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Northern Ireland Assembly

Tuesday 1 June 2021

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

Members observed two minutes' silence.

Assembly Business

Public Petition: Age-appropriate Care for Teenagers and Young Adults with Life-threatening Illnesses.

Mr Speaker: Ms Claire Sugden has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak

Ms Sugden: Eimear Gooderham was just 22 when she was diagnosed with Hodgkin's lymphoma, and, sadly, she passed away three years later after complications from a donor stem cell transplant. Despite battling blood cancer, it was Eimear's wish to raise awareness of stem cell donation. After Eimear's passing, in her memory, her family promised to continue raising awareness of stem cell donation and blood cancers and to campaign for better services for those suffering from life-threatening illnesses and particularly for age-appropriate care for teenagers and young adults.

When you are diagnosed with cancer as a young person, your needs are very different to those of younger children or older adults because your body may still be developing. That can affect the type of treatment you need and how your body responds to it. Cancer may also affect you emotionally and in your everyday life in education, starting work and relationships. Becoming independent from your family can be complicated for any young person, and it is even harder when you are facing cancer.

All ill teenagers and young people should receive high-quality care in appropriate settings. In order to ensure a high standard of treatment and care for young people with cancer in Northern Ireland, it is important that we recognise the unique needs of teenagers and young adults. Those needs should be met by delivering age-appropriate services for all 13- to 24-year-olds in line with current

recommendations, by commissioning that encompasses a range of services from fertility preservation to the self-management of issues such as anxiety and fatigue and by the provision of specialist staff who can communicate effectively with young people. Elsewhere in the UK, specialist care delivered in age-appropriate settings, in line with National Institute for Health and Care Excellence (NICE) guidelines, has been transformational for young people with cancer.

On behalf of Eimear, her dad, Seán Smyth, her family and friends, and all patients and families living with a cancer diagnosis, I formally present the petition of 3,630 signatures.

It was Eimear's wish that we do better for children and young people who are being treated for life-threatening illnesses, and I sincerely hope that we can.

Mr Speaker: Thank you. Normally, I would invite the Member to bring her petition to the Table and present it. However, in light of social distancing, I ask the Member to remain in her place and make arrangements to submit the petition to my office electronically. I thank the Member for bringing the petition to the attention of the Assembly. Once the petition is received, I will forward it to the Minister of Health and send a copy to the Committee.

Committee Membership

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

Resolved:

That Mr Andy Allen replace Mr John Stewart as a member of the Business Committee; and that Mr Mike Nesbitt replace Mr John Stewart as a member of the Committee for the Economy. — [Mr Butler.]

Ministerial Statement

'A Fair Start' - The Final Report and Action Plan of the Expert Panel on Educational Underachievement

Mr Speaker: I have received notice from the Minister of Education —.

Mr Lyttle: On a point of order, Mr Speaker. I respectfully ask whether it is in order that the Education Minister issued the report that we are about to discuss to select members of the media in advance of issuing it to any MLAs, particularly the Education Committee. Given that it is such a detailed report, our desire to engage with the upcoming ministerial statement in an informed way has been taken from us.

Mr Speaker: I thank the Member for raising the matter. I have raised that issue before with all Ministers over the last year plus. Thankfully, it has not been necessary to raise it too often, but it is very regrettable that we are in the position that this issue has been trailed in the media, particularly given that it is a sitting day, and the item is in the Order Paper. It is long-standing practice in the House that matters of that nature are dealt with in the Chamber before appearing in the media. I place on record with the Minister that it is unfortunate that, last night and today, this matter has appeared quite significantly in the media, particularly on an occasion when the item is in the Order Paper. It is right and fitting that Members have the first opportunity to address the matter.

That said, it is entirely at the discretion of a Minister how he or she publishes his or her statements, policies, initiatives and so on. It is long-standing practice, however, that that matter is dealt with in the Chamber, particularly when the item is in the Order Paper for that day.

I have received notice from the Minister of Education that he wishes to make a statement. Before I call the Minister, I remind Members that, in light of social distancing being observed by the parties, the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question has been relaxed. Members participating remotely must make sure that their name is on the speaking list if they wish to be called. Members present in the Chamber must do that by rising in their place, as well as by notifying the Business Office or the Speaker's Table directly. I remind Members to be concise in asking their questions. I also remind Members that, in

accordance with long-established procedure, points of order are not normally taken during the statement or the question period afterwards.

Mr Weir (The Minister of Education): I wish to make a statement to the Assembly on today's publication of 'A Fair Start', which is the final report and action plan of the independent expert panel that I appointed less than a year ago to examine the links between persistent educational underachievement and socio-economic background. This is an important day, and this important report, which delivers on a New Decade, New Approach (NDNA) commitment, is one that I am personally proud to endorse. In the 'New Decade, New Approach' agreement text, there is a requirement that:

"The Executive will establish an expert group to examine and propose an action plan to address links between persistent educational underachievement and socio-economic background, including the long-standing issues facing working-class, Protestant boys."

For a number of years, I have been personally committed to addressing educational underachievement, and Assembly Members will be aware of that. I am thrilled today to have this report in my hands, and I want to commit to the Assembly that this will not be another report simply to sit on the shelf, but, rather, action on its implementation will start today.

After nine months' work, the panel launched its report today from Dundonald High School, and I can think of no better location from which to have done that this morning. Serving the people of east Belfast and further afield for many years, the school has almost 600 pupils, 50% of whom are entitled to free school meals, with a similar proportion of children with special educational needs. Dundonald High School has made considerable progress over the last number of years under the leadership of Ken Perry and has benefited from the support provided by the Department of Education and the Education Authority as it continues to serve its community.

Today's report will be of interest and value to schools like Dundonald High School whose pupils and families continue to face many challenges educationally and economically. The expert panel's report is about investing in our children's future and providing them with the confidence, knowledge and skills that they need to progress in life. Alongside those important attributes are aspiration and opportunity. The

two go hand in hand. Theodore Roosevelt once said:

"Believe you can and you're halfway there."

We must endeavour to instil that confidence in our children. As a society, we must encourage our children and young people and show them that there are opportunities for every child, from every family and from every background. We must all set a positive example for our young people to follow. Parents, families and communities all have a part to play in ensuring that our children seize every opportunity offered to them, because early investment in a child's life can reap significant rewards later in life.

The expert panel on educational underachievement conducted its work from September 2020 to May 2021 and, during that time, heard from a wide range of stakeholders, including educationalists, parents and families, children and young people, policymakers, political and business representatives, and the voluntary and community sector. A broad range of views was expressed on the significant and long-standing issues affecting many learners. The panel highlights the commitment, dedication and enthusiasm, inside and outside the education system, to enable all learners to give of their best and to reach their full potential.

During the oral evidence sessions, the panel met an astonishing total of 344 individuals across 24 days from September 2020 to February 2021. The engagement sessions included six regional sessions in Ballymena, Belfast, Cookstown, Londonderry, Enniskillen and Newry. Those sessions were conducted virtually due to the COVID-19 pandemic. There was almost universal agreement that addressing educational underachievement brought about as a consequence of socio-economic disadvantage is wider than education alone, and if, as a society, we are serious about wanting to see fundamental change for the benefit of our most disadvantaged, everyone in Northern Ireland must prioritise education and learning as a route out of poverty. That means placing equality of opportunity at the centre of everything that we do. In doing so, all learners will benefit and society as a whole will benefit.

'A Fair Start' has identified eight key areas and 47 actions for change. The key areas are redirecting the focus to early years; championing emotional health and well-being; ensuring the relevance and appropriateness of curriculum and assessment; promoting a whole-community approach to education; maximising boys' potential; driving forward teachers'

professional learning; supporting the professional learning and well-being of school leadership; and, finally, ensuring interdepartmental collaboration and delivery.

The action plan proposes a wide range of actions to support children from birth and throughout their early years up to and including the time when they start school. It intentionally spans the next five years and beyond, because those are strategic issues that require long-term political commitment and financial support. I have already signalled my clear support and willingness to do all that I can at the Executive table to see this action plan fully realised. The action plan prioritises early years, and I believe that the 13 actions outlined are essential in enabling children to be ready to start school. There is significant research to support the need to refocus on early years, because, if we do not address children's needs early, many young children will start formal schooling at a major disadvantage, educationally and socially, to their peers.

10.45 am

The actions outlined will mean that parents and families will be more knowledgeable about their child's development and how to support it, and there will be a clear and seamless pathway available to all children from birth to four years of age. That will provide the vital basis for the foundation stage of the curriculum. The investment is significant, ranging from £6 million initially to almost £50 million per annum within five years.

The report also gives prominence to emotional health and well-being, an issue that has affected so many people over the past year and that has been exacerbated by the COVID-19 pandemic. It is to be welcomed that the panel has referenced the significant investment of £6.5 million pounds per annum that the Minister of Health and I have made in emotional health and well-being support, as is the proposal to build on my investment in nurture units, as a result of their continued success.

The panel refers to the Northern Ireland curriculum that has been in place since 2007. It acknowledges that the curriculum's design is broadly sound, but it suggests that teachers need ongoing support and training in order to understand its important principles and the assessment that underpins it. That is in keeping with previous Education and Training Inspectorate (ETI) reports. The panel has proposed a number of important actions to address that, including rationalising assessment from Key Stage 1 to Key Stage 3 and looking

afresh at how English, maths and digital skills are assessed at Key Stage 4.

The panel calls for my Department to take forward its planned system evaluation framework, and I am happy to commit to that. As the panel acknowledges, the framework will illustrate, at system level, the range of ways in which schools support learners as they progress through their education, providing additional information such as the context of the school, the challenges that learners attending face and the value-added provided. That will tell a much broader story of success than attainment alone, which, too often, has focused solely on narrow measures of success.

I concur also with the panel's view of the central role played by parents and families in supporting their children's learning before, during and after the 14 years of formal education. Members may remember that, in my statement in July last year, I said that children up to the age of 18 spend approximately 13% of their waking hours at school, which means that 87% of their time is spent out of school, at home. Parents and families need help to provide that support, particularly parents whose confidence has been affected by their own education experience and whose ability to support their children's learning is hindered by their adverse circumstances. The panel has therefore recommended that my Department build on the highly effective extended schools programme in order to incentivise schools to work more collaboratively with the communities that they serve. In what is being termed a new reducing educational disadvantage (RED) programme, the emphasis will be on a new place-based approach to learning, where communities and schools work together as partners in education to enable our children and young people to excel on their educational journey. I am content to direct my officials to take that important work forward at pace.

As is required by its terms of reference, the panel has proposed specific interventions to support boys in their learning. As the report outlines:

"It is clear from the statistics both in school, Further Education and Higher Education that boys, especially those entitled to Free School Meals (FSME) from both sides of the community divide, are underachieving."

If we consider the recent unrest over the Northern Ireland protocol, together with the impact that 12 months of lockdown might have had on our young people, we can see how important positive role models are. That,

together with the provision of appropriate support and opportunities, is so important, for young men in particular if they feel that their voice is not being heard, and the actions in the action plan reflect that. The panel has therefore proposed specific interventions to help support boys in their learning and to maximise their potential.

Teachers and other education professionals also need significant and ongoing support throughout their career, with clear pathways for them to follow, allowing them to excel at teaching and learning and to develop appropriate leadership skills if they aspire to become middle and senior managers capable of heading multifaceted teams. If the COVID-19 pandemic has taught us one thing, it is how challenging the skill of teaching can be, how valuable our teachers are and how much we need to cherish them for all that they do. That is why greater investment in the professional development of our school leaders and school teachers also forms part of the panel's report.

The panel highlights the importance of effective collaboration across the public sector, breaking down departmental silos and co-designing policies with a child-centred focus and from the perspective of the family as a whole. COVID-19 has presented the public sector and particularly the education sector with many significant challenges, but it has also shown what can be done when decisions have to be made quickly because there is a justified need. The public sector has risen to that challenge in a way in which many of us could not have expected, and it is important to build on that momentum. That rapid approach to problem-solving and the delivery of services through flexible working for staff to meet unprecedented challenges forms a template for how things should be done in the future.

I concur with the panel that the actions set out in the action plan are capable of making a significant, long-standing impact on children's learning now and for the foreseeable future. While the scale of the challenges is very significant, both in policy and financial terms, investment in education from early years onwards is vital to Northern Ireland's economic recovery in the long run.

I formally thank the panel chair, Noel Purdy, and members, Joyce Logue, Mary Montgomery, Kathleen O'Hare and Jackie Redpath, for the significant and detailed report, which reflects the many hours of interviews, oral evidence sessions and submissions that they received as part of their engagement process. That work was all carried out during a global pandemic.

The combination of their teaching and research experience, their community and family partnerships and their skills and knowledge makes the report unique by ensuring that the actions are challenging, cross-cutting and pragmatic. It is my belief that every child in Northern Ireland, regardless of their community background, will benefit from the delivery of the action plan. It will provide a chance for them to realise their hopes and dreams for the future, which will be encouraged, nurtured and developed.

As I said last year, this is not an area that divides us; rather, it is one that should unite us, regardless of our political affiliation or constitutional preference. Educational underachievement is an area of policy that many have endeavoured to change over recent years, but, despite numerous policy interventions and significant financial investment, it has remained stubbornly entrenched. That is due, in part, to its link with disadvantage, which, in turn, is linked to poverty. For that reason, there is a clear significance to Minister Hargey's publication of the expert panel's anti-poverty report in March and the outworking of that report. No child should suffer the burden of circumstance in determining his or her outcomes.

The Northern Ireland Executive have considered and endorsed 'A Fair Start. Final Report and Action Plan', with the expectation that budget will be considered at the appropriate time. That will not be an easy task, as there will be many competing priorities, but, as Winston Churchill once said:

"I never worry about action, but only about inaction."

I hope that Members will join me in endorsing the report and in giving every child and young person in Northern Ireland a fresh start.

Mr Lyttle (The Chairperson of the Committee for Education): I thank the panel for its work and the detailed action plan that it has composed. However, many of the key actions have been well known for over a decade, such as redirecting focus and investment in early education, including full-time preschool for all and having an early education and childcare strategy. Yet, the Minister has stopped the funding formula review. It took special school parents to prevent a reduction of special school nursery hours from full time, and, indeed, we are still waiting for the childcare strategy. The Minister mentioned a whole-school community approach to education, yet EastSide Learning has been campaigning for mainstream funding

since 2014. As the panel says, there is a need to address the "systemic inequality" that is academic selection, yet the Minister continues to have his head in the sand on that issue as well. What responsibility does the Education Minister take for failing disadvantaged children by failing to take any of the key, well-known actions that have been set out in the report yet again during his time in office?

