Northern Ireland Assembly

Tuesday 14 June 2011

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

Members observed two minutes' silence.

Assembly Business

Mr Allister: On a point of order, Mr Speaker. I ask you, in your role as the guardian of the interested Members of the House, to address your mind to an issue that arises under Standing Order 20B.

We have a process for the asking of questions for written answer and for the prioritising for some such questions. Standing Order 20B sets it out in mandatory terms that a Department shall answer within stipulated periods. I do not know whether it is just me, but I am certainly having difficulty extracting answers from one Department in particular: the Office of the First Minister and deputy First Minister (OFMDFM). I have 10 questions that are outside the guideline for answer. One is a priority question for written answer tabled on 16 May, and here we are a month later with no answer. That is 21 working days that have passed.

I have a full list if you wish me to supply it to you, but some action is required to expedite the matter and to cause Departments to live up to the obligations that are placed on them by Standing Order 20B.

Mr Speaker: I thank the Member for his very important point of order. I have often said to all sides of the House that, if Members are having difficulty extracting an answer, especially an answer to a priority question, from any Minister, I have always allowed Members to raise that in the House in order to alert the House.

I will write to the Office of the First Minister and deputy First Minister. I would be happy to have a list of the questions that the Member is deeply concerned about, and I will take it up with the Office of the First Minister and deputy First Minister. However, the very fact that the matter was raised here today has alerted the House.

I want to advise the House that there will be a photographer in and around the Gallery today taking photographs of the House. It is really for the Education Service's new website. It is nothing that Members on any side should be concerned about.

Executive Committee Business

Budget (No. 2) Bill: Second Stage

Mr Speaker: I wish to advise Members, as I did yesterday, that the Minister of Finance and Personnel is not available and that he is attending the funeral of the former Republic of Ireland Finance Minister, Brian Lenihan. The House will know that the Bill's Second Stage is to be rescheduled, as was said yesterday. However, as the item still stands on the Order Paper, it will need to be dealt with formally this morning.

The following motion stood in the Order Paper:

> *That the Second Stage of the Budget (No. 2) Bill [NIA 1/11-15] be agreed. — [Mr Wilson (The Minister of Finance and Personnel).]*

Mrs Foster (The Minister of Enterprise, Trade and Investment): The motion is not moved.

Motion not moved.

Committee Business

Standing Orders

Mr Speaker: The next three motions relate to amendments to Standing Orders. I propose to group all three motions for the purposes of debate. The first motion to be moved will be motion (c), which proposes the main change to Standing Orders. Motions (a) and (b) are related to motion (c) but stand alone.

One amendment to motion (c) has been selected and is printed on the Marshalled List. A single debate will take place on all three motions and on the amendment. After the debate, the Question will be put on the amendment. If the amendment is agreed, motion (c) will fall, as it will have been overtaken by the amendment. If the amendment is not agreed, I will put the Question on motion (c). I shall then ask the Chairperson to move formally each of the two remaining motions in turn, and I will put the Question on each of them without further debate. Looking at Members from all sides, I believe that they seem to reasonably understand the way in which we will deal with the issues. If that is clear, we shall proceed.

Ms S Ramsey (The Chairperson of the Committee on Procedures): I beg to move

> *(c) After Standing Order 5 insert*
>
> *"5A. Principal Deputy Speaker*
>
> *(1) Any Member of the Assembly may nominate a Deputy Speaker, who has been elected in accordance with Standing Order 5(1), to act as Principal Deputy Speaker.*
>
> *(2) Once a nomination under paragraph (1) has been made, no further nomination under that paragraph shall be made, unless the person nominated does not agree to act as Principal Deputy Speaker or the nomination is not approved, in which case a further nomination may be made.*
>
> *(3) A nomination to act as Principal Deputy Speaker shall not take effect unless the person nominated agrees to act as Principal Deputy Speaker and the nomination is approved by resolution of the Assembly.*
>
> *(4) Where a nomination has taken effect in accordance with paragraph (3), the person so preferred may be called 'Mr Principal Deputy Speaker', 'Madam Principal Deputy Speaker', or 'Principal Deputy Speaker'.*

(5) If the Assembly resolves that the person acting as Principal Deputy Speaker should no longer so act, it may, in accordance with the provisions of this Standing Order, nominate another Deputy Speaker to act as Principal Deputy Speaker.

(6) Where the Principal Deputy Speaker ceases to hold office as a Deputy Speaker, any Member of the Assembly may, in accordance with the provisions of this Standing Order, nominate another Deputy Speaker to act as Principal Deputy Speaker.

(7) Where a Deputy Speaker is nominated to act as Principal Deputy Speaker under paragraph (1) or a motion is moved for a resolution under paragraph (5), a debate relevant to that nomination or resolution may take place in which no member shall speak more than once.

(8) A resolution under paragraph (3) or (5) shall not be passed without cross-community support."

The following motions stood in the Order Paper:

(a) In Standing Order 1(3) leave out

"may be called 'Mr Deputy Speaker', 'Madam Deputy Speaker' or 'Deputy Speaker' and". — [Ms S Ramsey (The Chairperson of the Committee on Procedures).]

(b) After Standing Order 5(3) insert

"(4) A Deputy Speaker may be called 'Mr Deputy Speaker', 'Madam Deputy Speaker' or 'Deputy Speaker'." — [Ms S Ramsey (The Chairperson of the Committee on Procedures).]

Go raibh maith agat, a Cheann Comhairle. I thank you for your rundown on the procedures for what is going to happen. I speak as the Chairperson of the Committee on Procedures, and we tabled the motions. The motions will amend Standing Orders to create the role of Principal Deputy Speaker, an instruction given to the Committee on Procedures by the Assembly.

Although the original motion on 16 May 2011 was given cross-community support, I am aware that there is still a great deal of mixed feeling about it. However, as I open the debate on the Committee's motion, I am also aware of the significant value that different viewpoints bring to such proceedings. When matters such as these are brought to the House, they provide an opportunity to measure just how far the Assembly has come. How do they do that? They provide an opportunity for the Assembly to demonstrate its continuing commitment to the democratic process. They provide an opportunity for robust challenge, which makes sure that quality and accuracy are maintained, and they ensure that no measure of complacency creeps in, even when we are dealing with what appear to be the simplest of matters that affect us all.

We are all aware that not every decision taken in the Chamber, even when given cross-community support, can meet the expectation of every Member. That is evidenced by the amendment to Committee motion (c) tabled by, among others, two members of the Committee on Procedures itself. Although that could be viewed as a negative, I believe that such work gives us the opportunity to demonstrate a commitment to putting our point across and listening to the views of others but then moving forward with the agreement of the majority. That is a true measure of the commitment of all our Members to the democratic process. For that reason, I do not support the amendment but stand over the work agreed by the Committee on Procedures and summarised in the three motions. It is for that reason that I stand here to speak on the work of the Committee.

Throughout our deliberations on the issue, varying views were made clear. Although the Committee was not always in agreement, views were heard and respected, and the work required by the Assembly was recognised and achieved. The Committee rose above dissension to take a corporate view of the work required, and that has resulted in the document before Members.

We are all aware of the background to the motions. On 16 May, the Assembly passed a motion calling for the creation of the role of Principal Deputy Speaker and instructed the Committee on Procedures to draft the necessary Standing Order, which was to be tabled by 6 June. That may sound like a simple instruction; however, the Committee felt that, in order to arrive at a product that it could stand over, consideration needed to be given to a broad series of related issues. Issues included what the title of Principal Deputy Speaker might mean in practice and how practical issues, such as filling the role, needed to be achieved. The three motions on today's Order Paper represent the outworkings of those considerations.

The Committee agreed to compile a report on its deliberations, which has been provided to Members in advance of today's proceedings. The report was designed to inform Members of the full range of issues that were considered

by the Committee and to assure them of the Committee's diligence in probing the issues and the reasoning behind the wording of today's motions. As I said in my opening remarks, there were challenges to the Committee's decisions. For those who still felt strongly that the role was unnecessary — at times, that made for robust discussion around the table — the value of challenge cannot be underestimated and was vital in ensuring the quality of the product.

How did the Committee approach its task? In the first instance, it examined legal advice to assure it that the creation of the role could be achieved without contravening underpinning legislation. Following receipt of the legal advice, we heard many different points of view — sometimes more than once. Ultimately, however, the Committee agreed by a majority of those present that sufficient latitude existed to proceed and was content, therefore, to move into the next phase of its deliberations.

The Committee then explored the legislative boundaries within which discretion existed. For example, we found that the legislation is clear that the powers delegated by the Speaker are conferred on the Deputy Speakers. That meant that the role of Principal Deputy Speaker could be carried out only by a person who had already been elected Deputy Speaker. The Committee also found that there was no statutory scope to assign extra duties to the Principal Deputy Speaker and that the role of the Speaker as ex officio Chairperson of the Assembly Commission and any provision for chairing the Commission in the Speaker's absence was defined in the 1998 Act. The Act meant that considering the Principal Deputy Speaker or, indeed, any Deputy Speaker with regard to that role was outside the scope of the Committee's deliberations. The Committee also noted that reference to the administration of oaths and entitlement to vote applied to the Principal Deputy Speaker by virtue of their already being a Deputy Speaker and, therefore, did not need to be addressed.

Once boundaries had been identified, the Committee's deliberations moved on to matters on which various opinions could be considered, including how a Principal Deputy Speaker would be addressed. The outcome of that consideration is reflected in proposed new Standing Order 5A(4). The Committee also considered whether the creation of the role of Principal Deputy Speaker led to a requirement to appoint additional Deputy Speakers. The Committee concluded that it did not.

A key consideration was how the Principal Deputy Speaker would be selected, and a number of options were examined. The outcome was the proposal to create new Standing Order 5A, which is before Members in motion (c). Finally, the Committee examined how the new Standing Orders would sit alongside existing ones and where explicit references to a Principal Deputy Speaker would be required.

The Committee report details those deliberations and subsequent decisions, so I will not labour them now. The outcome of the deliberations is clear from the wording of the motions. However, by way of brief explanation, I will say that motions (a) and (b) are paving amendments for the amendments proposed in motion (c). They do not alter the effect of Standing Orders at all but, rather, move a provision currently found in Standing Order 1 to Standing Order 5. The amendment proposed in motion (c) is the substantive provision; it will create new Standing Order 5A to provide for the role of Principal Deputy Speaker.

The Committee agreed to include a specific provision in proposed new Standing Order 5A for a debate to take place in respect of the appointment or removal of a Principal Deputy Speaker. It was modelled on the provision for the election of the Speaker and Deputy Speaker in Standing Order 4. To no one's surprise, the Committee unanimously agreed that the role of Principal Deputy Speaker should attract no specific or extra allowance on top of those already afforded to the Deputy Speakers. It also agreed by a majority of those present that rotation of the role among all Deputy Speakers during the mandate was not desirable. Consideration was also given to the frequency with which powers are delegated to the Principal Deputy Speaker and whether that needed to be specific in any way. However, the Committee agreed that that should stay as it is with any Deputy Speaker at present; that is, it remains a matter of discretion for the Speaker.

10.45 am

I will draw my remarks to a close, but I am sure that we will hear from Members who feel strongly that the changes effected by the new Standing Orders are unnecessary and others who are strongly in favour of them. However, I hope that, no matter how we feel

about the policy behind the motion, we can accept the direction given by the Assembly, move on to consider the practical application of the Standing Orders and look forward to and recognise the part that we have to play in ensuring that the Standing Orders by which the House is guided are accurate, corporate and enacted according to the motion passed by the Assembly on 16 May. I hope that we do that in the most efficient and effective way possible so that we can best serve the interests of the organisation as a whole.

Finally, on behalf of all Committee members, I take this opportunity to thank the Committee staff, who worked so hard over the past three weeks. We were given a short time frame for this. I also thank the people from Hansard, from the Research and Information Service and, especially, our legal advisers, who were faced with two great legal minds on the Committee and who gave us great legal advice. On behalf of the Committee, I thank all our staff.

Mr A Maginness: I beg to move the following amendment: In Standing Order 5A leave out paragraphs (1) to (8) and insert

> *"The position of Principal Deputy Speaker shall be filled by annual rotation between the Deputy Speakers who have been elected in accordance with Standing Order 5(1). The order of such rotation to be as agreed between the Deputy Speakers, or in the absence of agreement as directed by the Speaker. Throughout the term the Principal Deputy Speaker may be called 'Mr Principal Deputy Speaker', 'Madam Principal Deputy Speaker' or 'Principal Deputy Speaker'."*

Mr Speaker, is the debate time-limited?

Mr Speaker: No, it is not time-limited.

Mr A Maginness: Before I deal in substance with the amendment, I want to make it very plain from the outset that, in the SDLP's view, there is no need for the change in title from Deputy Speaker to Principal Deputy Speaker. That view is supported by Mr McClarty, who was a distinguished Deputy Speaker in the previous mandate. On page 38 of the Committee's report, Members will see his written submission. He said:

> *"I wish to strongly object to the creation of the post of Principal Deputy Speaker. I believe that this is completely unnecessary given the experience of the position of deputy speakers in the Assembly over the years. I am speaking from my own personal experience of serving as a deputy speaker for a four year term. The system which is presently employed works exceedingly well and does not require tinkering with."*

That is the substance of what he said.

I do not understand why we are being troubled with changes to Standing Orders. At first, it was envisaged that the position of Principal Deputy Speaker would involve not only a change in title but a change in function. That was ruled out following legal advice to the Committee. It was clear from the legal advice that, under the Northern Ireland Act 1998, a change in function could not take place and, therefore, there would be a change in title alone. However, although, at this moment in time, there will be no change in function for the Principal Deputy Speaker, I anticipate that, over the next three years, there will, in fact, be an attempt to change the statute relating to Deputy Speakers in order to add functions to the position of Principal Deputy Speaker. In other words, there will be some sort of retrofitting to the new title.

The new title is proposed to assuage the political ego of Sinn Féin. It feels that it ought to elevate its Deputy Speaker to such a position of prominence. In essence, it creates —

Mr Campbell: Will the Member give way?

Mr A Maginness: Let me just finish this point. It creates a hierarchy among the Deputy Speakers. That is contrary to the spirit of this institution, which was founded —

Mr T Clarke (The Deputy Chairperson of the Committee on Procedures): On a point of order, Mr Speaker. Surely, today's motion is about the procedures and not about whether we have a Principal Deputy Speaker. I thought that that debate had already taken place. Today's debate is about proposed changes to the process, something that was originally taken to Committee but was not agreed. Now we are getting into a debate that we had in the House about the very role of a Principal Deputy Speaker and the rights and wrongs in Mr Maginness's eyes. Surely that debate has taken place and, today, we should be discussing the process and how we change the Standing Orders to fit that.

Mr Speaker: I listened to the point of order that has been raised. Today's debate is on the procedures and changes to Standing Orders. In all those issues, I always allow Members

a wee bit of latitude in and around the issue. That is important in how they might develop their argument. I remind all sides of the House that today, as far as possible, we are debating changes to Standing Orders.

Mr A Maginness: Of course, Mr Speaker, I accept that. However, underlying the issue is a crucial point, which is that the House was founded on partnership and on the basis of equality and sharing power. If a hierarchy is created, as, in fact, it would be here, it would be contrary to the spirit and the principles on which the House was founded. The change comes from an arrangement between two political parties, not among all the political parties in the House. Therefore, it tampers with and undermines —

Mr Speaker: I urge the Member to come back to the issue that is before us.

Mr A Maginness: I am laying the ground for coming back to it. Bear with me, Mr Speaker, on this point. It is a bilateral arrangement between two political parties in the House to change Standing Orders and change the title of one of the Deputy Speakers to Principal Deputy Speaker. It has to be said that that is injurious to the integrity of the House. It is important for all of us to beware of tampering, once again, with the integrity of the House and the arrangements set up under the Good Friday Agreement.

As I said, the power to change the functions clearly does not exist presently in the House. That may well change in future, but I hope that it does not. If the House insists on changing the title and insists on creating the new title of Principal Deputy Speaker — I said from the outset that we do not accept that — the amendment that has been tabled by my party, supported by the Ulster Unionists and Mr Allister, proposes that the appointment of the Principal Deputy Speaker should take place annually and should be done on the basis of rotation. If we are to change, that seems to be a better way of doing so. It is on the basis of equality and partnership, and it deals with the basic justice of the situation to bring about an equitable distribution of the position of Principal Deputy Speaker.

