



Committee for Infrastructure

# OFFICIAL REPORT (Hansard)

Legislative Programme, Policy Priorities and  
Financial Position, including Actions  
Taken in the Absence of Ministers:  
Mr John O'Dowd MLA, Minister for Infrastructure

13 March 2024

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Mrs Deborah Erskine (Chairperson)  
Mr John Stewart (Deputy Chairperson)  
Mr Danny Baker  
Mr Cathal Boylan  
Mr Patrick Brown  
Mr Keith Buchanan  
Mr Mark Durkan  
Mr Peter McReynolds

**Witnesses:**

Mr O'Dowd	Minister for Infrastructure
Dr Denis McMahon	Department for Infrastructure

**The Chairperson (Mrs Erskine):** I thank the Minister and the permanent secretary. I invite you to give a brief overview of the Department for a few minutes, and I will then open the Floor to questions from members.

**Mr O'Dowd (The Minister for Infrastructure):** Thank you, Chair. I am delighted to have once again taken on the role of Minister for Infrastructure, a portfolio that is so important to the daily lives of all our people, communities, environment and economy. I welcome the fact that I am here to discuss many of the important issues that we need to address in the future. Committees, as you know, are really important. They provide an essential scrutiny role that involves asking questions, which are sometimes difficult, of Ministers and challenging what the Department does.

At the start of the meeting, I stress that I genuinely want to work constructively with you now and in the future. I am sure that there are things on which we will have different views, but I am keen to have constructive debates about how we improve our public services within the constrained budgets that we have. I would, however, ask that, you, the Committee, not only challenge me and the Department but help us to identify solutions and bring forward your ideas on how we can improve things within the budgets available to us.

The parties that make up the Executive have a lot of work to do to deliver improvements to public services. I am convinced that we will make the greatest progress if we can work openly and in a spirit of partnership. Let us take planning as an example. I have made clear my commitment to ensure that our planning system operates efficiently and effectively. However, planning is not for just my Department; all must play their part. Several Departments are integral parts of the planning system,

acting as statutory consultees for planning applications, and we must ensure that the whole system is properly resourced and staffed.

I am sure that you are aware of the huge challenges that we face, none more so than the constrained budget that is available to us. I am very aware that the underinvestment and cuts by the British Government in recent years have meant that my Department has struggled to maintain the level of service that it would like to deliver and, indeed, needs to deliver. That is manifested not only at a strategic level, as is the case for our water and sewerage infrastructure, but at a local level. For example, we lack the necessary funding to repair potholes in order to make our roads safer for all road users. Addressing those issues will be a priority for me, and I know that it will be an important area of focus for you too.

You will have seen that, since taking up my post, I have prioritised road maintenance. One of the first announcements that I made is for an extra £1 million of investment in road maintenance for pothole repairs. A further £8.1 million in capital investment has also been made available for structural road maintenance. That additional £9.1 million since coming into office is a clear statement of my intent.

Infrastructure delivers for people every day by providing and maintaining the things that we all need to go about our daily lives, the things that make this place work. It also delivers positive and transformative change in people's daily lives. We can shape a better and healthier future for everyone by decarbonising key services, investing in climate adaptation measures and biodiversity and by encouraging and facilitating active travel for all. At the same time, we can drive and support economic productivity through the development of vital projects, policy and legislation.

Getting infrastructure right and investing in it appropriately can deliver positive change. It can create the foundations for a more productive and prosperous economy and for better rural and urban communities. If you take a step back from any new initiative or development, you will find that the right infrastructure has to be in place not only to make it a reality but to make it work. In other words, it all starts here.

That is why I welcome the Taoiseach's recent announcement of investment from the Shared Island Fund that will help us to build the A5, develop the Narrow Water bridge and progress the establishment of an hourly rail service between Belfast and Dublin. My Department will build on current engagements and collaborations with our colleagues in the South and across these islands as we deliver positive changes for the people whom we all serve. That includes work on projects such as the all-island rail review, which opens up a host of possibilities for greater connection. To that end, I look forward to attending the first meetings of the North/South Ministerial Council (NSMC) and the British-Irish Council (BIC) so that I can engage with colleagues from across these islands.

I pay tribute to the staff in my Department and its arm's-length bodies (ALBs). I have been struck by the skill and dedication of the Department for Infrastructure (DFI) family in the work that they do, operationally and behind the scenes. They deliver essential public services 24 hours a day, seven days a week, sometimes in the most trying weather conditions. It is only right that I pay tribute to their dedication at the start of the meeting. I hope that you will join me in recognising their hard work, especially in this last number of years when we have not had an Executive, an Assembly or a Committee.

Thank you for the opportunity to address the Committee.

**The Chairperson (Mrs Erskine):** Thank you. I want to start with a question that is not related to a theme per se but will be of interest to the Committee. Can you outline any proposed primary legislation that may come to the Committee during the current mandate? I know that the Department is thinking of one item in particular, but are there others, and can you give us information on them?

**Mr O'Dowd:** Yes. We plan to bring forward a number of pieces of legislation. We have already given an outline of some of them to the Executive in a briefing paper. The Department has identified five potential Bills. The first is a water, flooding and drainage Bill, the purpose of which relates to powers for additional water shortage measures, new measures for dealing with drainage, flooding and some technical and procedural improvements to existing legislation. The public consultation on that policy proposal has been completed. The Bill is in the draft programme of Executive Bills for introduction in 2024, which is before the end of this calendar year.

There are three main elements to the proposed ports and harbour Bill: changing the Office for National Statistics (ONS) classification of trust ports by removing the legislative controls exercised by the

Department; provisions aimed at giving the trust ports extended commercial powers; and provisions aimed at statutory harbour authorities relating to marine safety. Substantial policy development has been undertaken, and key issues have been identified in conjunction with key stakeholders. Subject to agreement, the Bill may be introduced in the first quarter of 2025, which is the second year of the legislative programme.

The third Bill is the rail/road transport Bill. The proposed Bill, which will be significant in size and cut across a large number policy areas and policy development, is at various stages. The Bill is likely to be broken into six Parts, and each Part has the potential to be taken forward as a separate Bill. Depending on progress and agreement, the Bill could form part of year 3 of the Executive's legislative programme in 2026.

A further piece of legislation on transport decarbonisation is at initial policy scoping stage, and the planning amendment Bill is also at initial scoping stage.

As Members know, we deal with a significant amount of legislation through secondary legislation. We are looking at a number of areas, including reservoirs, the electric vehicle mandate and free period products. The Committee will be briefed on all those matters in due course.

**The Chairperson (Mrs Erskine):** OK. Thank you. We have a busy time ahead. *[Laughter.]* Of the themes that are coming out, the Committee is keen to look at MOTs, flooding, roads and transport, NI Water's water and sewage treatment, and planning. I will kick off on MOTs, which we debated in the Assembly. Last week, officials came to the Committee and said that they were not working on biennial testing. This week, you announced that you will look at it. What changed between last Wednesday and Monday?

**Mr O'Dowd:** I have been engaging with my officials on MOTs practically since I came back into office. I have been gathering my thoughts on the matter, and we have been looking at various proposals. What changed was that I asked my officials to do that. In fairness to officials, they follow instructions from their Minister. They worked on keeping the place afloat when the Executive and the Assembly were down, in fairness to them. Political direction is now available to them, and I have asked them to look at that.

As I said in the Assembly on Monday, there is no simple equation for this. We have to take a number of factors into account. Safety is one such factor, and costing is another. While the majority of responses to the call for evidence were in favour of biennial tests, there were three major blocks against it: the automotive industry; the police, who are the enforcement agency in the matter and have a particular interest in road safety; and the insurance industry. Those factors have to be taken into account. I am looking at all options to ensure that we make the available service better for those who are waiting for an MOT.

**The Chairperson (Mrs Erskine):** You have ruled out private testing altogether.

**Mr O'Dowd:** Yes. We would be abandoning our workforce, for a start, which I do not think anybody would wish to do. When you drill down into it, you see that private testing in England is more expensive. People argue that it is more accessible. It may be more accessible, but it is more expensive. There are concerns about fraud in that system as well.

There is another matter to take into account. I do not know how easy it is for some Members around the table to get an appointment with their local garage, but I find it quite difficult. We would be putting extra work on local garages, which would mean that even the maintenance of vehicles would become more difficult for people. I have ruled out privatisation of the service for all those reasons.

**The Chairperson (Mrs Erskine):** OK. I am sure that you will be glad to hear that this is the last one from me on MOTs. When did the Minister first become aware of the new cracks that have appeared on MOT testing equipment? Has there been any increase in them since the Driver and Vehicle Agency (DVA) announced the 16 cases?

**Mr O'Dowd:** I became aware of that incident, through engagement with DVA colleagues, within the first few days of my coming into office. I quite understand why people are concerned about it, given the history going back to 2019 and the disruption that that caused to MOTs. I have been assured that this is not the same issue as the one in that previous case. These defects were detected as a result of measures that were introduced after the 2019 scenario. They were detected by an independent

assessor. They have been graded at class C, which is the lowest grading of concern in these matters. I have been told that there are no health and safety concerns and that none of the lifts are out of commission. One part of a lift has been sent to the manufacturer for testing to see how we can resolve the issue or find out how it came about, but that is not because of any concern that there may be a health and safety issue or that we will have to close down any of the lifts. If further information comes to light on it, I will report it to the Committee. I assure the Committee that, if health and concerns are raised with me about any aspect of the equipment that we are using, I will ensure that health and safety comes first.

**The Chairperson (Mrs Erskine):** I asked whether you are aware of any increase on the 16 cases that have been announced.

**Mr O'Dowd:** I am not aware of any increase, but, if there has been an increase, I will let the Committee know. There are continual, ongoing tests and observations of all our equipment. We would expect that, the more you test, the more faults you will find, and, in one way, that is a good thing. I have not, however, been made aware of any significant increase in that number to date.

