regard that in years to come as a suitable investment for the future.

All joking aside, a wide range of issues have been touched on. It is clear that the focus has been on abuse by a number of private companies. Although there is a desire for joined-up government, I do not think that anyone in the Chamber has been critical of DRD car parks or the level of enforcement in them. The issue of signage was mentioned by a number of Members. Although, as the proposer indicated, there has been some improvement in the level of signage, the issue is that it can be misleading. It can lead to a situation in which people are not clear about the penalty.

Pat Ramsey mentioned enforcement issues and talked about a situation in which minor infringements had resulted in a large fine. There is also the scale of the fines. We are talking about relatively minor infringements resulting in fines of £100, £140 or £150. That seems excessive. As Alban Maginness said, we need to see regulatory intervention. I will come to that later.

A number of Members, including Cathal Boylan, Anna Lo and Alex Attwood, to name but three, highlighted that it is not just a question of a change in regulation; it is about a change of attitude. As elected representatives, we have all, at times, seen problems with attitude. Mention was made of a lack of respect for elected representatives, with companies asking why we were bothering them. That is felt even more acutely by people who are at the receiving end of car parking tickets.

#### 4.15 pm

Examples have been given of where there is a lack of common sense applied. One of the pleas from Tom Elliott was for common sense on the issue. The one thing about common sense is that there is a lack of commonness about it, and it is rarely used. Often, the people from the ground up show no flexibility once they have pressed the buttons for the ticket and seem to brook no argument or discussion about the individual's circumstances. That seems to be part of the problem.

Then there is the issue of enforcement. Mention has been made of what seems to be a dichotomous situation. Pam Brown, Paul Frew and other Members said that we are dealing with the tip of the iceberg. Although there have been occasions that we can all point to in which constituents have been in touch with us about a particular parking problem, on how many other

occasions has it simply been the case that people have bitten the bullet and paid the fine, perhaps because they were intimidated by the threatening letter? The Minister highlighted the position on ultimate enforceability, which seems to be quite weak in many ways, involving companies going to the bother of taking someone to court. We seem to be in the slightly absurd situation of people who are vulnerable, feel intimidated by a letter and want to feel completely law-abiding being the ones who bite the bullet and pay, whereas, at the other end of the scale, people who flagrantly disregard the letter, feel that they are under no obligation to pay and simply ignore it seem to be, if not rewarded, certainly not sanctioned.

No Member here would endorse a situation in which there were no restrictions on parking. As a number of Members highlighted, there are good reasons for parking restrictions and certain levels of penalties. In part, that is because parking plays a key role in keeping the engine of our town and city centres going. There is a need for turnover of traffic and of parking so that someone is not simply parking somewhere all day and taking up a space, destroying that business. I think that everyone accepts that there is a need for restriction, but we seem to have a situation that seems to turn it about face.

Mention was made of the code from the British Parking Association. Although it does not seem to have been a major problem in Northern Ireland, we are the only part of the United Kingdom in which clamping is still legal. There is specific provision in England and Wales making clamping illegal, and, under common law in Scotland, it appears that clamping is potentially illegal there as well. That needs to be addressed, and I welcome the efforts of the current and previous Ministers in trying to raise that issue. In answer to a question that Tom Elliott put on how to deal with the situation, it is clear that simply pushing for a better code and better behaviour may not be adequate. As Alban Maginness said, we need a degree of regulatory intervention, and I appreciate that the Minister's room for manoeuvre is somewhat limited. Whether that comes by way of regulations, by way of separate legislation or by trying to think outside the box on how we can tackle this, it is important that we have that level of intervention.

It was also mentioned that we do not have a proper appeal mechanism. As Alex Attwood highlighted quite correctly, if there is to be a proper independent appeals mechanism, it has to be genuine and fair. It cannot simply be a question asked that more or less rubber-stamps

whatever verdict was given, without there being any proper opportunity to explore the issues. Therefore, if we are looking at an appeals mechanism, we need to take care to get it right.

A lot of people are affected by this. As Pam Brown said, we are looking to make a difference to people and to benefit people's lives. Indeed, if we do this properly, everyone should be able to benefit. I welcome the level of support, and I believe that the House as a whole will be behind the Minister in any efforts that he makes to regulate the system.

Reference was made to the previous Transport Minister Simon Burns, who has moved on now to other pastures and, I think, aspires to be the new Deputy Speaker of the House of Commons. Obviously, Mr Deputy Speaker, you know what an august post that is, and it is no wonder that someone has given up a ministerial post to take that position. Whether or not that enables us to have a fresh pair of eyes at the Department for Transport, we have to take a look at what opportunities that gives.

For those who are at the receiving end of the level of abuse that has been put in place, those who are intimidated, those who are facing poor signage, rude attendants, excessive fines and, possibly, clamping, with a united voice, we are right behind the Minister in trying to address that problem. I think it will require regulatory intervention, but I hope that, with the united voice of the Assembly, we can send a strong signal that what is there at present is simply not good enough. A message needs to be sent out to some of the parking companies that the Assembly is determined to see change in this field. I welcome the support for the motion from around the Chamber.