Mr Givan: Will the Member give way?

Mr A Maginness: I will give way to Mr Campbell and then to your good self.

Mr Campbell: I thank the Member for giving way. Earlier, he talked about the ego of Sinn Féin. Deputy Speakers from his party have attended royal events. Does he agree that, if Sinn Féin were prepared to use the position of Principal Deputy Speaker to meet royalty, that would be a small price to pay?

Mr A Maginness: I do not quite get your point. I hope that every Member in a position of responsibility would meet any distinguished guest who came to the House. My party and I have no problem with that. On occasion, Members from my party have met royalty. I reflect on Her Majesty's visit to the Irish Republic, which did a lot of good for all of the people who live on this island and for relations between Ireland and Britain.

Lord Morrow: Will the Member give way?

Mr A Maginness: Your colleague was first.

Mr Givan: I appreciate the Member's giving way. I want to tease out the thought process behind the amendment. You touched on equality and power sharing. Are you saying that, under the proposal for annual rotation, you support Sinn Féin holding the post of Principal Deputy Speaker at some stage? That lies at the core of the amendment.

Mr A Maginness: I have no problem with any party holding the position of Principal Deputy Speaker, if we have to have that position, but I do not think that we need it. Nonetheless, if the House insists on creating that position, every party that has a Deputy Speaker should be entitled to the position, including Sinn Féin. We have never objected to Sinn Féin occupying that position, and why should we? Everyone in the House has a mandate from the people, and, whether the arithmetic of your representation is weak or strong, you have certain rights. Therefore, you should have the right to hold that office.

Lord Morrow: I thank the Member for giving way. You used the example of the Royal Family visiting the Irish Republic. It was noticeable that, yesterday, when the motion before the House was to send a message of congratulations to a member of the Royal Family, the SDLP had nothing to say on the matter. Sinn Féin had nothing to say on the matter, and, as a matter of fact, Mr McGuinness made a point of absenting himself during the debate, followed closely by Mr Pat Doherty, who obviously did not want anything to do with that message of congratulations. I

suspect that the actions of the SDLP yesterday, to some degree, embarrassed Mr Maginness, because it was written all over his face. I want the Member to respond to that point as explicitly as he can. I suspect that, had it been left to his discretion, he might have said something. Obviously, the orders come from above: keep your heads down, boys.

Mr Speaker: Before Mr Maginness continues, I remind the whole House that the motion is about changes to Standing Orders — nothing more, nothing less. I am more than slightly worried that the discussion is widening and almost becoming a different debate.

So, once again, let us try to keep to the motion that is on the Floor.

11.00 am

Mr A Maginness: I will, Mr Speaker, try to obey your instructions on the matter. However, I cannot read the mind of the deputy First Minister on that matter yesterday. However, there was no objection by the SDLP or, indeed, Sinn Féin to the congratulations to the Duke of Edinburgh.

I think that the amendment is fair, has been reasoned and is reasonable, and it reflects what I hope to be the commitment of this House to partnership and equity right across the whole institution. Therefore, I commend the amendment to the House.

Mr Speaker: I remind the whole House again that there is no time limit on the debate.

Mr Gardiner: I support the amendment that the Ulster Unionists have tabled. However, as we discuss this enabling legislation today, I want to make a few points about the proposal as it stands and the appointment. First, because you can do something does not mean that you should do it. I do not believe that a case has been made for this proposed appointment on the grounds of need. It needs to be spelled out where exactly we fell short in the last mandate to make this appointment necessary. How did that supposed shortfall show up? What shortcomings drove and led to the proposal?

We need to list the legislatures across the world that have a role similar to that of the proposed Principal Deputy Speaker. Is it appropriate to compare the devolved Northern Ireland Assembly, which has only 108 Members, with the House of Commons, which has 650 Members but has only three Deputy Speakers, which is the same number as in this Assembly? I have to ask another important question: how many sittings does the House of Commons have —

Mr T Clarke: On a point of order, Mr Speaker. There must be something in the water of those who have tabled the amendment, because we are back to debating whether the position of Principal Deputy Speaker should be created. While I am on my feet, I suggest that, if the Ulster Unionists had attended the meetings, they could maybe have put their case forward there. However, we are getting off the essence of the debate.

Mr Speaker: Order. I have said on two occasions in the House that there are no time limits. So, any Member who wants to speak in this debate today will certainly have time to speak. So, let us be careful. Once again, I remind the whole House: let us try to get back to the debate, which is about the changes to Standing Orders. I am prepared to allow Members some latitude to develop their argument, but I then like Members, as far as possible, to come back to the motion, which, once again, is about the changes to Standing Orders.

Mr Gardiner: I have to ask another important question: how many sittings does the House of Commons have and how long are they? How many hours a week do the Speaker and Deputy Speakers serve compared to those in the Northern Ireland Assembly? Why on earth do we need all these Deputy Speakers, with one being named as Principal Deputy Speaker, when Scotland has only two Deputy Speakers and the Dáil in Dublin has only one Deputy Speaker? Given that the post attracts additional pay, what sort of message does that send out to the electorate at the same time as public spending cuts —

Mr T Clarke: Will the Member give way?

Mr Gardiner: No. We are supposed to support the interests — *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr Gardiner: Does that message not run counter to everything that we have been saying about saving money, cutting the number of Assembly Members, freezing Civil Service pay and cutting the number of Departments?

Mr Speaker: Order. I am trying to guide the Member as far as possible. I am listening to the

Member, and I believe that he is speaking to the amendment. If the Member were to link his remarks to the amendment as far as possible, it might help him to speak to it.

Mr Gardiner: I will be brief.

Ms S Ramsey: Will the Member give way?

Mr Gardiner: No. The Assembly does not need a Principal Deputy Speaker. Therefore, I will be brief; I support the amendment.

Mr Lyttle: Thank you for the opportunity to speak on the issue. I imagine that members of the public following the debate may wonder why the Assembly is not discussing more important matters. Having reflected on the proposals, I must say that I see no compelling identification of a problem or, indeed, a solution to the problem in the amendment or motions; nor is any value added to the vital office of Speaker of the House. That is why I see no good reason to support the amendment or motions. I call on Members to keep the office of Speaker beyond such political debate in order that it may continue to command the full confidence of the House, as is necessary for the delivery of its business.

Mr McMullan: Go raibh maith agat, a Cheann Comhairle. The argument that the SDLP and the Ulster Unionists put up against the motions is really an attack on my party. The argument was put to them clearly. The legal argument was put to them clearly. This morning, Members have totally wandered off the point and away from the arguments that we are here to debate. I cannot understand why time is being wasted. We have gone through and discussed the arguments in meetings. We have heard all of the legal advice, and everything has been put in front of us. Yet we still argue points that have been agreed. Decisions were taken in Committee. I thought that the relevant parties had agreed those positions.

Mr McDevitt: I appreciate Mr McMullan's giving way. It is critical that the issue is debated. It will impact the culture of the House and, as Mr Lyttle said, the office of Speaker. Perhaps Mr McMullan could address what concerns me most, which is to redefine equality in the House. That is what we seek to do through the amendment. Equality has gone from being a situation in which we all come here and share the burden of responsibility equally to Sinn Féin and the DUP's being more equal than others. That is a hierarchy of equality and, therefore, a new inequality in the House. I do not see how it is in the interests of the House or any party, particularly one that has campaigned so vehemently on the basic principle of equality, to introduce such a code to the House. That is the serious impact of those changes, and they send a negative signal to the outside world.

Mr McMullan: We have all fought against equality for years. I do not think that now is the time to lecture on equality, or inequality — *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr McMullan: Why does the SDLP go against legal advice and argue that there is a hierarchy? All of the legal advice was explained to you in Committee. Indeed, Committee members from the legal profession could not disagree with it.

Mr A Maginness: I have been invited to make an intervention, and I will do so. The legal advice is clear that the function of Deputy Speaker cannot be changed because it is set out in the Northern Ireland Act 1998. The title can be changed, but there ends the legal advice, and the rest becomes a matter of political judgement. My party's political judgement is that it is wrong to create a hierarchy because it creates inequality. I thought that Sinn Féin was the party of equality and aspired to an Ireland of equals. You have got an Ireland of equals, except in the House, because you have got a Principal Deputy Speaker over and above the other two parties, namely the Ulster Unionists and the SDLP. That is stark inequality.

Mr Givan: Like other Members, I will be brief in dealing with this motion and the amendment, because there is very little to discuss. The Assembly has decided to create the position of Principal Deputy Speaker, and, today, we are talking about the process and how that appointment will operate. The role has been created; that decision has been taken. I realise that some Members do not like that decision, but the democratic institution has taken that decision, and those who respect democracy will respect the will of the House.

Mr Agnew: I appreciate that we have already debated the motion, but, as I said during the first debate, we have yet to be told why the change is necessary. Out of respect for democracy, the House and the voting public, will the Member please take the opportunity to

explain why the change is necessary? We have yet to hear that argument.

Mr Givan: The will of the House has deemed that it is necessary. A minority in the House do not want the position, but a majority of the House do. *[Interruption.]*

Mr Speaker: Order. The Member must be heard.

Mr Givan: If it is good enough for Westminster, it is good enough for the Assembly. I have no difficulty with this distinction being made among the Deputy Speakers in other legislatures. It happens in Westminster. The Canadian Parliament is another example of a legislature where that is the case, so I am happy to follow the examples of other Commonwealth nations.

Mr A Maginness: The appointment of Deputy Speakers is governed by the Deputy Speaker Act 1855. It required specific legislation. We are not talking about legislation here; we are talking about a change in Standing Orders, which affects the political atmosphere of the House. It poisons it through the creation of a hierarchy within the House.

Mr Givan: The Member is unhappy that we are somehow undermining what was envisaged in the 1998 Belfast Agreement; the power-sharing arrangement in which everyone in the House was going to be equal. I am quite happy to undermine the spirit of that agreement. It does not present a particular difficulty for me, but I recognise that it does for the SDLP and the Ulster Unionists.

What does intrigue me is that Jim Allister has appended his name to the amendment. I will quote some comments of the SDLP's Alban Maginness. He said that this place was founded on equality and power sharing. He mentioned the undermining of the Good Friday Agreement and the spirit of that agreement. He also said that this debate was about the basis of equality and partnership. I put it to the Member that the amendment states that the position of Principal Deputy Speaker will be filled by annual rotation of Deputy Speakers. The Deputy Speakers include a Sinn Féin Member and, according to that amendment, Sinn Féin will hold the position of Principal Deputy Speaker. The proposer of the amendment agreed with that; he agreed that Sinn Féin would hold the position. That is why I am intrigued. We have interesting bedfellows here. The SDLP and the Ulster Unionists are arguing about one year or two years, or whatever it may be, but, fundamentally, they are content for Sinn Féin to hold the position. Jim Allister has signed his name to that. Therefore, let us be clear for the public, if they do tune in to this: Jim Allister has no difficulty in Sinn Féin holding the position of Deputy Speaker. Whether it is for one year or two years is splitting hairs.

Mr Allister: The honourable Member has a short memory. It includes the abandonment by him and his party of every election pledge they ever made on these issues. Without stretching his memory too far, may I take him back to 16 May when he may recall that one person in the House sought to avoid the appointment of a Sinn Féin Deputy Speaker. That was me and me alone. He and his colleagues voted a Sinn Féin Deputy Speaker through. So, I take no lessons from the Member or his party on those issues.

11.15 am

Mr Givan: What we have is a flip-flop, another somersault, from the Member. Three weeks ago, he made a virtue of saying, "I opposed Sinn Féin; I fought the good fight". However, now he puts his name to an amendment that is saying, "I have no problem with Sinn Féin holding this position for one year". That makes an absolute nonsense and hypocrisy of the so-called principled position that the Member says he has. We are not going to take lectures from Jim Allister on that issue today, because he is accepting the principle of Sinn Féin holding the position of Principal Deputy Speaker by putting his name to the amendment. The public will realise that he is trying to con them with this so-called principled position. The electorate realised that when he put himself forward and was rejected at the polls again. He is only here, having been elected beneath the quota and on the back of DUP transfers. *[Interruption.]*

Mr Speaker: Order. I really must insist that the Member gets back to the motion and to the business on the Floor. *[Laughter.]*

Mr Givan: Mr Speaker, it is difficult for me to comment on the contribution made by the Ulster Unionist Member for Upper Bann. I am surprised that he said that there are only 108 MLAs in the Assembly and that the Assembly should not be compared to Westminster. I am content that this place should be compared to Westminster. As a unionist, I consider it to be the Mother of Parliaments, so I am quite happy for the Assembly to be compared with it.

The Member also said that there was concern about allowances. Under the proposal, no allowance would be added to the position of Principal Deputy Speaker.

Mr T Clarke: I appreciate that the Member is not on the Committee, but does he accept that had the Member from the Ulster Unionist Party Mr Gardiner attended all four meetings — he did manage to get to one, but there were only four of them — he perhaps would have learned that the Committee recommended that there be no financial remuneration made to that post?

Mr Givan: I thank the Member, who attended all of those Committee meetings, for making that point.

Mr Gardiner: On a point of order, Mr Speaker. A claim has been made that I attended only one meeting. I attended, I think, more than one meeting. I was not there on another occasion because a deputation was seeing one of the Ministers, and his meeting ran on, so I sent one of my staff down to apologise.

Mr Speaker: Order. The Member has made his point. I assure him that, as Speaker, I do not get involved in the business of Committees.

Mr Givan: Thank you, Mr Speaker. He also made a point about whether we need so many Deputy Speakers. If the Ulster Unionist Party is volunteering to give up that post, that is a matter for it to decide. I am sure that the Member for East Antrim who is a Deputy Speaker will be intrigued to know that his party feels that he is not actually needed.

Mr McDevitt: I thank Mr Givan for giving way. I am curious about two things that we have established during the debate this morning. The first is that the DUP believes that the creation of a hierarchy among Deputy Speakers is, in fact, properly unequal and, in their words, democratic. The second is that Sinn Féin believes that the creation of a hierarchy among the Deputy Speakers is, in fact, the embodiment of equality. Apart from what that augurs for the future of the Executive and the Office of the First Minister and deputy First Minister, I would like to ask Mr Givan, specifically on the motion, about whether he is quite content that there is a hierarchy. The point has been made that there will be inequality, because that is the outworking of the democratic will of the House, so what is the problem with the position being rotated?

Mr Givan: I think that the problem is that the House wants the position of a Principal Deputy Speaker. The point I have made is that a minority of parties that do not like the will of the people on the outside, even though they voted them into this position, are unhappy. The public will see that we are really splitting hairs over this issue. All 108 Members in the House clearly have no difficulty with whomever takes up the position — Jim Allister has signed up to that principle today and has no difficulty with Sinn Féin holding on to the position. So, we really are splitting hairs.

I appeal to the Ulster Unionists and the SDLP not to portray the image that they are so unhappy with the outcome of the elections, which is what I think the public will see in the pedantic way in which the parties are approaching this issue.

Mr Kinahan: I am not a member of the Committee and am very pleased to be speaking on this today. This is not a trivial matter. This is something that I am quite passionate about. This is a matter of key importance. We may have lost the earlier debate; therefore, we are today proposing an amendment that would see the job of Principal Deputy Speaker rotated. That is the least worst of the options. Today we are seeing something that seems small but that actually is very important; the creation of another two-party deal or job-share. Looking at this carefully, along with many other matters, I see this as another nail in the coffin of Northern Ireland's democracy.

As I said, we have already voted on this. However, today, we have a sensible motion to rotate the new role of Principal Deputy Speaker. It is essential to point out the context that this comes into. We have already heard from one Member that he is happy to undermine the roles here. We are also aware that we are not meant to discuss things from the public's point of view, especially if we have lost an election. We are to be pushed into a corner and told to sit down. This is a nail in the coffin, and there have been many. For example, the St Andrews deal links one First Minister always to the biggest party. That is undemocratic. That links to today's change. We also have the fact that any Minister, such as the Education Minister, can ignore what is going on —

Mr G Kelly: On a point of order, Mr Speaker. Do you accept that, again, we are going back into

history and are not dealing with the issue at stake? Now we are talking about the St Andrews Agreement; we will probably be talking about the Good Friday Agreement before that. Can we get back to the point?

