

Written Answers to Questions

Official Report (Hansard)

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

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Northern Ireland Assembly

Friday 26 July 2013

Written Answers to Questions

Department of Agriculture and Rural Development

Fodder Task Force

Mr Buchanan asked the Minister of Agriculture and Rural Development to outline the range of issues identified by the Fodder Task Force; and any proposed action by the Department to help mitigate any future difficulties which may arise.

(AQW 25028/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The joint Government and industry Fodder Taskforce group has identified a wide range of issues affecting farmers as a result of unfavourable weather conditions in the first half of 2013. These include:

- Grassland management,
- Grass growth and nutrient management,
- Budgeting and management of fodder stocks,
- Concentrate prices,
- Animal health,
- Potential reduced agricultural output
- Mental wellbeing of Farmers
- Financial pressures on Farmers

The Fodder Taskforce is in the final stages of finalising an action plan that I will publish on the DARD website in July. I believe that farmers can do a lot now, and in the coming months, to considerably lessen the impact of poor Spring weather and mitigate any difficulties they may face. DARD has already embarked on a series of workshops, events, technical articles and bulletins as part of the action plan, to encourage and support farmers to adopt best management practice in their businesses. In addition we are working with banks and other organisations such as Rural Support to ensure that farmers can access a broad range of both business and personal support.

Fodder Scheme: Claims and Payments

Mr Buchanan asked the Minister of Agriculture and Rural Development when all claims and payments for the Fodder Scheme will be complete; and for an estimate of the overall cost of the scheme.

(AQW 25029/11-15)

Mrs O'Neill: The Fodder Transport Scheme has been considered successful and the cost of claims received is expected to be in the region of £1.3m. A significant number of claims have been received from Hauliers and it is anticipated that all payments will be completed by the end of August 2013.

Safety Measures at Reservoirs and Quarries

Mrs Dobson asked the Minister of Agriculture and Rural Development to outline how she proposes to increase safety measures at reservoirs and quarries.

(AQW 25054/11-15)

Mrs O'Neill: Subject to Executive approval, I intend to introduce the Reservoirs Bill to the Assembly in September 2013. This legislation will enable assurance to be provided that the risk of flooding due to an uncontrolled release of water as a result of a dam failure is being appropriately managed. The legislation will therefore increase the safety of reservoirs, particularly for those who live and work in the potential downstream inundation area. The legislation does not deal with any other aspects of reservoir safety as this is outside the flood risk management responsibilities of my Department. NI Water operates a number of impounding reservoirs. These are regularly inspected with appropriate warning signs in place. Risk assessments are in place and, currently there are no further plans to increase inspections or enhance safety at these sites. The Department of Environment have been very proactive in addressing the issue of safety at quarries. They have worked closely with various organisations including District Councils to review all disused quarries within their areas, including physical inspections with an urgent focus on those disused quarries which present the highest risk. The previous Environment Minister recently launched a quarry safety campaign during July 2013 and the new Minister has confirmed his intention to continue to progress this issue.

Legal Cases

Mr Agnew asked the Minister of Agriculture and Rural Development to detail (i) the number of legal cases, including judicial reviews, that her Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by her Department on the cases which it lost.

(AQW 25102/11-15)

Mrs O'Neill: My Department has defended 24 legal cases, including Judicial Reviews, since 2007 and lost 11 of these cases. The total costs incurred in relation to the cases lost were £547,596 incorporating both legal costs and any compensation paid.

Bovine Tuberculosis

Mr Dunne asked the Minister of Agriculture and Rural Development what steps she has taken to tackle Bovine Tuberculosis, particularly in dairy farms.

(AQW 25117/11-15)

Mrs O'Neill: DARD has a robust EU Commission approved TB eradication programme in place that is based on testing to detect infected cattle; removing infected animals; and reducing the risks of disease spread through movement controls and other biosecurity measures. The same disease control measures are applied to both beef and dairy herds.

This rigorous TB eradication programme will continue to be a priority to ensure continued access to the export trade by our livestock and livestock products industry, which is worth over £1,000 million per year.

The Department publishes generic TB disease control advice for use by all herdkeepers and provides specific advice to those who have a TB herd breakdown. The publication "TB in your Herd" is issued to all herdkeepers who have a TB herd breakdown. These publications are available on the DARD website. In addition, DARD Veterinary Officers and Animal Health and Welfare Inspectors give on-farm advice to farmers in relation to specific biosecurity issues particularly relevant to their farm business.

I am pleased to report that the recent rise in TB herd incidence peaked in October 2012 and has since fallen for seven consecutive months. However I am not complacent and wish to achieve a sustained and progressive reduction towards the ultimate eradication of TB here, and by as early a date as possible.

As I advised the Agriculture and Rural Development Committee, I have tasked officials to bring forward a package of possible additional measures to further reduce the level of TB infection in cattle. I shall

be giving consideration to these possible measures seeking to ensure that they are proportionate, practical and cost-effective in reducing TB in cattle.

Rural Youth Entrepreneurship Scheme

Mrs Overend asked the Minister of Agriculture and Rural Development how much funding her Department allocates to the Rural Youth Entrepreneurship scheme.

(AQW 25123/11-15)

Mrs O'Neill: The Rural Youth Entrepreneurship (RYE) Programme aims to stimulate business potential among vulnerable young people in rural areas. The overall budget for the Programme in the North is £450,796, of which 60% is funded through the EU Interreg IVB Trans-National "Northern Periphery Programme (NPP)" and £180,318 (40%) is funded from my departments' Tackling Rural Poverty and Social Isolation budget. RYE commenced in December 2011 and is due to continue until 31 March 2014.

Rural Youth Entrepreneurship Scheme

Mrs Overend asked the Minister of Agriculture and Rural Development whether the Rural Youth Entrepreneurship scheme works with InvestNI to help develop new business start-ups; and if so, how the work is coordinated.