**Mr Stewart:** Thank you for your answers so far, Minister. I will tease out the two-year aspect that the Chair referred to. I know that there were concerns, particularly, as you said, from the PSNI and the automotive industry. Those concerns were especially about the fact that you could have a commercial vehicle that does 120,000 miles in a year, so it could have done a quarter of a million miles by the time that it gets to its second year. Is it possible that, while looking at day-to-day vehicles — looking at five, seven and nine years in a two-year cycle — there would be an option to factor in mileage levels, or is that beyond the scope of the system that is in place?

**Mr O'Dowd:** We should certainly examine that question. It may be that how we collect and analyse that data is a challenge. We may be relying on the owner of the vehicle to report that. I am sure that the majority of vehicle owners would report it, but, if they did not, that would be a problem.

As we examine the issue, all available options will be considered. We will have to report back to the Committee. The Committee will then take views on these matters and may have opinions and views that we will have to feed into our consideration. As I said, there is not a simple equation to move to two years, but it may be necessary to do that. That might be something that we can do, and, as I said, I have asked officials to examine it closely.

**Mr Stewart:** I will stay on the DVA but move on to driving tests. From the anecdotal evidence that I get both from people who are trying to access driving tests and from driving instructors, it appears that we have a growing backlog and that there is difficulty across the country accessing tests. You are aware of that, Minister. What measures are being put in place to try to alleviate pressure on getting a test?

**Mr O'Dowd:** We are recruiting more examiners. One of the side benefits to us recruiting more MOT inspectors is that some of those inspectors will have a dual role in that they may also be test examiners. If we can recruit more MOT mechanics, we will be able to alleviate some of the pressure on our driving tests, so there will be a benefit in that.

**Mr Stewart:** Thank you.

**Mr K Buchanan:** OK, Chair, I take it that we are covering the MOT part first, yes?

**The Chairperson (Mrs Erskine):** Yes.

**Mr K Buchanan:** OK. I will roll my two questions together. Minister, on Monday I referenced the fact that some MOT centres are not performing. I was referring not to individuals in the centres but to the fact that performance in some of those centres — I will not name them — is down 19%, 8%, 7%, 19% or 12%. There are a lot of test centres, and two thirds of them are down in their output of vehicles from January 2019 and in January 2024. To be fair, the total capacity is up by 1,000, but it seems that a lot of the centres are not keeping the same target or getting more output. What is that down to? Is it down to staffing? What is the reason that the numbers for some of the test centres are down? To be fair, some are up by 33% or 18%, but, if the numbers for some test centres were not up, we would have a bigger problem. Looking at all the test centres, why are they not hitting the same targets that they hit in the past?

My second point is about the cracks in the lifts. Is there any cost to the public purse owing to those new cracks? Are the lifts under warranty? Will the supplier of the lifts cover that cost and, indeed, any cost that is associated with the issue? Thanks.

**Mr O'Dowd:** The issue around the individual MOT centres comes down to staff vacancies. We may have a higher level of staff vacancies in some centres than in others. Hopefully, the recruitment campaign that we ran will help to alleviate that. As I said the other day, we have had 135 applications for around 50 posts. As is the case with any recruitment drive, those applications may not all go to interview, and it has to be worked out how many are successful at interview.

At the minute, there is no cost to the public purse for the newly identified cracks in the equipment. As with all equipment, there is a period of warranty and assurance from the provider. The manufacturer of the equipment is examining one lift arm that has been sent to it to identify why the cracks are happening. If costs arise from that — that is a big if — I expect that the contractual obligations will be met on all sides. You will appreciate, Keith, that I do not have those contractual obligations in front of me, but I am not aware of any costs to the public purse, significant or otherwise, arising at this stage. If there are, I will report that back to the Committee.

**Mr K Buchanan:** Chair, I have a quick supplementary question, and then that is me done. Minister, you talked about staffing, and you indicated the other day that you needed 55 staff or whatever number it was. Are you content that the wages are attractive enough to hold on to staff and to ensure that we do not have a turnover of staff? Are you concerned about a high turnover of staff, specifically those who test vehicles?

**Mr O'Dowd:** There has been a high turnover of staff for a number of reasons. As a public-sector employer, we were impacted by low public-sector pay and the uncertainty around pay increases. I hope that that is now resolved, although we have to wait for the formal announcement from the trade union side about whether it is satisfied with the pay increase. The mechanics were upgraded by an additional level after a review of those posts, which has also seen an increase in their pay. That is very welcome.

The private sector attracted some of our mechanics away, and, as is often the case, some came across attractive positions. There are also some, however, who are coming back to us and feel now that perhaps the grass was not greener on the other side for a variety of reasons. The DVA is an attractive employer. There are good terms and conditions, I hope, now that we have improved the salaries and wages for staff. The fact that we have had over 130 applications for those posts is a welcome sign.

**Mr Boylan:** You are very welcome, Minister, and thank you for your responses and presentation. We had a good debate the other day, and some good suggestions were put out there. I know that you are looking at biennial testing. This is a legislative question, but, for me, the interesting thing is that a notion or idea was expressed in the Chamber that we can just move to private tests and private centres. However, there are more complexities to that with legislative frameworks and everything else. We are trying to get stabilisation and harmonisation in this mandate in order to address the issue. I take it that there would be complications and consultations arising out of any legislative changes that we may need in order to bring in something, even if we decided to go down the route of using some temporary measures such as private garages or anything else.

**Mr O'Dowd:** The current legislation does not allow for private MOT testing, so we would have to change the legislation. "How long is a piece of string?" is the answer to how long it would take to change legislation, but, if you are going to do that, you would want to do it properly and ensure that all your t's are crossed and i's are dotted. I am not doing it, but if you were, you would have to do it properly.

**Mr Durkan:** You are welcome, Minister and Denis. Minister, I congratulate you on your permanent appointment; you were the caretaker Minister previously. I commend you on your start. Tús maith, leath na hoibre [*Translation: Well begun is half done*], as they say. You have hit the ground running with some positive announcements.

Is this the MOT round?

**The Chairperson (Mrs Erskine):** Yes. [*Laughter.*] It is.

**Mr Durkan:** OK. As Cathal said, we are a legislative Assembly, and nearly everything that we bring in will require legislative change. That is what we are here to do. I share your view on private testing. I welcome you reopening the debate on or the examination of the prospect of moving to biennial testing. I know that it is far from simple. You mentioned the three cohorts that expressed opposition to, or, at least, concerns about, such a move. One is the automotive industry. Obviously, there will be commercial interests. Secondly, the insurance industry might have to raise premiums. It enjoys any excuse to do that, so I am surprised that it is objecting to it rather than encouraging it. There is also the police. I am not sure whether that is based on safety. In terms of collision causation, it is miniscule. Perhaps it is just down to the ability of the police to enforce and carry out checks, which is the case now anyway with annual testing, but that can all be thrashed out during the debate.

I am sure that we all share the concern about rising premiums and are thinking about anything that we can do that would impact those. Have you considered yet what the Department can do to start bringing premiums down? I met the Association of British Insurers (ABI) recently, and it pointed to not new but existing legislation that the Assembly passed — the Road Traffic (Amendment) Act 2016 — that had graduated driver licensing schemes and a couple of other initiatives that ABI said at the time would result in lower insurance costs. Is the Department looking at bringing that forward?

**Mr O'Dowd:** As you know, I have no legislative authority over the insurance industry, but insurance companies claim that road accidents and injuries is one reason why there are higher premiums. It also says that two more reasons are the rising cost of repairs and the significant difference in cost between repairing an electric vehicle and a normal petrol or diesel vehicle. I am engaging with my Department officials on the 2016 Act to see what commencement orders need to be moved forward, including the graduated driving test. I am looking at all those sorts of things from a road safety perspective, first and foremost, to see what we need to bring forward and how we improve that. As you know, the numbers of deaths on our roads are rising dramatically. It is an area of deep concern.

We have to drill down in to all these matters as we examine the issue, but an interesting factor about biennial testing is that, while we have a fail rate of about 20% for our annual tests, in the South, where there is a biennial service, there is a fail rate of about 50%. That is just a cursory examination of the figures; you would have to drill down into those more to understand why that is the case. That is a note of concern that needs to be examined. I am sure that the insurance companies will look at that as well. I am looking at the 2016 Act to see how we improve road safety, what responsibilities I have and what I can do in this mandate to improve it.

**Mr Durkan:** A 50% fail rate could indicate that it is a stricter examination.

**Mr O'Dowd:** It could well be.

**Mr Durkan:** I just wonder whether insurance premiums reflect the concerns across the border and across Europe, where they have biennial testing. I wonder whether that is reflected in the insurance premiums that the ABI has expressed concerns about.

Minister, you talked about the Department's legislative intentions. You said that the rail, road and transport Bill has six components, which could be six separate Bills almost. What are those six components?

**Dr Denis McMahon (Department for Infrastructure):** I do not have the full list of components. Part of the reason for that is because, at this point, the Bill is about all aspects of transport. At this stage, it could have up to six components, but we do not really know because it is not well enough thought through. In fairness to the Minister, we have not really had a chance to look through the legislative programme for year 1. Some of the transport aspects will be rail, road and, as we talked about earlier, the work that is going on at the ports. Nevertheless, there will be aspects that involve joining everything up.

A bigger transport plan is being developed at the moment. It is looking at all aspects of transport and will definitely feed into the legislation, because we will want to see how we can achieve greater public transport use and, as far as is possible, take people off the roads and see how we move towards lower carbon use. There will be a separate decarbonisation Bill, but some of the issues are bound to come into the proposed Bill. We have said six components. It is being quite hopeful that we officials can organise it that well, but I do not think that we are yet at the stage at which we can list what will be in the Bill.

**The Chairperson (Mrs Erskine):** Sorry to cut in on you, Mark. Can you get some information to the Committee on all of that as soon as you can?

**Mr O'Dowd:** It will be headings only at this stage, because, as Denis said, I have not even signed off on the principles yet.

**Dr McMahon:** This is for year 3, in fairness. We put it in the paper. It is helpful to have a marker, but it is just a marker.

**The Chairperson (Mrs Erskine):** Mark, do you have any questions on MOTs?

**Mr Durkan:** It is OK.

**Mr Brown:** Minister, on the announcements that came out on Monday, from you and, a bit earlier, in the press, is the move to extending the window for getting an emergency test from five days to 10 days enacted as of now or when will it be enacted? Is it live now?