Mr Speaker: The Member makes a very good point of order. We have talked about almost everything else this morning except what we should be talking about. Members from all sides of the House will know that I do like to give Members some latitude in developing their arguments, but please try to link those arguments to the motion that is on the Floor. I take it that the Member is speaking to the amendment. It is important that all Members, whether speaking to the motion or the amendment, try to link the amendment or the motion to what they are saying.

Mr Kinahan: Mr Speaker, thank you. There is a need today for latitude because this new role and its rotation links into everything that we do and how this House works. If you would all let me carry on, you would see how what I am saying links to our amendment.

I go back to my point that this is a nail in the coffin of Northern Ireland's democracy. The creation of one person in a better position than the other three stops the fairness that should be in this House. We have had plenty of examples of that before, such as the use of the petition of concern over the review of public administration (RPA) and double-jobbing or dual mandates. However, we are meant to be modelling this House on Westminster. Most of the world looks on Westminster as one of the best Parliaments. Therefore, I want to see Stormont as one of the best Parliaments and best democracies in the world.

The Speaker is meant to be non-partisan. In Westminster, he leaves his party. He is meant to be independent at all times. In Westminster, he is there for life, until he stands down or, as we saw once, has to stand down due to a misdemeanour. We have a good example of that here. To split the post in two and have a vice-principal Speaker nails both jobs to a party. That removes the independence. That is why we want to see the role rotated.

We have already heard that this is introducing a hierarchy. We already know that, in Westminster, there is one Speaker — no principal Speaker — for 650 Members. We lost that debate. We have four Deputy Speakers, and they should be rotated. That is the least worst option, but we have to put up with it.

I want to know why. Is this another deal that is being put on us today, in which we have to change Standing Orders? It is another DUP/Sinn Féin appointment. What has happened to independence? What has happened to being non-partisan? It is right that we look at this from the point of view of it being a nail in the coffin of democracy.

Last week, Cameron came here and told us that we should have an opposition; that is, we should be more democratic. Yet, today, there is opposition to the idea of trying to have four Speakers rotating, and, again, the two parties are pushing forward to stop us from having a form of democracy. I think you have the gist of it. It is a grave error. The amendment makes it slightly better, so I will stick with it.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle. Up until now, we have been dealing with a mishmash of a debate. I have noticed that a lot of Members from other parties have stood up and that most of their speeches have not been to do with the amendment. A lot of them have been led astray, but I will try not to be led astray. I am speaking in favour of the motion and against the amendment proposed by Jim Allister, Alban Maginness and Tom Elliott.

As was said before, the Assembly tasked the Committee with bringing forward the necessary amendments for a Principal Deputy Speaker, which was agreed on 16 May, and there was cross-community support for it. Indeed, the Committee had a similar debate to the one that we are having today. It was very hard, in Committee, to pin down the issue that the Committee was supposed to deal with, yet we got all sorts of legal advice, including from the two great lawyers — as Sue Ramsey described them — Jim Allister and Alban Maginness. I might take her to task on that. However, in the end, they fought their case, they argued their point, they lost it to the Committee, and the Committee is now bringing the issue forward. We also discussed legislative boundaries, and Alban Maginness is right: to go any further than we are going today may mean that we have to have legislation. If we have to do that, let us deal with it when the time comes.

I want to deal with a couple of other things. Sam Gardiner said that there was some sort of extra remuneration or allowance: there is none.

That was the only thing on which the Committee was unanimous. There were a number of other issues around frequency and how a Principal Deputy Speaker would be used. Of course, that was put down to the discretion of the Speaker.

The SDLP, in particular, made a huge play on the issue of equality and tried to redefine equality, hierarchy and democracy. The difficulty is that we have different sizes of parties, we have different votes, we have an Executive that have different numbers of Ministers representing the parties, and we have votes in the Assembly that are determined on the strength of the parties, even in cross-community votes. Therefore, in essence, the SDLP is whingeing about the fact that it did not do well in the past three elections. The party is mixing up equality with democracy. I think that Danny Kinahan said that it was a nail in the coffin —

Mr McDevitt: Will the Member give way?

Mr G Kelly: Give me a moment. I was going to ask you whether you are a lawyer, because I have a notion that if I give way to lawyers, they will speak for 20 minutes.

Mr McDevitt: No, I am not a lawyer.

Mr G Kelly: You speak like one. The SDLP's argument is against democracy. A vote was taken to bring the issue forward. The Committee did exactly what it was told to do and put it to a vote. That was democracy. The issue was then brought forward, and those who did not win the vote in the Assembly or in Committee are now arguing that we are doing down democracy, but that is absolutely untrue.

Mr McDevitt: I assure the House that I have no formal legal training whatsoever, and he can take up any slur that I might speak like a lawyer with his friends who are lawyers. However, on the substantial point, there is a basic issue of equality here. Mr Kelly's party and my party argue that the Office of the First Minister and deputy First Minister are co-equal.

Therefore, they should be called and designated "joint First Ministers". We argue that because we do not believe that you should use a title to differentiate between people. The motions are an attempt to use a title to differentiate between people. In other words, we have an attempt to do with the Deputy Speakers exactly what Sinn Féin is against doing with the Office of the First Minister and deputy First Minister: create a hierarchy of titles among a bunch of people who have the same job to do. On that basic point, this is inequality; it is the absolute outworkings of inequality. I just hope that Mr Kelly and Sinn Féin might reflect on that fact and, before it is too late, take their position away and come back to it another day.

11.30 am

Mr G Kelly: His is a simplistic but very false argument in trying to redefine "hierarchy". It could be argued, with respect to you, Mr Speaker, that we have a hierarchal system because you are in charge of the Deputy Speakers. That argument misuses all of those factors. We have the argument that this system is never used anywhere else, yet there are people who will defend the systems in Westminster and Canada, where they have something similar if not an exact replica of this.

On the subject of the Speaker, Principal Deputy Speaker or Deputy Speaker, let me say to Danny Kinahan that all Members who take up those posts come from political parties. We know that. Whether they are Deputy Speaker, Principal Deputy Speaker or Speaker, their duty is to be non-partisan, and that is accepted no matter what their position.

The SDLP always talks a lot about intent. The First Minister and deputy First Minister issue is a point that Conall McDevitt got wrong as well. In fact, if I remember correctly, it was the SDLP that argued and fought for the terms "First Minister" and "deputy First Minister". The SDLP made that mistake, so let it not try to rewrite history. On intent, which was mentioned on a number of occasions, Sinn Féin, by leave of the Assembly, will of course go for the position of Speaker. That was announced by the First Minister and deputy First Minister in the previous debate on this issue. This is about partnership. It is about good government and moving forward, so I support the motion.

Mr Agnew: This is a clear case of how the Assembly is failing to move forward towards a genuinely shared future, as opposed to a future that is shared out. The original setting up of the positions of Deputy Speakers was an example of sharing out. This, again, is a step towards sharing out. If we genuinely want to keep Northern Ireland moving forward, as many claimed during the election, the Assembly needs to lead the way in moving forward and not seek

to further duplicate positions in the way that we duplicate services in our society.

The only arguments given by those who put forward the proposed change are, first, "We are going to do it because we can", and, secondly, "Well, others have done it, so why should we not?" I do not see those as strong arguments and I do not accept them. What has not been demonstrated is that there is a need for this change. These institutions were created with the endorsement of the people of Northern Ireland in what was the people's agreement. I refer to comments made by a Member who said that he was happy to undermine the Good Friday Agreement. Well, I am not, because it was endorsed by the people of Northern Ireland, and any changes that we make to it should not be taken lightly. No party put in their manifesto that they wanted to make this change. It has not been endorsed by the people of Northern Ireland, and I believe that no party is mandated to make such a change.

I have said before in the House that I perceive the role of Principal Deputy Speaker to be a mere token, and I maintain that position. I said that I would be open to being convinced otherwise, but I have not been convinced. It is for that reason that I reject the motion and the amendment. I cannot give my support or endorsement to the position of Principal Deputy Speaker because I think its creation is disrespectful to the House, these institutions and the people of Northern Ireland, who endorsed these institutions and have not asked for this change.

Mr Allister: We have now debated this issue twice and had four sessions on it in the Procedures Committee, and we arrive at the end of this process with not one individual in the House or the Committee able to articulate a reason why we need a Principal Deputy Speaker. The challenge was laid down at every meeting of the Committee. Someone who is anxious today to raise points of order to shut down debate had the opportunity — namely, Mr Clarke — but was never once able to articulate to the Committee why we need a Principal Deputy Speaker.

Mr T Clarke: For slow learners, let me say that the amendment is clear. The Committee was charged to look at the process of changing Standing Orders. The Committee was not charged to give reasons behind the change of function. It was charged to change Standing Orders to reflect the decision taken by the Assembly. If Mr Allister does not understand that, we can perhaps get it in larger print for him.

Mr Allister: If the Member's approach to politics is that you do something because someone else tells you to do it, you have no idea why, and you cannot think for yourself what the "why" might be, you just do it, then he is the classic example of Lobby fodder. He comes to this House without an idea in his head about why he is going to vote for a Principal Deputy Speaker and is incapable of articulating a reason as to why we need one. The Member condemns himself out of his own mouth in the manner in which he deals with this issue.

No need for the post has been established; we have no function for it; and we have no argument made for it. It is little wonder that there is such embarrassment in the House during this debate on the two main Benches. *[Interruption.]*

Mr Speaker: Order.

Mr Allister: No Member who occupies those Benches has the capacity to tell us why we need a Principal Deputy Speaker. There is nothing there to give. That is why those Members want this debate over and swept under the carpet. This is not an appointment by reason or dint of need, or by dint of anything proved to be absent or deficient hitherto. It is an appointment by dint of a sordid deal between the two main parties, whereby, in order to keep the seat of the present Speaker warm for another three years for Sinn Féin, a deal is done that a Sinn Féin Principal Deputy Speaker will be appointed.

Let me come to the distracting hypocrisy of the suggestion that someone is supporting something against his principles. I know that it might be difficult for some to comprehend nuance. Let me give an example. The party that sits to my left purportedly takes a stand on abortion — a proper stand of opposition to it. When abortion was debated in the House of Commons, what did that party do? It tried to make the best of a bad job by voting to reduce the limit from 24 weeks to 20 or 18 weeks.

Mr Speaker: Order. As I have said to all Members, they should, as far as possible, stick to the subject of the debate, the motion that is before the House. I am prepared to give Members some latitude in and around that. *[Interruption.]*

Members should not try to shout across the Chamber. They should not do that. They should desist from doing that.

Mr Allister: I thought, and I hoped that you would see, that I make a legitimate debating comparison. When debating something that, on principle, you do not want at all, just as the DUP in the House of Commons tried to diminish the impact of abortion by voting to make the best of a bad job, in this House, I am faced with the steamroller, the juggernaut of the irrational, the inability to articulate the "why", from the two parties by virtue of the political cabal and deal they have reached, and it behoves those in the House who want to think about issues to try to make the best of a bad job.

However, in this case, the DUP position seems to be that it wants a Sinn Féin Principal Deputy Speaker for three years, and it rejects the possibility of diminishing that to one year because it is so tied in, inextricably and inexplicably, to the party that sits to my right.

Mr Givan: Perhaps the Member could clarify: if he takes such a 100% principled position on the issue with regard to Sinn Féin, surely it should not even be one year for the Member, it should be never? He has signed up to say that Sinn Féin should have it for one year.

Mr Allister: If the Member is willing to join me, as he was not three or four weeks ago, in making sure that it is never, he will not be without company in that, I assure him. However, the honourable Member's embarrassment comes from the fact that it appears that his members on Committee could not make up their minds on rotation because they had not received their riding instructions, and they abstained in the vote in the Committee. Presumably they have received their riding instructions by now and have been pulled into line to vote with Sinn Féin against rotation, to give the post to Sinn Féin for three years and vote down any proposition that would diminish the level of Sinn Féin occupancy of the post. That is the real position that the honourable Member wishes to cover. That is why he seeks to be so voluble in trying to distract attention from his position.

What of Sinn Féin? I thought that Sinn Féin was a party that pontificated about a classless society. Well, maybe old habits die hard. Maybe it likes titles like "quartermaster" and "commander", which are not that different from "principal". Recently, we have seen that Sinn Féin does like titles. We now have the Baron of somewhere or other — Northstead — or the Steward of Northstead. Now, to add to that quota, we are to have the prized possession of a position without function, rhyme or reason, that of Principal Deputy Speaker. Those who are in cahoots with Sinn Féin will vote it through because that is the deal that they made. That is the reality of this debate.

I always thought that the members of the Alliance Party were the veritable paragons of equality; they were the cheerleaders of power sharing, rotation and sharing.

Mr B McCrea: Only when it suits.

Mr Allister: Yes, and what suits today is to prop up the cabal that puts it in the position that it occupies in the House. It is a surprising shame on the Alliance Party that today it eschews its own principles and leaves it to lesser mortals like me to dare to raise the standard for equality in the House. The Alliance Party: how the mighty have fallen when it has come to this. I implore them that the sense of equality that I exude might imbue them — they sit close enough — and that they might vote in accordance with those principles.

Someone said that there was an argument against democracy in the amendment. It really beggars belief that you should elevate someone to a position because you have done a deal about it that means nothing in terms of function, that has no definable role, yet that one day might be paid. Someone pointed out that it could not be paid; that is not true. That is under the aegis of the independent review body.

The independent review body could well decide, shamefully and wrongfully thanks to the votes of those who create the post, that it may be a paid position even though it may not have a function. Perhaps that is part of the demand; part of the deal. We have not seen the whole deal, the whole shoddy arrangement that brought this about. Perhaps part of the deal is that it is passed to the independent assessors through sleight of hand, so that some Members can say that they washed their hands of it, but they know the full extent of the deal they have done. They want to conceal anything that would reveal that to the House, and they want to be careful that nothing derails it.

11.45 am

The challenge to those who have been unable to articulate a reason, need, or purpose in making this appointment is why, if there is neither function, purpose nor need for it, they want to gift it to their partner, Sinn Féin. Have they so lost the run of themselves that all they are prepared to do in this House is whatever it takes to keep Sinn Féin happy? If they vote against this amendment that will be a demonstration of that, because they will be saying that they want to have a Sinn Féin Deputy Speaker for three years. Is anyone in the House capable of rising above the designation of mere Lobby fodder? We will see in a moment or two.

Mr T Clarke: The Procedures Committee was asked by the Assembly on 16 May to table the necessary amendments to Standing Orders to provide for the appointment of a Principal Deputy Speaker. You would not realise that that was what we were charged to do from listening to today's debate, but that is what we were asked to do, and I thank the Committee staff for their work, for the report that was produced and for the co-operation that they afforded to Members.

We are all aware that the proposed amendments to Standing Orders before us are not unusual; in fact, they bring the Assembly into line with several other jurisdictions. The first of those is, as some Members said while others will not recognise it, the House of Commons in Westminster. It has three Deputy Speaker posts: the principal Deputy Speaker is designated the Chairman of Ways and Means, and the other two Deputy Speakers are simply known as First and Second Deputy Chairmen.

Mr A Maginness: The three offices in the House of Commons that you referred to are defined in the Deputy Speaker Act 1855 and have individual functions. You are trying to create a title without function. Will you please explain why you are doing that, or do the terms of the deal between you and Sinn Féin have to remain absolutely and utterly secret?

Mr T Clarke: We were charged to look at the position of Principal Deputy Speaker, and that is what we have done. That legislation may be done differently in Westminster, but we have provided for the position of Principal Deputy Speaker. The second institution is the Canadian House of Commons, where the Speaker is also supported by three Deputy Speakers with different status.

Mr McDevitt: I have listened carefully to the Member. He said: "we have provided for the position of Principal Deputy Speaker." Will he tell the House the difference between the position of Principal Deputy Speaker and that of any other Speaker, except for the title? What, apart from the title, is the specific difference?

Mr T Clarke: Again, there is no difference other than the title. *[Interruption.]* Do you want a definition or not?

Mr Speaker: Order. Allow the Member to continue.

Mr T Clarke: I am sorry, Mr Speaker. They asked a question, and I was trying to afford them the answer as I see it. The post of Principal Deputy Speaker was created so that when the Speaker is not able to fulfil his role, he can call on a particular individual, as opposed to calling on one of three Deputy Speakers. It makes perfect sense to those who can understand; those who do not want to understand never will.