(AQW 25126/11-15)

Mrs O'Neill: The key outputs of the Rural Youth Entrepreneurship Programme are the completion of 100 Business Action Plans and appropriate onward referral to further sources of business development support. The range of support required will be determined by the business theme and the development needs of individual participants. This will include co-ordinated referrals to Invest NI for further business plan development.

Final Report Produced by the Equine Council for Northern Ireland

Mrs Overend asked the Minister of Agriculture and Rural Development for her assessment of the recommendations contained in the final report produced by the Equine Council for Northern Ireland on the status of the horse; and for an update on any actions or further discussions she has had with the council and the wider equine sector following their meeting to discuss the report on 14 January 2013.

(AQW 25139/11-15)

Mrs O'Neill: I met with the Equine Council for NI (ECNI) on 14 January 2013 to discuss their report on the Status of the Horse, including the key recommendation that the 1949 Act should not be amended to designate the horse as an agricultural animal.

You may be aware that there have been a range of recent developments relevant to the equine sector, including the EU Commission's proposals for a 5-point Point Action Plan in response to the recent horsemeat issue, which includes actions in relation to horse passports and proposals for a national equine database.

Following my meeting, my officials have continued to engage with ECNI on a range of matters, including the Commission's proposals for a 5-point Action Plan; the potential for local improvements to the operation of the horse passport system; and the development of our proposals for the Rural Development Programme 2014-2020. I intend to take account of these recent developments as part of my further detailed consideration of the recommendations made by the ECNI.

2014-2021 Rural Development Programme

Mrs Overend asked the Minister of Agriculture and Rural Development whether the 2014-2021 Rural Development Programme contains measures to facilitate and support the equine industry.

(AQW 25142/11-15)

Mrs O'Neill: The draft NI Rural Development Programme 2014 – 2020, which is currently out for public consultation, is based around the three European objectives of smart, sustainable and inclusive growth. One of the European priorities for rural development beneath these objectives is 'promoting social inclusion, poverty reduction and economic development in rural areas'. Support for the equine industry could be considered under this priority, for example by facilitating diversification, creation of new small enterprises and job creation. Support is also available for the equine industry under the current Rural Development Programme, and has been detailed by the Equine Council for the north of Ireland in their booklet 'Opportunities for the Equine Sector in the north of Ireland'.

European Horse Passport System

Mrs Overend asked the Minister of Agriculture and Rural Development for her assessment of the European Horse Passport system and to detail the specific actions that she has taken following the horsemeat scandal to address any short comings that may have been identified.

(AQW 25144/11-15)

Mrs O'Neill: It is a legal requirement for all horses and ponies (and other forms of equidae) within the EU to have a passport identifying the animal. The Horse Passports Regulations (NI) 2010, on the identification of equidae, have been in operation since March 2010. These Regulations implement Commission Regulation (EC) No. 504/2008 in the north of Ireland.

The Commission recently wrote to Member States with its 5 Point Action Plan in response to the recent horse meat fraud. The 5 Point Action Plan contains a number of measures in relation to food fraud, country of origin labelling and actions in respect of horse passports.

On horse passports the Commission proposes to amend Commission Regulation (EC) No. 504/2008 to make mandatory the recording of horse passports in a central national database and to transfer the issuing of horse passports entirely to the competent authorities and reduce the number of passport issuing bodies in the forthcoming proposal on Zootechnics.

I was pleased that the important issue of horse registration was discussed at the North South Ministerial Council meeting on 10 July 2013 as given the all-island nature of the equine industry it is important that we co-operate on the arrangements we put in place to strengthen the horse passport system and help to prevent food fraud throughout the island.

DARD and DAFM officials will explore the possibility of having an all-island horse passport centralised database and to enhance the security of the equine identification system.

My officials have also been in discussion with both Defra and DAFM officials about proposals for enhancing the equine identification system and centralised databases and, further discussions are planned. In addition officials are working with the Equine Council for NI about improving the operation of passports locally.

Department of Culture, Arts and Leisure

Ulster Scots Academy

Ms McCorley asked the Minister of Culture, Arts and Leisure whether she has plans to provide premises for the Ulster Scots Academy.

(AQO 4148/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The Ministerial Advisory Group Ulster-Scots Academy (MAGUS) is tasked with progressing the Ulster-Scots Academy approach. The MAGUS Development and Research Strategy, which was recently launched, includes "To identify, consider and progress options for the creation of a physical Ulster-Scots Academy" as a strategic objective. This reflects comments about the need for an Academy received during the public consultation on the strategy.

The MAGUS has shortlisted options for taking forward the Academy approach including a physical academy. A business case is to be prepared to examine those options and recommend a preferred option for taking forward the academy including potential location and premises options.

I have also approved preparation of a business case for an Ulster-Scots 'hub' social economy project focused around the development of the Ulster-Scots sector, at the site of the former Oldpark Library in North Belfast or in another similar area of poverty and social exclusion. An Ulster-Scots Hub could draw on other examples of successful social economy projects such as An Cultúrlann. It could also provide a base for a physical Ulster-Scots Academy and other related sector bodies.

My officials will ensure effective engagement between those undertaking work on the two business cases to achieve consistency and complementarity in approach.

The aim is to complete both business cases by the autumn so that I can consider how best to proceed.

Department of Education

Financial Assistance under Class Size Policy

Mr Campbell asked the Minister of Education what was the background and detail of the announcement to some school principals regarding financial assistance under Class Size policy that was made on the last day of the June term 2013.

(AQW 25031/11-15)

Mr O'Dowd (The Minister of Education): The Department made no announcement to schools regarding financial assistance and class sizes.

You have provided further clarification regarding your question and I understand that it relates to an Education and Library Board's reply to a school in relation to their application for assistance to meet class size requirements to limit pupil numbers to 30 in Years 1-4 classes.