**Mr O'Dowd:** It is immediately enacted.

**Mr Brown:** Great. I wanted to confirm that, because I have a couple of questions about it. You said that you are going to look at the exemption certificates, similar to the system that we had during COVID. Where is that at in the system? What is the process looking like, and when are we likely to see it rolled out?

**Mr O'Dowd:** A decision will be made. I said in the Assembly on Monday that I will make an announcement, which will most likely happen by way of a ministerial statement to the Assembly after Easter. The current legislation allows me to do that for six months in exceptional circumstances. COVID was an exceptional circumstance that enabled us to roll it forward for a year. We will probably want to make it for a year, because, if we were to make it for six months, there would be, in the middle of the year, a significant increase in demand for MOT tests. I am therefore looking at the legislation to see how I can use it most effectively to assist motorists in the time ahead.

**Mr Brown:** Great. I have one follow-up question. It is similar to John's point that we could move to biennial testing or else testing could be based on a vehicle's mileage. For example, every time that a vehicle did 20,000 miles, it would have to come in for a test. I have been asked why that option has not featured prominently. Am I right in thinking that it might interrupt planning in MOT test centres, because they would not necessarily have as good a gauge of the number of cars that are likely to be coming through? We are able to base a car's age on the vehicle's registration, but we do not know when a car will clock up 20,000 miles. Is that therefore the main issue?

**Mr O'Dowd:** That is exactly it. It is about the data and information that the DVA holds. We hold information on the age of a vehicle, who owns its, its registration and so on but not on its mileage.

**Mr Brown:** That could create a lot of issues should people run up mileage a lot more quickly than we would expect them to.

**Mr O'Dowd:** Yes.

**The Chairperson (Mrs Erskine):** Thanks, members, for that. I want to move on to other issues, but, finally, on MOT centres, we have seen a rise in the price of an MOT. Are MOT centres self-sufficient financially? Do they make money for the Department? Is there a shortfall? Can you give us any detail?

**Mr O'Dowd:** The way in which the DVA is set up is as a fund that has to be self-sufficient. It is not a major income driver for the Department. We can provide the Committee with the financial statistics for the DVA in writing, but we are not rolling in it, I can assure you. I think that the last time that the cost of an MOT went up was in 2009, so that is what brought about the increase.

**Mr Stewart:** I think that it was 2005.

**The Chairperson (Mrs Erskine):** It was 2005.



**Mr O'Dowd:** That is nine years ago. There is little in life that has not risen in cost since then. It is still very good value for money.

**Mr Boylan:** It is 19 years ago.

**Mr O'Dowd:** That shows you how old I am getting. You should not have told me that. I might have to look at that again now. *[Laughter.]*

**The Chairperson (Mrs Erskine):** I will not tell you where I was then.

**Mr O'Dowd:** I was in one of these rooms. *[Laughter.]*

**The Chairperson (Mrs Erskine):** If you could provide us that information in writing, that would be great.

**Mr O'Dowd:** Yes.

**The Chairperson (Mrs Erskine):** I want to move on to Northern Ireland Water (NIW) and look at waste water treatment, after which we will move on to roads and planning and look at flooding.

Northern Ireland Water has said that its need is about £1.9 billion. The Utility Regulator is looking at that figure and will, I understand, come back later this month with a response. I hazard a guess that that figure is going to go up.

**Dr McMahon:** It will probably be later, Chair.

**The Chairperson (Mrs Erskine):** OK.

**Dr McMahon:** We spoke to the Utility Regulator only recently, and it is probably now looking at nearer the summer before it will be able to come back with a full —.

**The Chairperson (Mrs Erskine):** OK. We had Sara Venning, chief executive of Northern Ireland Water, at the Committee. I am sure that you are aware of that. We had correspondence back stating that, with the shortfall of around £900 million, it looks as if 19,000 proposed homes are unlikely to be built, with 55 commercial developments unlikely to progress. That will have an impact on employment in sectors and on some of our own public buildings.

What discussions are going on with the Department of Finance to look at that issue? What was also clear from that Committee evidence session was that the situation with overspills into waterways is critical. In fact, Northern Ireland Water does not know how many overspills there are into our waterways. They are a critical piece of infrastructure that has environmental and socio-economic implications. What discussions are going on about your budgets whilst we await the Utility Regulator coming back to you?

**Mr O'Dowd:** There is regular engagement between my Department and NI Water about its financial asks and plans. I am now involved, as are all Departments, in engagements with the Department of Finance on next year's Budget. The capital forecast for next year's Budget is not good. It appears that it will be reduced even from previous years. I am therefore competing with all other Departments, and I have competing capital demands in my own Department as well.

You said that the Utility Regulator is currently reviewing NI Water's expenditure plan and will report back around April time. When I get the report, I will give it careful consideration. The reality then hits, however. I will have a certain amount of money at that stage, which I have to allocate to all aspects of my Department that require capital, and I also have NI Water. I am meeting NI Water this afternoon. When I was in this post previously, I had a number of discussions with it, and I will continue those discussions. NI Water has ambitious plans, which I welcome. It is an ambitious, forward-looking organisation, but I have to measure that against what I can deliver for it.

I have put on record that I do not like the term "economically constrained areas". In fairness, NI Water has called for this, but we need to have early engagement between developers and NI Water about what is possible and about what other solutions may be available to developers for certain sites across the North, whether they be commercial or housing.

When I was previously in post, I and the then Minister for Communities, Deirdre Hargey, established meetings between NI Water and the various social housing providers to discuss how each organisation worked and to what time frames. Those conversations have been useful and proved beneficial even in that planning programme, and I would encourage that across the board.

**The Chairperson (Mrs Erskine):** Where are we at with the pre-action protocol from NI Water to the Department? Can the lessons learned review be shared with the Committee?

**Mr O'Dowd:** I will ask Denis to come in on that.

**Dr McMahon:** I am happy to share the outcome of that report. It is probably worth giving just a wee bit of background to it. Northern Ireland Water colleagues mentioned the fact that there was, as they put it, a reduction during the year. In fact, £321 million was allocated to Northern Ireland Water at the start of the year. During the year, an additional amount was factored in by Northern Ireland Water to spend over and above the allocation. When we got to the end of the year, helpfully, the Northern Ireland Water board decided that it would not overspend or spend the additional £30 million that we did not have. As a result, we decided that it would be a good idea for us to identify lessons to be learned for the whole Department and for NI Water so that we could understand just how we got to that place, because it was quite late in the year to get to the point at which we were able to be assured that we were going to live within our budget. We were not going to live within our budget overall, but we were going to live within that aspect of our budget.

The idea of the review is that it will come to us. We will definitely write to the Committee and tell you the outcome of the lessons learned. The one caveat is that I do not know what that will involve, and the Minister will need to see it. Before we send it to you, we will need to look at it, because, for example, the report will look at everybody's role, including mine, so I want to make sure that what we send you is appropriate.

**The Chairperson (Mrs Erskine):** I know that the First Minister has ruled out water charges. About 70% of Northern Ireland's funds are public money. You are the Minister for Infrastructure: have you ruled out water charges?

**Mr O'Dowd:** I have ruled out domestic water charges, which would be an added burden on families that are already hard-pressed. My argument is that our water service will have to be funded through general taxation and the block grant. As the Assembly and the Executive parties have all agreed, we are currently underfunded, and I think that the British Government have agreed that this society is underfunded and that we need proper resources in order to run our public services. I do not think that placing further burdens on to hard-pressed working families is the way forward, however.

**The Chairperson (Mrs Erskine):** OK. We will move on to questions from members.

**Mr Stewart:** Thanks, Minister. I do not think that anyone here envies the difficult decisions that you have to make in trying to triage massive capital projects and the associated spend, and Northern Ireland Water, given its relationship with the Department, is probably one of the biggest areas of spend. The Chair outlined the pressures that the chief executive of Northern Ireland Water highlighted to us. Is there an option to have a different funding model for Northern Ireland Water? Have you looked at that? Is that something that could be teased out, such as Northern Ireland Water's ability to borrow more to invest in future infrastructure or the potential for mutualisation? Should everything, as I believe, be on the table to open up funding streams for Northern Ireland Water so that it can invest in infrastructure in the future?

**Mr O'Dowd:** Unless there is a new idea that I have not yet come across contained in the mutualisation programme, my understanding is that, if we go down the mutualisation route, it will lead directly to domestic water charges for homeowners or whomever may be in the premises. That is my understanding of where mutualisation will lead us, so, unless there is a new caveat applied or a new understanding of how mutualisation works, I do not think that that is the way forward.

NI Water has faced a significant increase in costs because it is a heavy energy user. There have been massive increases there. Its capital and construction costs have risen dramatically as well, so all those things have risen, even since the original water price control was introduced. As a Department, we have been trying to respond to that, as has NI Water, but I have not yet come across a funding model that will give it the sustainability that is needed. If we were to allow NI Water to borrow more, it would

have to borrow against its assets. Those assets come back to us, so that would be a liability for my Department, the Executive and the entire finances of this place. We have to be careful in that regard. As far as I understand it, NI Water cannot borrow against anything other than its assets, so we have to be careful about going down that route.

**Dr McMahon:** It may be worth adding something on the back of that, Minister. Not to get into a debate about it, but there is £4 billion of assets in Northern Ireland Water and £2.8 billion of liabilities. Part of that is equity owned by the Department, as well as debt. That is just to give a sense of the scale of the challenge there, whatever model is used.

**Mr Stewart:** Absolutely. There are no easy decisions here, but the reality, as we have heard, has been borne out, and, because of the underinvestment year-on-year, those pressures get worse. I hear what you say about early engagement with developers, and there are examples around the country of where that is happening, but we have heard about this developer-led model, which invariably leads to homeowner-paid, because any anecdotal evidence that we see is that house prices are going up as a result of sewerage levies being added to the houses. Often, social housing projects just do not happen because they are being done within tight budgets. That is why 19,000 proposed homes, a College of Agriculture, Food and Rural Enterprise (CAFRE) college and special needs schools are unlikely to be built. I take your point. It is an option that needs to be looked at, but, at the same time, it is not often viable, or else the public ultimately pays for it indirectly, which we see with increased mortgage prices.