The Chairperson explained the rationale behind the three motions when introducing the amendments. The Chair highlighted the fact that the amendment proposed to the third motion is a substantive provision. That is the provision that will create Standing Order 5A to provide the role of Principal Deputy Speaker. The first two motions are merely paving amendments for the third motion and do not alter the effect on Standing Orders at all. Rather, they move a provision currently found in Standing Order 1 to Standing Order 5.

I will provide a recap of some of the points that were made. The Committee discussions were very interesting, albeit the meetings were fairly short. When I first went to the Committee meetings, it was like sitting in a court room watching two barristers cross-examining another barrister. Although declarations of interest were made at the meetings, I sometimes wondered whether those two members actually thought that they were still being paid to be barristers from how they were conducting themselves. By the end of the meetings, I was not sure whether to look to the bottom of the table to the person who had been charged by the Assembly to give legal advice or to look opposite me to those who thought that they were there to give legal advice.

Mr Allister: I would have done better.

Mr T Clarke: I hear him saying from a sedentary position that he might have done better. Maybe he would have done better in the courts than he did in the election, when he got in on the ninth count and depended on DUP votes. *[Interruption.]*

Mr Speaker: Order.

Mr T Clarke: Then we come to Mr Gardiner. I was going to say that he made his point well, but I am afraid he did not make any point; all he did was to rehearse an old argument that has been lost. On, I believe, the only day that he was at the Committee, he referred to the House of Commons and its size and then to the size of this place, which he did again today. Casting my mind back to 1998, I believe that his party was at the helm and created the positions that exist here and the functions of this House. So, if there are too many Assembly Members — my party has consistently been on the record as saying that there should be a reduction in the number of MLAs and Departments — it was the Ulster Unionists that created the problem.

Mr Speaker: Let us try to stick to the motion before us.

Mr T Clarke: I am slightly disappointed that I did not get the same latitude as others, but I am happy to move on.

Chris Lyttle supported the motion, and Paul Givan also made a valuable contribution.

To bring Danny Kinahan up to speed: this House has three Deputy Speakers, not four. So, if we are going to take lessons from Danny Kinahan, maybe he should learn how many positions we are talking about. The amendment he supports refers to rotating positions; he is going to rotate four Deputy Speakers, but, as far as I am aware, there are only three positions.

Gerry Kelly also referred to lawyers. I wonder whether he has come to the same conclusion as me: certain members of the Committee were moonlighting and thought that they were not in the Assembly.

Steven Agnew — we will just skip over that one.

Jim Allister referred to me as "Lobby fodder". I have gone to the electorate twice and have been elected twice. The first time that I went to the electorate, I did reasonably well. The second time I went to the electorate, I did so on the same principle, and guess what? I got elected on the first count and over quota. *[Interruption.]*

Mr Speaker: Order, order. Allow the Member to be heard. Order.

Mr T Clarke: Everybody — *[Interruption.]*

Mr Speaker: Order.

Mr T Clarke: Reference has been made today to the public and to the Good Friday Agreement in 1998 and all these other events. I am proud to be in the DUP, and I am proud of some of the changes that have been made in this establishment. However, reference has been made to what the public want. I think of the contribution that Mr Allister just made and the change that he has made in three weeks. I have to give him credit: he did get a resounding vote when he put himself forward for election after he left the DUP. However, when people got fed up listening to the tired old rhetoric of this man, they gave him the vote that he deserved. He came in on his knees, elected by a vote that was lent to him by the DUP — *[Interruption.]*

Mr Speaker: Order, order.

Mr T Clarke: That is how this man got elected — *[Interruption.]*

Mr Speaker: Order, order.

Mr McDevitt: On a point of order, Mr Speaker. Do Standing Orders not recognise us as equals, or are we getting another lecture in fundamental inequality from the DUP?

Mr Speaker: Order, order. I appreciate the fact that the Member is making a winding-up speech on the motions and is trying to answer Members' questions. I understand that. However, as far as possible, please try to stick to the motions. It is understandable that the Member has to widen the debate out slightly to respond to what Members said earlier.

Mr T Clarke: Thank you for that, Mr Speaker. Like other Members, I was just trying to lay out my case in answering some of today's critics.

The point that I was trying to make about Mr Allister's contribution is that the people have spoken, have given this party a voice and believe in the direction that it has taken. Maybe the Ulster Unionists should also listen to this point. The people have recognised the fact that the Ulster Unionists are in absolute meltdown

mode, which is why they are scratching their heads today and wondering why, joining Jim Allister and others —

Mr Speaker: Order, order. I must insist that the Member sticks to the business on the Floor of the House. You need to do that.

Mr T Clarke: Today's issue is not whether the role of Principal Deputy Speaker be created. That debate has happened and the decision has already been taken by cross-community support in the Chamber. The purpose of today's debate is to be certain that the proposed changes to Standing Orders meet the needs of the Assembly because they will apply to us all.

Mr B McCrea: Will the Member give way?

Mr T Clarke: No, I will not give way.

The amendments achieve that and in some way merely formalise a process that already happens in practice. On occasion, I believe that they will also simplify issues surrounding the order in which delegation of duties by the Speaker occurs, but that is, of course, a matter for the Speaker's discretion.

Members have had the opportunity to examine the report produced by the Committee to inform the debate. That details the Committee's deliberations, the options considered and what the Committee finally agreed, often by majority. However, the work has been done, and I will briefly summarise.

The Committee has suggested separating the two purposes currently performed by Standing Order 1(3) so it will serve only an interpretative function. The Committee has also suggested a protocol for addressing the Principal Deputy Speaker and has required a new Standing Order 5A to be drafted. That is designed to cover the selection and replacement of the Principal Deputy Speaker as well as the mode of address function. The Committee proposed no change in allowance. I take Mr Allister's point about the panel that has been set up to deal with that issue. Importantly, that proposal was supported by all sides at the meeting, and if we have the opportunity, we will not support any remuneration for the position.

The idea of formalising which Deputy Speaker would deputise for the Speaker under different circumstances was considered at length. The Committee ultimately agreed that that would remain at the discretion of the Speaker. I will clarify. I find it amazing that there was disagreement today about the issue of function. It was the same Members who did not want the creation of a Principal Deputy Speaker who wanted us to tie down a function for the position. If we followed that path and created a function for the position, it would be easier for someone to be remunerated. So the Committee decided not to create a function that would differentiate between the Principal Deputy Speaker and the Deputy Speakers and instead leave that to the discretion of the Speaker.

As we wind up the debate, I remind Members that the changes that I summarised that are detailed in the motions are the issue in hand. The question is not whether the role be created but to be certain that the proposed changes to Standing Orders meet the letter and spirit of the motion agreed in the Chamber on 16 May. I support the motion.

12.00 noon

Question put, That the amendment be made.

The Assembly divided: Ayes 22; Noes 60.

AYES

Nationalist:

Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr A Maginness, Mr McDevitt, Mrs McKevitt, Mr P Ramsey.

Unionist:

Mr Allister, Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr B McCrea, Mr Nesbitt, Mr Swann.

Tellers for the Ayes: Mr Allister and Mr Eastwood.

NOES

Nationalist:

Mr Boylan, Ms Boyle, Mr Brady, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist:

Mr S Anderson, Mr Bell, Ms P Bradley, Mr Campbell, Mr T Clarke, Mr Craig, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea,

Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Ms S Ramsey and Mr G Robinson.

Total votes	82	Total Ayes	22	[26.8%]
Nationalist Votes	32	Nationalist Ayes	10	[31.3%]
Unionist Votes	43	Unionist Ayes	12	[27.9%]
Other Votes	7	Other Ayes	0	[0.0%]

Question accordingly negatived (cross-community vote).

Main Question put.

The Assembly divided: Ayes 53; Noes 29.

AYES

Nationalist:

Mr Boylan, Ms Boyle, Mr Brady, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist:

Mr S Anderson, Mr Bell, Ms P Bradley, Mr Campbell, Mr T Clarke, Mr Craig, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.

Tellers for the Ayes: Ms S Ramsey and Mr G Robinson.

NOES

Nationalist:

Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr A Maginness, Mr McDevitt, Mrs McKevitt, Mr P Ramsey.

Unionist:

Mr Allister, Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr B McCrea, Mr Nesbitt, Mr Swann.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Durkan and Mr Swann.

Total votes	82	Total Ayes	53	[64.6%]
Nationalist Votes	32	Nationalist Ayes	22	[68.8%]
Unionist Votes	43	Unionist Ayes	31	[72.1%]
Other Votes	7	Other Ayes	0	[0.0%]

Main Question accordingly agreed to.

Resolved (with cross-community support):

(c) After Standing Order 5 insert

"5A. Principal Deputy Speaker

(1) Any Member of the Assembly may nominate a Deputy Speaker, who has been elected in accordance with Standing Order 5(1), to act as Principal Deputy Speaker.

(2) Once a nomination under paragraph (1) has been made, no further nomination under that paragraph shall be made, unless the person nominated does not agree to act as Principal Deputy Speaker or the nomination is not approved, in which case a further nomination may be made.

(3) A nomination to act as Principal Deputy Speaker shall not take effect unless the person nominated agrees to act as Principal Deputy Speaker and the nomination is approved by resolution of the Assembly.

(4) Where a nomination has taken effect in accordance with paragraph (3), the person so preferred may be called 'Mr Principal Deputy Speaker', 'Madam Principal Deputy Speaker', or 'Principal Deputy Speaker'.

(5) If the Assembly resolves that the person acting as Principal Deputy Speaker should no longer so act, it may, in accordance with the provisions of this Standing Order, nominate another Deputy Speaker to act as Principal Deputy Speaker.

(6) Where the Principal Deputy Speaker ceases to hold office as a Deputy Speaker, any Member of the Assembly may, in accordance with the provisions of this Standing Order, nominate another Deputy Speaker to act as Principal Deputy Speaker.

(7) Where a Deputy Speaker is nominated to act as Principal Deputy Speaker under paragraph

(1) or a motion is moved for a resolution under paragraph (5), a debate relevant to that nomination or resolution may take place in which no member shall speak more than once.

(8) A resolution under paragraph (3) or (5) shall not be passed without cross-community support."

Mr Speaker: We now move to the two remaining motions. There will be no further debate. If motion (a) is not agreed, the changes proposed in motion (b) will not be needed, and the Question will not be put on it. I remind Members that both motions require cross-community consent.

Motion proposed:

(a) In Standing Order 1(3) leave out

"may be called 'Mr Deputy Speaker', 'Madam Deputy Speaker' or 'Deputy Speaker' and". — [Ms S Ramsey (The Chairperson of the Committee on Procedures).]

Question put.

The Assembly divided: Ayes 52; Noes 27.

AYES

Nationalist:

Mr Boylan, Ms Boyle, Mr Brady, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist:

Mr S Anderson, Ms P Bradley, Mr Campbell, Mr T Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Flanagan and Mr G Robinson.

NOES

Nationalist:

Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr A Maginness, Mr McDevitt, Mrs McKevitt, Mr P Ramsey.

Unionist:

Mr Allister, Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr B McCrea, Mr Nesbitt, Mr Swann.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Lyttle.

Tellers for the Noes: Mr Durkan and Mrs McKevitt.

Total votes	79	Total Ayes	52	[65.8%]
Nationalist Votes	32	Nationalist Ayes	22	[68.8%]
Unionist Votes	42	Unionist Ayes	30	[71.4%]
Other Votes	5	Other Ayes	0	[0.0%]

Question accordingly agreed to.

Resolved (with cross-community support):

(a) In Standing Order 1(3) leave out

"may be called 'Mr Deputy Speaker', 'Madam Deputy Speaker' or 'Deputy Speaker' and".

Motion proposed:

(b) After Standing Order 5(3) insert

"(4) A Deputy Speaker may be called 'Mr Deputy Speaker', 'Madam Deputy Speaker' or 'Deputy Speaker'." — [Ms S Ramsey (The Chairperson of the Committee on Procedures).]

Question put.

The Assembly divided: Ayes 52; Noes 25.

AYES

Nationalist:

Mr Boylan, Ms Boyle, Mr Brady, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McElduff, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist:

Mr S Anderson, Ms P Bradley, Mr Campbell, Mr T Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir.

Tellers for the Ayes: Mr Flanagan and Mr G Robinson.

NOES

Nationalist:

Mr Attwood, Mr D Bradley, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr A Maginness, Mr McDevitt, Mrs McKevitt, Mr P Ramsey.

Unionist:

Mr Allister, Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr B McCrea, Mr Nesbitt, Mr Swann.

Other:

Mrs Cochrane, Mr Dickson, Mr Lyttle.

Tellers for the Noes: Mr Durkan and Mrs McKevitt.

Total votes	77	Total Ayes	52	[67.5%]
Nationalist Votes	32	Nationalist Ayes	22	[68.8%]
Unionist Votes	42	Unionist Ayes	30	[71.4%]
Other Votes	3	Other Ayes	0	[0.0%]

Question accordingly agreed to.

Resolved (with cross-community support):

(b) After Standing Order 5(3) insert

"(4) A Deputy Speaker may be called 'Mr Deputy Speaker', 'Madam Deputy Speaker' or 'Deputy Speaker'."

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

The sitting was suspended at 12.45 pm.

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

2.00 pm

Oral Answers to Questions

Environment

Planning Applications

1. **Ms J McCann** asked the Minister of the Environment how the redeployment of staff from Planning Service has impacted on the processing of planning applications. (AQO 91/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for her question and welcome her back to the Assembly. The simple answer is that the redeployment of staff in the Planning Service has begun to have an impact on the processing of planning applications. Although I am advised that the Planning Service has done good work over recent years to speed up the handling of applications of all natures, evidence is beginning to emerge that the redeployment of staff and other factors have combined to create circumstances in which the better performance in the Department in managing all sizes of planning applications has now gone into reverse. Further detailed information on that will be made available over the summer, and I will provide copies of that information to the membership of the Environment Committee.

The management of planning applications has now become more visible, and a number of applications have been brought to my attention and received responses from me. Given that, I reassure all Members that those matters are being and will continue to be looked at and managed in a way that mitigates the impact of that redeployment.

Ms J McCann: I thank the Minister for his answer and congratulate him on his new appointment. Does he believe that sufficient expertise and experience has been retained to ensure a consistent approach to new policies such as Planning Policy Statement (PPS) 21?

Mr Attwood: I thank the Member for that supplementary question. I am interrogating the management of PPS 21 in particular, because the anecdotal evidence is that there has been

some inconsistency in planning decisions between planning offices. If the Member or any other Member has any further information in that regard, I would very much welcome hearing from them.

I will go further, however, and say that, in recent times — even this morning — I have been applying my mind to determining whether there are potential variations in PPS 21 that do not breach in any significant way the intention or ambition of the planning policy but do, nonetheless, create some greater flexibility for non-farming rural dwellers. There is an opportunity to identify further moderate interventions that could see not just consistency in the application of the policy but some betterment in the conduct of the policy to enable those with a legitimate interest in living in a rural area to have the opportunity so to do.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra a thug sé dúinn.

Will the Minister tell me what the current budgetary position is for income from planning fees?

Mr Attwood: I thank the Member for that question. Compared with the height of fee income from planning applications and property certificates in and around three or four years ago, the loss of receipts coming into the Department means that that budget is down 40%. That is clearly working itself through into the overall budgetary position in both the Planning Service and the Department. However, I reassure the Member that, whatever the budgetary situation, I believe, as I always said in my previous role, that a Minister's responsibility is to be in government and in power. If there are some further ways in which the power of the office can be used to assist the processing of planning applications, I will try to deploy that power. For example, I have instructed officials that, whatever the Programme for Government might or might not say when eventually we have one, we will create new performance indicators now around the management of all sorts of planning application.

On the basis of Civil Service advice, a target was set for timeliness regarding various planning applications, but I am not content, necessarily, that those time limits and time lines are right. If we can interrogate them in a way that forces the pace of planning applications so that they are assessed more quickly than they are at the moment — it is better than it used to be, subject to what I have just said — we should go there. If there are critical cases in the North of Ireland where the consensus in a planning district is that there needs to be some upgrade in respect of staff, especially where there is a strong view across parties that particular members of staff were very helpful in their previous role, I will ask my permanent secretary to consider whether there are opportunities for redeployment back into those areas in an effort to help.