Following on from this, officials obtained a copy of the Board's letter which mentioned that the Board concerned is not in a position to recommend the school's application for funding to the Department of Education. It also explicitly stated that the decision not to provide funding was on the basis that the Department had indicated that schools with a budget surplus should not be considered for funding.

I must first explain, the Boards do not recommend to the Department, schools for additional funding. The process involves a decision by the Board on presentation of information from schools. This policy is administered by the Education and Library Boards and the Boards are responsible for providing any additional funding to meet the policy from within their overall allocations. Legislation also allows the Boards to approve exceptions to the statutory limit.

At no time has there been any instruction or direction from the Department to any Education and Library Board stating that no funding is to be provided, from Board centre budgets, to schools in surplus and a letter was issued to all Boards on 11 July 2013 to reaffirm this.

Department for Employment and Learning

Legal Cases

Mr Agnew asked the Minister for Employment and Learning to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

(AQW 25027/11-15)

Dr Farry (The Minister for Employment and Learning): Since 2007, the Department for Employment and Learning has:

- (i) defended 17 legal cases, including judicial reviews;
- (ii) lost one legal challenge. Some cases are still ongoing, however; and
- (iii) incurred a total of £177,674 on the case which it lost.

These figures exclude Industrial Tribunal cases in which the Department's Redundancy Payments Service has been involved. These cases arise when a claimant's former employer has failed to fulfil their legal obligation and make the appropriate redundancy payments to those employees. The Department is party to the vast majority of these cases by virtue of its statutory role in administering the statutory redundancy guarantee scheme.

Department of Enterprise, Trade and Investment

Number and Cost of Flights

Mr McGlone asked the Minister of Enterprise, Trade and Investment to detail the (i) number; and (ii) cost of flights that have been paid for by (a) her Department; and (b) InvestNI, in each year from 2008, and to disaggregate the total for business class flights.

(AQW 24764/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment):

A: DETI

Flights	Business Class		Non Business Class	
	Financial Year	No Of Flights	Cost Of Flights (£K)	No Of Flights
2007-08	21	47	238	44
2008-09	43	56	261	43
2009-10	35	59	291	54
2010-11	40	74	210	31
2011-12	56	43	210	35
2012-13	70	42	216	48
2013-14 to date	0	0	83	13
Totals	265	321	1509	268

B: INVEST NI

Flights	Business Class		Non Business Class	
	Financial Year	No Of Flights	Cost Of Flights (£K)	No Of Flights
2007/08	*	*	*	*
2008/09	74	248	576	122
2009/10	82	206	573	124

Flights	Business Class		Non Business Class	
	Financial Year	No Of Flights	Cost Of Flights (£K)	No Of Flights
2010/11	73	163	522	109
2011/12	102	255	624	166
2012/13	106	214	665	218
2013/14	14	47	202	52
Totals	451	1,133 ♦	3,162	791 ♦

* comparable figures are not available for 2007/2008. InvestNI changed its travel booking procedures in 2008/09 and this has facilitated a more ready analysis to be made of flight costs and associated information.

♦ it should be noted that £313k (£128k Business Class related & £185k Non Business Class related) included in the above figures is for both flights and accommodation bookings across the years, but disaggregation of the flight costs could only be achieved at disproportionate cost.

Business Class Flights

Mr McGlone asked the Minister of Enterprise, Trade and Investment, of the business class flights paid for by her Department in each year since 2008, how many were taken by (i) Elected Representatives; (ii) Civil Servants; and (iii) Special Advisors.

(AQW 25016/11-15)

Mrs Foster: The information requested is set in the table below:

Financial Year	Elected Rep	Nics Staff	Special Advisor	Total No
2007/2008	7	12	2	21
2008/2009	11	21	11	43
2009/2010	11	13	11	35
2010/2011	12	18	10	40
2011/2012	17	28	11	56
2012/2013	18	35	17	70
2013 to date	0	0	0	0
Totals	76	127	62	265

Legal Cases

Mr Agnew asked the Minister of Enterprise, Trade and Investment to detail (i) the number of legal cases, including judicial reviews, that her Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by her Department on the cases which it lost.

(AQW 25103/11-15)

Mrs Foster:

- (i) 5
- (ii) 0
- (iii) 0

Department of the Environment

Biodiversity Laws

Mr Agnew asked Minister of the Environment how many people were fined for failing to adhere to biodiversity laws in each of the last twelve months.

(AQW 24944/11-15)

Mr Attwood (The Minister of the Environment): The Northern Ireland Environment Agency Wildlife Team does not enforce the Wildlife (Northern Ireland) Order 1985 as (amended). In instances where the wildlife law has been breached it is the responsibility of the Police Service of Northern Ireland to investigate and bring forward cases to the Public Prosecution Service, albeit with expert advice from NIEA Wildlife Officers. In relation to the Wildlife Order my Department does not hold the required information.

Areas of Special Scientific Interest are declared and protected under the Environment (Northern Ireland) Order 2002 (as amended). I can confirm however that no fines have been imposed on people as a result of damaging Areas of Special Scientific Interest in any of the last twelve months.

Gasification Incinerator in the North West

Mr Agnew asked the Minister of the Environment whether consideration was given to alternatives to the proposed gasification incinerator in the North West.

(AQW 24954/11-15)

Mr Attwood: The North West Region Waste Management Group (NWRWMG) procurement is intended to meet landfill diversion targets. Achieving these targets constitutes a key element of the Waste Management Plan agreed by its constituent councils following extensive consultation. Prior to initiating the procurement, the Joint Committee of the councils of the NWRWMG considered what technologies could constitute an acceptable element of any proposals for meeting their landfill diversion obligations. They agreed that all forms of energy recovery could be included, with the exception of mass burn incineration.

The Preferred Bidder's solution includes a gasification plant which will recover energy from the residual waste left after additional recyclates have been extracted from waste through a Mechanical Biological Treatment plant. In the absence of energy recovery there would be no other available outlet for this residual waste except landfill.