Mr Weir: It is good to see the spirit in which the Member approaches this. He seems to see light at the end of the tunnel and wants to build more tunnel.

I have taken a range of actions in the report. For example, the importance of nurture has been mentioned. We have seen that 15 new nurture units have been established, in what are still tight economic times. If I had had the budget to do more, I would have done more.

As regards dealing with special educational needs, this year will mark the implementation of the SEN regulations with the commitment of an additional £22 million to be put in place for that. Similarly, with regard to childcare, I have indicated and, indeed, the report projects that there will be a move towards a full-time four and a half hours for every pupil. I have indicated that we are working on the initial trials of that and will then require additional support from the Executive, because, as the report indicates, that will run at, at least, an additional £25 million per year. I will support that so that every child has the same level of opportunity.

This should not be about me. Frankly, it should not be about the Member either or any of us. This is about delivering for young people. The report provides a road map. I commissioned that report. I am delighted to see that not only come to fruition but to do so in such a manner that the whole Executive can endorse it unanimously, without disagreement. Therefore, it is, perhaps, a bit of a pity that others have sought to pick holes in it.

Mr Newton: I thank the Minister for the report and thank the panel members for their speedy response to that in difficult circumstances. As the Minister said, it has been a long-standing issue. In fact, it has been a blight on society. I also thank the Minister for launching the report in Dundonald High School. He outlined the status of the school in his remarks.

Specifically, delivery of the report was an NDNA commitment and will, indeed, require a financial package. Can the Minister confirm that the Executive will support the initiative by providing

that financial package, particularly to take forward the action plan?

Mr Weir: The Executive have certainly supported it in principle, as indicated, subject to available resources. Given the timescales of this as we move ahead, it is not even simply about the Executive's providing that between now and the next election: it is about a longer-term commitment from future Executives. We will have others from different parties in different positions in years to come.

It is important to realise that, while there is a heavy financial tag that comes with it, there is also a major cost to not having that level of investment. We see in the report that, by five years' time, the commitment would be around £70 million each year, which is quite a substantial sum. However, if you take a look, for example, at the Early Intervention Foundation (EIF) report in 2018, you see that it identified that, each year, over £500 million is spent on late interventions in people's lives. Therefore, we need to look at some of the aspects of early interventions, which, from a financial point of view, are probably, by far and away, the heaviest commitments, and to decide whether we, as a society and Executive as a whole, can fail to put those in.

I should also caution Members that there are 47 recommendations. Many of them come at little direct financial cost. It is not simply a question of ranking those from the most expensive down to the least expensive as being the most important to the least important. There are highly important things in this that the Department of Education can get on with and others that require cross-departmental and Executive buy-in. It is critical as we move ahead, even in the next mandate, that the Executive provide that level of commitment to the full implementation of the report.

Mr Sheehan: Gabhaim buíochas leis an Aire as a ráiteas ar maidin. I thank the Minister for his statement. It is right that any policy development should be guided by the evidence. The document clearly lays out the importance of getting the early years right. However, the common funding formula directs a much greater level of resource to post-primary students than it does to those of a younger age, when the evidence suggests that directing resources to primary and early years would have much greater impact.

Is it not time now for you or whoever the Minister will be to ensure that the common funding formula is looked at seriously with a

view to redirecting resources to our primary sector and early years?

11.00 am

Mr Weir: I take on board what the Member has said. There has been serious examination of the common funding formula. The conclusion that was reached was that large-scale change to the common funding formula will work only if there is a considerable level of additional resources. If we simply say to post-primary schools, "We are going to cut your budgets to make sure that there is additional money available to other sectors", there will be a situation where we simply rob one school to pay another school.

It is also the case that the bulk of the costs connected with early years interventions are not common funding formula issues; they are essentially funding issues before the child goes through the front doors of a school at all. It will require significant investment. We will always need to ensure that the common funding formula is kept under review to try to make sure that it is as fair as possible and is directed correctly, so the Member makes a valid point in relation to that. However, I am loath to see a situation where this is carving out of one school simply to give to another. We need to actually have that additional investment in education.

Mr Speaker: Can we bring Daniel McCrossan on screen, please?

Mr McCrossan: Thank you, Mr Speaker. I cannot get my camera to work for whatever reason, but I will proceed.

I thank the Minister for the statement today. It is much welcome, and I put on record my firm appreciation to the members of the panel for this excellent and focused report. I am delighted that the Minister is endorsing the report in its totality, not least because it is a ringing endorsement of the SDLP programme for tackling underachievement that we published in October 2020 — so you will not go wrong, Minister.

The SDLP submission concluded by pointing out that putting more resources into education was not a cost; rather, it was an investment. The implementation of the report requires an average of £36 million per year for five years, which totals £180 million. Have you obtained the Finance Minister's commitment to such additional expenditure, in particular, in keeping with the understanding that early intervention is the most effective, including cost-effective? Will

you deliver in full all 13 of the actions that form the focus of the early years recommendations?

Mr Weir: It is of assurance to me that the SDLP and I are at one on these issues, and I thank the Member for his unflinching support over the last period of time. *[Laughter.]* To be fair to the Member, when his screen came up as "DM", I thought that he was about to put the boot in, but, for once, that was not the case. *[Laughter.]* It is undoubtedly the case that a heavy financial commitment is required. The Member mentioned £180 million. As he is aware, the £180 million is cumulative, so, in about five years' time, roughly speaking, we would need to spend £70 million more. The Executive are committed to that in principle, and, where appropriate and where we are in a position to give resources, we will give resources. Ultimately, that will depend on the level of resources that are available. Certainly I and, I suspect, whatever happens, my successors in title will bid for that money, because it is vital that we have that level of investment in our future.

Mr Butler: I thank the Minister for giving us the report today, albeit that it was a bit late. We would have appreciated getting sight of it. I also thank the expert panel for the report and the timely manner in which the panel produced it, but, as the Minister said, there are reports that predate the SDLP's report. One was by Peter Martin in 2016. That brings me to what I believe to be the biggest pressure on us today. It is not the financial pressures; it is the stability of government. At the moment, we are not enjoying the most stable of times, and there may be moves afoot with the Minister's party. Minister, how important do you believe stable government is to the full implementation of the report and its success?

Mr Weir: I assure the Member that I will not be walking out of government — at least, not willingly. We shall wait to see what happens. There is an opportunity for us collectively to help shape the destiny of our young people. If we have political instability and a situation in which, across the board, the Assembly is not able to function, that creates a level of detriment.

I would join the Member in seeing that that level of focus is maintained. Understandably, the focus and the headlines will be on cost. Probably two of the recommendations account for half the cost. It is important to say that a lot of the 47 recommendations are not particularly cash-driven, so it is about the willingness to take action.

While it is important that the report has emerged today, in this mandate, while I have been Minister, I do not doubt the efforts of previous officials in the Department of Education and previous Ministers to deliver on tackling educational underachievement. Even if we take different views across the Chamber on how that can be achieved, I would like to think that there is universality in a desire among Members to tackle educational underachievement. Therefore, I hope that that same spirit will focus our attentions as we move ahead over the next five years.

Mr M Bradley: I thank the Minister for his statement on the important issue that is educational underachievement. There have been several reports on educational disadvantage. Will you confirm your commitment that this will be actioned by you personally? How can you evidence that commitment?

Mr Weir: I will do all in my power. I do not know what the future holds for any of us on the personal side.

I have a strong personal commitment to this. It is maybe worthwhile to put it on record — I mentioned this at the earlier event — that, while a lot of people have been praised, I want to mention one person who is no longer with us. Around 10 years ago, I and my now spad were first introduced to and first really got involved in the issue of educational underachievement by our old primary school headmaster Derek Cummings. Derek had a passion for dealing with educational underachievement, particularly where it hit those who were socially disadvantaged. Through his efforts, he got me, Peter Martin and a range of others involved with that. Sadly, Derek passed away last month, and I pay tribute to him. The spirit of what he sought is echoed in the spirit of the report.

Undoubtedly, a lot of really good reports have been done. Cognisant of that, the approach that the panel took was not to produce simply a list of recommendations or a vague wish list of things that we think should happen. Instead, there are 47 action points, detailed by evidence, with it being clear in each case who has the responsibility for delivering them. That is a step change. Ultimately, that will be met if those who have responsibility for those actions help to implement them. However, I think that it has given us the best possible road map towards ensuring that we can make a significant difference to educational underachievement in this country.

Ms Brogan: I thank the Minister for his statement. This is an ambitious plan, and we need to see that ambition if we are to address the long tail of educational underachievement in the North. In order to make sure that the plan is implemented properly, we need a robust monitoring and accountability mechanism. That is even more important, given the collaborative approach outlined in the plan. I know that we have the Children's Services Co-operation Act, but it has not reached its potential. Will the Minister outline how cooperation will be maximised, how the plan will be monitored and how key players will be held to account?

Mr Weir: You are right in that a number of aspects of the report are not simply Department of Education-related but relate to other Departments. You are right in trying to make sure that the Children's Services Co-operation Act, in particular, is not simply at the very top but starts to permeate down through the system. We have, to be fair, had some improvement, albeit we are moving from a very poor position. If we look, for instance, at statementing, we can see that pretty much every child is now getting statemented within the 26 weeks. Previously, that had been a very long tail.

It is important that the report is not something that the Department of Education simply tries to put in place, seeks the money for and occasionally talks to others about. It is critical that we have that cross-cutting cooperation. Specifically, I am happy to endorse the panel's key action point 8 in the report, which deals with that. The panel says that the First Minister and the deputy First Minister should have, effectively, a monitoring role. It is important to note that, if we draw on an obvious education analogy, while the work will largely be done by DE, it will not be left to mark its own homework. That provides a certain level of oversight and independent analysis that means that, irrespective of which party is running the Department, the work can be monitored. That is important. It also buys in a much greater sense of collective ownership by the Executive. It is obvious that every Department will always seek more resources for the very worthy things that it intends to do, but that helps to bind in the Executive as a whole to delivering the actions because they are very cross-cutting.

Mr Humphrey: I thank the Minister for his statement. He has, indeed, been committed to the issue for some time, and he and I have had many conversations about it. I join colleagues in commending the panel led by Dr Purdy. I also pay tribute to the folk from my part of the world

who were involved — Mary Montgomery, the principal of Belfast Boy's Model School; Jackie Redpath; and Kathleen O'Hare, the former principal of Hazelwood Integrated College — all of whom understand the issues that face our young people across society.

Free school meals indicate that there are huge problems for Protestant working-class boys. Will the Minister assure us that the report will deal with that? Will he further assure us that the report will be endorsed through resources and support across the Cabinet table from other Departments in the Northern Ireland Executive? Early intervention is cheaper and more effective.

Mr Weir: I completely agree with the Member. I thank all the panel members. As the Member will be aware, there is, if I may use the phrase, a considerable north Belfast influence in the report, given the membership of the panel, and that is right. The Executive have endorsed the report in principle, and we will look to see what resources are there. A small amount of money was set aside in this year's Budget, which was difficult to do because we did not know what the ask would be when the Budget was being set. It will require additional support from the Executive.

A lot of this is focused on early intervention, and, as the Member indicated, we are in a situation in which there is late intervention, which costs an awful lot more. There is an economic rationale but also a rationale based on the impact on individuals. Specifically as regards boys in deprived areas, a whole section of the report is about maximising boys' potential. Within that, one of the action points is about using the children zone model, which has been quite successful in the Shankill area, in order to focus on a pilot programme in the most disadvantaged Protestant working-class areas. A range of recommendations are gender-specific because we all know that there is a large gap between boys and girls.

One of the other key strands that have come out of the learning and that, I suspect, draws on the children zone model has been the recommendations on the development of the partnership between schools, families and communities. As the Member will know, years of interventions came from on high, particularly in the Shankill area, to try to tackle those issues. While they were all very well-meaning, a lot of them did not particularly work. It has only been when there has been a partnership from the grassroots up, supported by government, that we have started to see change.

It is also the case that, even with full implementation, all of us will need to have a level of patience. When we look at something like early intervention, that might mean that the fruit may be borne 10, 15 or 20 years down the line because it is about the impact on individuals. However, that is no reason for us not to do it; indeed, there is every reason for us to incentivise doing it as quickly as possible.

Mr O'Dowd: I have not had an opportunity to study the report in detail, but, contrary to what Mr Humphrey says, the report identifies that there are problems for working-class boys who are in receipt of free school meals regardless of their religious background. That needs to be the Department's focus. It is working-class young people who are being disadvantaged by the system we have in place.

11.15 am

Minister, there is very little in your speech that I could disagree with. In fact, I said much of it in my time as Minister of Education. I did not often quote Winston Churchill, but I emphasised that a village is required to raise a child and that it requires a community to educate a child. Minister, how will you work with your Executive colleagues to ensure that the Executive, as mentioned in some of your previous answers, take on the mantle of ensuring that our education system works for all its young people?

Mr Weir: I thank the Member. Across the Chamber, whether I am quoting Winston Churchill or you are quoting Hillary Clinton, I believe, we all should share the same objectives. In working with colleagues, I brought the paper directly to the Executive. It is an NDNA commitment, which takes it beyond what happens in DE. We will work to start developing each of the 47 points. Some will be much longer term — things that, even if every piece of work were getting done now, they could not be realised for a few years — and other things can move a lot more quickly. As I indicated, we will keep everybody informed. One element of the report is that oversight goes outside DE to the Executive as a whole, particularly to TEO. From that point of view, we will be held to account on delivery by public opinion and directly by the Executive. A number of aspects of the report are cross-cutting, and is important that we get that level of cooperation, not only financially but in delivery. I am not in any particular disagreement with the Member opposite.

Mr McNulty: I thank the Minister for his statement, and I warmly welcome the thrust of

that statement. I thank the members of the panel for their efforts in preparing the report. I share the Minister's desire that his report must not become another report that sits on a shelf. On the basis of my colleague's earlier questions, I want to probe further, Minister, the discussions that you have had with the Finance Minister on funding the proposals. Given the well-documented pressures on school budgets, this cannot be funded by year-end or monitoring round moneys.