**Mr O'Dowd:** Members will understand that we are currently in a bidding round, both publicly and privately, for budgets. Each government-owned company or arm's-length body that I encounter will tell me the worst-case scenario. We are certainly in a budgetary period in which a lot of those worst-case scenarios are a reality, but I, as Minister, and my officials have to drill down to see exactly what can be done. I will also ask what we can do differently. I know that the Member has tabled a motion for debate in a few weeks' time on how we can do things differently, and I welcome that. We have to look at all those things and be minded that we do not inadvertently introduce domestic water charges. There is a challenge there for NI Water — I think that it is up for that challenge — around how it does things differently as well.

**Mr K Buchanan:** Minister, I have one question on discharges, combined flow discharges and breaches. Last year, we saw the shocking scenes at Lough Neagh. People, including different scientists, are saying that the issue will return. My understanding from modelling — it is from modelling only — is that NI Water contributes to that by 24%. Are you content with that figure? Are you content that NI Water has got a grasp of the issue that it is causing with the lough?

**Mr O'Dowd:** I am not content with that figure or with the state of the lough. It is clearly an environmental disaster. We all, including my Department, must do everything in our power to start to rectify that. As you know, it is perhaps 60 years of mismanagement of a whole range of aspects of our environment and society that has resulted in the build-up of nutrients in the lough. DAERA is taking the lead on responding to the crisis with the lough. I have assured the Agriculture Minister that I will do everything in my power to assist him and his Department in that work. I am acutely conscious, when I look at NI Water's budget and how I support it, that I do not exacerbate the issue with the lough, or any other watercourse, but I am having to deal with a constrained budget at the moment. Part of my discussions with NI Water will be about how we assist with reducing the nutrient flow into the lough in the future.

**Mr K Buchanan:** I have one final point. We need to look at it as a Committee in order to get an understanding of how big the issue is with NI Water, where the combined discharge points are and how many overflows into the lough have occurred. I have asked questions privately, but it is a theme that we need to look at in order to get an understanding of it, because the issue will not go away any time soon. I appreciate that, as the Minister said, it will not go away overnight, but we need to get an understanding of how much NI Water is contributing to it.

**The Chairperson (Mrs Erskine):** OK. Cathal.

**Mr Boylan:** Sorry, Chair, I will wait until we take questions on planning. This conversation marries with planning, so I will wait and ask my questions then.

**The Chairperson (Mrs Erskine):** OK. If members are content, we will move on to flooding. Again, we are looking at budgets. Minister, how will you ensure, within your constrained budget, that schemes

will be delivered and will operate? How will you prioritise them? Last week, officials said that they need to go back and look at some of the defences that are in place. I think that we were told that around 70% in total of coastal and fluvial defences are not working as they should. We have to go back and look at them, but new flood defences will also need to be put in place elsewhere. How do we prioritise that work against your capital budget?

**Mr O'Dowd:** Again, it comes down to engagement with my officials, the Department of Finance and the Executive on how we support one another to protect communities against the increased risk of flooding as we move forward. We all remember the scenes from October in Downpatrick, Newry and, in my constituency, Portadown. It was the wettest October in 135 years. I spent six months in this post in 2022, and I am back again, but, in 2022, there was significant flooding as a result of torrential downpours. That was an August flood, and I have no doubt, as sure as I am sitting here, that we will witness similar scenes in the spring and possibly into the summer, because our climate is changing. I will do my best to support flood prevention schemes, and a number are planned.

It is about how we look at those things and about when we put the measures in place. We are going to come on to planning. We have to ensure that our planning policies are correct and that we are not building in areas that are likely to flood, but if we are building in such areas, we have to build in a way that recognises that an area will flood. We want to ensure that we are using our resources. For instance, we could use greenways and flooding defences. Can we be imaginative about where we introduce greenways and about how we landscape them for flood prevention? How do we use the natural environment? There is an interesting programme of work called Living with Water, in which my Department is involved. It is initially happening in and around Belfast, as well as in Derry, and is about how we deal with rainwater and the flow from hardstand surfaces. It is a very interesting project. We are, however, also going to have to introduce hard-build material to hold back either the sea or floodwaters coming from rivers etc. It all costs money. We do not have the budget to cover it all, but we can do some things.

Throughout the debate, understandably, we will examine the pressures on my budget and my Department, but I do not want to send out the message that we are not doing anything. There are things that we can do, and there are things that we will be doing in a number of areas. An excellent programme of work was undertaken to introduce the flood defences in Newcastle. We can do that elsewhere, where it suits. Money, initiative and time can all be combined to get things done.

**The Chairperson (Mrs Erskine):** I will not go into the amount of rain that we get in Fermanagh and South Tyrone. I will bring in the Deputy Chair.

**Mr Stewart:** Are we on flooding?

**The Chairperson (Mrs Erskine):** Yes. We are on flooding.

**Mr Stewart:** Thanks, Chair. You have already mentioned this, and I do not want to get into specific areas, but I genuinely believe that the rise in tides and the amount of rainfall that we see every year is too much to place on the Department for Infrastructure to deal with. It is an unfair burden. The responsibility needs to be totally cross-cutting. DFI, DAERA and local government have roles to play. There needs to be a change made to planning, and the Department for the Economy also has a role to play. We have heard about the roll-out of support for businesses affected by flooding, and the Department for Communities supports those whose homes have been affected. There needs to be a cross-cutting, cross-departmental fund and plan. That is my belief, and you are nodding in agreement.

**Mr O'Dowd:** Yes.

**Mr Stewart:** There was an Adjournment debate on flooding in South Down. It is not an area that I represent, but the debate could equally have been on flooding in East Antrim, Mid Ulster or anywhere else in the country. As the phenomenon worsens, there needs to be an automated scheme that kicks in to support, both financially and logistically, the people who have been affected. Do you agree? If so, how could that be done?

**Mr O'Dowd:** I would welcome an Executive strategy on how we deal with flooding or, more importantly, how we live with water. It is a cross-departmental and cross-societal issue. Water runs more quickly the more hard surfaces that we have, the more landscape that we remove and the more concrete and tarmac that we pour. The faster that the water runs, the more flooding that we get,

because the system has not had an opportunity to let it soak up. It is clear from climate reports that we are going to get heavier and heavier downpours of rain, so we need to have in place facilities to deal with that.

When looking at planning matters, I engage on how we live and deal with water. I am keen on environmental projects. The Craigavon lakes, built 50 years ago, were intended to take off the excess water run-off of the new city. That was imaginative 50 years ago. We should do more of that. We should look at having areas where we can hold large bodies of water and release them slowly back into the drainage system. Doing that would have a huge environmental and biodiversity benefit. It would also allow us to look at the greenway function, where we could put in barriers that are would used be to support active travel. Rather than simply build concrete walls, although concrete walls are sometimes necessary, there are a lot of other things that we can do to deal with the challenges that climate change will bring.

**Mr Stewart:** Yes, concrete walls are needed at times. I totally agree with you, Minister. I know that we are going to come to planning, but this touches on it. We are at a stage at which a lot of councils have either finished their local development plans or in the process of doing so, but I do not see a lot of evidence of ideas such as new lakes, new greenways or similar thinking around where we plan to build houses once Northern Ireland Water has the capacity for that to happen. It is frustrating, so how we deal with the issue is something that we need to tease out.

**Mr Brown:** I have a few questions. The Minister knows that I have in the past submitted a number of questions on flooding, particularly in the Downpatrick area.

We know that the ongoing review is being coordinated through the Executive Office, but an awful lot of the response will fall to the Minister's Department. The indication is that the review will be complete by June. I am keen to know whether it will be completed in time to inform properly your budgetary ask to carry out the works necessary to prevent flooding incidents similar to those that we saw last year in places such as Downpatrick, Newry and Newcastle.

**Mr O'Dowd:** I do not think that it will be completed in that time, but I will apply a caveat to that. The issues that pertain to those areas will not be resolved in this financial year by physical hardstand flood prevention measures. Lessons will be learned from how the various agencies responded to the flooding incident and about what we can do better. It has to be said, however, that we have lost significant numbers of Roads Service staff over the years, for a variety of reasons. Those staff often respond to the flooding incidents. They are often the first people on the ground, along with the emergency services and other agencies. They dealt particularly well with the flooding incident in October. Had Storm Ciarán hit us two days later, however, we would have been in serious difficulties, because we would not have had the personnel to respond to it. That is how tight things are at times with our flood response.

Work has been commissioned on measures to protect Newcastle, Downpatrick and Newry. Given the engineering complexities of a lot of that work, however, it will take several years to get to the point at which we are satisfied that the engineering plan that we have is the right one. We then have to match that against the capital that is available at the time.

The permanent secretary has just given me a figure. Last year, we spent £22.7 million of capital on tackling flooding and supporting communities. I would like to be able to spend twice that, but investment is going in. Communities are beginning to see a difference when there are major flooding episodes. I know that a part of Newry was hit, but, as a direct result of work that was done, another part of Newry was not. Residents in Newcastle living along the Shimna river, who would have feared such an episode, are now protected by the wall that was built there. We want to get to that position in all towns. Some of the engineering proposals are very complicated, however, so we have to be careful. We might be solving a problem in one area but creating a worse problem in another.

**Mr Brown:** I was going to raise that point for Newcastle. There is a fear that the current flood alleviation structure, which has worked exceptionally well in that part of the town, along the Bryansford Road, for example, has pushed flooding incidents into other areas, such as the Marguerite area. The issue in Downpatrick was that everything pooled in the town centre. Other residential areas were just about spared. Roads and gardens were flooded, but there was no residential damage. There is a particular area — I will not name it — where a new development is currently under way. There, houses will be built 4 feet above ground level, for which there is full planning permission. The area that they are building on is a floodplain. It is not a formally designated floodplain, but it became a de facto one

during the most recent floods and was a major reason why nearby properties did not flood. A number of residents who live in that area have come to me: they are incredibly concerned that the next bout of flooding will result in their houses being under water. With regard to the planning system, what guidance do you plan to give out, particularly in the short term, for future developments where a flooding risk has been identified, to try to deal with that and make sure that it does not happen? It may be too late for the development I mentioned — I have raised that with the relevant planning authority — but guidance from the Department is something that needs consideration in the short term.