Any facility involving the thermal treatment of wastes is defined as an "incineration plant" for the purposes of the EU Waste Incineration Directive; that is, to ensure that emissions from all such facilities are regulated to the same high standards. For the purposes of the directive therefore not only incineration by oxidization but other thermal treatment processes such as gasification, pyrolysis or plasma processes are all defined as Incineration, regardless of the specific technology involved. The technological distinctions are recognized in DEFRA guidance on Incineration of Municipal Waste, which advises that "Both Incineration and Advanced Thermal Treatment (ATT) technologies offer the option of treating residual waste and recovering energy. These technologies are different in how the waste is processed and the energy liberated for recovery."

City Industrial Waste, Mobouy Road, Derry

Mr Agnew asked the Minister of the Environment whether City Industrial Waste, Mobouy Road, Derry received the requisite planning permissions before locating in the countryside close to the River Faughan and on each occasion that it expanded its business; and whether the extent of its current operation has planning permission.

(AQW 25024/11-15)

Mr Attwood: The Department granted planning permission for a waste segregation and recycling centre for City Industrial Waste, Mobouy Road. Enforcement action was taken on the operations not covered

by this permission. Subsequently a number of applications were submitted by City Industrial Waste to regularise these activities. These applications are currently on hold by my officials.

Lignite Mining

Mr Swann asked the Minister of the Environment, notwithstanding any current environmental preclusions, whether an area that would enable the mining of lignite would be considered an economically significant site as a source of fuel.

(AQW 25042/11-15)

Mr Attwood: My Department is unaware of any current plans or proposals to develop lignite fuel sources in the North. In the event of a planning application being received to develop such fuel sources, the application would be subject to a comprehensive assessment of its environmental and social impacts, in the context of our environmental policies and obligations, as well as the economic implications of any such proposed development.

Local Reservoirs and Quarries

Mrs Dobson asked the Minister of the Environment whether any local reservoirs or quarries have been drained and filled in as a result of safety concerns.

(AQW 25055/11-15)

Mr Attwood: I am not aware of any quarry or reservoir having been drained and infilled for safety reasons, except for one clay pit in the Dungannon area. A disused clay pit situated on Derry Road, Coalisland, was infilled earlier this year to comply with a planning permission condition that required the site to be reinstated to agricultural grazing land.

While quarries with planning permission will often have conditions relating to restoration or reinstatement of the land, this is not the case with older quarries.

As quarries are primarily in private ownership and there is no legislative basis upon which to require draining or infilling (other than a planning condition), such work would only be undertaken voluntarily by the quarry owner and at his/her personal expense. In the event that a quarry owner were willing to voluntarily undertake such works, a number of approvals/consents would be required, including planning, a water discharge consent from NIEA, a Pollution Prevention and Control Permit in the event that a quarry is to be infilled. In cases where a quarry is very large it may not be practical to infill.

Furthermore, it is not possible to drain or infill operational reservoirs. Reservoirs are necessary to supply the population with water and are often used by angling clubs for fishing. In addition to this I am not aware of any disused reservoirs having been drained or unfilled for safety reasons.

Planning Application for a Wind Turbine or a Wind Farm

Lord Morrow asked the Minister of the Environment (i) whether an Environmental Impact Assessment (EIA) has to be carried out on a planning application for a wind turbine or a wind farm; (ii) how many have been carried out, in each of the last three years; (iii) how many (a) have been approved; and (b) are pending; and (iv) will he make the results of all such EIAs to date available for public inspection

(AQW 25076/11-15)

Mr Attwood: The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the instance of wind farms or wind turbines, if the development involves the installation of more than 2 turbines; or the hub height of any turbine or height of any other structure exceeds 15 metres, then a determination is required to see if an Environmental Statement (ES) is required. This determination is carried out through a screening process.

In the process of screening, if it is determined that the impact is significant, then the identified development is classified as an EIA development and an ES will be required i.e. a positive determination. Where it is considered not significant, then an ES is not required i.e. a nil determination.

Table 1 below details how many EIA screenings have been carried out for wind farms/turbines, in each of the last three years and the determination made

TABLE 1

	No of EIA screenings carried out	Positive Determinations	Nil Determinations	Data not available
2012	524	7	511	6
2011	591	29	554	8
2010	336	40	289	7

Table 2 shows the planning decision made regarding wind farms/turbine applications subject to EIA Screening Determinations

TABLE 2

	No of EIA screenings carried out	Permission Granted	Permission Refused	Decision Pending	Withdrawn by Applicant
2012	524	212	14	256	42
2011	591	325	57	101	108
2010	336	181	47	27	81

All information regarding EIAs on specific applications is available through the planning portal, or the paper file can be viewed in the local office upon request. The Department also has an obligation to keep EIA determinations on a public register which is available to view in the relevant local office at all times.

Asbestos Removal

Mrs Hale asked the Minister of the Environment what action the Northern Ireland Environment Agency takes to ensure that companies responsible for the removal of asbestos dispose of it legally.

(AQW 25078/11-15)

Mr Attwood: Under the Hazardous Waste Regulations (Northern Ireland) 2005 all movements of asbestos waste must be accompanied by a document called a consignment note, each one having a unique reference number which can only be obtained from the Northern Ireland Environment Agency (NIEA). The consignment note system ensures a clear audit trail from when the waste is produced until it is disposed of.

Under the consignment note system the NIEA must receive a copy of the consignment note, with the relevant sections completed, 72 hours prior to the movement taking place thus enabling officers to assess the document and ensure the facility identified is authorised to accept the waste. On completion of the note by the receiving facility a copy must be forwarded to the NIEA.

NIEA staff conduct regular inspections of facilities producing hazardous waste and those receiving hazardous waste to ensure compliance of the regulations. They also conduct regular road and port checks with other enforcement agencies and liaise closely with the Northern Ireland Health and Safety Executive who have responsibility for asbestos removal under the Control of Asbestos Regulations (Northern Ireland) 2012.