Secondly, the Minister will be familiar with the pressure on preschool nursery places. Does he see preschool being mandatory as an outcome of these proposals? Given the huge pressures on nursery places, does he see this report meaning that there will be more places? How many more places will be provided as an outcome of the proposals in this report?

Mr Weir: I take on board what the Member has said. Re finance, the Executive endorsed the report in principle and indicated that they would support it as resources become available. In a wider context, there is talk of moving towards multi-annual budgets in the autumn. I am sure that the Finance Minister will be keen to say that one of the restrictions is that we know the budget for only this financial year, and, of course, the report comes part of the way through the year. With that in mind, some money has been set aside this year in the DE budget. The Member is right to say that, if this is to be supported, it cannot be carved out of existing budgets. There may be the odd tweak here and there, but, generally speaking, this requires additional money, so there will have to be ongoing discussions that go beyond what is happening now and well into the next mandate.

The statistics suggest that there may not be an absolute match between where preschool places are and where the demand is, but, broadly speaking, the overall allocation of places meets the demand. It is not a question of there needing to be additional places per se. The problem with preschool places is that we have a concoction of, roughly speaking, 37% or 38% of those places being what might be described as full time, four and a half hours, and the remainder being two and a half hours. As part of the broader childcare strategy offer, the aim is to try to move that up to a scenario in which everybody gets a package of four and a half hours. Therefore, it is not about creating massive numbers of additional spaces but about creating those on the basis of the amount of time that can be provided. However, that in itself will create pressures on not only resources but capital. For instance, in a number of preschool settings, there is a morning sitting

for one group and an afternoon sitting for another. If we say that that needs to change so that everybody can be full-time, it will create additional pressures. Some of those will be capital pressures, and some will require additional staffing in the overall preschool setting. If you are moving to a bigger offer, you clearly must have more staff to deal with it.

Those factors are part of the challenge. The report identifies that we should move to that position. That entitlement will probably require legislation. In other jurisdictions with full-time provision, that has been underpinned by legislation. That is a considerable journey to undertake. Moving towards that childcare setting is probably the biggest financial aspect of the report. The panel looked at the issue, principally from the point of view of children, but, for families and society as a whole, it would be advantageous.

Mrs Barton: I thank the Minister for his statement and the panel for preparing the report.

Minister, your statement refers to the "central role of parents" in supporting their families and children in education. Some parents may have had a bad experience at school. How do you go about bringing such parents along with you and encouraging them to support their young children?

Mr Weir: The Member makes a good point, which is twofold. A range of early targeted interventions is being considered. Look at what Sure Start and other organisations do, for example, with health visitors in trying to ensure that that is embedded in the family.

One aspect of the report deals with promoting a "whole-community approach to education". The Member is right: children are disadvantaged in their verbal skills when their parents do not read to them before they reach school age. As the Member said, that is often because parents are embarrassed that they do not have those skills and that they had a bad experience at school.

There are good models that involve parents through soft interventions that draw them into that role. I recently met the north Belfast primary principals' group at Mercy Primary School, where a number of parents were present. That school has produced prominent past pupils. I will try to describe that in a cross-party way. On the walls, there were pictures of Mary McAleese, Nuala McAllister, a former Lord Mayor of Belfast, and Nichola Mallon of the SDLP. Despite all that, I was keen to visit to the school. Mercy Primary School has a strong and

successful record of engaging parents. The report highlights the fact that a lot of good things are happening in the school system, and it is in part about ensuring that best practice be put in place.

With parents, as with other aspects, if a single action could provide a solution to all these problems, it would have been taken years ago. It is about the overall cocktail. The Member, however, is absolutely right: parents have a central role and they cannot simply be bit players. We cannot talk about schools and children and forget about parents and the wider community. Unless all those aspects are brought together, this will not work.

Mr Harvey: I thank the Minister for his statement. If the report and action plan are to be implemented successfully, what areas of cooperation with other Departments will be needed?

Mr Weir: I thank the Member for his question. There are a number of aspects to that. It has been mentioned that there must be a commitment from the whole Executive for the finance. That is critical. The overall ownership of the report by the Executive will be enhanced by the monitoring arrangements that have been mentioned.

The other 46 actions have cross-cutting elements. For example, if you look at the 13 early years proposals in key area 1, you will see that a number of them fall either to the Department of Health or to the Department of Health in cooperation with the Department of Education, such as health visitors and making sure that, while respecting data protection, there is a flow of knowledge, information and cooperation. That is particularly critical for early intervention and for support for emotional health and well-being.

My colleague Diane Dodds and I, and others in the Department, have also been working on other aspects of the report. It is important that there be a much more joined-up approach as we look to the other end of the spectrum of schooling, which is the 14-19 strategy. It is important that we have clear career paths. Too often perhaps, those sectors, be they schools or FE colleagues, have had a bit of a silo mentality. We therefore need to take a much more holistic approach.

If work on the report ends up simply with DE going out to bat for a range of action points, yes, some of them can be achieved on their own, but it will be most successful only where there is full cooperation, not just around the

ministerial table but in delivery on the ground between Departments.

Dr Archibald: I thank the Minister for his statement. This is yet another report that criticises academic selection and transfer tests. Although it refrains from making a determination on academic selection, in order to allow the independent review panel to deal with it, it makes important points about the mental health impact of transfer tests and the fact that they skew teaching at Key Stage 2. We need to be evidence-led when it comes to policy. If the independent review recommends ending transfer tests and academic selection, will the Minister act in accordance with that recommendation?

Mr Weir: I have made it clear that I fully accept the report. There are widespread differences of opinion on academic selection. I will not be moving to remove academic selection, because doing so would enhance differences rather than make them smaller. I can be accused of this as much as Members opposite, but there is a bit of a danger that the issue of the transfer test and academic selection is a little bit of a hobby horse that we all ride, and I am sure that I have done as much jockeying as some Members opposite.

It is important for the report's action points to be followed through on. A particular concern that I have always had is that some of the discussion about transfer at 11, which will form part of the wider independent review when it establishes itself, will become the focus of everybody's attention. That is the danger. The strongest interventions that we can make on inequality, however, are before the child walks through the door of the school. We should not lose focus on that.

Ms Bradshaw: I thank the Minister for his statement and the panel for its report. Before I entered politics full-time, I worked on the Donegall Road. We had a project called TREE, which was effectively an alternative education provider. When we received applications, I would say to Graham, the manager, "What is their backstory?". The applicants were all male, and every one of them who came before us had a father who was in prison, a mother who was alcoholic etc. I am not apportioning blame to the parents as such, but the children had so many hurdles to get over before they could get to their classroom desk and fully concentrate on their studies. We have some amazing schools in south Belfast, but some are very much under pressure. I pick out Breda Academy, which has had falling roll numbers, as an example. It is the

only non-selective, non-denominational school in south Belfast, and the head teacher, Mr Perry, is doing an amazing job, but it is not properly funded to equip the young people who are coming forward.

What is there in the report about more systemic changes in the education system to better support those schools for children who do not go through the transfer tests?

Mr Weir: First, schools in south Belfast do a tremendous job. In schools across Northern Ireland, there is a high level of dedication.

The report does not pretend that it can cure everything. The Member rightly mentioned the hurdles in young people's lives. This is about trying to find a pathway on which we can at least reduce the number of hurdles or the height of them. It would be strongly aspirational to say that we can get an entirely level playing field for everybody in society.

11.30 am

On additional levels of support, the report looks at, for example, tailored support through a new proposal to reduce educational disadvantage, which builds on extended schools. That will look at the links between the school, parents and the community and try to provide holistic solutions. I am sure that the Member will agree — I know that, in her previous work, she made a strong difference in this area — that it is not simply about support in schools, as schools do the best that they can, and that support in the home and the community as a whole will be critical as well. That points towards systemic change. As I have said before, if a single silver bullet could cure the problem, somebody would have been fired it before. It is actually about a cocktail of measures, which is why there are 47 action points in the plan. No single action point will be the solution; it is the combination of those points that will be important.

Mr McGrath: Minister, in your statement, you said:

"addressing educational underachievement brought about as a consequence of socio-economic disadvantage is wider than education alone",

and that children

"spend approximately 13% of their waking hours at school".

What role can the Youth Service play in closing the attainment gap? Did the group consider the role that the Youth Service can play and, possibly, an enhanced future role for that service?

Mr Weir: The Youth Service has an important role to play. I know from having visited the Youth Service — and I can understand this — that it feels that, when people talk about education, they immediately think of schools and not about the Youth Service. I know the tremendous work that the Youth Service is doing on the ground throughout Northern Ireland. The youth services provided directly by the EA and also those provided by voluntary youth organisations are important. Uniformed organisations, for example, make a critical contribution in providing good pathways for our young people.

I indicated that I am happy to endorse everything in the report. It is an independent report. I did not try to interfere with any of the recommendations or steer the panel in any direction. The Member will forgive me: as I was not present at the internal discussions about the weight given to the Youth Service, for instance, I cannot answer that question directly. However, there is awareness across the system. The Youth Service has a critical role this summer and beyond as we try to aid the recovery of our young people as they come out of the COVID pandemic.

Mr Nesbitt: I, too, welcome the report and congratulate Dr Purdy, Jackie Redpath and the rest of the team. Some reports are revelatory, others are confirmatory. I believe that this one falls into the latter category. I am interested in:

"Key Area 3 — Ensuring the relevance and appropriateness of Curriculum and Assessment".

The panel says:

"There is a lack of parity of esteem (and understanding) between academic and vocational pathways ... A cultural change is needed in NI which recognises the benefits of both academic and vocational pathways."

If the Minister agrees with those statements, as I do, why has that not happened yet?

Mr Weir: I do agree with those proposals. Considerable work, looking at how qualifications and career paths operate for 14 to 19, is at an advanced stage. Minister Hamilton and I commenced that work towards the end of

a previous Administration. A considerable amount of work on that has been ongoing between the Departments. That work became a victim of the COVID situation for a while. We are now fairly close to a final report. There have been presentations to Minister Dodds and me. There is still a little bit of fine-tuning to be done, but that report will emerge very soon.

The Member is right: it is important that we reach a point where a vocational route is not seen as a second-class path compared to an academic route. From the point of view of life opportunities, some of those going down a vocational path will have a much more worthwhile job experience than some who go down a strong academic path. I agree with the Member. That will be for both Departments. The Department for the Economy is leading on the 14-19 education and training strategy, and I anticipate a report on that emerging very soon.

Mr Speaker: Before I call the next Member to speak, I say that a further six Members wish to comment or to ask a question. I ask the next Members who are called to speak to go more directly to their questions. I also ask the Minister to try to moderate some of his responses.

Miss Woods: Thank you, Mr Speaker. I, too, welcome the report and thank those who put so much work into producing it. The onus is now on the Executive to ensure that it is fully funded and implemented.

The Minister will be aware of the recent NI Audit Office report, which stated that the Department of Education is:

"unable to demonstrate the effectiveness of its two main funding interventions, accounting for almost £102 million ... that is provided to address the educational attainment of pupils from socially disadvantaged backgrounds."

Will the Minister explain why his Department has failed to introduce adequate arrangements to assess the effectiveness of those interventions and whether they are contributing to the achievement of outcomes?

Mr Weir: The report indicates that there needs to be a greater level of monitoring of that, and we accept that. Monitoring is important, but a level of flexibility also has to be given to schools to allow them to decide how they can best make interventions on the ground. It is about trying to strike that balance.

I appreciate that there has been limited time to read the report, but there are specific action points in it on TSN funding. Those deal with better monitoring arrangements. That will have to be done at a more generic level so that it can be done through the ETI, for instance.

While there is perhaps a need for interventions to be better targeted, there is no doubt that they have made a difference. They have been made through policies of successive Administrations and have delivered for many of our young people.

Mr Allister: I want to return to the theme of the questions asked by Mrs Barton and Ms Bradshaw. It seems pretty clear that a fundamental issue is the disconnect between parents and the education of their children. There is a lack of encouragement at many times in that regard. The Minister referred to the existing extended-schools programme and then told us that we will move to something that is short-handedly called "the RED programme". What is new about the RED programme that will address that fundamental issue?

Like others, I express the concern that there is no settled funding programme. Are we in danger of start-stop funding that depends on monitoring rounds and all the instability that comes with those? Is that really the way to go?

Finally, if this should prove to be the last statement by the Minister, as Minister of Education, in the House, I wish him well.

Mr Weir: I am sure that the Member's wishes will be greatly on the mind of those who will make the decisions about my position in the next few days.

I certainly acknowledge that parents are at the heart of it. The extended-schools programme gives schools a level of flexibility to spend money and a lot of very good programmes have been put in place. As indicated in the report, the proposed RED programme is about trying to provide holistic solutions that will be monitored to see the direct linkages between schools, parents and communities. Earlier, I gave the example of the Shankill and the children's zone model there that is starting to produce dividends. It puts the community and parents very much at the heart of what is delivered. That is referenced in the report as a good working example that should be built on.

On the broader matter of funding, I indicated that a small amount has been set aside in this year's budget. We have a particular problem in that the Department's budget was set before

the report was delivered, even at an interim level, which made it difficult to allocate money directly. Over the forthcoming years, we will need to see a mainstreaming of budget. In the short term, there may well be a situation in which we will need to rely on monitoring rounds in 2021-22, but we need to see the funding for this mainstreamed by the Executive across the board. To be fair, given the fact that the Executive, because of the current settlement with Westminster —. Because of COVID, the intention had been that Westminster would have comprehensive spending reviews across the board to give certainty over a period of years. Nobody has a clue what the Budget for 2022-23 is for any Department or for Stormont as a whole, so it becomes very difficult to give a firm commitment on what will happen in 2022-23, because that is at least a level of constraint.

I agree with the Member that, in the long term, we cannot be in a situation where we are trying to pluck down whatever funding becomes available; it has to be something that is mainstream.

Mr Carroll: I thank the Minister and the panel for their work. The Minister mentioned socio-economic disadvantage and poverty almost in passing. There is no doubt that it is the main determinant in education, as it is in life, and the main cause of underachievement. Does the Minister agree that, unless the Executive set out and implement a policy to eradicate poverty, we will be coming back to the issue of educational underachievement year after year?