**Mr O'Dowd:** That type of development is, as you know, a council matter, but all councils are provided with up-to-date flood maps and, indeed, maps that project where flooding will be in x number of years as the climate changes. Comprehensive flood maps are available and are presented to planning committees. As I have said previously, I urge anyone involved in the planning process to exercise due diligence when approving a planning application where there are concerns about flooding. We used to talk about such events happening once in a hundred years, but that is reducing all the time.

If you are getting a warning that flooding will take place somewhere, it will probably take place in your lifetime. If you are prepared to approve a planning application on a site where you have concerns about flooding, there is no point, 10 years from now, handing the residents a sandbag and saying, "I am sorry about this", because you were responsible for giving planning permission for the development.

**Mr Brown:** This is my final question, Chair. The Minister's comments are apt because in Downpatrick we know that we are only a few days of heavy rain away from another flooding incident. Hopefully, coming into the warmer months, we will not see a repeat of what we saw at Halloween.

We are hearing from you, Minister, that the capital investments required to upgrade flood defences will take several years, and that is understandable. There are short-term measures that need to be taken around emergency response. Not a single business in Downpatrick was told that it was likely to flood, so, clearly, there is a massive gap in communication. Roads Service officials, in particular, were fantastic in communicating with local reps on the ground, largely because we had built up relationships with them. However, there was not a lot from DFI Rivers. It was not proactively engaging with local representatives on the ground, who were at the coalface in dealing with businesses. That needs to be looked at, from a departmental perspective. To be fair, the council did its best to try and manage those relationships, but it was clear that there was no organised structure in place to deal with such events.

I want to come back to the live flooding risk in Downpatrick. Everyone I speak to raises the issue of the Quoile river and the fact that it is choked, almost to the top of the water level, with toxic sludge, silt, branches and everything else that has built up over years of mismanagement and neglect. Every time I raise that with the Department, I get back the response that dredging could not possibly help. I am not a rivers engineer, but logic surely dictates that dredging a river will increase its capacity to take flood water that would otherwise go into a town. I want to get the Minister's opinion on that because I feel that the decision to not carry out dredging has been due to cost pressures rather than whether it would work and help to alleviate flood risk.

**Mr O'Dowd:** I am not a flooding engineer either, but, in my Department days, I have spent a lot of time with flood engineers, who are dedicated to their task and their job. I will raise the issue with them again, but I add this footnote: one of the things that I have learnt is that if you dredge a river, it could flow quicker, which could cause more significant problems. That may be a concern of our engineers, but I will raise the matter with them again and ask them to look at it, as a matter of urgency, to see if there is a dredging solution.

**Mr Brown:** I have a quick supplementary to ask. Sometimes, it has come back that we are asking for the entire river to be dredged. We fully appreciate that that is not financially or, probably, environmentally viable. We are asking for targeted dredging, at key choke points around the Quoile basin that we know were problematic last time. If it is a matter of cost, Minister, tell us that and we will try to do what we can, politically, to get the resources. I want an answer on whether it could help with the flooding risk.

**Mr O'Dowd:** OK, I will follow that up.

**Mr K Buchanan:** Patrick has covered both of my points, but I will touch on them briefly. One is about the River Blackwater. Patrick touched on dredging and the restriction in the flow of water. I appreciate that the River Blackwater does not cause flooding directly, although it floods farmland, which is

understandable. There is an issue with navigation, and one of your officials mentioned a week ago that the Rivers Agency is concerned with flooding and not necessarily with navigation. There is, however, an argument that the Blackwater river needs to be opened up, because that will, theoretically — I appreciate the Minister's point — let the water away quicker into the lough. Can I get a wee bit of commentary on that?

Secondly, on the issue of flooding, you are a planning consultee. You talked about that from a council point of view. Councils ask your opinion on flooding, and you advise them on the mapping, whether that is for a floodplain or, as I call it, a climate floodplain. Can you change that legislation so that the council has to take your engineers' information on board? Depending on where the planning application is, councillors can take one view or the other. Effectively, there are times when they listen to the advice and there are times when they do not. Is there any form of legislation that you could introduce so that they have to follow that advice?

There are two issues there: the River Blackwater and, broadly, the flooding/planning advice.

**Mr O'Dowd:** I am very familiar with the River Blackwater issue. In recent weeks, that has been exacerbated by someone who has cut down a considerable number of trees along the river and allowed them to flow down towards the mouth with the Bann. That has caused huge disruption and damage to the environment and disruption for local people who are involved in the fishing industry and those who operate pleasure cruises on the lough.

I previously suggested that Mid Ulster District Council and Armagh City, Banbridge and Craigavon (ABC) Borough Council engage with the Department on a possible bid for the blue-green fund. I encourage those councils to return to that matter. My Department does not have any legislative basis for dredging the mouth of the River Blackwater. We have responsibility for a number of channels into Lough Neagh and for small ports or harbours for fishing boats but not on the River Blackwater.

We need to be imaginative. I have funding available to me under the blue-green fund. I cannot predict the outcome of an application, but if an application came in to open up the mouth of the River Blackwater, it would certainly meet the main criteria. Then, it would have to be assessed against all the other criteria.

I know that councils have concerns about who has responsibility for dumping the materials that are dredged out of the river basin, including how much it costs and who has the licence to move the materials. Farmers used to spread it on their land, but I do not think that that is possible any more. So, there are a number of complications, but I encourage the councils to return to the blue-green fund to see what we can do there.

**The Chairperson (Mrs Erskine):** OK, Keith, are you content?

**Mr K Buchanan:** Just on the planning part —.

**Mr O'Dowd:** I am sorry, Keith: the flooding issue and the planning legislation. All legislation can be changed or amended. I have no immediate plans to change the planning legislation. There is some planning legislation in the future work programme. If we feel that we need more bring in more stringent legislation on the taking on board of departmental or DFI Rivers advice on flooding, then we will do so.

**Mr K Buchanan:** OK, thank you.

**Mr Durkan:** It never rains but it pours, Minister. On the issue of flood alleviation schemes, you are quite right to identify that different locations have completely different circumstances and, therefore, will require completely different solutions when it comes to flooding. The issues in some areas are a lot more complex than they are in others. A few others have been a bit parochial, so forgive me for doing the same. While there is huge sympathy when other areas are flooded, there is a fear, though not a selfish one, in areas in my constituency such as Drumahoe and Eglinton that they will be pushed further down the priority list, while they patiently wait for their long-proposed and promised schemes. Maybe you do not have the information to hand, Minister, on where they are in terms of priority or funding. On the planning issue, Planning Policy Statement (PPS) 15, as it was, which deals with flood risk, was looked at with envy by other jurisdictions, because it was seen as being more stringent on planning in flood areas. You mentioned legislation, Minister. At the start, you mentioned that a water, flooding and drainage Bill is in the legislative programme. What is the intent and content of that proposed legislation?

**Mr O'Dowd:** The full detail of the legislation has not been drafted yet, Mark. It has the potential to take into account a number of the concerns on those issues that have been raised here today. It is about trying to keep our legislative responsibilities on all those issues as up to date as possible.

On the point about Eglinton, it is not a case of it being pushed up or down the priority list; it is about where schemes are in terms of an engineering resolution. The problem in Eglinton is complex. It is one of those issues where you may solve the problem but create a more significant problem further down the road. I visited Eglinton the last time that it flooded. I think that I was also in Drumahoe. If memory serves me right, the flooding took place the day before I arrived. There was a lovely, tranquil stream babbling beside the estate. It was a lovely summer's day, and it looked lovely, yet the day before that stream had been pouring through people's houses. That is how quickly it can happen. I do not know what the planning conditions were in the area, but, with the benefit of hindsight, you would say to yourself, "Was it the best idea to build properties there?" As I said, I do not know what the planning conditions were at the time.

**Mr Durkan:** They are better now than they were, I think.

Keith mentioned the River Blackwater, and you made the point about an issue there with trees being cut down. Who takes responsibility for that? Is it your Department, through DFI Rivers, or NIEA?

**Mr O'Dowd:** I suspect that it is NIEA.

**Mr Durkan:** Has an offence has been committed necessarily, or are you stumped, if you pardon the expression?

**Mr O'Dowd:** The question is whether an offence has been committed. In my opinion, the NIEA is responsible. The trees appear to have been cut off the riverbanks further upstream in such a way that allowed them to fall into the river and float downstream. Just to be clear, I do not know whether an offence has been committed. Certainly, it is offensive.

**Mr Durkan:** One of the problems that, I suspect, contributes to flooding is who takes responsibility. You have designated and undesignated parts of the river, so there is a question over who is responsible for maintenance and things like that. A river flows, and I do not think, at times —.

**Dr McMahon:** When it comes to the operational side of it, the DFI Rivers people will want to make sure that any blockages are removed as soon as possible. That is absolutely part of their role. The issue is not so much about that. The point about legislative responsibility and enforcement is different.

**Mr Durkan:** It is much wider than just that river.

**Mr McReynolds:** Thank you, Minister, and thank you, Denis. It is good to see you again.

My point is on climate change, which has been touched upon loosely, and the fact that there will be increased rainfall in coming years. I have raised a number of times — I have raised it in writing with you, Denis — the need for a more advanced flood warning system. We are lagging behind GB on that. I raised that with officials last week as well. Is that being scoped out? I raised with you, Denis, the potential of working with the Department of Finance to try to get access to increased funds. It has been raised with me that an advanced flood warning system will be really beneficial to people if there is a flood coming.

**Mr O'Dowd:** That is being scoped out. We are falling behind other areas across these islands on flood warning systems. Patrick referred to what happened in Downpatrick. Sometimes, it is very difficult to predict where flooding will occur and where major rainfall will be. We are looking at such a system. Several million pounds of investment will be required for it. Currently, I do not have the funding to introduce such a system, but I hope to have it in the future.