Asbestos Removal

Mrs Hale asked the Minister of the Environment what financial support is available to help (i) businesses or private owners to meet the cost of asbestos removal; and (ii) asbestos removal companies meet the cost of shipping asbestos to Scotland.

(AQW 25079/11-15)

Mr Attwood: The Department does not provide financial assistance for the removal and disposal of asbestos waste. I am aware of one Council in Northern Ireland which does arrange for the collection and disposal of small volumes of asbestos waste from householders, meeting full costs of collection transportation and final disposal. The Northern Ireland Housing Executive also provides discretionary grant aid to assist owner-occupiers of former Housing Executive dwellings to deal with asbestos.

Northern Ireland Environment Agency Audit Trail

Mrs Hale asked the Minister of the Environment what audit trail the Northern Ireland Environment Agency has in place to ensure that companies responsible for the removal of asbestos can account for the tonnage and end disposal.

(AQW 25080/11-15)

Mr Attwood: The removal of asbestos from buildings or equipment must be carried out in accordance with Health and Safety legislation. The removal of higher risk asbestos-containing materials (sprayed asbestos coatings, asbestos insulation, asbestos lagging and most work involving asbestos insulating board (AIB) should only be carried out by a contractor licensed by the Health and Safety Executive and in accordance with the Control of Asbestos Regulations (Northern Ireland) 2012.

The movement of asbestos waste must comply with the Hazardous Waste Regulations (Northern Ireland) 2005. Under these regulations a consignment note must be completed for every movement of asbestos waste. A copy of the consignment note, partially completed, must be sent to the NIEA at least 72 hours prior to movement taking place. This includes details of where the waste is to be removed from and where it is to be taken to, what the waste is, its hazardous properties, the quantity involved and the type of containment. This enables officers to assess the document and ensure the facility identified is authorised to accept the waste.

At the time of collection the producer and carrier sign and retain a copy of the note with the remaining copies of the note travelling with the waste to the receiving facility. The receiving facility then completes the final section of the consignment note providing details of their licence, date and time of receipt and tonnages received. They retain a copy of the document and must also forward a copy of the completed document to the NIEA. NIEA staff monitor asbestos waste movements through this consignment note system which provides a clear audit trail from when the waste is produced until it is disposed of.

Illegal Dumping of Asbestos

Mrs Hale asked the Minister of the Environment how many companies were fined for the illegal dumping of asbestos in (i) 2011/12; and (ii) 2012/13.

(AQW 25081/11-15)

Mr Attwood: No companies have been fined specifically for the illegal dumping of asbestos in these two years. However asbestos is not uncommonly identified mixed with other types of waste in illegal landfills and in the last 2 years 30 prosecutions have resulted for waste crime, generating £85,400 in fines.

Proposed Developments near Licensed and Unlicensed Airfields

Miss M McIlveen asked the Minister of the Environment what considerations Planning Service must take into account in relation to proposed developments near licensed and unlicensed airfields.

(AQW 25122/11-15)

Mr Attwood: In assessing an application for proposed developments near licensed and unlicensed airfields DOE planning must have regard to the development plan and other relevant material planning considerations.

In reaching a balanced planning decision consideration may be given to matters such as airport safeguarding areas, airport public safety zones as set out in guidance document 'Control of Development in Airport Public Safety Zones', policy RE1 of PPS18 where the proposed development is for renewable energy, and other relevant policy and guidance particular to the proposed development, site and surrounding context in order to reach a balanced judgement.

The Department does not hold records of private airfields or of their owners and therefore does not consult directly with such persons/organisations.

Planning Applications for Wind Turbines and Farms

Mr Elliott asked the Minister of the Environment how the current success rate of planning applications for wind turbines and farms compares to each of the last five years.

(AQW 25128/11-15)

Mr Attwood: The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the last 5 years a total of 1274 applications have been granted planning permission, 515 of these in the last full business year alone.

Table 1 below details the number of applications for single wind turbines and wind farms decided in each of the last 5 years, indicating how many were approved and the approval rate.

TABLE 1 THE NUMBER OF PLANNING APPLICATIONS FOR SINGLE WIND TURBINES AND WIND FARMS THAT WERE RECEIVED1 AND DECIDED2 BETWEEN 2008/09 AND 2012/13

	Single Wind turbines					Wind farms					Total Wind energy				
	Received	Permission Granted	Permission Refused	Total Decided	Approval Rate	Received	Permission Granted	Permission Refused	Total Decided	Approval Rate	Received	Permission Granted	Permission Refused	Total Decided	Approval Rate
2008/09	226	224	15	239	94%	15	10	1	11	91%	241	234	16	250	94%
2009/10	159	102	19	121	84%	16	14	3	17	82%	175	116	22	138	84%
2010/11	628	117	28	145	81%	18	13	0	13	100%	646	130	28	158	82%
2011/12	665	269	61	330	82%	17	10	2	12	83%	682	279	63	342	82%
2012/13	606	498	75	573	87%	10	17	5	22	77%	616	515	80	595	87%

Notes:

- 1 All applications received in the period may not have had a decision issued within the same time period. Applications received may also include some applications that are subsequently withdrawn.
- 2 Decided applications may not have been received in the same time period. Therefore direct comparisons between the figures can not be made. Applications decided do not include withdrawn applications.

The increasing number of decisions issued over this period demonstrates the Department's commitment to supporting the economy and a sustainable environment through renewable energy sources.

Wind Turbine or Farm Planning Applications

Mr Elliott asked the Minister of the Environment to detail the number of wind turbine or farm planning applications in each district council area which were (i) approved; (ii) rejected; and (iii) pending, in each of the last five years.