Mr Weir: As I have indicated, and as the report makes very clear, there is a very clear linkage between socio-economic deprivation and educational underachievement. That is undoubtedly the case. That is why, as I indicated in my statement, there is key work to be done on the action points in the report, which will require key commitments from the Executive, but if there are wider issues on poverty to be tackled, they have to be tackled by the Executive as a whole. I am loath to entirely tick the box for the Member, but I am as close as I have been at any stage over the last year to agreeing with him. *[Laughter.]* That may mean that —.

Mr Carroll: You are on your way out.

Mr Weir: Well, yes. The Member's graciousness, as always, is greatly reciprocated.

The fact that the Member and I are taking the same position may well have people,

particularly those of strong religious views, flicking through Revelations to see if it is a portent of the end of the world. Just occasionally, there is overlap between the Member's position and mine, but I suspect that neither of us should put that on our election literature as it would not do either of us any favours.

Ms Sugden: I thank the Minister for the report. It is a good report, but it needs to sit in a wider context. I am looking forward to the next mandate rather than to your successor to see what a Programme for Government will look like and how the report will sit within it. The Minister is entirely right: this is not just up to his Department and will require cross-departmental work, not least at the other end in further and higher education, but also with the Department of Health on mental health and resilience. The Minister talked about health and well-being, but I would like to see more specifics on mental health and resilience, because schools and the education system have a real opportunity to address that.

The £50 million per year for early years is quite significant. Early years provision is typically provided by community and voluntary groups. How does the Minister envisage early years being delivered given that investment?

Mr Weir: Do not forget that we are talking about reaching a point by the end of year 5 or year 6 where there will be £50 million of additional funding. At least half of that will be on the basis of the increased hours of preschool education. It is about a cocktail of measures and a range of other investments.

The Member is right: it is not simply about what happens between now and the end of the mandate. The Department will work to implement anything that can be swiftly implemented and will get the ball rolling on a range of things, but what will be critical is the level of commitment by the next Executive, where it sits in the Programme for Government and the level of priority it is given in funding.

Mr O'Toole: I welcome much of what is in the report and commend the Minister for commissioning it and bringing it to us today. In his statement, he said that he endorsed the contents of the report, but I am going to bring him back to the subject of selection. On page 20, the panel recognises that academic selection and the transfer test were not part of their terms of reference and talks about transfer testing as being "socially divisive" and warn of

the social imbalance it creates, referring to the OECD report from 2012. It also says:

"As a panel, we feel that addressing this systemic inequality should be a priority going forward and we welcome the explicit inclusion of a review of transfer arrangements in the Terms of Reference of the ... Independent Review of Education."

Minister, do you endorse that statement?

Mr Weir: I do not agree with the position on academic selection: it would be a surprise if I did.

There are 47 action points arising from the report, and I am happy to endorse all 47 and work towards their implementation. The one thing that we can say with absolute certainty is that there will be a range of opinions on academic selection. That predates not simply any of us but the living existence of virtually everyone in the Chamber, and it is likely to do so for some time. The removal of academic selection would entrench divisions, increase the difficulties of people from a socially deprived background to have the same choices and opportunities and, as such, be a retrograde step. However, I appreciate that there are plenty in the Chamber and beyond who take a contrary view.

11.45 am

Mr Beggs: I declare an interest as a committee member of Horizon Sure Start and a governor of Roddensvale School. As others have done, I welcome the report and its recognition of the importance of early years education and aspirations. However, many disadvantaged areas coincide with weak community infrastructure and high levels of absenteeism from school. What role does the Minister see for other Departments in increasing the educational aspirations of young people, their parents and the wider community so that more of our young people reach their potential?

Mr Weir: The Member has made a valid point. I have talked about some of the cross-departmental work that will be needed in communities. A lot of that work, particularly in early years, falls to the Department of Health. There are also critical roles for Economy and Health in vocational education. It is also about working with the community. That is why the proposals in key area four of the report look at whole-community solutions. It will not be enough to simply try to find what will work in schools. Even in areas of weak community

infrastructure, there has been a hunger to see something better for the next generation. Where that has worked out in practice is where there has been community buy-in and buy-in from families and, indeed, all those on the ground. It will not work if it is left as something that has to be applied from the top down from the Department of Education.

Mr Catney: I thank the Minister and welcome his report. When the Minister took up his ministerial post, he visited St John the Baptist Primary School in the Speaker's constituency and saw the dedication of its teachers. He has seen a lot more schools than I have, but, every time I go out, I marvel at the dedication and commitment of the teachers and at the fact they find themselves putting their hands in their own pockets to help stimulate those bright little minds. I welcome what the Minister said about the anti-poverty strategy that has been brought forward by the Communities Minister, Minister Hargey. Does the Minister agree that teachers go beyond the call of duty to see that facilities are given to the school when the moneys are not available for them?

Mr Weir: I am happy to endorse the good work that happens. I acknowledge the professionalism of those people in doing their jobs, but there are also many people in the system who go well beyond their hours of work. My staff do not get many compliments, but, perhaps, it is also appropriate to say that some of them work well beyond the times that they are supposed to work. Those involved in education, particularly in schools and the Youth Service, do not see it simply as a job; they see it as a vocation and a calling. Many of them deliver what is there.

Sometimes, there is a tendency in the system — be it in education or other areas — to keep to ourselves the good ideas that we see being delivered and that are successful and make a difference. It is crucial that we do not do that. As we move ahead in education, one of the key aspects is to look at where there is best practice, try to share that best practice and show what models work in different circumstances, albeit with the truth that one size will not fit all. What works in the middle of Belfast may not work the same in rural Tyrone, for instance. It is about that shared learning. The joy of professionals sharing their experience can be very valuable.

Mr Speaker: That concludes questions on the statement. I ask Member to please take their ease for a moment or two while we move to the next item.

Executive Committee Business

Financial Reporting (Departments and Public Bodies) Bill: First Stage

Mr Murphy (The Minister of Finance): I beg to introduce the Financial Reporting (Departments and Public Bodies) Bill [NIA 21/17-22], which is a Bill to amend the law relating to the preparation of estimates and accounts of Departments and certain non-departmental public bodies; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Mr Speaker: Members can take their ease again for one moment.

Parental Bereavement (Leave and Pay) Bill: First Stage

Mrs Dodds (The Minister for the Economy): I beg to introduce the Parental Bereavement (Leave and Pay) Bill [NIA 22/17-22], which is a Bill to make provision about leave and pay for employees whose children have died.

Bill passed First Stage and ordered to be printed.

Mr Speaker: Members can take their ease for a moment or two.

Departments (Transfer of Functions) Order (Northern Ireland) 2021

Mr Kearney (Junior Minister, The Executive Office): I beg to move

That the Departments (Transfer of Functions) Order (Northern Ireland) 2021 be affirmed.

Mr Speaker: The Business Committee has agreed that there should be no time limit on the debate.

Mr Kearney: I welcome the opportunity to bring the order before the Assembly for its approval. It is intended to remedy a number of anomalies that have arisen whereby certain statutory functions have been retained by one Department while the appropriate policy context has, in fact, transferred to another. Aistreofar dualgais reachtúla de réir a chéile idir na Ranna ábhartha seo leanas. The order will therefore

transfer statutory responsibility between the relevant Departments for the following functions. First, functions under section 19 of the Employment Act (NI) 2016 relating to gender pay disparity information will transfer from the Executive Office to the Department for Communities. Secondly, those under the Reservoirs Act (NI) 2015 relating to the regulation of certain reservoirs will transfer from the Department of Agriculture, Environment and Rural Affairs to the Department for Infrastructure. Thirdly, those under article 23 of the Special Educational Needs and Disability Order 2005 relating to the proceedings of the special educational needs and disability tribunal on a claim of unlawful discrimination under chapter I of Part III of the order and to the making of a claim will transfer from the Department of Education to the Department of Justice.

Each Minister who is ceding or receiving the functions has signalled their agreement and agreed that the First Minister and deputy First Minister should bring the order forward. The order will be made in exercise of the powers conferred by article 8 of the Departments (NI) Order 1999, which enables the First Minister and deputy First Minister to assign and transfer functions to and between Departments. I can also confirm that all the relevant Assembly Committees were consulted about the proposed transfers. I acknowledge their cooperation in consideration of the matter and thank them for their support and practical approach in doing so.

A Cheann Comhairle, with your permission, I will take a few moments to outline the background and rationale for the proposed transfers. The first function relates to the transfer of responsibility for section 19 of the Employment Act (NI) 2016 from my Department, TEO, to the Department for Communities. Section 19, as enacted, provides that employers must, in accordance with regulations made by the then Office of the First Minister and deputy First Minister (OFMDFM), publish information showing whether gender pay disparities exist between employees. Where gender pay disparities are identified, an employer must publish an action plan to eliminate them and provide a copy of that plan to employees and any recognised trade union. The section required the first set of those regulations to be made by 30 June 2017.

The section also required the Office of the First Minister and deputy First Minister to publish a strategy, including an action plan, on eliminating gender pay differences within 18 months of Royal Assent.

12.00 noon

Members will be aware that, in 2016, there was a major restructuring of Departments and that, as part of that, policy and statutory responsibility for gender equality matters transferred from OFMDFM to the new Department for Communities. As part of that reorganisation, OFMDFM also became the Executive Office. The timing of the respective legislative processes for the Employment Bill, which became the Employment Act, and the 2016 legislation that provided for the restructuring of Departments prevented the statutory responsibility for section 19 of the Employment Act (NI) 2016 from transferring to the Department for Communities at that time with OFMDFM's lead policy responsibility for sex discrimination legislation, through the Sex Discrimination (NI) Order 1976 and the Equal Pay Act (NI) 1970, which had already been transferred by order to the Department for Communities. That was recognised by the previous Executive, which agreed to the making of a Departments (Transfer of Functions) Order in December 2016. The order was to be signed by the First Minister and deputy First Minister and laid before the Assembly for an affirmative resolution debate, but the dissolution of the Assembly in January 2017 prevented that from happening, and the draft legislation therefore fell.

Given the absence of the Assembly and the acknowledgement that the lead for this policy matter properly lies with the Department for Communities, section 19 has not yet been commenced. The regulations and strategy required by the section have also not been taken forward. The order will therefore allow for the transfer of responsibility for section 19 to the Department for Communities, the Department with the lead policy role for gender equality, and will enable that Department to take forward the actions required by that legislation.

I turn now to the Reservoirs Act (NI) 2015. The restructuring of Departments in 2016 included the transfer of all functions carried out by the Rivers Agency on behalf of the former Department of Agriculture and Rural Development to the Department for Infrastructure. The statutory functions under the Reservoirs Act (NI) 2015 were inadvertently not included in the Departments (Transfer of Functions) Order (NI) 2016, however; consequently, responsibility for the legislation remained with the Department of Agriculture, Environment and Rural Affairs. Transfer of those functions is, therefore, required, as that

position does not align with the agreement reached on the respective responsibilities of each of the new Departments. The Reservoirs Act (NI) 2015, when fully commenced, will introduce a framework for the regulation of reservoir safety in the North. Once transferred, the framework will allow for the consideration of commencement of the relevant sections of the Act and the introduction of subordinate legislation to implement the required maintenance and management regime.

The third and final function in this order concerns article 23 of the Special Educational Needs and Disability (NI) Order 2005. The function relates to a legislative power to make regulations about the procedure of the special educational needs and disability tribunal (SENDIST), responsibility for which passed from the Department of Education to the Department of Justice in 2011 by means of the Departments (Transfer of Functions) Order (NI) 2011. Unfortunately, however, this legislative power to make regulations about the procedure of the special educational needs and disability tribunal, which is contained in article 23 of the Special Educational Needs and Disability (NI) Order 2005, was omitted from the 2011 order and, therefore, remained with the Department of Education. This order provides an opportunity to rectify that mistake and to allow the Department of Justice to have all the legislative powers that it needs to make procedural regulations for the special educational needs and disability tribunal.

In conclusion, the order will bring about a necessary realignment of functions with their proper policy context and enable the appropriate Departments to commence work on implementing the relevant duties and requirements. I therefore commend the order to the House. Molaim an rún.

Mr McGrath (The Chairperson of the Committee for The Executive Office): I thank the Minister for his update to the House. I am speaking on behalf of the Committee for the Executive Office. I am grateful for the comprehensive manner in which the Minister described and justified the statutory rule. It leaves comparatively little for me to say on behalf of the Committee, other than that the Committee has supported the rule from the outset and, in fact, consistently urged that it be progressed as a matter of urgency. The Committee considered the proposal in October last year, and, in consultation with the other relevant Committees, approved the making of the rule. The rule was considered on 19 May this year, and the Committee recommended that it be brought before the Assembly.

The Committee had two key questions. First, how on earth did the situation arise in which legal responsibility for matters lay with one Department while policy responsibility for those same matters was the remit of another? Secondly, why did it take so long to rectify that anomaly? I acknowledge the Minister's explanations, so I will not labour the point. I will leave it for others to speak on the transfer of the other functions and instead comment only on those associated with the Executive Office.

The Committee naturally has a great interest in the rights of women and in gender equality. Indeed, we look forward to engaging with the Department on the violence against women and girls strategy. It is right and proper, however, that policy relating to gender pay disparities sit with the Department for Communities, along with the other gender equality matters that were transferred in 2016. The Committee for the Executive Office supports the motion.

I will say a few words of my own as a private Member on behalf of the SDLP. I welcome the transfer of powers to the various and relevant Departments. I place great emphasis on "relevant". For example, I welcome the role of the Department for Infrastructure on reservoirs. In my constituency, I have encountered a number of issues, with several planning applications having been held up for many years because of maintenance issues with reservoirs. The Department has been powerless to intervene and deliver a resolution to a problem with a reservoir, which, in some instances, was up to 8 or 9 miles away from where the planning applications were for. Some people were relying very heavily on the outcome of a planning application to be able to sell land and generate some income for their retirement, but that was held up as a result of what was happening 8 or 9 miles away, and the Department could not bring any influence to bear. Real-life problems were being created by some of the decisions that are being rectified in some form today. I therefore welcome the motion and am happy to support it on behalf of the SDLP.

Mr Givan (The Chairperson of the Committee for Justice): Junior Minister Kearney has laid out the aspects of the statutory rule in great detail. I will address only the one that relates to the justice element that the Committee considered.