*Question put and agreed to.*

*Resolved:*

*That this Assembly expresses its concern over the practices of some car parking companies and how they operate; questions the adequacy of signage both on parking times and penalties, as well as the quantum, nature, content and design of penalty demands, the threat of legal action and the absence of appeals mechanisms; believes that we need a more robust code of practice for enforcement and more effective regulation by the British Parking Association; and calls on the Minister of the Environment to meet with the Secretary of State for Transport to outline these concerns.*

*Adjourned at 4.21 pm.*



# Written Ministerial Statement

*The content of this ministerial statement is as received at the time from the Minister. It has not been subject to the Official Report (Hansard) process.*

## Health, Social Services and Public Safety

### Child Exploitation in Northern Ireland

*Published at 4.00 pm on Wednesday 25 September 2013*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** A range of actions have been taken by my Department and the HSC sector to strengthen our protection of children and young people. In 2012, I established the Safeguarding Board for NI to support and promote effective interagency co-operation in safeguarding children. The SBNI had identified child sexual exploitation and developed an action plan to address this.

I have initiated two joint roundtable meetings with the Minister of Justice and key stakeholders this year to discuss our shared commitment to improving the lives of young people in NI through better supports for families, earlier interventions when difficulties first emerge and partnership working between the police and social services in tackling all forms of child abuse, including child sexual exploitation.

This commitment is reflected in a number of developments including the co-located team currently investigating child sexual exploitation and the investment of my Department, along with other Departments, to an Early Intervention Fund. I have also made additional investment into specialist services such as the establishment of the Sexual Assault Regional Centre which opened this year as well as the extension of existing services targeted specifically at children and young people including Children and Adolescent Services and Drug and Alcohol services.

Working with vulnerable children is undoubtedly one of the most challenging jobs there is and I am committed to supporting staff in undertaking this work, particularly those working with children who, for whatever reason are in our care. I want to ensure that we have the most effective system of care in place that will provide young people with the stability and security they need and I will consider any changes that may be necessary to achieve this, including legislation if required.

I have directed the Safeguarding Board for Northern Ireland to undertake a thematic review of the cases that triggered the investigation in order to identify the learning from the management of those cases to inform and improve future practice.

Also, the Minister for Justice and I are setting up an independent expert-led Inquiry into child sexual exploitation in NI. I would hope that we have the full support of all parties in this endeavour, particularly those other Departments whose work substantively impacts on the lives of children and young people.

You will all be aware of recent media coverage on this matter. While the police have indicated that this investigation began with a focus on a number of young people from care they have clearly indicated that this is an issue affecting the lives of many more children living at home in the community. This is supported by evidence in the Barnardo's report 'Not a world away' and from other studies across the UK.

Judging from the public reaction to this issue I know that many, including those in this house, share with me a sense of disbelief and horror that this is happening in our society. People are also asking, and rightly so, valid questions about whether everything that can be done, is being done, to prevent, tackle and disrupt the sexual exploitation of children and young people.

It is clear to me from listening to those who work in this area that the understanding about this issue, how it can happen and how it can be stopped is developing all the time. Throughout the UK all governments, academics, professionals, the public, service providers and frontline staff are working to better understand and respond to this devastating form of sexual abuse which violates, humiliates and, in many instances, traps children into a cycle of harm.

This is the reason why I, and the Minister for Justice, have agreed to set up an independent expert-led Inquiry here to be supported and facilitated jointly by the Regulation and Quality Improvement Authority and Criminal Justice Inspectorate of NI. We are also open to the involvement of the Education and Training Inspectorate.

The proposed remit of this Inquiry will be to:

- examine the nature and extent of child sexual exploitation in Northern Ireland in conjunction with relevant agencies and stakeholders;
- determine the most pertinent issues that need to be addressed that can help to prevent, tackle and disrupt CSE;
- examine the effectiveness of current measures aimed at tackling, preventing and disrupting CSE; and
- consider the effectiveness of measures to secure the safety and wellbeing of children in care, including those at risk of CSE;
- make recommendations on what needs to be done in HSC and Justice to improve the effectiveness of these measures: and
- highlight actions that should be taken by other Departments and their agencies, including the education sector, to prevent the risk of CSE, identify children at risk of CSE and support the work the HSC and Justice agencies.

The remit is wide-ranging and not confined to children in the care system. It is intended to address both broad concerns regarding child sexual exploitation and current responses to it as well as specific concerns about the protection of children in care.

I can assure Members of my commitment and the commitment of Minister Ford to respond to the recommendations emerging from this Inquiry. I have no doubt that the recommendations will be wider reaching than justice and health and social care.

It is our intention the Inquiry will be undertaken in conjunction with a wide range of agencies and stakeholders in NI, including the Safeguarding Board for NI who bring together many of the agencies involved in working with and safeguarding children.

I will provide a further statement to the Assembly when the independent expert to lead the Inquiry has been confirmed.







Published by Authority of the Northern Ireland Assembly,  
Belfast: The Stationery Office

and available from:

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ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325  
Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited  
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