(AQW 25131/11-15)

Mr Attwood: The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

Table 1 below details the number of applications for single wind turbines and wind farms decided in each of the last 5 years, broken down by Local Government District. Table 2 details the number of applications that are pending, broken down by year and LGD, as of 31 May 2013.

TABLE 1 - THE NUMBER OF PLANNING APPLICATIONS FOR SINGLE WIND TURBINES AND WIND FARMS THAT WERE DECIDED1 BETWEEN 2008/09 AND 31ST MAY 20132

	2008/2009			2009/2010			2010/2011			2011/2012			2012/2013			2013/2014 (up to 31/5/13)2		
	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided
Antrim	7	0	7	5	0	5	3	1	4	17	2	19	2	3	5	3	2	5
Ards	11	0	11	5	0	5	2	0	2	2	0	2	10	0	10	2	0	2
Armagh	11	0	11	6	0	6	3	0	3	12	0	12	27	3	30	4	1	5
Ballymena	9	0	9	4	1	5	3	0	3	27	4	31	18	1	19	3	0	3
Ballymoney	9	1	10	7	0	7	12	0	12	12	0	12	25	0	25	2	0	2
Banbridge	20	1	21	5	2	7	10	1	11	12	3	15	14	1	15	2	0	2
Belfast	0	0	0	2	0	2	0	0	0	1	0	1	1	1	2	0	0	0
Carrickfergus	5	0	5	2	0	2	1	0	1	0	1	1	4	1	5	0	0	0
Castlereagh	8	0	8	2	0	2	0	0	0	6	0	6	1	1	2	0	0	0
Coleraine	14	0	14	4	1	5	3	1	4	15	2	17	26	5	31	7	1	8
Cookstown	1	2	3	3	1	4	2	0	2	13	0	13	39	3	42	1	1	2
Craigavon	4	0	4	1	0	1	0	0	0	4	1	5	2	1	3	0	0	0
Derry	5	0	5	4	0	4	0	0	0	2	1	3	17	5	22	3	0	3
Down	23	0	23	6	4	10	5	3	8	6	0	6	24	10	34	2	0	2
Dungannon	5	1	6	4	1	5	10	1	11	17	5	22	41	2	43	4	0	4
Fermanagh	11	1	12	5	4	9	8	3	11	23	6	29	83	2	85	5	0	5

	2008/2009			2009/2010			2010/2011			2011/2012			2012/2013			2013/2014 (up to 31/5/13)2		
	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided	Permission Granted	Permission Refused	Total Decided
Larne	6	0	6	2	0	2	1	0	1	9	2	11	18	1	19	1	1	2
Limavady	3	0	3	4	0	4	1	0	1	4	10	14	13	5	18	1	0	1
Lisburn	11	0	11	7	1	8	4	0	4	2	1	3	9	4	13	2	0	2
Magherafelt	2	2	4	8	1	9	6	3	9	14	0	14	21	4	25	5	0	5
Moyle	3	3	6	2	0	2	2	0	2	2	2	4	9	2	11	3	0	3
Newry and Mourne	40	5	45	4	2	6	5	6	11	4	1	5	18	6	24	1	1	2
Newtownabbey	5	0	5	6	0	6	3	0	3	3	0	3	4	1	5	1	0	1
North Down	1	0	1	2	0	2	1	0	1	1	1	2	0	1	1	1	0	1
Omagh	9	0	9	8	4	12	18	5	23	27	12	39	72	4	76	14	0	14
Strabane	11	0	11	8	0	8	27	4	31	44	9	53	17	13	30	1	1	2
Total	234	16	250	116	22	138	130	28	158	279	63	342	515	80	595	68	8	76

Notes:

- 1 Decided applications may not have been received in the same time period. Applications decided do not include withdrawn applications.
- 2 31st May 2013 is currently our latest published information for RE applications.

TABLE 2 - THE NUMBER OF PLANNING APPLICATIONS FOR SINGLE WIND TURBINES AND WIND FARMS THAT WERE PENDING AT 31ST MAY 2013¹, BY YEAR APPLICATION WAS RECEIVED

	2008/09 and earlier	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	Total
Antrim	0	0	0	2	12	0	14
Ards	0	0	0	1	7	4	12
Armagh	0	0	4	6	9	10	29
Ballymena	0	0	7	10	15	8	40
Ballymoney	0	0	5	6	11	3	25
Banbridge	0	0	1	4	15	4	24
Carrickfergus	0	1	2	1	4	1	9
Castlereagh	0	0	0	1	7	0	8
Coleraine	0	0	0	7	9	6	22
Cookstown	0	0	6	8	23	6	43
Craigavon	0	0	0	1	1	1	3
Derry	1	1	7	7	9	2	27
Down	0	1	7	10	16	4	38
Dungannon	0	0	0	7	18	4	29
Fermanagh	1	0	4	5	32	20	62
Larne	0	0	1	3	7	8	19
Limavady	0	0	1	2	15	2	20
Lisburn	0	0	2	15	8	2	27
Magherafelt	1	0	2	7	17	5	32
Moyle	0	0	1	3	7	1	12
Newry and Mourne	0	0	3	11	23	6	43
Newtownabbey	1	0	0	1	5	1	8
Omagh	2	0	4	14	69	21	110
Strabane	4	1	4	22	43	7	81
Total	10	4	61	154	382	126	737

Notes:

1 31st May 2013 is currently our latest published information for pending RE applications.

Due to the significant interest in renewable energy applications a renewable energy report is now available on the planning website at <http://www.planningni.gov.uk/index/tools/about-statistics/renewable-energy.html> where you can view this detail of information.

Planning Application for a Wind Turbine or a Wind Farm

Mr Elliott asked the Minister of the Environment whether an Environmental Impact Assessment must be carried out before planning permission is granted for a wind turbine or farm.