The Department of Justice wrote to the Committee last June to seek its agreement for the transfer of a statutory function relating to the procedures for the special educational needs

and disabilities tribunal from the Department of Education to the Department of Justice. The Department advised that, in 2010, the Executive had agreed to transfer responsibility for a number of departmental tribunals to the Department of Justice. The transfer of responsibility for that tribunal to the Department of Justice subsequently took place in 2011. The transfer was incomplete, however, owing to an oversight by the Department of Justice, and a power to make changes to the procedural regulations that govern the practice of the SENDIST remained with the Department of Education. As a result, both DE and DOJ are required to make regulations to change the procedures, which the Department advised is complex and also inconvenient. The Department indicated that a resolution was required, as changes to the regulations will need to be made as a result of the implementation of the Special Educational Needs and Disability Act 2016 and the special educational needs framework. It was therefore proposed that the transfer of the necessary functions from DE to DOJ should be included in a forthcoming transfer of functions order that would be taken forward by the First Minister and the deputy First Minister.

The Committee agreed that it was content. We wrote to the Department of Justice, the Committee for Education and the Committee for the Executive Office to give support for the proposal.

Recently, the Committee received correspondence from the Committee for the Executive Office advising that the Departments (Transfer of Functions) Order giving effect to the transfer of those functions was, indeed, laid by the Executive Office on 30 April, and asking whether our Committee was content, given its impact on the work of DOJ. At our meeting on 13 May, the Committee agreed to inform the Committee for the Executive Office that we were indeed content with the transfer of the power to make those changes to the procedural regulations that govern the practice of the special educational needs and disability tribunal from the Department of Education to the Department of Justice. Therefore, on behalf of the Committee for Justice, I support the motion.

Ms Anderson: As the Minister said, the Departments (Transfer of Functions) Order covers three areas, some of which have already been touched on: the gender pay gap's being transferred from the Executive Office to the Department for Communities; the transfer of regulations for certain reservoirs from DAERA to the Department for Infrastructure — it is that to which I will speak; and the transfer of the

special educational needs and disability tribunal from the Department of Education to the Department of Justice.

Over seven years ago, if the Assembly wants to remind itself, in the Chamber, the current Minister of Education, Peter Weir, was informed by the then Minister for Agriculture and Rural Development, Michelle O'Neill, that her Department had begun discussions with the Department of the Environment on developing a reservoirs Bill. As discussions progressed, one of a number of milestones in developing and legislating for reservoirs was to be the transfer of responsibilities for reservoirs from DAERA to the Department for Infrastructure through the Departments (Transfer of Functions) Order. Until now, it did not happen. Like other Members in the Chamber, I want to express my deep frustration that it has taken so long to get to this point. It absolutely beggars belief that such a relatively straightforward piece of work has taken so long because of oversight or, maybe, incompetency.

I have raised the issue countless times in the Committee for Infrastructure, of which I am a member, and the Committee for the Executive Office, of which I am also a member. I have tabled questions for written answer and written letters to the Minister for Infrastructure. I have still not received an adequate explanation as to why and how the staff and officials who are responsible for reservoirs ended up, rightly so, in the Department for Infrastructure, yet the legislative competency with regard to reservoirs stayed in DAERA, although I do acknowledge the Minister's comments today. That blunder, however it happened, has stopped the development of a reservoirs Bill for the North, and has had significant implications for my constituency of Foyle and, I know, other constituencies as well.

The current legislation has meant that the Department for Infrastructure's Rivers must recommend a blanket planning blight in some parts of Derry due to the conditions of, for instance, the Creggan reservoir. That has effectively stymied a number of key economic and community developments until what some might call minor, but necessary, safety work is financed and undertaken. For instance, it has blocked Catalyst Inc implementing its expansion plans at Fort George in Derry, a former army military barracks, essentially hitting the pause button on job creation there. It has delayed the Glen Development Initiative in building a new community centre in the area, and mothballed plans for additional social housing, which we desperately need in Derry. It has implications for the future A2 Buncrana

Road dualling project and expansion of the Magee university campus.

12.15 pm

In the absence of reservoirs legislation, which is referred to in the transfer of functions being progressed — thankfully, we are here today — I have proactively engaged in discussions with Derry City and Strabane District Council, the Rivers Agency and the Department for Communities to urgently identify a cocktail of funding to undertake the safety work at the Creggan reservoir.

I am delighted that, in response to those engagements, Sinn Féin Minister Deirdre Hargey has offered a substantial funding package to help to address the funding shortfall for the safety works of the reservoir in Creggan, even though the Department for Communities has no responsibility whatsoever for the Creggan reservoir. As we know from the discussion today, and from what has been brought forward, it is the Department for Infrastructure that has responsibility for it, but Sinn Féin Ministers are serious about fixing problems.

I am aware that discussions continue with the council and the Department for Infrastructure's Rivers Agency to address the rest of the funding shortfall in the context of the transfer of functions order. Now that we are finally coming to the point where the transfer of functions order is to be enacted, I urge the Minister for Infrastructure to work with her officials to ensure that the reservoirs legislation that is referred to in the transfer of functions order comes to the Chamber as soon as possible for scrutiny. The Minister must take the action that is needed now, because, once this transfer of functions passes, reservoirs will be firmly under the Department for Infrastructure's responsibility, where it always should have been. When we restructured the Departments, that is where it should have ended up in the first place.

This will help not just in Derry but with other reservoirs that need attention in other constituencies. I hope that Minister Mallon's officials are listening today and that, with her, they will work with the Rivers Agency and Derry City and Strabane District Council to urgently finance the remainder of the Creggan reservoir works, so that that planning blight on a wide range of strategic projects in Derry, which have been delayed and derailed for far too long, can finally be removed. I welcome the fact that we have finally got to this point here today.

Mr Muir: I speak as the Alliance Party's infrastructure spokesperson and as a member of the Infrastructure Committee. The approval of the motion today is required to correct an omission in the transfer of all the functions of the Rivers Agency from DAERA to the Department for Infrastructure in 2016. The motion also deals with other issues, as other Members have outlined, but I will speak primarily on the reservoirs and infrastructure.

In the absence of formal powers, the Minister for Infrastructure has been unable to commence the Reservoirs Act, which is required so that the Minister can introduce orders and regulations to implement the reservoir safety regime provided for by the legislation, which is based on industry best practice for the management and maintenance of reservoirs. In summary, therefore, the delay in the transfer of functions has had a material impact on the Minister's ability to implement a regime that is vital for ensuring reservoir safety in Northern Ireland.

Mr McGrath: I thank the Member for giving way. Will he agree with me that the delay was not helped by a three-year absence of this place, which was brought about by some of the parties that have to rectify some of the problems that we are addressing today?

Mr Muir: I thank the Member for his intervention. The reason for the delay and why we are standing here today is threefold. The first part is the transfer in 2016. Secondly, these institutions did not sit for three years. We can never allow that to happen again. We failed the people of Northern Ireland by not having these institutions, and that is a serious issue. Thirdly, there was a delay in seeing this motion today. Devolution was restored in January 2020. It is now June 2021, and this motion is before us only now. Let us be clear on the reasons for the delay and also be clear that, by passing this today — hopefully, we will — this is not the finish; this is the commencement of orders. We could be a long way away from the reservoir safety regime being implemented, so this is not good enough.

As the Department for Infrastructure has estimated, 83,000 people live within the inundation zones of our 179 reservoirs. Furthermore, there are nine reservoirs, which cannot be named for security reasons, where urgent interventions are required to deal with flood risk. I know of one of those, which I will not name today, that requires immediate work. However, without the full commencement of the Reservoirs Act, the Department has not had the power to compel that work to take place. We

are still reliant upon goodwill and the attempts to invoke powers years and years after the Act was passed. Officials have confirmed that properties are located near those nine reservoirs, and there would be a risk to life and property if any of those reservoirs were to catastrophically collapse or fail. Even more concerning is the fact that, for security reasons, none of those living within the inundation zones of those nine reservoirs has been informed of the need for urgent interventions.

In summary, today's transfer of functions is not some mere administrative quirk but an essential step — and it is just that: a step — in addressing an extremely serious issue that has potentially life-or-death consequences in Northern Ireland. The question that needs to be answered, therefore, is why on earth it has taken so long to bring this before the House. This has had a massive impact, particularly upon planning applications, as other Members outlined. I know of a number of planning applications that are now held up because the Assembly did not deliver. That is having an impact upon economic well-being and growth and on the ability to deliver housing.

We are nearly 18 months into the restoration of power-sharing in Northern Ireland, and it is only now that this matter is being dealt with. Why was this not proceeded with as a matter of urgency, and how can the Executive Office be so relaxed about it? The last time this was discussed, I understood that it was in the Executive Office. There are far too many things stuck in the Executive Office. We have a situation where you cannot even get issues onto the agenda, never mind discussed or agreed.

People in Northern Ireland have become accustomed to certain aspects of government here moving at a glacial pace. As we have seen with COVID-19, however, when there is an emergency situation, the people of Northern Ireland demand action, and they demand action fast. It seems that, in the matter that we are debating today, the Executive Office and the two main parties that control it have totally failed in that regard. It is by sheer good fortune that no damage has been done as a result of the severe delay in bringing this before the Assembly.

In conclusion, I will be supporting this today, and I hope that everyone else will, but I expect a full and clear explanation from the Executive Office as to why it has taken 18 months to bring this before us today, given the seriousness of the issue for people living in Northern Ireland.

Mr Beggs: I, too, wish to speak regarding the transfer of the powers associated with the Reservoirs Act (Northern Ireland) 2015. This has been a very serious admission that, when we had the reorganisation of Departments in Northern Ireland, an error was made and the full powers were not passed to enable the Reservoirs Act to be fully enacted.

As others have said, that has had significant implications for those who have sought planning applications below those reservoirs. In addition, it is not just about planning applications. It is about the protection of property, and possibly even lives. If anyone has any doubt about what we are talking about, we are talking about areas of water with more than 10,000 cubic metres of water. That is 10,000 tons that could be unleashed if there is an unsafe structure. That could have a devastating effect below it.

Others have spoken of the delay in correcting the omission. It is actually more than 16 months.

The reorganisation happened in 2016. So, first, there was the period when the Assembly sat until January 2017, when the correction could have occurred. Then, we had three years with no Assembly, and another 15 months has passed since it was re-established. The Infrastructure Committee was briefed on the issue, and we had to write to the Executive Office, such were our concerns when we were briefed on it. We have to give credit to the officials in the Department for Infrastructure, who are working with responsible owners in order to make progress and bring about improvements to those structures or, if necessary, to reduce the water levels so as to provide reassurance and safety.

Each body of water has to be independently inspected by a suitably qualified civil engineer, but, in some instances, there are disputes about who owns the structure. The Department needs the powers to progress things in order to protect the public. Why, oh, why has it taken so long? I, too, wish that the junior Minister would explain that, because it amounts to a dereliction of duty in the Executive Office that that transfer did not happen years ago. I support the transfer. It is vital that the omission is corrected so that the public can be reassured, the Department can have the powers to bring about the necessary improvements where defects are uncovered, public safety and the safety of property are ensured, and options are available to those who wish to extend their planning applications.

Ms Armstrong: The Departments (Transfer of Functions) Order (Northern Ireland) 2021 moves section 19 of the Employment Act (NI) 2016 to the Department for Communities. Section 19 requires the Department to publish information on the gender pay gap in Northern Ireland. I welcome that move, as it brings into the Department all the employer action plans that identify how that employer will eliminate gaps that exist between the pay that is provided to men and women. I am also delighted to note that that transfer of functions will bring together workforce statistics that relate to ethnicity and disability, as the Department for Communities is responsible for the gender and disability strategies. It makes sense for data to be collected by that Department.

The racial equality strategy is retained in the Executive Office, and I look forward to some concentrated work being completed to ensure that data that relates to ethnicity is collected. The Equality Commission has been looking for that data to be collated through the fair employment and equality monitoring. As anyone who knows me knows, I want the fair employment monitoring to be changed to better reflect and measure all section 75 categories and not just whether someone is Catholic or Protestant. That is a debate for another day, however.

As Deputy Chairperson of the all-party group on disability, I will now speak about the transfer of functions from Education to the Department of Justice and specifically, article 23 of the Special Educational Needs and Disability (Northern Ireland) Order 2005, which relates to the procedure of the tribunal. The original transfer between Departments was incomplete in the 2011 order, and that is being put right today. It now gives the Department of Justice all the legislative powers that it needs to make procedural regulations for the special educational needs and disability tribunal.

As my colleague, Andrew Muir, said, this has been some time in coming. Today, however, this legislation, which I will support, puts right a number of mistakes and errors and incomplete pieces of legislation that it has been necessary to correct. I am sorry that it has taken this long. It should be a quick transfer of functions, but it should have been done months ago.

Mr Kearney: I welcome the, mainly, affirmative contributions from most of the Members who have spoken in the debate. The order, the motion and the discussion are an absolute reminder that government in this place or, indeed, anywhere, needs to be established on robust and firm legislative foundations.

It follows that departmental functions must be tightly aligned with the correct policy context within which Departments and the collective of government must operate.

12.30 pm

It also underlines the imperative of the role of our scrutiny Committees and the democratic role that they perform, and a number of the contributions reflected the role that members of those Committees have played. It also demonstrates that legislative powers and the legislative basis of government do, in fact, have a material effect on the lives of our citizens and on the discharge and implementation of public policy across all the relevant areas.

Gabhaim buíochas leis na hAíré éagsúla, le hoifigigh na Ranna agus le Coistí an Tionóil as ucht a gcuid iarrachtaí. I record my thanks to all the Members who contributed to the debate and to the relevant Ministers — they are the Minister of Justice, the Minister for Infrastructure, the Minister of Education, the Minister for Communities and the Minister of Agriculture — who all contributed to the process in a very collegiate and positive manner. I also thank the officials who assisted in getting us to this point in the process, enabling us to introduce corrections to the anomalies that have existed and allowing for the order to be brought to the Chamber and passed today. It will ensure that the statutory responsibility is corrected and transferred to the appropriate Departments in order to allow the functions to be fully implemented.

Question put and agreed to.

Resolved:

That the Departments (Transfer of Functions) Order (Northern Ireland) 2021 be affirmed.