Mr Dunne: I congratulate the Minister on his appointment. Are there any plans to relocate the Downpatrick planning office, as a large section of its work is now managed by the Belfast area planning office?

Mr Attwood: I thank the Member and congratulate him on his election to the Assembly. The answer to that question is "Not to my knowledge". In fact, the contrary is the case. One of my ambitions as Minister is to identify opportunities, as I did in a moderate way when I was Minister for Social Development, to redeploy staff out of the major urban location of Belfast. I believe that there is an opportunity, subject to all necessary consultations with the staff affected, to see whether we can redeploy staff to other parts of Northern Ireland in the way that we pursued the decentralisation agenda.

I have also tasked my officials with identifying all assets of the Department of the Environment (DOE) estate to identify whether there are opportunities when it comes to other initiatives that the Department undertakes to deploy staff or to locate activities outside the greater Belfast area in a way that will see opportunities for decentralisation to grow. If there are opportunities in the north-west, west or south-east, I would like to see if we can do it in those areas. If there is anything further in respect of the Downpatrick situation that I think I should bring to the attention of the Member, I will do so in writing.

Ms Lo: I understand that the Northern Ireland Environment Agency entered a contract with a number of archaeologists who enabled the Department to scrutinise applications in relation to archaeological matters. The agency ended the contract on 31 May, but it will not start again until the end of the year. Will the Minister advise us who will deal with the applications in relation to archaeological matters?

Mr Attwood: I can confirm to the Member that there have been issues not just regarding

archaeological assessments but in wider assessments of built heritage where the budgetary situation has given rise to some issues and difficulties in a way that concerns me. The opportunity to scope out what the built heritage is, where the assets are and what we need to do to protect them may be put off for a significant time — too long, in my view.

In respect of the question that she raised, I will come back to her in more substance in writing.

Mr Deputy Speaker: Before moving on to our next question, I inform Members that questions 5 and 9 have been withdrawn and will require written answers.

Waste Management: Incineration

2. **Mrs Dobson** asked the Minister of the Environment for his assessment of the use of incineration as a form of waste management.
(AQO 92/11-15)

Mr Attwood: I thank the Member for her question and congratulate her on her election to the Assembly. Given that there are a number of live procurements in respect of waste management through the three clusters of councils, the Member will appreciate that I need to be careful about what I say in answer to her question.

In respect of taking waste management forward — incineration in particular — I will look at any recommendations that come forward to the Department. I will assess any proposal against the current planning and wider policies. I will determine whether it is sustainable and does not jeopardise any further opportunities for recycling. I will assess any proposals for waste incineration by judging them against what is known as the waste hierarchy.

That said, I want opportunities for waste management and recycling to be exploited more during my tenure. Although Belfast has a domestic waste recycling rate of 30%, comparable cities in Britain, such as Cardiff, have a recycling rate of 40%. Particularly if we go down the road of reorganising local government, I want to see how we can push the new councils, in the run-up to that reorganisation, to up their game on recycling, reusing and maximising opportunities that could mitigate the need for incineration. I should point out that incineration is not merely a matter of burning waste, and opportunities to get energy from waste make the incinerator option more attractive.

Mrs Dobson: I thank the Minister for his answer. Will he clarify the future plans for incineration in Northern Ireland? In particular, how does he intend to address concerns raised by Almac Pharmaceuticals about Re-Gen Waste's proposed construction of a material recovery facility beside its site in Portadown?

Mr Attwood: As the Member may be aware, the three waste management groups that reflect the interests of local councils in the North have ongoing procurements for potential incineration plants. I am not a Minister minded in all circumstances to turn down any application for an incinerator. I will set any proposal that comes forward, if any does, against the standards and principles that I have just outlined: is it consistent with policy, is it a disincentive to recycling, and is it a sustainable and efficient model going forward? In coming to a recommendation on each proposal for an incinerator, I will consider those factors.

I will write to the Member in more detail on the Almac matter. However, if we are able to keep on the right side of European law, there are increasing opportunities for all-Ireland incineration and recycling. There is a major incinerator in County Meath, and there will be one in Dublin. I understand that both may have excess capacity. If we are able to move forward in a way that creates not only opportunities in the North but, potentially, opportunities on the island that are consistent with European transport and other environmental directives, I am keen to scope that out to determine whether good evidence exists for going in that direction.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister to his first Question Time in his new office.

Recently, Minister, you kindly responded in writing to a question that I asked you shortly after you came into office about Rose Energy's application to build an incinerator at Glenavy, on the shores of Lough Neagh. You said that you would consider expert advice following an assessment of submissions made by the applicant and by the considerable lobby opposed to the incinerator. Given that the proposed incineration plant has proved hugely controversial, as part of your careful consideration of the application, would you consider it helpful to commission an objective study of alternative means of treating poultry waste?

Mr Attwood: I thank the Member for his question and kind words. I welcome the fact that he acknowledges, as I do, that poultry litter disposal is something that we just have to deal with. Let me reiterate to the Member what I said in response to a question tabled in the Assembly: when I have receipt of the expert advice from the consultees on the submissions by the applicant and third parties, I will make an assessment based on the recommendation of officials.

I note the particular proposal that the Member makes. It has not come across my desk heretofore. I will ask my officials to investigate that proposal to see whether it would enhance the information available to me as Minister in making an assessment of the matter. Beyond that, I will make no further commitment at this stage, given that it is crucial that I keep on the right side of due process and good evidence in the matter.

2.15 pm

Mr Allister: Minister, can you assure the House that you have no fixed ideological position on the matter? In particular, will you be mindful of the very special needs of the agriculture sector and, within that, the poultry sector? Will you take care not to fall into the trap of perpetual delay in reaching essential decisions? Will you remain mindful of the severe risk of EU infraction proceedings if we do not adequately deal with the poultry litter problem?

Mr Attwood: I thank the Member and welcome him to the Assembly. I confirm that I have some ideological positions, and I am not afraid to have them. Perhaps, in the next few months, you and I could have some conversations, one way or the other, about ideological positions. Perhaps mine might even prevail over yours.

Mr Elliott: I would not bank on it.

Mr Attwood: Precisely. My experience as an SDLP politician has always been to travel more in hope than in expectation. I assure the House that, when it comes to talking to Mr Allister, that is definitely the basis on which I would have the conversation.

I do not fall into traps around delay. When I was Social Development Minister, I tried to demonstrate that there was a difference between going into government and going into power, a difference that, in my view, Ministers did not fully appreciate. One of the differences is that, when you go into power, you do not allow yourself to become a captive of delay. I assure the Member that, if there is any reason to be concerned about delay, it should be brought to my attention. However, it will not be the measure against which I will proceed.

I note what the Member says about infraction proceedings. I assure the House that I have enquired generally within my Department whether any infraction proceedings are pending or might arise in respect of any activity or function of the Department, and I have been reassured in that regard. I refer to what I said to Mr McLaughlin about the management of the issue. I await best advice. When I get it, mindful of the proposal made by Mr McLaughlin, I will advise the House further.

Local Government Auditor

3. **Mrs D Kelly** asked the Minister of the Environment whether he has any plans to introduce legislation to give increased scrutiny powers to the local government auditor to help improve the financial accountability of local authorities. (AQO 93/11-15)

Mr Attwood: I thank the Member for her question. Let me say to the House that, irrespective of what happens with the review of public administration (RPA), the shape and character of the RPA and the powers of the local government auditor in the event of the reorganisation of local councils, if Members have any issues with the conduct of any council that, they believe, needs to be investigated now — whether it is the council of which the Member was a member, the council of which I was a member or the councils of which many people in this Chamber are still members — they should bring it to the attention either of the auditor or of my office. I remind Members that, unlike the auditor in Britain, the local government auditor in Northern Ireland still has the opportunity to surcharge councillors. Whatever about future scrutiny powers, one of the current scrutiny powers is that the local government auditor has the opportunity and ability to surcharge. We should not be coy about that. If councils are on the wrong side of good practice and performance, let the matter be investigated. If there is something that needs further remedy, let it be addressed.

At the Committee Stage of the Local Government Finance Bill, the former Minister made a commitment to deal with the issue raised by Mrs Kelly. I await advice on enhancing the power of the local government auditor. If reorganisation happens, it is already the case that the local government auditor will have an assurance and assessment role in councils' compliance regarding service delivery and performance improvement. If good evidence and best advice shows that there is a need for further legislation to enhance all that, I will not shirk from going in that direction.

Mrs D Kelly: I thank the Minister for his reassurance. It will be no surprise to him that I have many concerns about the behaviour of Craigavon Borough Council, of which I was a member for nearly 17 years. The Minister will be well aware that councils across the North have substantial land banks as well as having a certain role to play in area planning and town centre boundaries.

Mr Deputy Speaker: Can we have a question, please?

Mrs D Kelly: I urge the Minister to ensure that the local government auditor has real-time investigative powers. I also ask him for a commitment that his Department will carry out an analysis of the role and function of the local government auditor vis-à-vis the Comptroller and Auditor General at the Assembly.

Mr Attwood: I thank the Member. I have some sense of her concerns about the council that she named, as well as similar concerns held by other Members about one or two other councils. All accountability mechanisms that exist in the North need teeth, whether local government auditor, Police Ombudsman or any others. If there is good reason to give more powers to the local government auditor going forward, I would be minded to do so.

I note the points that the Member made in the latter part of her question, and I will look at those matters further. I also note what she said about land banks. Bearing in mind the asset base that councils do and will have, we need to make sure that the management of those assets, including land banks, fulfils all appropriate and high standards. However, there is a wider political point: if we go in the direction of RPA, I have a sense that a cluster of councils is preparing itself for that direction of travel. They will do so in confidence, using the powers that they already have to ensure that there is good performance and best value for money and in a way that properly addresses any issues of concern. I have a sense that some councils and staff are more interested in competing for territory and status than they are in competing on behalf of the citizens and ratepayers whom they represent. I hope that, if we go in the direction of RPA, those councils will embrace the best standards and performance of their colleagues.

Mr Givan: I know the Minister would agree that 99·9% of functions exercised by councils are carried out to the highest possible standards. It is important that there is financial probity. Will he check with the local government auditor whether he is still prepared to use the surcharge function? I understand that, after losing a case, he indicated that he would not use the function again because he was overruled on it. Secondly, does the Minister agree —

Mr Deputy Speaker: I remind Members that they should ask only one question.

Mr Givan: I believe that some councils are seeking to gift land, at no charge, to the GAA. Will the Minister make sure that there is financial probity in those transactions?

Mr Attwood: I thank the Member. I confirm that I signed off on four disposals of land or property by councils to the GAA and other organisations in the past two weeks. Given the financial situation that many sporting and other organisations face, I asked officials to check, on the basis of good practice and evidence, whether there are opportunities to dispose of lands, buildings or parts of buildings in council areas, not necessarily at nil value or rent but at a more advantageous value or rent. It seems to me that, if councils or government have an asset base, there may be opportunities in these times of difficulty and less money to enable community, sporting and other organisations to fulfil their purpose and serve their members, whatever their background.

I do not like it when a Member, when making a comment about the disposal of land or buildings, particularises one organisation. That is partial, selective and partisan; it is not in keeping with the standards that this Chamber upholds or with the standards that my Department or councils, by and large, uphold. I regret that remark.

I note what the Member said in respect of the local government auditor and will probe the matter further. An independent accounting auditor may have powers, but the fact that he loses a case should not lead to the conclusion that he never used his powers at all.

Road Safety

4. **Mr McCartney** asked the Minister of the Environment what road safety measures he intends to introduce during this Assembly term. (AQO 94/11-15)

Mr Attwood: I thank the Member for that question. I will shorten my answer to give the Member the opportunity to come back with a supplementary question.

I am minded to introduce new road safety measures during this Assembly term. Although we continue to scope those out in the Department, one example is the introduction of further measures to deter drink-driving. Perhaps we should not only reduce the minimum level of alcohol in a person's blood that can lead to prosecution for certain designated drivers, such as R-drivers, but introduce a requirement for a blood:alcohol reading of nil to avoid prosecution. Nil does not necessarily mean a zero reading, as there are reasons, such as the taking of medicines, that could lead to partial traces of alcohol in a person's blood. Reducing the blood:alcohol level required for prosecution is an area that we should explore.

Mr McCartney: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I welcome the Minister in his new role. I also welcome the fact that he has outlined some of the issues that he intends to raise. Does he have a timeline for doing that? Does he have any intention of meeting his colleague in Dublin to share his proposals, particularly those that would be strengthened if they were rolled out on a cross-border basis?

Mr Attwood: I thank the Member for his comments and his question. The answer to his second question is yes. At a North/South Ministerial Council (NSMC) sectoral meeting on the environment on 1 July, I am scheduled to meet the Minister for the Environment, Community and Local Government, Phil Hogan. Independent of that, we have scheduled a further meeting on 4 July, at which we will be able to scope what further can be done.

At the margins of the NSMC meeting, I spoke to Minister Hogan on Friday, and, in a very short time, we were able to scope out a number of interventions on an all-Ireland basis that would benefit our citizens, North and South. For example, it would be better to align blood:alcohol limits across these islands. However, I have indicated to officials that, given that we share a land border with the Republic of Ireland, we should not unnecessarily delay doing what we want for Britain; we should go ahead with doing that with the Republic of Ireland.

Given the good work of previous Ministers to ensure that there is mutual recognition of disqualification, we need to push on with the mutual recognition of penalty points on a North/South basis, if not on an all-island basis. The all-island freight forum is a crucial measure in road safety.

My intention is for Minister Hogan and myself to, within a month, map out and announce, subject to his agreement, a pathway for all-Ireland road safety.

2.30 pm

Finance and Personnel

Mr Deputy Speaker: I remind Members that the Minister of Finance and Personnel has advised of his unavailability today due to his attendance at the funeral of Brian Lenihan. The Minister of Enterprise, Trade and Investment will be answering questions on his behalf.

Budget Review Group

1. **Ms Boyle** asked the Minister of Finance and Personnel what issues he has raised at meetings of the Budget review group to date. (AQO 105/11-15)

8. **Mr Lynch** asked the Minister of Finance and Personnel whether the Budget review group is considering the opportunities that exist to apply for European Union funding to help raise revenue. (AQO 112/11-15)

14. **Mrs McKevitt** asked the Minister of Finance and Personnel how much has been realised to

date through the implementation of revenue-raising measures that have been recommended by the Budget review group. (AQO 118/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): I want to group this question with questions 8 and 14.

The first meeting of the newly constituted Budget review group under this mandate will take place on 15 June. At that meeting, Ministers will need to take stock of the Budget review group commitments made by the previous mandate and the specific projects that need to be addressed as a matter of urgency. The Minister of Finance and Personnel will be anxious to see how those Departments with explicit Budget review group commitments incorporate within their Budget settlements the work that they have been asked to take forward. There is some £900 million of additional revenue-raising measures to be delivered over the coming four-year period, which include the plastic bag levy, capital receipts from the sale and disposal of assets and contributions from the Port of Belfast and housing associations.

At the meeting, the Minister will also raise the need to pursue those other revenue-raising proposals advanced but not sufficiently robust enough to reflect in the Budget settlement. An important element of that will undoubtedly be an exploration of all options to maximise the drawdown of European Union funding streams that are open to the Executive to exploit. There is much merit in some of those proposals, and the Budget review group needs to examine them thoroughly.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Did the Minister of Finance and Personnel raise the issue of asset disposals with his Southern counterpart at last Friday's North/South Ministerial Council plenary meeting, particularly in relation to the National Asset Management Agency (NAMA)?

Mrs Foster: As the Member knows, the Finance Minister has had a good working relationship with his counterpart in the Republic of Ireland on NAMA issues. In that respect, it is appropriate to pay tribute to Brian Lenihan's work with our Finance Minister on NAMA. He allowed Sammy to have access to some issues to which officials originally would not allow him access. It is right and timely that I should pay tribute to Brian Lenihan.

I am not aware whether the Finance Minister raised issues with his counterpart at the North/South Ministerial Council. The issue was certainly not on the agenda, so it probably was not raised at the meeting. However, the Finance Minister will want to see how assets will be realised in Northern Ireland because they are part of the £900 million Budget commitment. We will want to explore those matters at tomorrow afternoon's Budget review group meeting.