(AQW 25132/11-15)

Mr Attwood: The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

Wind farms and wind turbines constitute Environmental Impact Assessment (EIA) type development. If the development involves the installation of more than 2 turbines; or the hub height of any turbine or height of any other structure exceeds 15 metres, then a determination is undertaken to see if an Environmental Statement (ES) is required.

If an Environmental Statement is required, when submitted, it forms part of the information considered in determining whether or not Planning Permission may be granted.

All information regarding EIA on specific applications is available through the planning portal, or the paper file can be viewed in the local office upon request. The Department also has an obligation to keep EIA determinations on a public register which is available to view in the relevant local office at all times.

Wind Turbine Locations

Mr Elliott asked the Minister of the Environment (i) under what circumstances a wind turbine can be located within 500 meters, or less than 10 times the rotor diameter, of a domestic property; and (ii) how many wind turbines are located within this area.

(AQW 25133/11-15)

Mr Attwood: As a matter of best practice for wind farm development the Department will generally apply a separation distance of 10 times the rotor diameter to occupied property (with a minimum distance of not less than 500m) which should ensure that any significant impact on occupied dwellings will be minimised.

If a proposal were within 500m or within 10 times the rotor diameter of an occupied dwelling, the applicant would have to demonstrate that the noise output would not have a significant negative effect on the amenity of the dwelling.

The distances referred to are a best practice guide, and are not so prescriptive that locating a turbine within these distances would be impossible. Each application is considered on its own merit and determined accordingly.

It is not possible to readily identify whether or not approved turbines are located within 500m of a domestic property. To assess this would involve a manual search of around 1728 approvals (since April 2002) and would result in the diversion of staff from normal duties for an unreasonable period of time which would have an adverse impact on the Department's ability to provide the statutory public service for which it is obligated.

Information Service Staff

Mr Allister asked the Minister of the Environment how many staff are employed in his Department's Information Service; and what is the annual cost of the Service.

(AQW 25149/11-15)

Mr Attwood: The number of staff employed in the Department's Press Office is 8, of which 6 are EIS staff and 2 administrative staff with total salary costs of £278,300.70.

Department of Finance and Personnel

Civil Service Vacancies in North Down

Mr Weir asked the Minister of Finance and Personnel to detail the number of vacancies in the civil service in North Down, broken down by (i) grade; and (ii) Department.

(AQW 24778/11-15)

Mr Wilson (The Minister of Finance and Personnel): The information requested is set out in the table attached.

NICS VACANCIES (FULL TIME EQUIVALENT (FTE) BASIS) IN NORTH DOWN, BROKEN DOWN BY GRADE AND GOVERNMENT DEPARTMENT AT 2 JULY 2013

	Staff Officer (SO)	Deputy Principal (DP)	Grade7	Grade 5	Grade3	Other		Total
						No.	Grade	
DE	10.5	8	4			2	SO Accountant	26.5
						1	DP Accountant	
						1	Grade 6 Accountant	
DFP	2	1		2	2	3	DP Statistician Senior Professional and	11
						1	Technical Officer (Quantity Surveyor)	
DOJ						1	Support Grade Band 2	1
DRD						1	Industrial Road Worker 2	3
						2	Technical Grade 2	
Totals	12.5	9	4	2	2	12		41.5

Departments not shown in the table had no vacancies in North Down.

There were no vacancies in North Down in grades not listed.

Courtesy Translation Re:Freagra - Irish Language Helpline/Gaelchultur

Mr Allister asked the Minister of Finance and Personnel whether he approved the circulation of the document 'Courtesy Translation. Re:Freagra - Irish Language Helpline/Gaelchultur' to departmental staff, and if so, why.

(AQW 25044/11-15)

Mr Wilson: My officials were notified of the existence of this free helpline in April 2013 and in the interests of value for money advised staff of its existence.

There was no requirement for my approval.

Legal Cases

Mr Agnew asked the Minister of Finance and Personnel to detail (i) the number of legal cases, including judicial reviews, that his Department has defended since 2007; (ii) the number of these legal challenges the Department lost; and (iii) the total costs incurred by his Department on the cases which it lost.

(AQW 25071/11-15)

Mr Wilson: The information requested is not readily available and could only be provided at disproportionate cost.

Department of Health, Social Services and Public Safety

Family Support Hub Proposal

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 24317/11-15, whether Derry will be included in the Family Support Hub proposal, given the high levels of child poverty in the Foyle constituency.

(AQW 24970/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): There are currently 3 family support hubs in Londonderry, Waterside, Shantallow and Creggan/Bogside. No more are planned.

The proposals to utilise the £3m outlined in my previous answer will support existing hubs, including those in Londonderry.

Full-Time PhD Students: Non-Funded Medical Research

Lord Morrow asked the Minister of Health, Social Services and Public Safety what financial support or grant package is available to full-time PhD students carrying out non-funded medical research as part of their degree.

(AQW 25019/11-15)

Mr Poots: This Department provides support for a small number of doctoral fellowships (PhD) from the HSC Research and Development (R&D) Fund. The awards are granted through annual competition and managed by the HSC R&D Division of the Public Health Agency.

In addition the Department for Employment and Learning, through its Postgraduate Awards scheme, makes available student support funding to Queen's University Belfast and the University of Ulster for research and certain approved courses of full-time study leading to higher degrees (Masters and PhDs). The universities are responsible for administering the Postgraduate Awards scheme and select, by competition, the students to fill these awards within the limits of funding available. This year the Department for Employment and Learning announced funding for an additional 100 PhD places in economically relevant subjects split between Queen's University Belfast and the University of Ulster. Furthermore, the Minister for Employment and Learning aims to increase the number of places year on year to double the total number of PhD awards to 1,000 by 2020. For academic year 2013/14, eligible students who are successful in securing a postgraduate award for a Research PhD course will receive a minimum studentship award of £13,726.

Prisoner Medication Policy

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many prisoners in each prison facility have breached the Prisoner Medication Policy, after signing the required form; and how many of these prisoners have been charged under Prison Rules per facility in each of the last three years.