Mr Speaker: Members, please take your ease for a moment or two.

(Mr Principal Deputy Speaker [Mr Stalford] in the Chair)

Pension Schemes Bill: Final Stage

Ms Hargey (The Minister for Communities): I beg to move

That the Pension Schemes Bill [NIA 7/17-22] do now pass.

Mr Principal Deputy Speaker: The Business Committee has agreed that there should be no time limit on the debate.

Ms Hargey: I am pleased to have the opportunity to move the Final Stage of this important Bill. Pensions are of pivotal importance in helping to secure a comfortable life for people in their later years. It is vital that we do what we can to make sure that those pensions are secure and that members' interests are protected. That is why the provisions of the Bill, in particular those on the better regulation of master trusts, are so important.

Members will be aware that the pensions landscape has changed significantly over recent years, and, as a result, the way in which people can save and access their pension savings has been transformed. Automatic enrolment has resulted in a significant increase in the number of people being enrolled into a workplace pension. Master trusts have become a popular vehicle for employers, particularly small and micro-employers, seeking to enrol employees in an occupational pension scheme.

A master trust is a form of multi-employer occupational pension scheme for unconnected employers. Instead of the employer setting up their own pension scheme, the scheme is provided by an external organisation that runs the pension scheme for numerous employers.

Such schemes offer benefits to employers and members. They can spur competition in the market and allow for economies of scale, thereby providing value for money. They are also an efficient solution for smaller employers, for whom setting up an individual pension scheme would be difficult and prohibitively expensive.

Currently, master trusts here are regulated in accordance with the occupational pensions legislation. However, that legislation was developed with a single employer pension scheme in mind, and, consequently, it does not take into consideration the different structures and dynamics of master trusts, which give rise to different risks.

The Bill is a response not to a fundamental problem with master trusts but to the exceptional growth in membership. In 2010, across Britain and here, there were 0.2 million members of master trusts; by November 2019, 16 million members in 37 trust schemes held more than £36 billion in assets.

The introduction of a new authorisation regime is designed to address the legislative gap and to try to prevent problems arising in the future. The aim is to ensure that essential protections are put in place in a way that is proportionate to the risks experienced by master trusts. Under the new regime, master trusts will be prohibited from operating unless authorised by the Pensions Regulator.

The Bill sets out specific requirements that must be met in order for a scheme to be authorised. The requirements relate to, for example, financial sustainability, governance and the fitness of people involved in the scheme. In addition, the regulator will be given new powers to supervise master trusts, enabling it to intervene where schemes are at risk and falling below the required standards.

The regulator must be notified in writing if significant events occur in relation to an unauthorised master trust scheme. The intention is that a list of significant events will capture events that could affect the ability of master trusts to continue meeting the authorisation criteria. For example, the scheme may have a change of trustee, and, as the fitness and propriety of the trustee are linked to the authorisation criteria, the regulator must be informed of such a change so that the new trustee may be assessed against the relevant standards.

The regulator will also seek to support and assist those involved in running a pension scheme. However, there is a need for clear consequences for schemes that fail to comply with their duties. Information gathering is an important part of the regulator's toolkit, and the Pensions (NI) Order 2005 already makes it a criminal offence for individuals to fail to provide information requested by the regulator. The Bill extends those powers to include those involved in running master trusts. Ultimately, the regulator also has the power to withdraw a scheme's authorisation, forcing it, essentially, to leave the market. Those powers are designed to help to ensure that those managing master trust schemes continue to protect the interests of members.

I turn to the remaining provisions of the Bill. Since the introduction of the new pension

freedoms in April 2015, which enable many aged 55 and over to access their pension savings more flexibly, individuals have faced a range of potential barriers, including incurring early exit charges when seeking to access their savings. Schedule 18 of the Pensions Act (NI) 2015 allows the Department to make regulations that restrict charges or impose requirements on certain pension schemes. The Bill allows the Department to make regulations to provide that any term in the contract that is inconsistent with something in the regulations made under schedule 18 is overridden. For example, if a contract placed between the trustees or managers of the scheme and a person who provides services to the scheme permits an early exit charge that is higher than the early exit charge cap, that will allow the term to be overridden. The policy supports the policy intention of capping early exit charges in occupational pension schemes and banning member-borne commission arising under the existing contracts.

In conclusion, the pensions market continually evolves and modernises, and there is a clear need to ensure the adequate regulation of master trusts, given how they have developed since the introduction of automatic enrolment. I trust that Members are content with the broad thrust of the Bill.

I know that pensions legislation can be somewhat complex and, therefore, I thank the Chair of the Communities Committee and, indeed, the Committee and the Assembly for the positive manner in which they have conducted discussion of it.

Ms Armstrong (The Deputy Chairperson of the Committee for Communities): I am deputising for the Chair of the Committee. I thank the Minister for her kind comments.

The Committee for Communities welcomes the Final Stage of the Bill, which, overall, is designed to safeguard workers' pensions and introduce a welcome new regulatory framework for master trusts in Northern Ireland. Over the past few years, master trusts have become very popular, and I, for one, have learned a lot about those trusts and about pensions regulation throughout the proceedings on the Bill. A master trust is a multi-employer occupational scheme for unconnected employers run on behalf of the employers by an external organisation. The schemes are popular with small employers, and anyone who, like me before I came to the House, has had a number of employments will be delighted that somebody is keeping them all together.

Membership of this type of scheme across the UK has grown from 0.2 million in 2010 to 16 million by 2019. There are around 100,000 members of such schemes in Northern Ireland alone. While the growth in this type of scheme is to be welcomed, there is, obviously, a need for appropriate measures to ensure that the risks are managed. Fundamentally, that is what the Bill does.

The Committee was first briefed on the Bill on 17 June 2020 by departmental officials, who confirmed that it would ensure that no master trust scheme can operate without authorisation from the Pensions Regulator and that specific requirements must be met.

The Bill also deals with administration charges. Some people have been faced with early exit charges when trying to access their pension savings. The Committee is content that the Bill will cap early exit charges in occupational pension schemes. That, again, has to be welcomed, as it will enable people to get more from their hard-earned savings.

The Committee reported on the Pension Schemes Bill on 19 November 2020, having considered the provisions of the Bill at eight meetings and having taken oral evidence from the Northern Ireland Assembly Research and Information Service (RaISe), the Workers Pension Trust and the Pensions Regulator. The Committee agreed the clauses as drafted, once members were reassured by responses from the Department and from witnesses to a number of queries.

Members wanted to be sure that master trusts were properly regulated and that the Pensions Regulator was allowed to make full use of its powers in Northern Ireland. The protections that the Bill will put in place for people's pensions was another key issue for members, as they felt that it was not outside the realms of possibility for a master trust to collapse.

While members of master trusts would not have access to the Pension Protection Fund, there is a safety net in the Bill in the event of a scheme being underfunded due to fraud. Members were also reassured to hear that the Pensions Regulator could, if necessary, operate across the border to address schemes that operate in Northern Ireland and the Republic.

During Committee Stage, officials advised that amendments would be necessary at Consideration Stage as a consequence of the Westminster Pension Schemes Bill, which at that time was before Parliament. The Committee was briefed on the text of the

amendments by officials at the meeting on 22 April 2021 and was content that they did not represent new policy or changes to the original policy intent.

I thank the officials, Gerry McCann and Doreen Roy, for their assistance during Committee Stage and for their patience in providing technical explanations and briefings on the amendments.

The Chair, Paula Bradley, confirmed at Consideration Stage that the Committee was content that the amendments were technical, drafting and consequential amendments required to the Pension Schemes Bill as a result of the Westminster Pension Schemes Act 2021.

The Committee also noted that legislative consent motions (LCMs) in relation to the Westminster Pension Schemes Act 2021 were agreed by the Assembly on 1 June and 2 November 2020.

Overall, the Bill is designed to safeguard workers' pensions and ensure good pensions governance. Therefore, on behalf of the Committee, I support the Bill.

Finally, as the Alliance communities spokesperson dealing with the Bill, I pay tribute to our Minister. It is a technical Bill and one that can cause a lot of confusion; thank goodness we have great officials. The Bill aligns Northern Ireland pension provision and pension holders with the rest of the United Kingdom, and it confirms that pension holders will be better protected.

12.45 pm

Ms Mullan: It is clear that master trusts have emerged as a popular choice following the introduction of auto-enrolment and that the manner in which people manage and access their pensions has changed over the years. It is therefore crucial that the regulations evolve and keep pace with those changes and that additional safeguards be put in place for pension scheme members. The Bill is a result of that process.

I thank the Minister and the Deputy Chair of the Committee for summarising the detail of the Bill today and highlighting the main aspects, which include additional powers for the Pensions Regulator and the capping of early exit charges in occupational pension schemes. I also acknowledge and thank the research team and departmental officials, who provided briefings and information when required to support

scrutiny of the Bill as it made its way through the various stages. I am content that the improved regulation and oversight will provide better protection for pension scheme members and their savings. I therefore support the Bill's passing its Final Stage.

Mr Durkan: I support the Bill. I have previously iterated concerns about the use of accelerated passage and have a justifiable wariness of LCMs. We recognised and do recognise, however, the degree of urgency required, given that pension scheme members here had been placed at a disadvantage to their counterparts in Britain. The Bill will bolster protections for pension savers and provide people with a safety net of assurances for their pension scheme. It is therefore vital that the safeguards be implemented without delay. The legislation also addresses barriers faced by scheme holders such as the early exit charges referred to by the Deputy Chair and affords members more flexibility and freedom. I echo the thanks of other Members to officials and the Minister for their work on this important legislation.

Mr Principal Deputy Speaker: No other Members have indicated that they wish to speak, so I call the Minister to make a winding-up speech.

Ms Hargey: I thank the Deputy Chair and the other Members who spoke. Quickly, the Bill is about protections and safeguards. It is about looking at master trusts and making sure that they are adequately regulated. I again thank everyone for their engagement. I thank Gerry and the team for their work with the Committee behind the scenes to move the Bill at pace to make sure that we can extend protections.

Question put and agreed to.

Resolved:

That the Pension Schemes Bill [NIA 7/17-22] do now pass.

Mr Principal Deputy Speaker: I ask Members to take their ease for a few seconds before we move on to the next item of business.

Committee Business

Unadopted Roads

Miss McIlveen (The Chairperson of the Committee for Infrastructure): I beg to move

That this Assembly recognises the systemic failures in the current process for adopting roads and services in new developments; notes with concern the Department for Infrastructure's inability to quantify the precise number of those households and developments affected; further recognises the resourcing constraints within the Department that exacerbate the problem, and is concerned by the lack of progress made in addressing these failures since they were highlighted in a Regional Development Committee report in 2012; acknowledges the impact these failings are having on communities living in affected developments; calls on the Minister for Infrastructure to take steps to reduce the backlog of unadopted roads and services as a matter of urgency and to work with Executive colleagues to identify areas where cross-departmental working can be used to alleviate the impact of resource constraints; and further calls on the Minister, in line with the 2012 report recommendations, to formulate and implement a more robust and time-constrained package of guidance and enforcement that includes ensuring appropriate bond levels to complete works and a review of the main statutory instruments.

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

Members, it is now just past 12.50 pm. Is Miss McIlveen intending to use her full 10 minutes?

Miss McIlveen: Yes.

Mr Principal Deputy Speaker: That being the case, we will have to wait until after Question Time. Sorry. The Business Committee is scheduled to meet at 1.00 pm. I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The debate stood suspended.

The sitting was suspended at 12.50 pm.

2.00 pm

On resuming (Mr Speaker in the Chair) —

Oral Answers to Questions

The Executive Office

COVID-19 Task Force: Update

1. **Mr M Bradley** asked the First Minister and deputy First Minister for an update on the work of the COVID-19 task force. (AQO 2118/17-22)

Mrs O'Neill (The deputy First Minister): The Executive's COVID-19 task force, chaired by the interim head of the Civil Service, meets regularly and reports to the Executive weekly. The task force has four work streams: adherence, protection, communications and recovery.

The adherence group is working on the development of a longitudinal survey, which is designed to give more information on individual adherence and influence policy development, as we continue along our pathway out of restrictions and remain reliant on people to make safer choices to contain the virus. In communications, as we have moved away from the "Stay local" message, relaxed guidance within the common travel area and adopted the green list for international travel, we are focusing our message on the behaviour of the individual. That will be designed to inform and enable people to make safer choices on how to keep themselves safe and reduce the risk of transmission. The protection work stream is led by the Department of Health and involves the great work on the roll-out of the vaccination programme. The recovery work stream continues to progress the development of a cross-cutting recovery strategy for delivery over the next 24 months.

The task force also runs the cross-departmental working group, which meets weekly to consider the proposals that have been submitted for the next set of relaxations. The next major review will be on 10 June, and the group is working through the proposals that will be submitted for consideration at that point.

Mr M Bradley: I thank the deputy First Minister for her answer. Are the solutions of the task force's four work streams of protection, recovery, adherence and strategic communication in line with those in the rest of the UK?

Mrs O'Neill: Obviously, we are very much focused on our own recovery and on trying to build a pathway out of restrictions based on being careful and being ambitious for the future. There will be a COVID summit, which will involve ourselves, Scotland, Wales and England sitting down together to discuss what comes next and plans for the future. Clearly, there is a huge job of work to be done on recovery and rebuilding, which is why we are very much focused on trying to come at it from a holistic point of view, tying in the Programme for Government commitments and short- and medium-term recovery interventions from a health, societal and community perspective, as well as jump-starting longer-term renewal with the Programme for Government work. We have a huge job ahead of us, but at least we have a road map to chart us through that.

Ms Anderson: I thank the Minister for that update on the COVID task force. Minister, can you give us an update on the roll-out of the vaccine, specifically its efficacy against new variants?

Mrs O'Neill: I thank the Member for her question. I express, probably on behalf of us all, our huge debt of gratitude to all those who have been involved in the vaccination programme. It has been strong work, dedication and commitment throughout the past year that has got us to this point. We are very grateful for that work. I can confirm that the vaccination programme continues to progress really well, with the prioritisation as recommended by the Joint Committee on Vaccination and Immunisation. More than 70% of the adult population have had their first dose and more than 40% have had their second dose.

People are concerned about new variants. There is limited information available on effectiveness of the vaccine against those, but we will continue to keep that under review. That is why it is essential that people continue to take up the vaccine. I encourage people who have not yet taken it up to do so, because it is our best protection alongside people's individual behaviour.