**Dr McMahon:** Bids will be going in as part of the process. Those will be in addition to the capital expenditure that the Minister referred to: we are looking for more this year. We talked before about the scale of that. Some of the funding will be revenue as well. So, yes, we are actively looking at that.

**Mr McReynolds:** That is positive to hear.



**Dr McMahon:** Before I get too positive, I should say that that is subject to us getting the budget.

**Mr O'Dowd:** You take the positivity out of that.

**Mr McReynolds:** It is ambitious when it comes to cost, but it is really necessary. It is great that it is on your radar.

**The Chairperson (Mrs Erskine):** Thank you. A school has just joined us in the room: you are very welcome to the Committee.

We will move on, Minister, because we have two final areas that we want to look at, and time is getting the better of us. I will touch on planning because it came up in the course of the conversation. We had a debate in the Chamber about planning, and we have had reports and reviews. The Northern Ireland Audit Office (NIAO) and Public Accounts Committee reports indicated that the planning system is not delivering for people or the economy. When can the Committee expect to see the memorandum of reply that was referenced in your first-day brief in respect of the Public Accounts Committee report on planning?

**Mr O'Dowd:** My officials and I are working to provide a response. The Audit Office report was complex and detailed, so it deserves a complex and detailed response. We have taken some interim actions. As you will be aware, we have introduced the planning improvement programme and a performance agenda, and we have brought in the interim Regional Planning Commission. There is better engagement than ever between the various agencies involved in our planning process.

It is too early to tell whether we are seeing significant improvements in that, but the most recent published statistics for the first six months of 2023-24 show that the average processing time for local applications was 19.2 weeks across all councils against a target of 15 weeks, with four of the 11 councils meeting the 15-week target. The average processing time for major applications during that period was 34.7 weeks across all councils. That represents a decrease of over 15 weeks compared with the same period a year earlier and shows that we are moving closer to the 30-week target. Results for the 70% target for the closure of enforcement cases within 39 weeks are not available at this time. One swallow does not make a summer, but those figures are encouraging, and I welcome the fact that, under the planning improvement programme and the interim Regional Planning Commission, we are seeing closer working among the various organisations that are responsible for planning than we have ever seen before.

**The Chairperson (Mrs Erskine):** Members referred to the flooding issue, but councils' local development plans are a serious issue. Where is the accountability for making sure that councils have those plans in place? Those plans are fundamental to some of the planning considerations by councils. What is being done on that? Do councils need more resource? That is having a detrimental impact on planning.

**Mr O'Dowd:** The first line of accountability comprises the local councillors who sit on those councils. They must make sure that they engage fully with the officials and that those officials are moving forward at a pace that is necessary to meet requirements. At a strategic level, my Department engages with the councils about that, and we have set out guidance. There are no statutory deadlines other than those relating to the advertisement of the programmes in the media. There is no other statutory guidance in the programmes. My Department is working closely with councils.

One concern is whether the Planning Appeals Commission (PAC) has the resources to deal with the plans that come before it. I suspect that it does not, but the Planning Appeals Commission does not fall under the responsibility of my Department. I suspect that, like every other public service, it is under-resourced and understaffed, but that is a question for the Justice Department. The Committee may want to take that up through a joint meeting with the Justice Committee, but it falls outside my remit.

**The Chairperson (Mrs Erskine):** Thank you. Members, I ask you to remember the time pressure, come to your questions quickly and keep contributions as short as possible.

**Mr Stewart:** Thank you, Chair. I will try to be brief. I will start with the Planning Appeals Commission, because you raised it, Minister. I know that it is not within your purview, although it probably should be, given what it does. It has been described by many in the industry as being everyone's friend and no

one's family, because of the work that it does. It has autonomy without accountability, but it needs to have both those things and be properly funded. Given the way that planning is going, it will probably become even more stretched because of the amount of cases that are going to it. You only have to look at the time that it has taken for significant applications to go through the Planning Appeals Commission. I am interested to hear what you think about that issue and how we can tackle it.

**Mr O'Dowd:** I have to be careful, because I have a role in planning. I sign off on some strategic planning programmes, so I have to be careful. There has to be independence, but there also has to be accountability.

**Mr Stewart:** Exactly.

**Mr O'Dowd:** We are elected representatives who are tasked with representing the public and looking after the public interest in finances. There has to be an accountability mechanism. I am open to ideas and suggestions on that. There would have to be a wider Executive discussion about it and discussion with whichever Committees have to be involved. We are seeing delays as a result of the pressures that the Planning Appeals Commission is under, and we have to find some way of unblocking them.

**Mr Stewart:** You touched on our councils. We are heading towards it being a decade since planning was devolved under the review of public administration (RPA). Some councils are the best in class, and others could definitely do better. I am concerned that there is underfunding of training and a lack of support for council members to develop their ability. Some do incredibly well, but others seem to fall by the wayside. Could the Department do more to scrutinise their work and provide additional support, or should that be provided in-house by the councils? I went to Peterborough in 2014, when I was on a council planning committee, and there was such a difference in the level of understanding there about what were material planning considerations and what were not. Compared with some of the contributions here that I hear, it is like chalk and cheese. Others are doing fantastically, but, clearly, there is not a level playing field. Instead, there is a postcode lottery when it comes to the ability of the committees.

**Mr O'Dowd:** I have to declare an interest, as my wife is a member of the ABC Borough Council planning committee.

Resourcing of the planning committees is a matter for the council —

**Mr Durkan:** That is one of the good ones. *[Laughter.]*

**Mr O'Dowd:** No comment.

**Mr Boylan:** Yes, it is, Mark.

**Mr O'Dowd:** You have put me off my train of thought. *[Laughter.]* I will have to see whether I am in trouble at home.

Finance and how to resource their various elements are matters for the councils. The Department has an oversight role in that, and we will provide support in any way that we can.

I come back to the planning improvement programme that we have put in place and the interim Regional Planning Commission. We are beginning to see a chink of light at the end of the tunnel on some of that stuff. I am not overly keen on more reviews or reform, because the system almost stalls while that is going on. We have gathered enough evidence to know the issues, and we know some of the solutions. Some are resource-based, coming from my Department or councils, and one is to introduce best practice across the board.

**Mr Stewart:** That came to light in the debate. The Department and others have produced plenty of reports and reviews: it is now just about implementing them. I have 10 other questions but I will not ask them today; I am conscious of time. *[Laughter.]*

**The Chairperson (Mrs Erskine):** Ministerial questions could be flooded.

**Mr McReynolds:** Planning will be a really important issue — it was the subject of the second motion that was debated after restoration, which the Chair proposed — so it is really important that we get it

right. I have a couple of questions. You mentioned the interim Regional Planning Commission. What work has it done, and what has it achieved?

**Dr McMahon:** I have some information on that. The interim Regional Planning Commission has looked a range of issues across the piece. There are two elements to it that have been very helpful. One is having industry-type organisations on it. Business organisations can give you a clear view on what is going well and what is not going so well. Secondly, it has looked at the wider system. We have had a couple of workshops with it — I am just trying to find my notes for the detail on those — and we have touched on one of issues that came out of them. On one hand, you need clear governance and accountability to understand what is happening at each level in the system; on the other hand, there is individual responsibility. So, councils have their responsibilities, and the Department is separate from that, but the bigger issue is this: is it working together as a system? How do you get that balance? On the one hand, they were split for a reason, but, on the other, if we just work as separate entities and do not talk to each other, we will not deliver. A big piece of it is about how to build a more collaborative culture, and that is where the commission has come to.

There are a lot of different elements where the commission has input, such as the IT system — the planning portal — which, again, is one of those things that does not get universal thanks, because it does not always deliver in exactly the way that people want it to. When you look at some of the other IT projects around government, however, it was an amazing achievement — I can say that, because I was not here when it was done — to get that up and running and to the point where we can start to collect the data that will enable us to understand where our performance is working and where it is not.

To answer your question, in summary, the commission has been at the right hand of the programme the whole way through. To summarise it in one phrase, it is keeping the programme honest, as far possible, and it gives us a good assessment of what is happening on the ground.

**Mr O'Dowd:** I am going to take some time to understand the work of the commission to date. I will meet with the commission and see whether there is a need to broaden or review its terms of reference and the scope of its work. I will talk to its members, and learn from them, on what they think needs to be done next.

The other element — we may come on to this — is the quality of the planning applications that are submitted. Often, you find that significant information is missing or incorrect information has been provided. That means that even the statutory respondees have to go back and forth, which takes up time and resources that we do not have. The statutory checklist that we propose, which we will hopefully bring into legislation, would improve the planning system.

**Mr McReynolds:** Renewable energy will play an important role in tackling climate change. The Department is going to try to meet key targets for renewables, but renewables projects are continually being blocked during the application process. Are there any plans to change that to make it easier for those renewables projects to be brought forward?

**Mr O'Dowd:** The challenge for renewable energy projects, particularly those that involve windmills, is that they can cause a difference of opinion and concern in the local communities that they are planned for. We have to go through the proper planning processes and ensure that all environmental and biodiversity considerations are taken on board. That is quite time-consuming and it can be litigious, with challenges to decision-making processes. Often, a public inquiry is required, which means going back to the Planning Appeals Commission.

As Minister earlier in the mandate, I made decisions about the introduction of renewable energy projects. Those decisions are not always universally popular in the proposed locations for those projects, but I am prepared to make them if they are based on sound planning advice.

**Mr McReynolds:** This is my final question, Chair. The Planning Appeals Commission has been mentioned. I see it as being the poor relation, which I think has also been mentioned. The Northern Ireland Chamber of Commerce and Industry brought out a really good report about reform of the Planning Appeals Commission, and the Department of Justice role in that reform has been alluded to. Having met the Planning Appeals Commission during its stakeholder engagement session late last year, I see it as more of a facilitator of the planning policies, applications and appeals that come through. I see it as being a key player in facilitating those discussions, but I think that DFI has a key role to play in its reform. Can I get your thoughts on that?