Mrs McKevitt: What is the current outlook for raising revenue from the Port of Belfast?

Mrs Foster: The Member will be aware that the contribution that is being asked of the Port of Belfast is some £40 million. Negotiations are still ongoing between the Port of Belfast and the Department. The Finance Minister is leading on the issue, and he will continue to push the Port of Belfast for its share of the Budget settlement. We believe that the assets are there, and the Minister will continue the negotiations and will no doubt advise his colleagues who sit on the Budget review group of their progress.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister indicate when the Assembly can expect results from the review of arm's-length bodies?

Mrs Foster: That is an agenda item for tomorrow's meeting. From my experience, I know that the Office of the First Minister and deputy First Minister (OFMDFM) has tasked every Department to supply information on their arm's-length bodies. Questions were asked as to the effectiveness of those arm's-length bodies and whether there was a statutory need for all of them. All that information has been collated, as I understand it, and sent to the Office of the First Minister and deputy First Minister, and that matter is on the agenda for tomorrow's meeting.

Mr S Anderson: The Minister referred in her initial response to housing associations. How do the Executive propose to access the housing associations' reserves?

Mrs Foster: That matter caused much discussion at the time. I well recall listening to the housing associations say that that was something that could not be done, that we did not have legal grounds to do it, and all manner of claims. However, as the Member will know, the Budget review group (BRG) in the previous mandate very much identified the possibility of deploying the

housing associations' financial reserves, which are quite considerable, and we believed there was a need to look at ways of using that more effectively.

I think that there was a misunderstanding at the time that we would come along and dip into the bank accounts of housing associations. That certainly was not the way in which we saw this going forward. It is not a question of directly accessing the reserves. Rather, the way in which it is happening is that the grant paid to housing associations has been set at £20 million per annum lower than it would otherwise have been set. That, we hope, will encourage housing associations to use their reserves to make up the shortfall in moneys coming from the Government. That is how the Department of Finance and Personnel (DFP) is dealing with the issue of housing associations and their reserves.

Mr Kinahan: I thank the Minister for her answer. She mentioned earlier that there were robust options that did not make it into the Budget. Will she give us examples of additional revenue-raising options that have been identified by the BRG?

Mrs Foster: Many other options, some robust and some not so robust, were considered by the Budget review group and Finance Minister. At the meeting tomorrow, as I understand it, the group will look at the latest position on, for example, the review of the Northern Ireland Housing Executive, which is one of the options that it wishes to look at. It will also look at work in relation to the Odyssey Trust Company to take forward suggestions that were made there.

Of course, different political parties raised other issues, be they mobile phone mast charges or levying a charge on non-exempt ATMs. However, all those matters have to be subject to rigorous examination and, in some cases, possibly legal opinion to see whether the matter can be taken forward. So, they will be robustly challenged. They are not in the Budget at present because the Finance Minister did not feel at that time that they were robust enough. So, they will be looking at all those options again tomorrow afternoon.

Mr Deputy Speaker: Before moving on to our next question, I advise Members that questions 3, 4 and 10 have been withdrawn and will require written answers.

Small Business Rate Relief Scheme

2. **Miss M McIlveen** asked the Minister of Finance and Personnel what progress has been made on the expansion of the small business rate relief scheme. (AQO 106/11-15)

Mrs Foster: Good progress has been made, and a paper setting out the preferred option of the Finance Minister is with the Executive for consideration. Around £6·3 million is the current annual saving to small businesses under the main scheme, helping around 16,000 businesses in Northern Ireland. The Finance Minister would hope to be able to double the amount of relief and increase by over 50% the numbers who receive help.

Given constrained public finances, the additional help needs to be broadly cost-neutral to the Executive, and it is proposed to fund the expansion of the small business rate relief scheme through a large-retail levy. Large retailers are generally better placed than small businesses to cope with the economic downturn. These measures need to be introduced as soon as possible, and, with Executive support, the Finance Minister will be seeking Assembly approval to have them in place by next April. They will apply for three years, through to the end of the Budget period. Consultation will begin soon on the way forward, and the Finance Minister hopes that final decisions can be reached in the autumn.

Miss M McIlveen: I thank the Minister for her answer. Wearing her normal hat, she will recognise that small businesses are the backbone of our local towns and that any assistance would be welcomed in the current climate. What is likely to be the average benefit if such a scheme were introduced?

Mrs Foster: I thank the Member for her question. I recognise the value of small businesses to the Northern Ireland economy. Indeed, it was while visiting one of those small towns — I do not know whether you would call Ballyclare a small town, Mr Deputy Speaker; perhaps you can clarify. In any event, we visited Ballyclare and when talking to some of the small businesses there I was surprised to hear that the current small business rate relief scheme did not help some businesses in that town.

It is good to see that the Finance Minister has decided to expand the small business rate relief scheme, because that will make a real difference to a lot of small businesses across

Northern Ireland. The 20% relief for those with a net asset value of £5,000 to £10,000 would give an average award of £730 at 2011-12 levels. The idea is that the hearts of villages, small towns and bigger towns will be kept alive during what has been a very difficult period for them. The small business rate relief scheme, from the Finance Minister's point of view — and, indeed, from the economy Minister's point of view — is a very good scheme, and it is one of which the Assembly should be very proud.

Mr Murphy: The Minister is correct; the smaller business rate relief scheme is something that we could give significant support to, and, hopefully, the effect will be to help sustain smaller businesses in town centres. She is also correct when she says that that is predicated on a greater return from the retail levy, which, again, is predicated on the rateable value of larger retail outlets. Given that that may not be such an accurate barometer of how some of the larger retail outlets are doing, does the Minister think that perhaps some element of profitability should be added to the scheme? Although I think that it is a valuable scheme and that it will have a good effect on smaller indigenous businesses that are struggling, nonetheless it could potentially be a blunt instrument that may act against some larger retailers that are perhaps not doing so well in the circumstances.

Mrs Foster: I thank the Member for that question, and welcome his support for the small business rate relief scheme. To put it into perspective, the large-retail levy is likely to affect fewer than 100 properties throughout Northern Ireland — 0·1% of all non-domestic properties. My understanding is that it involves just 27 companies that have a combined UK sales turnover in excess of £100 billion per year. The impact that it will have on those 27 companies is minimal compared to the amount of profit that they make year on year.

Having looked at the situation in the round and at how larger businesses have been much more resilient than some of our small businesses, which live from month to month in relation to their cash flow, I believe that it is a substantial help for those small businesses and will be at minimal cost to those larger businesses that will be asked to pay the levy.

Mr Durkan: I welcome the Minister back again today. As well as the retail levy mentioned by the Member who spoke previously, does the Minister foresee any opportunity for adding an additional levy for large retailers that sell alcohol below cost price on many occasions?

2.45 pm

Mrs Foster: The Minister of Finance and Personnel will want to discuss that issue with the Minister for Social Development. I know exactly what the Member is talking about, because the issue of local retailers selling alcohol at below cost price has been raised with me at constituency level.

I will take the Member's comments back to the Finance Minister and ask him whether he has any plans to speak with the Minister for Social Development. Presumably, that is also part and parcel of the debate about minimum pricing in which the Minister for Social Development is involved. The Minister of Health, Social Services and Public Safety has also indicated that he wants to take the matter forward. The issue crosses a number of Departments, but I am aware of it.

Corporation Tax

5. **Mr T Clarke** asked the Minister of Finance and Personnel what discussions have taken place between his Department and Her Majesty's Treasury on corporation tax. (AQO 109/11-15)

Mrs Foster: The First Minister, the deputy First Minister, the Minister of Finance and Personnel and I met David Gauke and Owen Paterson in February and March 2011 to discuss the then draft 'Rebalancing the Northern Ireland economy' paper, which is currently out for public consultation, ending on 24 June. At those meetings, we made it clear that the United Kingdom Government needed to work with the Executive to look at the different options for varying corporation tax. We also identified a need to examine the costs, which remain very high and at the upper end of the previous estimates. We asked that the paper be more explicit about the benefits that we might expect. Further work is needed in those areas, and we will continue to engage with the Treasury in that regard following the close of the consultation.

More recently, we all attended a consultation event in London on 8 June, which was chaired by the Exchequer Secretary, at which we heard views from multinational businesses and other private sector stakeholders on the impact that a corporation tax reduction would have on the attractiveness and ease of doing business in Northern Ireland.

Mr T Clarke: I thank the Minister for the response to that question. Given that many experts, elected and unelected, have expressed opinions about a reduction in the rate of corporation tax, what impact does she expect a lower rate will have on Northern Ireland's attractiveness as a location for inward investment?

Mrs Foster: I do not have any doubt, nor do most of the commentators in the business world, that reducing the rate of corporation tax in Northern Ireland would have a significant benefit to the economy. The question then is whether that benefit is greater than the cost to the block grant. The independent evidence that I have in my Department — it is important to say that it is independent — leads me to believe that a lower rate of corporation tax would be of huge benefit to Northern Ireland in a number of ways. It would bring more foreign direct investment and many more jobs into the economy. My economic advisory group has indicated that it could create up to as many as 4,500 new jobs every year. It would increase our productivity levels, so the productivity gap between us and the rest of the United Kingdom would close. That is something that we set as a target as far back as 2007, at the start of devolution. That convergence of living standards would be something that all people in Northern Ireland, regardless of where they live or what they do for a living, would feel. For me, that is the key part of obtaining a reduction in the rate of corporation tax.

However, the consultation is continuing. As I understand it from my Department, the closing date for the consultation has been extended to 1 July 2011. That will give businesses and, indeed, everyone else the opportunity to engage in that consultation with the Treasury, after which there will still be much detailed work to do on how the corporation tax reduction will, hopefully, happen in Northern Ireland.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. I detect a slight difference in emphasis in the enthusiasm for a reduction in corporation tax between the Enterprise Minister and the Finance Minister. Be that as it may —

Mr Deputy Speaker: Can we have a question, please?

Mr D Bradley: In the Minister's view, what measures can be introduced to ensure that Northern Ireland is not subject to a rash of the practice known as brass plating, whereby companies seek to gain advantage from the lower rate of corporation tax without the accompanying economic activity?

Mrs Foster: The Member is absolutely right: that is one of the key issues that we need to sort out after the consultation is over. As the Member will know, there are two stages to it: the principle of devolving corporation tax to Northern Ireland, and sorting out the details of how much will come off the block grant and how we will administer it in Northern Ireland. For instance, will Northern Ireland have a separate administration to deal with those issues? So, there are a lot of details to be sorted out between ourselves and the Treasury.

I have to say that I laughed a little when I read today's 'Belfast Telegraph', which said that the First Minister is the nice cop, the Finance Minister is the nasty cop, and I am the even nicer cop. *[Laughter.]* The 'Belfast Telegraph' is now high on my list —

Mr Hamilton: Have they met you?

Mrs Foster: Mr Hamilton wants to know whether they have met me.

Obviously, the Finance Minister is charged with the public finances of Northern Ireland, and, therefore, he will be concerned about the cost of devolving corporation tax. As the economy Minister, my job is to build the Northern Ireland economy and to try to close the productivity gap between ourselves and the rest of the United Kingdom. That is my primary aim and why, having looked at the independent evidence, I believe that reducing corporation tax will bring about benefits for Northern Ireland that we would otherwise not achieve.

Mr Agnew: Will the Minister confirm that, as well as the cost to the block grant, Northern Ireland will be asked to bear the burden of the extra administration cost of implementing a reduction in corporation tax? Furthermore, are there any estimates of how much that cost will be?

Mrs Foster: As I said in answer to the previous question, those are the issues that we need to sort out with the Treasury. Interestingly, last week's consultation was attended by some of the major multi-nationals, and their tax advisers said that they did not see any difficulty in administrating a different tax rate in Northern Ireland from that in the rest of the United Kingdom. However, they were very clear

about wanting a single point of contact in the United Kingdom to deal with their company's tax issues, and they felt that a differential tax rate in Northern Ireland could be dealt with quite easily from London.

Corporation Tax: Block Grant

6. **Mr Elliott** asked the Minister of Finance and Personnel to outline why the estimates provided by Her Majesty's Treasury, on the potential cost to the Northern Ireland block grant of a reduction in the level of corporation tax, differ significantly from his Department's estimates.

(AQO 110/11-15)

Mrs Foster: The first point to make is that both figures are estimates. Last year, corporation tax figures were included in a Department of Finance and Personnel report on Northern Ireland's fiscal deficit. The analysis detailed in that report applied a methodology developed by the Scottish Government for estimating their fiscal deficit. Although that approach was agreed with the Office for National Statistics, it involved making some high level assumptions in allocating tax revenues, as regional tax data is not routinely published by Her Majesty's Revenue and Customs (HMRC) and was not available at that time. The Treasury estimates included in the Government's consultation document were produced using a different methodology. Although there are also caveats attached to those figures, they are based on a detailed analysis of actual tax receipts by postcode that was previously unavailable. That said, further work is needed to find out precisely how much corporation tax is collected in Northern Ireland, and I will be pressing the Treasury to urgently take that exercise forward.

Mr Elliott: I thank the Minister for her answer. Obviously, there is still some work to be done. Has the Department sought legal advice on the Azores ruling, and, if so, how does it affect the outline proposals?

Mrs Foster: The Azores ruling is fundamental in that, if Northern Ireland is to get a differential tax rate, an amount of money must come out of our block grant to reflect that. The Department of Finance and Personnel has been engaging directly — as, indeed, has the Department of Enterprise, Trade and Investment (DETI) — with the European Union, along with Treasury officials. Indeed, the reaction from Europe was positive. At the meeting, it was said that, as long as the Azores ruling was complied with, they did not think that there would be any difficulty in relation to the European Union. So we will work on that basis. If we do achieve a lower rate of corporation tax, as I said, it will be of great benefit to Northern Ireland.

I look to places such as Estonia, which has a corporation tax rate of 10%. Indeed, my Department carried out a significant piece of work on smaller regions throughout Europe with tax incentives, looking also at their economic policies. Estonia has a corporation tax rate of 10%, but, fundamentally, it also has other very good policies, including research and development, innovation and a whole culture of moving its economy forward, to bring about economic growth. Let me be very clear: although a low rate of corporation tax would be a great help to the Northern Ireland economy, we still need to increase our skills level and have that innovation and research and development culture very much at the heart of our economy.

Mr Ross: I agree with the Minister when she says that the ability to reduce the corporation tax rate in Northern Ireland could be a significant economic lever for the Executive and that, hopefully, it will transform the Northern Ireland economy and help to grow the private sector. However, she is also right when she says that it will not, on its own, be a silver bullet to transform our economy. Will she outline what other measures or policies the Executive can pursue to ensure that we grow our private sector and continue to attract foreign investment?

Mrs Foster: I thank the Member for that question. As I have said, we need to continue to grow our skills agenda. In that regard, I look forward to a meeting that will take place in the near future with the Minister for Employment and Learning to see what else we can do in and around the skills agenda. As economy Minister, I pushed for the Treasury paper, in addition to containing the corporation tax proposals, to look at matters such as research and development tax credits, which is a key element that could really help the many companies that raised the matter with me. Another issue that some people mention is whether companies in Northern Ireland could take a holiday from National Insurance contributions. There are other elements as well. However, the independent economic advisory group that gives me advice simply says that, while other things will help, the thing that will

give us the step change will be the lowering of corporation tax.

Mr McLaughlin: I commend the ability of the Minister to step in at such short notice and handle the questions in such a comprehensive fashion. I return to an issue that the Minister addressed earlier. Assuming that the power to vary taxes is devolved to the Assembly, would it become practically impossible for the Executive to do so unless and until we resolve the current difference in the estimates?

Mrs Foster: We cannot take a leap into the dark on this matter; we will have to get more clarity in and around the estimates that were given to us. The Member will know that the Department of Finance and Personnel carried out considerable work in relation to the ancillary benefits that will arise as a result of reducing corporation tax. If you get more people to come in to Northern Ireland, you are, of course, going to have more people spending money in Northern Ireland and paying National Insurance contributions and all of the other taxes. He is right: there is very much a need to get clarity on the estimates from Treasury. That is not for the want of asking on our part, but we will continue to ask. Once the consultation is over, that matter will take up speed again.