(AQW 25037/11-15)

Mr Poots: The information required to answer this question could only be provided at disproportionate cost.

South Eastern Health and Social Care Trust: Vehicles Used to Transport Patients

Mr Easton asked the Minister of Health, Social Services and Public Safety to list the vehicles used by the South Eastern Health and Social Care Trust to transport patients.

(AQW 25039/11-15)

Mr Poots: The South Eastern Health and Social Care Trust generally uses the Northern Ireland Ambulance Service (NIAS) to transport patients to and from hospitals. Private ambulances are used for example when NIAS cancels bookings or is unable to take new requests for patient discharge, due to response demand as a result of 999 and urgent GP calls.

In addition patients are sometimes transported by taxi when no other mode of transport, such as public transport, Trust transport or private motor car, is available. Taxi transport must be hired from a list of contractors approved through the Trust's tendering process.

Individual Funding Requests for Cancer Drug and Treatment Availability

Mr Lyttle asked the Minister of Health, Social Services and Public Safety for the comparative numbers of individual funding requests for cancer drug and treatment availability in Northern Ireland and the rest of the United Kingdom.

(AQW 25090/11-15)

Mr Poots: Whilst information is available on individual funding requests for Northern Ireland, corresponding information from the relevant authorities in the rest of the UK is not readily available and could only be obtained at disproportionate cost.

Department of Justice

On Duty Prison Officers

Mr Clarke asked the Minister of Justice how many prison officers were on duty in each prison, in each of the last two years.

(AQW 24974/11-15)

Mr Ford (The Minister of Justice): The data below provides details of the staff on duty on Friday 1 April 2011 and Friday 30 March 2012 for comparison purposes.

Maghaberry

On 1 April 2011 there were 383 officers on duty and on 30 March 2012 367 officers on duty.

Hydebank Wood

On 1 April 2011 there were 162 officers on duty and on 30 March 2012 162 officers on duty.

Magilligan

On 1 April 2011 there were 141 officers on duty and on 30 March 2012 146 officers on duty.

Prisoners Charged with Sexual Offences

Lord Morrow asked the Minister of Justice to detail the number of prisoners that have been charged with committing (i) rape; (ii) indecent and/or sexual assault; (iii) lewd and/or obscene behaviour; (iv) any other sexual offence whilst in a prison facility in each of the last five years, broken down by prison

facility, and of these how many were dealt with by the respective prison or prosecuted in an external court.

(AQW 25084/11-15)

Mr Ford: Information is not held separately on PRISM regarding prisoners who are charged with committing (i), (ii), (iii) or (iv) whilst in prison and prosecuted in an external court.

A prisoner carrying out an assault on another person whilst in custody may be subject to an internal charge under paragraphs 2, 3, 4 and 18 of Prison Rule 38. It would be of disproportionate cost to manually check all of these records.

Director of Estates for the Northern Ireland Prison Service

Lord Morrow asked the Minister of Justice, pursuant to AQW 24334/11-15, (i) why this answer is at variance with the Prisoner Ombudsman's report into the near death of 'Mr C' and her comments to the media on 1 May 2013, which she said was critical of the effectiveness of the Northern Ireland Prison Service and the Trust's approach to managing vulnerable prisoners, as well as raising concerns about the extent of the Supporting Prisoner at Risk procedures in delivering an appropriate level of care, and highlighting a clear need for a further review of how vulnerable prisoners are dealt with; and (ii) since the Director of Estates is accountable to him and has an ethical and professional responsibility to provide answers that are factually accurate, whether he will seek an explanation for any inaccuracies in his answer.

(AQW 25087/11-15)

Mr Ford:

- (i) As stated in my answer to AQW 24334/11-15, the Director of Estates' statement was not a verbatim quote from the Prisoner Ombudsman's Report but reflected the Prisoner Ombudsman's public statements.
- (ii) These comments were made in the context of a wider analysis of the suicide prevention strategy whereby the Director of Estates acknowledged the issues of concern, underpinned his commitment to learning lessons and the need to embed a culture of care to change attitudes and behaviours alongside processes and systems.

Department for Regional Development

Magherafelt Bypass

Ms Maeve McLaughlin asked the Minister for Regional Development whether a business case is required for a road scheme, and if so, if one has been submitted for the Magherafelt bypass.

(AQW 25104/11-15)

Mr Kennedy (The Minister for Regional Development): I confirm that a business case (economic appraisal) is required for all major road schemes.

Preliminary business cases carried out during the various stages of development of the Magherafelt Bypass scheme have indicated a positive return on the capital investment.

Following the Executive's recent confirmation of funding for construction of the Magherafelt Bypass, and in line with normal procedures, the final business case for the project will be submitted to the Department of Finance and Personnel for approval.

Manufacturing of Asphalt Type Materials for Road Works

Mr McGimpsey asked the Minister for Regional Development what consultation his Department has had with local councils on the subject of contractors manufacturing asphalt type materials for road works during the night and at weekends.

(AQW 25107/11-15)

Mr Kennedy: My Department does generally not consult with local councils in relation to the manufacturing of asphalt materials for road works undertaken during the night or at weekends. However, in instances where my Department is made aware of complaints regarding breaches of operating times or noise limits, reports are provided to the appropriate council.

Proposal for the Construction of Two New Roundabouts in North Down

Mr Dunne asked the Minister for Regional Development, pursuant to AQW 20623/11-15, for an update on the proposal for the construction of two new roundabouts at the Craigantlet crossroads and the junction of Whinney Hill and Ballymiscaw Road in North Down.

(AQW 25116/11-15)

Mr Kennedy: The Roads Service Consultant has completed a report on the alternative options put forward by local residents and final quality assurance checks are now being completed. Roads Service officials expect to receive this report shortly.

No decisions relating to the proposed scheme will be taken before the findings of this report have been given careful consideration.

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