**Mr O'Dowd:** I am reluctant to say any more than what I have already said, because the Planning Appeals Commission falls under the remit of another Department, and I do not want to step on another Minister's toes. Any reform has to fit in with the overarching plans for improving our planning process. As we go through this process, even in responding to the Audit Office's report, we can, for want of a better term, hint at what we believe to be the way forward for the entire planning system, of which the Planning Appeals Commission is an integral part.

**Mr McReynolds:** It would be worthwhile bringing that up in the Executive to iron that out. I fear that it is almost being forgotten about. DOJ is a sponsor of the Planning Appeals Commission, but the work that it processes is more connected to DFI, so it might be helpful to bring that up in the Executive.

**The Chairperson (Mrs Erskine):** Cathal, you have been patient in this discussion on planning. Thank you for that.

**Mr Boylan:** Thank you very much, Chair. Yes, it is one of my favourite subjects.

Minister, you mentioned the Audit Office and Public Accounts Committee reports. I have listened to the discussions about flooding, area plans and the responsibility of councils. I know that each council has autonomy and that you have responsibilities, but we need to have a broader conversation. I welcome the fact that you are meeting NIW. While NIW has submitted its price control (PC) 21 plan and has great ambitions, there is no point in saying that there are 100 areas of constraint and that we are looking for 19,000 units. Some councils may say, "We're going to build 10,000 units in the next 10 years". While that is ambitious, we have to be realistic. I welcome some of the recommendations in the reports on what we can do, but we need to have a broader conversation on planning. Some of it came out in the debate in the Chamber, but not all of it. We have a responsibility to talk to NIW, and there is responsibility when the area plans come about. There is no point in saying, "We're going to set a target of 10,000 homes" or, "We're going to set a target of 15,000 homes" if we cannot do that collectively.

PPS 15 on flooding identified a number of areas. You are correct: some of the councils have made decisions about the social housing programme. It is about having those broader conversations — this will also be part of the Committee's work — about the economy and development-led planning. All of those conversations need to be had. Perhaps some of the new ideas for planning that you are bringing forward lie in a conversation at the Executive as well in terms of funding and everything else. That is my overview. Do you want to comment?

**Mr O'Dowd:** As I said during my introductory remarks, it starts here. Nothing to do with economic, community or societal development can happen in our society unless Infrastructure gets it right. We have to make sure that we have viable waste water treatment and fresh water: one flowing from our homes and one flowing to them. We have to have our roads infrastructure right. We have to ensure that renewable energy is in place, and that our planning system is in place. We have to get all of that working in unity together or else nothing will happen. I said at a conference the other day that you could easily call my Department "the Department for the Economy" or "the Department for Communities", without stepping on any other Minister's toes, because, unless we deliver the projects that we are involved in, none of the rest of it happens. It starts here.

**Mr Durkan:** Most of my points have been made. I was going to raise one about renewable energy obligations. It is not just about big wind farms; it is also about smaller stuff that the planning system could be more amenable to or flexible towards. I know that stuff has been done on reverse vending machines, with the anticipation of a bottle deposit return scheme coming in. We are also looking at stuff such as vehicle charges as we move towards having more electric vehicles. It is about ensuring that all Departments are working together in that regard.

One of the points that were made was about the resourcing of councils, and there was a question about whether that was adequate. The resourcing of planning in your Department, Minister, is probably nowhere near adequate. It is about how that marries up with the Department's marking of councils' homework. We talked about it in regard to flooding. What if a council passes something, but DFI Rivers says, "You shouldn't be doing that"? You have demonstrated in the past, although it was not specific to flooding, your view that, "Well, the council is elected. The councillors and the committee have taken that decision. It is a local decision". What is the threshold for the Department, particularly given the lack of resources in it, calling something in? A decision was made by your predecessor — I am not blaming you for this by any means — to call in a retail application in my constituency. It took a year for the Department to realise, "Oh, we don't have a retail expert in-house", so it had to advertise

to get one in. More than two years later, a decision still has not been made on a decision that the council unanimously supported.

**Mr O'Dowd:** Each decision has to be made on its own merits. My Department has responsibility for the strategic oversight of the planning system, including, as you know only too well, powers to call in decisions. I am of the view that local councillors are best placed to make the majority of planning decisions. It would be with great reluctance that I would call in a planning application. Obviously, I would have to look at the advice of my officials and take into consideration my legislative responsibilities, but, in many ways, I would look at it on the basis of, "You elect your councillors to serve your local community. You need to be comfortable with the decisions that they make locally". It is about getting that balance right between ensuring that there is social and economic development across the board and delivering that quickly. I am acutely aware that many sections of my Department, despite often going above and beyond the call of duty, are under-resourced and understaffed, including planning. I am looking at how I can improve that.

I have a responsibility. I cannot just pass the buck. I am looking at how I can improve that, but when I am making my decisions, I am saying to myself, "If I make that decision, what knock-on effect does that have across the entire system?" I look at the entire spectrum, but, obviously, the main focus has to be my legislative responsibility.

**Mr Durkan:** A real difficulty exists for planning committees. I am not trying to get them off the hook and give the Minister the difficulty. However, if an application comes in, and Rivers Agency is saying that there is flood risk, and there is a social housing sticker on the application, we all know of the acute and profound need for housing. You would be hard pushed to find a committee to vote against a social housing scheme regardless of what statutory consultees are saying; whereas, if it was a private scheme, it would be laughed out of the chamber. Ultimately, it is the end user or inhabitant who is put at risk.

**Mr O'Dowd:** There is a valid point there. Local representatives want to provide social and affordable housing. One thing we should be looking at is how that housing is designed. It is what you are building on the flood plain in anticipation of a flood. There is no point building a standard property on a flood plain if you know that it is going to flood. If you want to build a property on a flood plain, then design it, if you can, in such a way that minimises the risk, rather than just planting it down there and saying in 10 or 30 years' time, "Oh, I didn't know that was going to happen".

**The Chairperson (Mrs Erskine):** Keith, do you want to raise anything in relation to planning before we move on?

**Mr K Buchanan:** No, Chair, I have nothing on planning, but I have two other quick topics to cover.

**The Chairperson (Mrs Erskine):** Right, that is OK.

**Mr O'Dowd:** I am just conscious of time, Chair.

**The Chairperson (Mrs Erskine):** We really do have to move on. Can we just quickly touch on roads and transport, please? I appreciate that you have given the Committee quite a bit of time today.

Translink has rejected the pay award. You responded to the Committee in terms of your role, but where does that leave us now with Translink, given the budgetary situation as well?

**Mr O'Dowd:** I am disappointed that an accommodation was not found. The unions rejected the offer, quite overwhelmingly, it has to be said, or the workers rejected it quite overwhelmingly. That is a signal of the frustration that has built up over many years in relation to a low-pay agenda across the public sector. That vote reflects that.

Translink and the unions are meeting today to discuss what options, if any, are available to either side. I wish those discussions well, and do not want to say anything that would hinder them. When parties are around a table and talking to each other, as we know as politicians, it is only beneficial, so I wish them well in those discussions.

**The Chairperson (Mrs Erskine):** Thanks for that. The Minister has made quite a number of roads announcements. Whilst that is welcome, is the Minister focused on roads and roads announcements when there are so many competing pressures, as we spoke about today?

**Mr O'Dowd:** Many of the roads announcements at the moment are a direct result of the investment that I made not long after coming into office and of the reallocation of funding by the Executive. I got around £5 million from the Executive, and I redistributed about £3 million from my own Department for significant road projects and £1 million for potholes. That is why our roads are seeing significant investment at this stage of the financial year.

I am not overly focused on roads, but we all know that our roads are in particularly bad shape. We have a safety issue in relation to our roads. They are an asset to the Department that I have to maintain. Yes, there has been quite significant investment in roads, but I do intend, as part of the budgetary process, to plan a long-term budget — I was going to use the word "solution" but I am not sure if we are able to solve any problems or all the problems with the current budgetary programme that we have. I intend to be working to a yearly budgetary programme, rather than an immediate programme as I have had to do recently.

**The Chairperson (Mrs Erskine):** There is a strong feeling within communities about the role of rural community transport. We saw that the last time that it looked as though funding streams were going to be cut. Can the Minister give any indication today of whether funding will be in place for community transport and what that funding stream will look like in the future?

**Mr O'Dowd:** You will appreciate that we are in the midst of our budgetary processes and that I am still awaiting confirmation on my budget. I have confirmed the budget for community transport for the next two months, as I have done for a number of areas in my Department. It is my intention to protect community transport as best I can, but I cannot give any further confirmation beyond that because I simply do not have a confirmed budget for the rest of the financial year.

**The Chairperson (Mrs Erskine):** OK, members, we need quick-fire questions, and we also need quick-fire answers.

**Mr Stewart:** Minister, I totally agree with and echo your points about the transport workers. That is something that we need to get over the line. The fear out there that strikes could be imminent is real; hopefully, that is not the case.

One big infrastructure project that has been on the table for years is York Street interchange, and I see from the papers today that a three-point options paper will be prepared shortly. I am curious to tease this out. We have a letter today, Chair, from a concerned resident who is raising the issue, and this has been an ongoing matter. They reckon that it costs the local economy between £8 million and £10 million per year not to develop that. Do you think that you will be able to get that capital project off the ground in this mandate? How feasible is that? The economic impact could be astronomical for that area, Minister.

**Mr O'Dowd:** I certainly hope that I will be advancing the York Street project while I am in office, but, again, it comes down to a number of factors, including budget and being able to go through all the regulatory processes that I have to go through when I am dealing with a major road infrastructure project. I hope to advance that during my term of office.

**Mr McReynolds:** I have two quick questions. You mentioned legislation in this mandate on the zero-emission vehicle mandate. I am conscious that similar legislation has been passed in England, Scotland and Wales already. It came through late last year in the House of Commons. Can you tell us a little bit about what that will entail? Do you have a timescale for its introduction and, hopefully, its passage? I ask that against the backdrop that about 1% of charging points in the UK are in Northern Ireland, so we are really behind with that. What are your thoughts on that?