Mr Durkan: Rather than simply taking a punitive approach, what proactive work is the task force doing to help educate and inform businesses that may inadvertently be breaching rules and regulations?

Mrs O'Neill: We have very much taken that approach the whole way through. That is the best way to proceed: to work with people and to

provide advice. Guidance for a range of sectors has been developed, in tandem with the sectors, and we continue to keep that under review. If the Member wants to refer to any areas in particular, we will be more than happy to hear from him. As we build and plan to take ourselves out of COVID and into the recovery phase, it is important that we work with industry and businesses on the front line that are trying to rebuild from the devastating impact of the pandemic.

Ms Bailey: The task force was asked to look at the scenes that we saw in the Holylands, last September, during freshers' week and how to deal with that. What work has been done with the students' unions and universities to try to avoid a repeat of last year's scenes?

Mrs O'Neill: It is important that we work on a cross-departmental basis as we prepare for that period, which is fast approaching, because a lot of people have a role to play. The council, for example, has to be involved. I have no doubt that the work that was done previously will be replicated in advance of freshers' week. I will seek an update on that at the Executive meeting on Thursday.

NDNA: TEO Commitments

2. **Mr O'Dowd** asked the First Minister and deputy First Minister for an update on the implementation of their departmental commitments in New Decade, New Approach (NDNA). (AQO 2119/17-22)

Mrs O'Neill: The 'New Decade, New Approach' document sets out an ambitious package of measures covering a broad range of social, economic and cultural issues, and it is important that we deliver on all of them. Excellent progress has been made across a lot of Departments. Our Department, for example, has made progress in relation to providing support for victims and survivors of historical abuse, the conduct of Executive business, and EU exit. As we start to emerge from the Executive's focus on managing the COVID pandemic and to chart a path for recovery, we are committed to delivering NDNA and moving on all the things that have been delayed to this point. The Executive will have the opportunity to consider the totality of the proposals in the context of the ongoing work to bring forward the new Programme for Government.

Mr O'Dowd: I thank the Minister for her answer. Given the fact that these institutions were re-established on the basis of New Decade, New Approach, does she agree that it is time for not

only the Executive but the British and Irish Governments to ensure that it is fully implemented?

Mrs O'Neill: In its simplest form, yes, I agree with the Member. As we step out of the shadow of COVID-19, we need to see the delivery of the New Decade, New Approach political deal, which provided us all with the potential for a new beginning and a proper, inclusive, power-sharing Government. It provided a new context for politics to work for all our people on the basis of equality, respect and parity of esteem. That means that, when political agreements are made, the public, rightly and naturally, expect to see follow-through, with commitments being delivered by parties and Governments. As Members across the Chamber know, as do the Irish and British Governments, the commitment to an Irish language Act and strategy was a key component of the NDNA deal. That is why we need to see delivery on the language and culture pieces of legislation within this Assembly mandate. Any failure to honour those commitments is not a sustainable position, so there can be no stepping back on the commitments that were made. There can be no more false dawns.

Ms Sugden: Will the deputy First Minister provide me with an update on the work that has been done around the sustainability of the institutions, specifically on the commitment that provides for a 24-week extension period before an Assembly election is called in the event of political instability?

Mrs O'Neill: The Member will be aware that that was part of the commitments that the British Government made. They are progressing legislation to bring that into line with the commitments that were made in the 'NDNA' document.

Ms Hunter: What coordinated work are the Executive taking to address our waiting lists? We recognise that a cross-departmental approach will be necessary. What joined-up work is being undertaken?

Mrs O'Neill: I thank the Member for raising that point. It is something that I have been vocal about over the past number of weeks. I do not think that there is anyone in the Chamber who will disagree that our waiting lists are totally unacceptable. Likewise, it is unacceptable that people are struggling to get access to GPs. At the Executive meeting, last week, I made a proposal that we come together and apply the same approach to the waiting list situation as we have taken to fighting against the pandemic,

because it has to be brought under control. I proposed that we have a health summit, or whatever you want to call it, that brings together all the political parties — we have to remove the politics from this very serious issue. Let us bring everybody together — the political parties, trade unions, patient representatives and policymakers — to make a plan, identify solutions and work together to transform the health service so that it delivers for everybody. That is what we all ultimately want. There is no doubt that the health service has been starved of funding for many, many years. We need to find solutions, get people access to the healthcare that they deserve and transform our health service.

Ms Bradshaw: Thank you, deputy First Minister. Last week, my colleague John Blair and I stood with the Irish language campaigners on the steps of Stormont. Of equal importance to me is the progression of the sign language Act. What is your office doing to proceed with that long-awaited Act?

Mrs O'Neill: I concur with the Member and have the same passion for seeing those things being delivered. The public rightly expects the NDNA commitments that were made to be delivered. There is no doubt that we have been sidetracked by having to deal with the pandemic. That has put a lot of things off the timeline in which you would expect to see them come through. As we come out of the COVID crisis, and hopefully into better days, it is time to focus our efforts on bringing forward all the other pieces of legislation that were committed to. There is a small window left in this mandate, and we need to move at pace to bring forward the maximum possible number of pieces of legislation.

Mr Stalford: The delivery of agreements, of course, requires a generosity of spirit and a spirit of respect. What message of respect is sent to the community that I represent by the fact that the party opposite vetoed an attempt to light up this building to remember innocent victims of terrorism? What message of respect does the vetoing of a memorial stone to mark the centenary of the foundation of this country send to the community that I represent? What message of respect does the vetoing of the planting of some flowers in the grounds of this estate send to the community that I represent? How does that petty disrespect convey anything other than contempt for the people that I represent?

Mrs O'Neill: I am very much committed to an inclusive society. In this Building, where we are

all elected. We have been given a mandate by the public. It is really important that we see ourselves reflected. Unfortunately, there is an imbalance in this estate at this time, but let us work together to make it a more inclusive place. Let us find a way to have a conversation about how we do that so that we demonstrate respect. No one has anything to fear from demonstrating respect and no one has anything to fear from parity of esteem. I am committed to that. Why not join me in trying to deliver that?

Maze/Long Kesh Redevelopment

3. **Mr Newton** asked the First Minister and deputy First Minister whether plans to redevelop the Maze/Long Kesh site will be progressed swiftly as part of the COVID-19 recovery plan. (AQO 2120/17-22)

Mrs O'Neill: We recognise the economic, historical and peacebuilding potential of the Maze/Long Kesh site and will endeavour to find a way forward that will maximise that potential. The timeline for redevelopment and the matter of whether that redevelopment can contribute to recovery in the immediate term will depend on the detail of any resolution reached.

Mr Newton: I thank the deputy First Minister for her answer and I recognise that she recognises the strategic importance of the site for the economy of Northern Ireland. I understand, however, that there are a number of vacancies on the board. The board needs the expertise and the vision to move forward. It is also important that Lisburn and Castlereagh City Council, which has a strategic vision for the immediate area of the site, be represented on the board. Does the Minister agree that there is an urgent need to fill the vacant positions and to have local representation on the board?

Mrs O'Neill: I thank the Member for his question. He is right that there are currently six board members and one chair, with four board member vacancies. We recently agreed to extend the appointments of the chair and members for 18 months, until September 2022, to ensure that the site is effectively managed while we consider its future. We have also asked officials to start the process of filling the vacancies on the board, and we hope to have the new board members in place before March 2022. That will provide continuity when the current members reach the end of their term.

I am aware that there is to be a meeting on 2 June with the local council, and I have no doubt that the issue of representation will be raised. I

am sure that there can be good engagement at that meeting.

2.15 pm

Mr Catney: Does the Minister agree that spending £1.5 million every year simply to keep the Maze prison site ticking over is a complete waste of money? That site is in my constituency of Lagan Valley, and it could be an economic driver on the corridor between Dublin and Belfast.

Mrs O'Neill: Thanks to the Member for his question and comments. We all recognise the immense potential of the site, and there is so much that can be done there, so I hope that we can find a resolution that will see the site developed in a way that will maximise its potential. The board continues to keep under review the possible approaches to regeneration of the site, and that allows it to provide us with advice and options for the future. It is important that we carry out the ongoing essential maintenance and ensure that the buildings are safe, watertight, secure and that the site remains ready for development in due course. As I said, I hope that, going forward, there will be an agreement that allows us to develop the potential of the site to the max.

Ms Dillon: Deputy First Minister, do you agree that the hospital wing on the Maze/Long Kesh site is important as a potential economic driver and in the context of our shared history here? I genuinely mean our shared history. Only last week, I spoke to a republican who brought people from what would be viewed as the other side of the community to the Long Kesh site when it was accessible. They really enjoyed the visit, and it started a conversation about reconciliation and how we need to work together.

Mrs O'Neill: Thanks to the Member. I think that you are right when you talk about the shared history and the significance of the H-blocks and the site in our shared history. Across our community, the site evokes strong views and painful memories of loss and imprisonment. The story of Long Kesh provides a lens into our recent history and conflict, so preserving the history of the site while maximising its economic potential is a clear signal and a challenge that, together, the Executive can deliver for all our people. In 2021, we must together see the site as a gateway to opportunity. Let me again say that I see the potential for regeneration and revitalisation of the site, and we need to maximise the social, economic and reconciliation potential.

Mr Allister: After all the concessions that the Minister demands of others, why is she and her party still blocking the economic development of the Maze and making it subject to the glorification of terrorism?

Mrs O'Neill: As I have said, I recognise the potential of the site, and I hope to find a resolution that will see the site developed. The societal, economic and reconciliation potential of the site is immense, and we should work together to deliver on that.

Stormont House Agreement: Legacy Mechanisms

4. **Mr Sheehan** asked the First Minister and deputy First Minister to outline their ongoing commitment to the implementation of the Stormont House Agreement legacy mechanisms. (AQO 2121/17-22)

Mrs O'Neill: Since 2017, the NIO has led on implementing the Stormont House Agreement legacy mechanisms.

Mr Sheehan: Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her response. It is all the more important in the context of the recent inquest findings in the Ballymurphy massacre case. I thank the Minister for her unwavering support for the Ballymurphy families. Does the Minister agree that the shocking and abject failings of the British state, as identified by the coroner, are symptomatic of the British Government's disgraceful attempts to block any and every process that would expose the truth of their role in the conflict here?

Mrs O'Neill: Thanks to the Member for that question. I acknowledge the bravery, determination and resilience of the Ballymurphy families. They have been vindicated in their pursuit of truth, and they now deserve to see justice.

It is clear that the British states fears accountability, and that is why it has unilaterally and, indeed, cynically abandoned its commitment to the Stormont House Agreement. Let me say that any amnesty proposals that seek to put state forces beyond the law are not only a real slap in the face to victims but a further statement that the British Government have clearly abandoned their Stormont House Agreement and NDNA commitments.

Mr McGrath: In a question for written answer to the Executive Office, I asked whether joint representations had been made to the British Government about their financial obligations. I was told that there had not been any, but the Justice Minister told us last week that there had. Will the Minister give us some clarity on whether any joint representations have been made to the British Government for them to fulfil their financial obligations under the Stormont House Agreement?

Mrs O'Neill: I assume you are referring to the pension. I have not seen what the Justice Minister said, so I cannot clarify it, but I will be happy to respond to the Member in writing. We have made joint requests for funding for the pension because they are policy decisions that were taken at Westminster, so, according to the British Government's statement of funding policy, they should fund the scheme. Given that we are not sure of the scale or quantum of the pension, we need that financial support. We have made that case.

Mr Nesbitt: To add a little balance, perhaps, to Mr Sheehan's framing of his question, does the Minister agree that tarring and feathering, so-called punishment beatings, the detonation of no-warning car bombs, the abduction, torture and killing of people and the hiding of their bodies — the so-called disappeared — and murder all represent gross human rights abuses?

Mrs O'Neill: I do not think it is a matter of balance; it is about a true reflection of a difficult and harrowing past. As the political leaders of today, we have to find a way to heal the wounds of the past, build bridges and help people to have access to truth and justice. The only way we will do that is by working together.

Together: Building a United Community: Update

5. **Mr McHugh** asked the First Minister and deputy First Minister for an update on the delivery of the Together: Building a United Community (T:BUC) strategy. (AQO 2122/17-22)

Mrs O'Neill: I will ask junior Minister Kearney to answer the question.

Mr Kearney (Junior Minister, The Executive Office): There has been significant progress in delivering the Together: Building a United Community strategy, with a number of headline actions having been fully achieved. Over

24,000 young people have taken part in T:BUC camps, and five Urban Villages areas have been established. Four shared education campuses have been approved and are progressing. Ten shared neighbourhoods have been completed, providing 483 new homes. Over 6,000 young people have participated in the Peace4Youth programme, and over 26,000 young people have engaged with the Uniting Communities Through Sport and Creativity programme. The number of interface barriers has been reduced by 14. We remain fully committed to building a united community, as demonstrated by the provision of £12 million of Executive funding in 2021-22.

Mr McHugh: I am sure that the Minister agrees that the Together: Building a United Community strategy is crucial work in building a better and shared future. Will you detail the financial awards made in the current financial year to support good relations work?

Mr Kearney: Gabhaim buíochas leis an Chomhalta as a cheist. I confirm that over £18 million has been allocated to the delivery of good relations work in 2021-22. That Executive investment represents our commitment to building a future defined by tolerance and respect for all identities and aspirations. It includes £12 million of Executive funding to replace Shared Future funding and £6 million of long-standing TEO baseline funding that contributes to the funding of the District Council Good Relations Programme (DCGRP) and fully funds the Community Relations Council (CRC) and the minority ethnic development fund.

In the Member's constituency of West Tyrone, that represents investment in four shared neighbourhoods, providing 48 homes, with total funding of around £642,000; delivery of good relations programming through the United Communities programme in the Derg district electoral area (DEA) since 2019; delivery in the Derg, Sperrin and Strabane Town DEAs of £74,889 in 2020-21 through the District Council Good Relations Programme; and funding of £413,000 in 2020-21 to local organisations through the CRC's core funding scheme and small grants scheme.

I set that out as evidence of the Executive's overall commitment to promoting good relations and embedding anti-sectarianism across all of our constituencies.