Village, Belfast: Negative Equity

7. **Mr A Maskey** asked the Minister of Finance and Personnel for an update on the discussions that have taken place between his Department and the Department for Social Development and the Northern Ireland Housing Executive regarding the negative equity issue that has arisen as a result of homes being vested in the Village area of south Belfast. (AQO 111/11-15)

Mrs Foster: Following the Assembly debate on negative equity in October 2010, the Finance Minister met Ministers Attwood and Murphy in November 2010. In April of this year, he again met Minister Attwood and was briefed on the outcome of Minister Attwood's discussions with the Attorney General. Senior officials from the Department for Social Development (DSD) and the Department of Finance and Personnel have met on several occasions to discuss those difficult issues.

Mr A Maskey: I thank the Minister for that reply. In a previous response, she said that some businesses may fall outside the benefit of the business rate relief scheme but, nevertheless, would be able to absorb that because of the size and scale of their operations. Similarly, in the Village area — there are obviously others, but I speak for the purposes of this question — a number of people who have bought properties may be landlords, but others may be people who have families or may be first-time buyers.

Is the Minister in any position to explain whether the Departments have examined the scale of the negative implications that there may well be for first-time buyers and families, as opposed to larger landlords, who, I understand, bought some of the properties? There is a scale of how the negative impact may apply to individual families. Is any work being done on that?

3.00 pm

Mrs Foster: A considerable amount of work has been carried out on that. As I understand it, there are 538 properties in the Village urban renewal area, and, of those, it is estimated that in the region of 60 owners are in negative equity. Of those 60, it is understood that four cases relate to owner-occupiers and the rest are held by landlords.

I know that the issue is causing considerable angst in that area, and the Finance Minister has kept in close contact with the Department for Social Development on it. They have looked at a previous Lands Tribunal case in relation to the matter, but, in this new mandate, they will want to be up to date on whether any action can be taken. As I understand it, from that case, there is no legal basis for compensating negative equity. That discussion was ongoing between the Minister for Social Development, the Minister for Regional Development and the Minister of Finance and Personnel, and they will probably want to revisit that.

Mr Deputy Speaker: Order. Time is up, and that concludes Question Time for today. I ask Members to take their ease for a few moments until the next item of business.

Motion made:

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

Adjournment

A26: Glarryford to Ballycastle

Mr Deputy Speaker: The proposer of the topic for debate will have 15 minutes. The Minister for Regional Development will have 10 minutes to respond. All other Members who wish to speak will have approximately eight minutes.

Mr Storey: I thank the Members who have remained for the Adjournment debate, particularly those from the North Antrim constituency. I also thank the Minister for Regional Development for his attendance.

The A26 is one of Northern Ireland's main routes. It runs from County Armagh and County Down right up through the heart of County Antrim and into Coleraine. The part that runs through my constituency carries a large volume of traffic daily, and it is a main arterial route for commercial and domestic vehicles. It serves a population base of well over 100,000 people.

During the summer months — that is, on the particular day that we get a summer — people head up to Northern Ireland's premier tourist attractions, one of which, the Giant's Causeway, is in my North Antrim constituency. They also visit many of the other attractions in the north coast area. The Northern Ireland Tourist Board (NITB) estimates that around 1 million people visit the north coast each year, and many of them use the A26 to get to their destination. Road usage increases on specific days such as the Auld Lammas Fair, the Easter holidays, the Twelfth fortnight, the North West 200 and many other events.

If the original motorway plans of the 1960s had become a reality, the traffic would have been carried by the M2, but, as we know, the M2 was never completed, so the A26 carries the burden. The stretch of the A26 that runs between Ballymena and Ballymoney is dual carriageway from just after you come off the M2 until you reach the Glarryford junction, where it becomes a single-lane road, with just a few bits and pieces of dual carriageway. I use the road almost every day of the week, and anyone who uses the road will know that it becomes very frustrating to be stuck behind a slow-moving vehicle after having made steady progress on the M2 and the dual carriageway. There is always the temptation to overtake, and it might not always be wise to do so.

It has, therefore, been argued for a long time, rightly, that the rest of the road from Glarryford up to Ballymoney needs to be upgraded to dual carriageway. However, in particular, the section that needs urgent action — this is the subject of the debate today — is the section that runs from the Glarryford junction to the Drones Road and the junction to the right that takes you off to the A44 to Ballycastle. It is 7 km in length or, for those of us who still are more attuned to miles, it is nearly four and a half miles.

That section of the A26 takes in the famous Frosses trees, and the road through the bogland is known for the supporting trees but also, tragically, for its fatal accidents. Indeed, it has been described as one of Northern Ireland's most dangerous roads. More than 20 people have lost their lives there over the past two decades. I have obtained figures from the police for accidents in the past 10 years at those stretches of the road up to March this year. They show that, in that time, there have been 47 serious collisions, resulting in nine people losing their lives and 33 being seriously injured. Those figures are for collisions on the main road only and do not include collisions on or near the junctions themselves.

It would remiss of the House not to, at this stage, remember those families who have lost loved ones and friends as a result of accidents on that road, and our thoughts and prayers are with those families. Road statistics are just that — statistics. However, behind every news report of a fatal accident, there is a very tangible human tragedy, and families affected can never really move on. So, my thoughts today are very much with those families for whom the A26 holds dark and painful memories. I fully accept that not all the accidents that occurred there were due to the road being a single rather than a dual carriageway, but I feel that we owe it to those who have lost their lives to do all that we can to reduce the risk and increase road safety.

I welcome the fact that Roads Service has this week started work on a right-turning lane at the A26 at the junction of Frosses Road and Crosstagherty Road. I raised that issue

with Roads Service some time ago, and I am delighted that it was able to find ways whereby that work was able to commence at the beginning of this week.

For far too long, there have been decisions, proposals and plans to upgrade the section of the road from Glarryford to the Drones Road. It has been on the cards for years, and all that there have been are talks, discussions, proposals and promises but, to date, no delivery. As far as I can see, the problems on that stretch of road were discussed as far back as 1990 — 21 years ago — when a concerted effort was made by Ballymena and Ballymoney councils to conduct research and put some pressure on the direct rule Ministers. Indeed, the arrival of new direct rule Ministers, both Conservative and Labour, usually signalled visits to the road, with the accompanying promises.

However, in August 2008, it seemed as though we were on track with the announcement by the then Minister for Regional Development of the preferred route for a new dual carriageway at an estimated cost of £52 million. As is often the case when a new road is proposed, there was considerable concern about the loss of valuable farming land and about houses, and so on. However, the 2008 scheme attempted to minimise all that, as most of the existing road was to be used. There is, of course, considerable concern at the moment, and, at this stage, I say to the Minister that, although work has been carried out, plans have been laid and negotiations have taken place with landowners, there are particular problems in that the design does not secure an appropriate and adequate underpass for some landowners. The road cuts through some good farmland, and, in fact, some farms are now divided. I have seen some of the proposals, and I do not think that they go far enough to address the specific issues that have been raised with me about the adequate provision of underpass. Therefore, it would be useful if the Minister were to bear in mind that issue when he considers the project.

At the time when the announcement was made, I and my DUP Assembly colleagues warmly welcomed the proposed upgrade of that vital economic and trading corridor. At the time, we said that, for more than 20 years, fatalities along the route had increased and the decision, while of little comfort to those who have been bereaved or injured, at last indicated that road safety is a priority. We hoped that deaths on that road would be a thing of the past when the new carriageway was built. However, almost three years later, little work has been carried out apart from statutory processes. In fact, no work has started on the ground.

The previous Minister stated that his Department was continuing to develop the design. I understand that such things take time. However, the longer it goes on, the longer we face the sort of problems that I have outlined and the more costs we will, ultimately, incur. That has been confirmed by the current Minister in his response to a question for written answer that I tabled a few days ago, in which he stated:

> *"Unfortunately, the funding levels within the current budget do not allow for construction to start before 2014/15 at the earliest."*

I am afraid that I find little comfort in those words.

I am aware that the Minister is taking a look at the proposed investment in roads throughout Northern Ireland and how Budget 2010 might impact on all of that. Although there is little doubt that the A5 and A6 are also regarded as important enhancements to the road network, I know that there is considerable unease about the A5 in particular and that it is currently the subject of a public inquiry. It is a controversial plan. I note that the Minister is on record as having said that he will not be stampeded into a decision. Far be it for me to try to blow the whistle for that stampede to commence; however, if there is any chance of a plan for the A5, I urge the Minister to do what he can as part of the monitoring rounds to persuade his Executive colleagues of the merits of redirecting spare finances to the A26 project.

An upgrade will not solve all the problems. However, it will help tourism, businesses and the many commuters who use that route daily. Most importantly, it will reduce the risk of accidents. Sadly, it will not eradicate them. While there is human error, there will always be accidents. Surely, if an upgrade helps to make the road safer, it is well worth the investment. If it saves one life, it is well worth that investment.

I do not envy the Minister his task of responding to the debate. My colleagues, my party and I appreciate fully the difficult and almost impossible decisions that he faces. However, I ask him to take a long hard look at what has been said, the history of the project, and all the concerns that have been raised. I carried

out a search on the matter in the council. I was able to unearth a considerable paper trail on the project that goes back many years to various Ministers and the Department. It was interesting that almost all of the responses, which came from as far back as when Mr Moss MP was Minister, focused on the economics of the project. Surely, if the focus had been kept on the issue, the project would have been delivered many years ago at considerably less cost to the public purse than is now estimated.

I am delighted that the Minister is here. I appreciate the time that he has taken in conversations and written responses to deal with the issue. Again, I ask him seriously to consider that plight and resolve the ongoing problem of the A26. I trust that there will soon be speedy progress on the delivery of a much-needed upgrade on that stretch of road.

3.15 pm

Mr Deputy Speaker: As this is the first debate in which the Assembly will hear from Robin Swann, I remind the House of the convention that a maiden speech should be made uninterrupted.

Mr Swann: There are not many in the House to interrupt me. It is with great humility that I rise to make my maiden speech to the House. I am also greatly humbled by the number of Members who have seen fit to make it into the House to hear it, and I hope that the prospect of my speaking has not deterred them from participating in what is a significant debate on the A26 in north Antrim. I will return to that matter shortly.

I take this opportunity to pay tribute to the electorate of North Antrim who returned me to the House as an Ulster Unionist. I assure them that North Antrim has a strong, proud and determined Ulster Unionist heritage that I will endeavour to carry on. For a long time, the House reverberated from the noise made by the so-called big man from North Antrim. I inform you, Mr Deputy Speaker, that there is now a wee man from North Antrim in this place, and it will be my intention to make sure that I am heard. I intend to leave my mark. It may not be a photograph hanging on the stairs or a life-size bronze statue, although one of me would use a lot less bronze than one of Craigavon. Rather, I will endeavour to leave my mark through my work for the people not only of North Antrim but of Northern Ireland.

I take this opportunity to pay tribute to my predecessor, the Reverend Dr Robert Coulter MBE, who served the House faithfully in many roles and served the Ulster Unionist Party steadfastly over many years. I only hope and pray that I can build on the firm foundations that he delivered into my hands.

I consider it a great privilege to represent the great constituency of North Antrim from Kells to the Causeway, which, I hope, the A26 will cover one day. North Antrim born and bred, the son of a plumber and a hospital cleaner, and from a farming background, I know what hard work is. I am fully aware of the hardships facing families across the whole constituency, and I dedicate myself to working for them. Having been labelled often as a Ballymena man and tagged with the various stereotypes that come with that, I will work in this place to bring to task those individuals who seem now to know only the cost of everything but the value of nothing. At this stage, I can only stress the strength of the values of that strong north Antrim work ethic that my parents instilled in me and the importance of strong family values, which I thank my wife and young daughter for giving me. By embracing those values in the House, we can all work to make this a better place to live.

The North Antrim constituency to which Mr Storey referred is a marvellous place. It has the eighth wonder of the world, the Giant's Causeway, and we are much indebted to Finn McCool for his foresight in placing such a fabulous tourist attraction in the most beautiful constituency in Northern Ireland, if not the world. We are also blessed with the green slopes of Slemish, where St Patrick spent time in contemplation, and our famous green glens. We have so much to offer, and it is right that we should be proud of the area.

I will return to the topic of today's debate. So much more could be done by continuing the upgrade of the A26 from Glarryford to Ballycastle, a route that would help the people of the area. Upwards of 20,000 vehicles a day use the current road, which is in stark contrast to the usage of other upgrades brought before the House. Mr Storey has given a detailed description of almost every turn along that road.

On a constituency level, I express my disappointment that the upgrade of the A26 was not given the same special status in the previous mandate as that of the A5 and the

A8 and in the failure of the previous Sinn Féin Minister in not affording the people of North Antrim the same consideration. Mr Storey rightly referred to the families who lost loved ones because of the dangers on that road.

I seek an assurance from the Minister that the A26 upgrade will be brought forward if and when additional or other funds become available and that he will include that in the next evolution of the investment strategy for Northern Ireland. I take this opportunity to inform the people of north Antrim that I have raised the matter of continued work on the A26 with the Minister on a daily basis, which I am sure that he will attest to, and not just by presenting questions for written answer to the House. I have extended an invitation to the Minister to view the proposed route and the famous trees at the Frosses, to take the opportunity to talk with a few of the farmers whose land will be affected by the future work, and to discuss the options for adequate access to their land that lies on either side of the new route.

Using the protection of my maiden speech, I also invite the Minister, when he is in north Antrim, to see how a link road around the village of Cullybackey would help the residents as well as the future development of traffic-calming measures across the villages and hamlets in north Antrim, of which Kells, Connor and Dervock are a few on a long list that I will raise with him day and daily.

As I said earlier, I will use my time in the House to raise the concerns of and defend the small man. I am sure that my friend and colleague Mr Ross Hussey, if he were in this place, would agree that, in addressing the problems that we face in our daily business, a one-size solution will not fit all in this House. I pledge to the Speaker's Office that, when I rise to my feet, I will use the time that I have been allotted to say what I have to say and will not simply speak for the length of time that is available. Mr Deputy Speaker, I thank you for your indulgence in my maiden speech.

Mr Allister: I begin by congratulating Mr Swann on his maiden speech. We look forward to his raising continually the issues that, of course, affect all of us who live in and represent North Antrim.

One of the cardinal issues that have afflicted the constituency is the state of the A26, which has been a constant bugbear for residents and visitors. We have seen false dawns and expectations rise only to be dashed. At this moment, we still live with the reality of an utterly inadequate road. Yet, it is one of the main arteries in our Province, has one of the highest daily vehicle usage figures, and, as Mr Storey said, has a tragic death rate. A number of us in the House know and think today of people who have lost their lives on that road. So, it is not just some abstract thing that we are talking about. It is a pressing, urgent necessity that we address the inadequacy of road provision.

Indeed, it is probably a reflection of the significance of roads issues and the inadequacy of some roads that we have probably debated the issue of roads more than anything else in the House since the start of this mandate. That in itself points to underinvestment, which is a legacy of the last Executive, and that legacy now falls to the current Minister to address.

The issue is not just about convenience and about getting to the north coast faster. It is, in effect, about developing the economy of north Antrim, because there is an inextricable link between good road access and economic development. It is no coincidence that Ballymena, to which we have good road links, has seen industrial growth. Yet, if you drive the further miles to Ballymoney, you will see a dearth and a loss of industrial growth. That is not a coincidence. Ready access is a big contributory factor to the economic attractiveness and viability of any town.

However, when you impose on a town such as Ballymoney the restraints and inhibitions that arise from that dreadful stretch of road from Glarryford to the town, do not be surprised that it is hard to attract necessary investment.

Mr Storey: I see the point that the Member is making; it is a change from what he said during the election, when he accused the Investment Minister over the problems in Ballymoney. Having roads there is important, but how would Tyco, Sherwood's, Ballymoney Foods or the Fleming's factory have benefited from the road's being a dual carriageway? Is it not also the case that commercial decisions were made —

Mr Deputy Speaker: Will the Member speak through the Chair, please?

Mr Storey: Unfortunately, those decisions affect Ballymoney and should be included in his comments.

Mr Allister: Of course commercial decisions are relevant, but commercial decisions to expand are aided if there is a good roads network. Therefore, I am surprised that the Member intervenes to argue against himself and the cause of improving the A26.