**Mr O'Dowd:** We fell behind because the Assembly was down when that legislation passed through Westminster and elsewhere. I am examining that legislation to see how we can develop the legislation here and support electric vehicles in the future, but it is at an early stage. The legislation itself — the Westminster model — is well developed, and we need to ask ourselves: do we use that model or develop our own unique model?

**Mr McReynolds:** Secondly —

**The Chairperson (Mrs Erskine):** Briefly, please.

**Mr McReynolds:** — of the £8.1 million that was announced, part of that took from active travel grants. It has been announced, certainly today in answer to written questions to other members as well. I have been in correspondence with DFI officials about the active schools grant. I am wondering about the rationale behind taking from the active travel side of things.

**Mr O'Dowd:** The funding for active travel was capital funding. As far as I am aware, active travel for schools is resource funding, so it comes from two different budgetary pots. It was money that simply was not going to be spent this year. There have been delays. As happens with road projects, there have been delays in getting some of the active travel — greenways etc — off the ground, because they can be complex projects in their own right, and you are dealing with a multitude of different landowners and interests. There was a delay in some of the active travel capital spend. I had the choice of returning that money to the centre or spending it on something else, and I chose to spend it on something else.

**Mr Baker:** John, thank you for your time and for answering all the questions so far. It has been a good debate. We have discussed this over the last number of weeks, as well as the priorities. The underbelly of all of it is climate change and the part that climate change is playing in flooding and how we plan. Everyone touched on their own wee areas, so I will do that a wee bit, if you do not mind. My question is about active travel, which Peter mentioned, and safe cycle lanes. I will use west Belfast as an example. We do not even have 1 kilometre of safe cycle lane, so if I want to take my kids to school on their bikes, I cannot. The other point is about the draft road safety strategy and the importance of, maybe, changing and raising awareness to improve drivers' behaviours.

**Mr O'Dowd:** There will clearly have to be greater investment. My Department will have a responsibility to spend 10% of its transport budget on active travel. That is a responsibility that I take seriously. Therefore, we will have to invest in safe cycle lanes and so on. You will be aware of a quite exciting project for a greenway in west Belfast. I engaged on that project when I was Minister previously, and I would like to see that advanced. The more people we can divert away from private cars and on to public transport or active travel, the better for our society.

Denis was at a Walking and Cycling Index event yesterday. The index report is quite an exciting one, which shows the benefit to society of walking and cycling. The benefits are proven, and we now have to prove ourselves in the delivery of infrastructure to support that.

I am sorry, Danny: what was your second question?

**Mr Baker:** It was about the draft road safety strategy.

**Mr O'Dowd:** I hope to be able to present that to Executive colleagues in the coming months. There are three elements to promoting road safety. It is about ensuring that our road infrastructure is safe for use by vehicular traffic, pedestrians, cyclists and others. We must ensure that vehicles are safe, and we have seen that in discussions about MOTs, etc and we have already been through that. There is, then, the issue of road user attitudes. One of the biggest causes of deaths and injuries on our roads is when a driver or a person has a momentary lapse of concentration. That can have horrific consequences for that individual and others. It is about ensuring that road users' attitudes are always about whatever they are doing on the road, whether they are a driver, a pedestrian, a cyclist or whoever they may be. It is about ensuring that your actions on the road keep you safe as well as other road users.

**The Chairperson (Mrs Erskine):** OK. Are you happy enough? Three more members have questions, so I urge quick questions and quick answers.

**Mr Brown:** I did not think that I was going to get in that quickly, Chair, thank you.

I have written to you previously, Minister, about the Ballynahinch bypass. You did not provide much of an update, to be honest, just that it would be updated in due course. I can see from the front page of my local paper, however, that your colleague, Chris Hazzard, has secured a commitment to review a

previous decision to downgrade the project's priority. When will that review take place, and when will we be likely to find out your decision on that?

**Mr O'Dowd:** I have not seen your local newspaper, right? *[Laughter.]*

**Mr Brown:** It said that the Minister will review it. Your colleague has welcomed that decision, which is very positive. I thank your colleague for his diligence in bringing that to the attention of the local press.

**Mr O'Dowd:** A number of major projects were put on hold at a certain stage of development as a result of a lack of financial capability to move them forward. In relation to a number of those projects, I have said that I am keeping all of that under review. As major projects move their way through my Department, some will advance faster than others. There might be a pot of money allocated to project A, which I might not be able to spend in this financial year, the next financial year or the year after that. Then, I will say, "I need to make a decision on project A, and it may not move as quickly as I thought so I will have to bring in project B or project C". That is what I am doing at the moment.

I have to have my capital budget confirmed, and that will give me a confirmation of what I can spend in this year. It is a constant moving picture when you are dealing with major projects. I am going to sit down with my officials and say, "What do we know?" What we know is that I am not going to put staff resources or financial commitments towards projects that I know are not going to move. I will move those resources towards projects that can move forward. That is the idea of that review.

**The Chairperson (Mrs Erskine):** OK, thank you. Keith, quickly, please.

**Mr K Buchanan:** I will roll three questions into one quickly. You talked about community transport, and I welcome your commitment to that. The papers indicate that you are reviewing that, so I would like you to touch on that briefly. I would also like you to comment on what Shopmobility does more broadly. Lastly, I would like to make one comment on the 20 mph speed limit outside schools. I have spoken to your officials in the past about installing flashing orange lights to make people aware of the 20 mph speed limit. Will you ask your officials to look at reviewing that to include a speed indicator device (SID) to indicate to people the speed that they are doing, which would provide a greater visual impact for drivers? There are three points in one, Minister.

**Mr O'Dowd:** I will take your points in reverse order. Yes, I can ask officials to review that, though our cursory understanding of some of these things is that, the longer a sign is in place, the less attention a motorist pays to it. That is a factor in the decision-making process. It comes back to the debate that we had in the Chamber last night, about the rationale behind certain policies. I encourage the Committee to bring in my officials — I am sure you will — and discuss them in detail. There are interesting facts and figures, data, behind all that.

In respect of Shopmobility, it comes down to my budget and how I can support all those organisations. I have an invite from Shopmobility to meet, and I will honour that and meet its representatives in due course.

As I have said, I am keeping the community transport issue under review. I have committed to the next two months, and, when I have my budget confirmed, I will do what I can for that sector and every other sector that I support.

**The Chairperson (Mrs Erskine):** Keith, are you happy enough? Can we move on?

**Mr K Buchanan:** Thanks, Minister.

**Mr Durkan:** Thank you for your time, Minister. It is not unprecedented, but it is certainly unusual for a Minister to give us this length of time.

**Mr O'Dowd:** I do that every week.

**Mr Durkan:** What we do not get through today, we will finish next week, when you are on again.

**Mr O'Dowd:** Thanks very much.



**Mr Durkan:** I will have your head done in about the A6. Great work has been done, and it makes a huge difference to people travelling to and from my constituency, between there and Belfast and anywhere in between or beyond.

The final piece of the jigsaw, if you like, is from Drumahoe to Caw. How will your Department and DAERA work together to overcome the issue of the Mobuoy dump? That is floated as one of the reasons for delay to this project. I see it, not as a problem, but an opportunity for the Departments to work together jointly, and bid for the money. DAERA will look for the money to do the remediation, and you can look for money to complete the road scheme, or to look at where you might be able to start that final phase of the work, even prior to the remediation of Mobuoy. The A6 has been a fantastic project, but it needs finished because the situation at Drumahoe is currently just completely mad.

**Mr O'Dowd:** The A6 phase 1 has been a huge success, and it is of huge benefit to motorists who travel that road regularly. Mobuoy dump is, as you know, a huge problem for us in planning the next phase of the A6. We are engaged with DAERA, which is the lead Department in the legal issues around all these things.

On bidding for money, I am not sure that we are at that stage yet, Mark. DAERA is probably best able to answer who is going to be legally responsible for the actual cleaning up of that site. That is a challenge. However, I continue to engage with my officials about the A6, and what we can do next to progress it. If we look at a different route, it will be several years of work. You appreciate that. It is, rather, about whether we can go a certain distance or do whatever we can. I am engaging with officials on that and we will see what we can do.

Just on the A6, I always like to raise this figure. We have planted somewhere in the region of 1.6 million trees along the route. For a Department that is often scoffed at — "All you do is build roads" — I am not sure whether any other agency or Department that can boast that. The biodiversity benefit is unbelievably huge.

**The Chairperson (Mrs Erskine):** Minister and permanent secretary, we deeply appreciate the time you have given us today. You went through an awful lot of the Committee's questions. I just want to say that, as a Committee, we want to work with the Department. We are here to scrutinise, but we are also in solution mode. You will have seen that from the debate on the MOT, when Members came up with ideas and brought forward proposals as to what the Department could do. We want to continue in that vein.

We look forward to having you back at some stage, albeit not next week, you will be glad to hear. We thank you for your time today.

**Mr O'Dowd:** There are a few other issues, but maybe we will write to the Committee.

**Dr McMahon:** There was only just one thing that we were going to raise. You will get a briefing from Translink colleagues. Obviously, they will want to tell you about the fantastic development that Belfast Grand Central Station will be. However, I just wanted to mention, because we are starting to get close to delivery, that, inevitably, there will be challenges around traffic and disruption. I know that the Minister is keen to get that message out as early as possible. We wanted to do the Committee the service of telling you, if it did not come up, that we are looking at that closely. You will want to talk to Translink colleagues as well. They will be happy to talk to you. The Minister met them yesterday on that issue. I just wanted to ensure that it was on your agenda.

**Mr O'Dowd:** As you know, it is a hugely significant investment in Belfast city centre, and even for the entire transport network, but, as with everything like that, sometimes, you have to break a few eggs to make an omelette. It will cause huge traffic disruption. There is a plan in place. The Committee would benefit from a briefing on it. I may also make a statement to the Assembly, just so that there is a broader discussion around it, to alert road users that there will have to be a change of mode. That might be a good thing in the long term, because the more people you get onto public transport, the better.

**The Chairperson (Mrs Erskine):** Yes, absolutely.

**Mr O'Dowd:** Thank you very much.

**The Chairperson (Mrs Erskine):** Much appreciated. Thank you very much.