Let me pick up on his point. He made reference to comments made during the election. Yes, there is a definite nexus between economic development and a good roads structure. The Minister himself represents an area that has shown the benefits of that. We have had a huge economic focus on the Belfast to Dublin corridor. The natural consequence of that, and this is where the Department of Enterprise, Trade and Investment (DETI) Minister played her part, is that we have seen a disproportionate pouring of investment into industrial parks and other ventures in proximity to those roads. Before the election, the DUP Minister poured yet another £38 million into the industrial park in Newry, but not a penny for Ballymoney. That is the point that I was making.

I appeal to the Minister, being a beneficiary of a good roads structure in the southern part of the Province, to take pity on his poor northern cousins. He can move himself to spread to the northern part of the Province the largesse that has given the southern part of the Province a good roads infrastructure.

The scheme is, essentially, ready to go, but it has stalled. The stalling of the scheme is not just a frustration; it blights those whose lands are affected. Farmers were co-operative in the process and not obstructive as some have been elsewhere. We arrived at a scheme that is viable and tolerable for all concerned. However, an inevitable consequence is that their land is now blighted by that planned expansion.

In the name of the farmers, I say to the Minister that time is not on our side; we need to move on this issue. In the scale of things, £50 million is not a huge amount of money; in the scale of the extravagance of the A5, it is but nothing. It will not break the bank of the Department for Regional Development (DRD), but it will do a great deal for the future of that very important part of Northern Ireland that is north Antrim. I urge upon you the necessity of giving it all the priority that it most certainly deserves. As I said, at present we have the worst of all worlds: a promise unfulfilled, a blight on the landowners and yet no product. We need product on this matter.

Mr Storey's intervention provokes me to welcome the fact that he has returned to supporting the A26 project. A few months ago, he and Mr Frew, who, I hope, now supports the project again, voted for a Budget in the knowledge that that Budget under that Minister would scrap the A26. By his vote in this House in support of that Budget — I am glad that the Minister cannot be accused of this — he was prepared to downgrade the project and see the scrapping of the A26. It is to be welcomed that Mr Storey and, I trust, Mr Frew, have returned to full support for the A26. Together we might see it delivered.

Mr Frew: Will the Member give way?

Mr Allister: Yes.

Mr Deputy Speaker: Time is up; we must move on.

A number of Members have lately indicated that they wish to speak, so we will have to restrict the remaining three Members who wish to speak to six minutes.

3.30 pm

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I will not keep you six minutes. The section of the A26 Frosses Road between Glarryford and the A44 Drones Road forms part of the northern key transport corridor. We have listened to arguments between some Members today about what happened before and after the election, but that does not solve the problem for the people who are looking for these road improvements to be made.

I want to quickly talk about the economic benefits of the road. The road goes from Belfast right into Derry, and from Derry it takes you right into Donegal, opening up an all-Ireland corridor for tourism, for commercial life and for all. It is one of the busiest roads for the haulage industry, which is vital to our economy. Indeed, transport business comes from the South of Ireland into the North, going to Belfast or Larne and, ultimately, to England, Scotland or Wales.

The road is absolutely vital for the tourism industry. It takes you right down into where the previous Member alluded to —

Mr Swann: I thank the Member for giving way. We must stress that the A26 should not be made into a link road that goes straight from

Ballymena to Ballycastle to the detriment of the small villages that lie along the proposed route. Some signage should be put in place to ensure that they get their proper dues, rather than having a straight rat run.

Mr McMullan: I thank the Member for his intervention. I will come to some of the smaller villages later, but I agree that all villages, big and small, are entitled to their share of the tourism trade, and we see that at the minute. However, the Frosses Road meets the Drones Road to take you into Ballycastle, and, only recently, a new operator has come in to run a ferry from Ballycastle to Campbeltown. That will also be a vital link for our tourism industry.

I hope that the Minister will look at putting some money into the Antrim coast road. We could do with it. We have the Lammas fair and the North West 200, and there is Portrush. Those are all vital tourist links, and we cannot let them go away. I totally agree with the Member when he talked about the number of fatalities and injuries on that road. I will go so far as to say that it is one of the worst roads on the network for fatalities. I agree with the Member that we are thinking of the families at this time when we are putting up the case for commercial business.

I will not dwell much longer on what I have to say. I support the debate and thank the Member for bringing it to the House. We have to agree collectively and not talk about what Members did or did not do, as some Members are trying to make out. The scheme and the route have been identified, so let us get on with it and see if we can put money into developing it. We have to open up that whole area for tourism.

The Member mentioned small villages. The new state-of-the-art visitors' centre at the Giant's Causeway will be ready next year, and it is hoped that it will encourage somewhere in the region of 700,000 people a year to visit. Those are phenomenal figures in anybody's book. We must have the infrastructure to take those people in and out, and people must feel confident that they will be able to drive in and out without sitting in tailbacks and traffic jams.

The Antrim coast road is a vital link to Larne. I was a North Antrim man for years until legislation changed me into an East Antrim man, but I still have my ties in North Antrim, and I empathise with everything that has been said. However, we should not lose sight of the port of Larne being a vital corridor for industry coming here. The amount of traffic that goes through it — road haulage, tourism and everything else — filters out right down through the coast. Picture that network going through the whole place. So, Minister, I ask you to think about this seriously, and I support everything that has been brought to the debate. Before I finish, I congratulate the Member on making his maiden speech.

Mr D McIlveen: I congratulate Robin on his maiden speech, and I thank my friend and colleague Mervyn for securing the debate.

Obviously, this stretch of road has been in the news for all the wrong reasons. I agree with the previous Member to speak that talk is cheap and we need to see something done as quickly as possible. I listened, quite interested, to the debate on the A5, and a lot of the arguments surrounded the economic advantages and convenience of opening up that route. That is not really what this debate is about. Safety is the elephant in the room when it comes to the A26. It is a very dangerous piece of road. As Mervyn said, more than 20 people have died on the road, and there have been 47 serious collisions. For the sum of around £50 million, which does not sound too bad when you say it quickly, that could be easily eradicated. The problem will be much eased by widening that stretch of road.

I am conscious that I am doubling up a little, but I want to imprint this fact. I ask the Minister to work with farmers in the area when the road comes to be looked at. I will go further and ask the Minister to perhaps give some guarantees that funding will be available for suitably sized underpasses, so that farmers can adequately access their land.

As well as the safety issue, there is the economic one. If we are to encourage tourism into Northern Ireland, we need to make sure that our infrastructure is up to the job. This part of north Antrim, up to the north coast, is one of the jewels in the crown of Northern Ireland tourism. People regularly come from all over the world to the north, some specifically to go to the Giant's Causeway. Bear in mind that this road is some people's first impression of Northern Ireland. So, coming from Belfast, they have the M2 leading onto the dual carriageway of the A26. They are heading up to the Giant's Causeway when, all of a sudden, they get to the junction at Glarryford, and they move at a snail's pace. Even worse, they may come across

a road accident. I ask the Minister whether we want this to be the first impression of Northern Ireland for tourists. I support the debate wholeheartedly, and I encourage the Minister to make the A26 upgrade a reality as quickly as possible.

Mr Frew: Thank you, Mr Deputy Speaker, for the opportunity to take part in the debate. I believe that there was some confusion with regard to who was down to speak. I apologise for not hearing the whole debate. I was chairing the Agriculture Committee, and I am glad that the debate was still going on when I came out of that meeting. This is a very important issue not only for north Antrim but for Northern Ireland as a whole. I congratulate my DUP colleague Mervyn Storey on securing the Adjournment debate. I also congratulate Robin Swann on his maiden speech, for which he certainly picked a good subject. For many years, we in the DUP have campaigned for improvements on every stretch of this carriageway. It is not something that we shirk or shy away from. We raise the issue at every opportunity that we can.

I will be brief on this, because I want to spend my time having the ear of the Minister, but I will address Jim Allister's comments about Mervyn Storey and me not supporting this. At no time have we ever not supported the upgrade of that road. Equating that with supporting the Budget is just farcical. It is easy when you are a one-member party to stand up, gowl, snarl your teeth and everything else.

Mr Allister: I thank the Member for giving way. The Member voted for the Budget in circumstances in which the Minister for Regional Development had made it plain that, on his assignment of money, he would prioritise the A5 and shelve other schemes, including the A26 scheme. Therefore, the Member, with his eyes and ears wide open, voted for that proposition when he voted for the Budget. He might like to deny it now, but that is the unpalatable truth.

Mr Frew: I thank the Member for his comments. Let me explain to him and perhaps educate him. Had we not voted for the Budget, Northern Ireland would be bankrupt today. Let us be clear: it is easy to nit-pick and make such suggestions, but the Member does not really know the full —

Mr Deputy Speaker: Will the Member please return to the subject?

Mr Frew: I will, Mr Deputy Speaker. I do not want to waste any more time on negative comments. We now have the ear of the Minister, and I appreciate his taking the time to attend this Adjournment debate.

I want to talk about tourism. North Antrim is split in two, straight down the middle. The spine of north Antrim is the A26. It opens up the north coast and the Giant's Causeway. It has some great funding opportunities and some great tourism aspects. We have the North West 200. The A26 opens up the north side of County Londonderry, including Coleraine and Limavady, and people can travel along it the whole way to the city of Londonderry. It is a major road, an arterial route of our Province. It attracts lots of traffic and businesses. It can provide Northern Ireland with growth. If the road is improved, it will help haulage contractors and businesspeople commute from Londonderry to Belfast and vice versa. It will help towns in between those places and help everywhere in County Antrim. I ask the Minister to think carefully about the road and what it means to Northern Ireland.

I concur with what my colleagues said about the farming community and the provision of underpasses. It is crucial that the farming community is thought of. We have been campaigning for many years, not only for tourism, business and economic development but for safety. It is clear that there is a major safety issue on the A26. Many of the accidents that occur on it at present are rear-end shunts. That says a lot about the road and about the improvements that have been made in other years and on other stretches of the road. It is fine time that we in north Antrim had a good road network to link the towns of Ballymena and Ballymoney. It would improve investment and business in those towns and in every village in between. It would provide access to other villages by virtue of the bare fact that people would be able to travel to those communities much more quickly and safely. It would certainly open them up.

I think that I have overrun, so I thank you for your patience, Mr Deputy Speaker. I ask the Minister to think seriously about the road and the improvements that can be made to it. I plead with all North Antrim Members and anyone who has an interest, including Members who represent East Antrim, that we might come together and present a united front to ensure

that the A26 gets the improvements it so badly needs.

Mr Kennedy (The Minister for Regional Development): I am grateful for the opportunity to respond to the debate. I thank all the Members who spoke for their contributions. I have listened intently and with interest. I congratulate in particular my party colleague Mr Swann, who made his maiden speech. It was a very good contribution and one that deserved a wider audience. I congratulate him and welcome him to the Assembly.

I have asked my officials to take note of the Hansard report so that, if I do not pick up on any points or have not time to respond, I can write to Members directly after the debate.

At the outset, I restate that I welcome and support improvements to the A26 and other arterial routes across Northern Ireland. As Minister for Regional Development, I want to see improvements across the road network that will help enhance safety, reduce journey times, provide value for money and support the economy. I note the comments made by Members, which align with the support my Department has received for the scheme from local representatives over the years. I welcome the opportunity to participate in the debate on the proposed improvement works on the A26 Frosses Road between Glarryford and the Ballycastle junction of the A44 Drones Road.

3.45 pm

The A26 Frosses Road forms part of the northern transport corridor as an element of the strategic road network between Belfast and the north coast. It provides an important commuter and tourism link. The route between Belfast and Glarryford is constructed to either motorway or dual carriageway standard. However, from Glarryford, the A26 Frosses Road reduces to a single carriageway. A 7-km or, if you are imperially trained like Mr Storey and me, a four and a half-mile stretch of the Frosses Road from Glarryford to the A44 Drones Road carries in excess of 20,000 vehicles a day and suffers from congestion at peak traffic times in particular. In addition, there is a lack of opportunity for safe overtaking. I also recognise and acknowledge the high number of accidents, some unfortunately fatal, and I offer my sympathy to the families who will never recover from the loss of a loved one in such tragic circumstances.

The scheme is included in the regional strategic transport network transport plan, which was published in March 2005. That identified this section of the A26 as needing improvement to achieve dual carriageway standard. That supports the aims of the regional transportation strategy, which is reflected in my Department's vision to provide dual carriageway standard roads on all key transport corridors. In response, Roads Service is continuing to develop proposals for a new dual carriageway on the A26 between Glarryford and the A44 Drones Road. The scheme includes the provision of 7 km of dual carriageway with a 70 mph design speed between Glarryford and Drones Road. A detailed assessment against the national criteria produced a preferred route that closely follows the line of the existing road. The scheme also provides junction improvements along the stretch, which include grade-separated interchanges at the B64 Glarryford junction, the C61 Lisnasoo Road and the B94 Drumadoon Road. A new roundabout will be provided at the A44 Drones Road at the end of the scheme.

I will tell Members about the progress to date. The design of the scheme has been under way since 2006, when consultants were appointed to develop and progress a preferred scheme through the statutory procedures. Throughout the scheme development, my Department has sought to ensure that those directly affected, the general public and elected representatives have been kept fully informed of progress.

A number of Members mentioned the impact on farmland. Again, I can confirm that the Department appointed an agricultural consultant to assess the scale of the impact on farms affected by the dualling scheme. Roads Service is and will remain committed to working with farmers to ensure that access to land is maintained and the impact is mitigated through accommodation works where possible.

The preferred route for the scheme was announced in August 2008. Since then, work has continued on scheme development, and my Department is working towards the publication of the draft Orders and an environmental statement for the project later this year. I hope that signals intent and willing on my behalf and that of my Department to progress this important scheme.

My Department's budget allocation —

Mr Allister: Will the Minister give way?

Mr Kennedy: I really must make progress, but I listened to the Member's contribution.

A reduction of two fifths in the Executive's overall capital funding brings with it a significant challenge to us all. That is especially true for my Department's infrastructure investment. Of the £1·2 billion allocated to Roads Service for capital spend over the four-year Budget 2010 period, almost two thirds or nearly £800 million is allocated to two major roads schemes, namely the A5 and the A8. Of the remaining capital funding in the four-year period, limited funding is available for other schemes, particularly in the middle two years. That makes it extremely difficult to start any scheme until near the end of the Budget period. Following the draft Budget consultation, over £60 million of additional funding was received for major road projects in year 4 of the Budget period. That will be considered for a range of competing priorities.

Decisions to start schemes in 2014-15 will be dependent on the funding made available beyond the current Budget period. Schemes such as the A26 will take more than one year of construction, and funding cover in year 5 and possibly beyond that would be required before I could give approval for construction to commence. The funding in those years will not become clearer until further work has been completed to develop the third edition of the investment strategy for Northern Ireland, which was referred to by Members and is due to conclude this year.

As Members will be aware, I have received numerous requests to meet a wide range of bodies and elected members who are interested in progressing strategic road improvement schemes across Northern Ireland. I will continue to use those as opportunities to listen to opinions from across the Province before forming a view on the way forward. That will coincide with the work being undertaken to develop the investment strategy beyond this Budget period. I appreciate the safety, business and tourism arguments made by Members for why the proposals to improve the A26 should be advanced to construction. Mr Swann is right: on a continuing basis — almost daily and certainly any time he sees me — his first words are "A26". I have to live with that reality.

I am pleased to reaffirm the intention to publish draft Orders and an environmental statement for a proposed scheme later this year. That will lead to a statutory consultation period and, on the basis of the number and type of comments received, I will make a decision on whether a public inquiry is required.

As Minister, I want to see improvements across the strategic road network that will enhance safety, as I said, reduce journey times and provide value for money. I intend to consider the proposed investment across my Department and the impact of Budget 2010 on the roads programme, and I want to explore opportunities for bringing forward schemes such as the A26 dualling scheme between Glarryford and the Ballycastle junction.

I will quickly respond to Members. Mr Storey set out the case very well. He gave us the history and reminded me of my words in another debate, when I would not be stampeded. Members will understand that I have to give careful consideration to the large number of representations on schemes, bypasses and improvements, unlike Mr Swann, who seems to want me to spend all of my budget allocation, if not on the A26 then on a bypass for Cullybackey and other places.

I take the point that people want to see road improvements across the entire Province. I thank Members for all of their input. I have listened carefully. If I have missed points, I will attempt to address them by writing to the Member concerned. It has been a valuable experience for me to learn so much about the A26.

Adjourned at 3.54 pm.