Briefly reverting to the Member's comment about the crucial work of T:BUC, I believe that we have to demonstrate and celebrate the

value and diversity of equality. There is a saying:

"If you cannot see, you cannot be."

Our good relations priorities, our commitment to anti-sectarianism and anti-racism and our promotion of equality and social inclusion need to deliver. That is the acid test of our united community work.

Mr McNulty: Will the Minister detail how much money will be given to youth projects over the key summer months to mitigate sectarian tensions, some of which are being amplified and exacerbated as a result of certain parties' rejection of a protocol that, ultimately, they helped to cause?

Mr Kearney: I thank the Member for his question. The planned intervention programme provides funding for community activity to divert young people from antisocial and potentially criminal behaviour during the summer period. That falls under the Department of Education's remit. In 2020-21, £290,000 was allocated to the successful delivery of 91 projects involving over 1,100 young people. Going forward, that work will be very important. It is essential that we reach out to our young people, that we provide the facilities and resources to ensure that they are diverted from the grip of criminal, antisocial and potentially paramilitary activity and that, during the summer months in particular, they are given the space to enjoy sport and their relations and to engage with one another. It is most important that they do so under the ambit of T:BUC so that we see many more young T:BUC ambassadors stepping forward to give good leadership in good relations.

Levelling Up Fund

6. **Mr Beggs** asked the First Minister and deputy First Minister to outline how their Department has engaged with HM Government to ensure that Northern Ireland maximises opportunities from the UK's Levelling Up Fund. (AQO 2123/17-22)

Mrs O'Neill: The First Minister and I have written to the Westminster Government on behalf of the Executive. We have been seeking urgent clarification of the Executive's role in applying to the Levelling Up Fund and the assessment of applications. That clarity is urgently required, given that the closing date for applications is 18 June. In our response, we also set out that it is essential that the Executive's views and spending priorities are

taken into consideration to ensure that there is maximum benefit and opportunities from that expenditure. The approach to the fund clearly does not build on existing and well-established structures in line with the Executive's agreed position, nor does it give the Executive or our Ministers their normal role in the funding of devolved functions. Whilst recognising those serious limitations, it is also important that applications are submitted to ensure that we do not lose out on any of the money that is available to us.

Mr Beggs: I welcome the news that you have engaged with that potential new funding, particularly given the fact that the devolved Scottish Government have not invested significantly in the A75 and A77. Rather than individual Ministers grandstanding, I ask the Executive to engage in trying to improve that strategic transport network route to Northern Ireland and the Republic of Ireland; indeed, that route also serves the north of England. I ask the Minister to ensure that there is active engagement and that additional moneys are drawn down where possible.

Mrs O'Neill: I thank the Member for his comments, and I will take that on board in our deliberations.

Dr Archibald: The Levelling Up Fund needs to be explored, notwithstanding the concerns that the Minister has outlined. Most people will take Tory promises about levelling up our economy with more than just a pinch of salt. Does the Minister agree that a good start to levelling up would be restoring the huge amount of funding that has been stripped from our block grant by the British Government over the past decade and giving it back to the Assembly and the Executive to decide where it goes so that it aligns with our priorities?

Mrs O'Neill: I thank the Member. We are due to receive only about £20 million from the Levelling Up Fund for this year. It will not be transformative for our economic performance, particularly, as the Member referred to, when we have a standstill Budget from Westminster.

If the British Government were serious about a Levelling Up Fund, they would increase the Executive's Budget so that we could work to stimulate economic activity, rebuild public services, tackle waiting lists and everything else that we have, and recover from the COVID crisis and years of Tory austerity.

2.30 pm

Mr Speaker: That ends the period for listed questions. We will now move to 15 minutes of topical questions.

Devolved Institutions: Stability

T1. **Mr Nesbitt** asked the First Minister and deputy First Minister whether they agree that no Member of the House should do or say anything that would endanger the stability or future of the devolved institutions. (AQT 1361/17-22)

Mrs O'Neill: Yes. Last January, we found a way in which to come back in, do business and share power together. It is important that everybody lives up to the political commitments that were made. We need to make politics work for everybody. We can do that only by working together.

Mr Nesbitt: Given that the coronavirus restrictions are renewed every three weeks through the Executive Office, can the Minister confirm whether, if there is no First Minister or deputy First Minister, those restrictions and regulations will fall?

Mrs O'Neill: The Member, of course, is talking about something that may not occur. I hope that it does not occur and that we find a way forward to make politics deliver for everybody, so that all citizens feel as though their voice is heard in the Assembly and Executive. I am committed to power-sharing. I hope that others are, too. I am also committed to delivering on all the political commitments that were made.

Sign Language Legislation

T2. **Mrs Cameron** asked the First Minister and deputy First Minister whether they agree that it is time to properly progress a sign language Act for Northern Ireland, given that although the implementation of the New Decade, New Approach (NDNA) deal is a regular topic for discussion in the Chamber and in the media, its commitment to our sign language community is often overlooked. (AQT 1362/17-22)

Mrs O'Neill: Yes. The Member was probably not in the Chamber when I answered a question on that earlier. I absolutely agree with her that it is important that we get all the legislation to which we have committed through the Assembly. We have a short period left in the mandate. Now is the time for delivery, particularly as we move out of dealing almost solely with the COVID pandemic.

Mrs Cameron: I thank the deputy First Minister for her answer. Does she recognise that, for the deaf community, translation is not an added luxury to communication but simply provides the most basic access to information to which those of us who do not suffer from hearing loss have full access? Surely she agrees that it is completely unacceptable that those who cannot hear have no access to the public information to which they are entitled, including the proceedings of the Northern Ireland Assembly.

Mrs O'Neill: Yes. That is important. We hope that we sent a strong message to the deaf community, particularly throughout the COVID crisis when we had sign language with our public announcements every day. We hope that that helped to go some way to bridge the communication gap. Obviously, we all have a responsibility to ensure that we bridge any communication gaps and do whatever we can to get our message out, because everybody in society is entitled to hear that message.

Irish Language Legislation

T3. **Ms Sheerin** asked the First Minister and deputy First Minister whether they will reiterate the need to implement Irish language legislation, given that they will be aware that, just last week, the Irish language community once again protested outside this Building such is its frustration at the lack of implementation of the Irish language legislation that was agreed — it was an agreement, not a concession — in January 2020. (AQT 1363/17-22)

Mrs O'Neill: Yes. Let me take the opportunity to commend An Dream Dearg again for its campaign and all campaigners on the Irish language for their determination to stand up for their rights. They have had a colourful and inspirational campaign. They celebrate the language and make it very clear that it has something to offer everybody in society. I commend them for that.

The commitment to the Irish language Act and strategy was a key component of the 'New Decade, New Approach' document back in January 2020, alongside many other commitments. We now need to see delivery on the legislation, because there is a responsibility on the Assembly and Executive to legislate to protect the rights of Irish speakers without any further delay.

Ms Sheerin: I thank the Minister for her clear commitment to Irish language legislation. Does she agree that it needs to be implemented before the end of the mandate?

Mrs O'Neill: Yes. We are running out of time. We have a short window of opportunity left in the mandate. Therefore, it is important that we get on with delivery of the legislation now and that the public get what they expect, which is that the political agreements that were made are delivered on.

Irish Language Legislation

T4. **Mr Allister** asked the First Minister and deputy First Minister, given that the republican movement has some experience in hostage-taking, whether, as the DUP attempts to put in place a new First Minister, Sinn Féin is in the business of holding the hapless DUP hostage on the filling of that post unless and until its demands for Irish language legislation are met. (AQT 1364/17-22)

Mrs O'Neill: I have no desire to hold anybody hostage. I have a desire to make politics work. I have a desire to have political commitments that were agreed on delivered. I have a desire to see an Irish language Act, and nobody has anything to fear from that. I have a desire to see all NDNA commitments delivered, and I have a desire to see a more inclusive society. I encourage the Member to try, for once, to see his way to working with others to try to build a better society.

Mr Allister: I have a simple question: will Sinn Féin nominate a deputy First Minister if the DUP does not meet your terms? Is the reality of this absurd system that a party that has a vested interest in instability, even in a pandemic, can exploit the situation to its advantage?

Mrs O'Neill: It is a matter for the DUP whom it decides to nominate and put forward. I am committed to power-sharing, and I hope that others are committed to power-sharing. Strong commitments have been made to deliver all the NDNA commitments, including those on the Irish language and the other culture and language pieces, and they must all be delivered. I expect every political party that sits around the Executive table and shares power to work together to make sure that all those things are delivered.

Palestine: Israeli Annexation

T5. **Mr Sheehan** asked the First Minister and deputy First Minister, who will be aware of the recent historic vote in the Dáil, when TDs backed a Sinn Féin motion on the annexation of

Palestinian land by Israel, whether they agree that it is important for political institutions and political leaders to take a stand against what is happening in Palestine. (AQT 1365/17-22)

Mrs O'Neill: Yes, of course I do. I take the opportunity to congratulate my party colleagues in the Dáil for getting the motion to pass, which means that the Dáil now stands as the first legislature in Europe to state categorically and without equivocation that Israel has carried out the crime of annexation in the occupied Palestinian territories. Such solidarity is more than just symbolism, because, as the question states, it is important for democrats to speak out against the crimes that are being perpetrated daily on Palestine, not least the recent onslaught against Gaza, which resulted in such horrifying loss of life and destruction. International solidarity played a key role in defeating apartheid in South Africa. That same approach is needed to defeat apartheid in Palestine.

Mr Sheehan: Gabhaim buíochas leis an Aire. The ongoing actions of the Israeli state are in breach of international law and UN sanctions and run contrary to the principles of democracy. Will the Minister agree that, if a genuine peace process is to be built in the Middle East, the international community has to take a stand against the Israeli state and ensure that it does not continue to flout international law?

Mrs O'Neill: As a post-conflict society, we have a responsibility to use our example to demonstrate that fundamental principles such as equality and human rights are key components of any successful peace process. As members of that international community, we also have a responsibility to demand that international law be upheld. At present, it is very clear that the Palestinian people continue to be denied equality and rights, while Israel continues to flout international law through its illegal occupation of the West Bank and the siege of Gaza. The UN and the EU should therefore uphold their own rulings by ensuring that Israel face sanctions for its actions.

COVID-19 Recovery Plan: Update

T6. **Mr Easton** asked the First Minister and deputy First Minister for an update on the implementation of the Executive's COVID-19 recovery plan. (AQT 1366/17-22)

Mrs O'Neill: We are continuing to work our way through our recovery plan. It is broken down into three sections: the health response; the short-term things that we can do to try to boost

the economy; and the longer-term plan that incorporates the Programme for Government. There is a lot of work going on as we speak across all Departments, because all Departments will have a role to play in the recovery piece. We intend to have a plan that will be implemented over a 24-month period. We have, as I said, a number of significant interventions. I think that 63 recovery interventions have been identified, all of which are cross-cutting. We believe that they will accelerate the recovery and benefit all our citizens. A number of key themes have emerged as a result of it: labour market recovery, tackling inequalities, the health of the population and green recovery and sustainability.

Mr Easton: I thank the deputy First Minister for her answer. Does she agree that listening to businesses, stability and working together are vital for any COVID recovery plan to work for Northern Ireland?

Mrs O'Neill: Yes, I absolutely agree. It is so important that we work across Departments but also with industry, because it has been decimated. Whilst every sector has been hard hit, the tourism and hospitality sector has been particularly hard hit. It is really important that as we build for recovery, we do so in tandem, working with the sectors to address what they need, and then trying to find ways to deliver that for them.

Health Service: Waiting List Crisis

T7. **Ms Flynn** asked the First Minister and deputy First Minister for their response to the extremely worrying waiting list crisis that is facing our health system. (AQT 1367/17-22)

Mrs O'Neill: Thanks for the question. Of course, we are all acutely aware of the enormous pressure that our health service is under, and the unacceptable, long waiting lists that many patients are facing. The difficulties in our system did not just arrive because of COVID. They have been building for some time. They are the direct result of years of underfunding and Tory austerity, and they have left our health service very much weakened. There is an onus on us all in political leadership to act now, decisively and collectively, to address this crisis in the health system, and to do all that we can to modernise and transform our healthcare system.

There cannot be any political point-scoring on this issue; it is far too important. This is people's health. We need to work to support the Health

Minister, the health system, and all our healthcare workers, who we could not have got through the past 15 months without; they have just been amazing and outstanding.

Ms Flynn: I thank the joint First Minister for her response. I agree that this issue certainly overtakes any sort of party politics right across the board. Is the Minister confident that the Executive can come together to formulate an Executive-wide response, similar to the work that was done in responding to COVID, to try to tackle the waiting lists?

Mrs O'Neill: Again, thanks. The COVID crisis and the battle against the COVID pandemic have shown the importance of collective action, and that that approach works. That is precisely the approach that we need to take to the issue of waiting lists. We cannot allow patients to be left facing such long and distressing waits to get the care that they need. It impacts on their physical and mental health, on their families and on their own well-being. I have already proposed at the Executive that we come together and make this a collective priority. That is crucially important if we are to get to grips with the situation in our health service right now.

State Forces: Amnesty from Prosecution

T8. **Mr McHugh** asked the First Minister and deputy First Minister for their assessment of the British Government's proposal to introduce an amnesty to protect state forces from prosecution for crimes committed during the conflict. (AQT 1368/17-22)

Mrs O'Neill: The British Government's approach to legacy matters generally is a cause of deep and far-reaching concern. Placing themselves or their own forces above their own laws will have major implications for confidence in the rule of law, and in the administration of justice. It is also, quite significantly, a slap in the face for victims, many of whom have campaigned for decades to get truth and justice. The way to deal with the legacy of our past is not through the provision of amnesties but through mechanisms that were agreed and negotiated at the Stormont House Agreement. The Government need to stop blocking that process and start implementing it.

Mr McHugh: Do you agree, Minister, that the British Government are pursuing a course that is in direct contravention of the democratically agreed position?

Mrs O'Neill: Yes. The majority of parties in this Assembly, as well as the wider public, broadly supported the Stormont House Agreement legacy architecture as the only way to deal with the legacy of the conflict. They also rejected at that time any form of amnesty or statute of limitations for state forces. The British Government are absolutely setting their face against that democratic will as they pursue what is an unacceptable, unilateral course of action.

Mr Speaker: Members, time is up. Please take your ease for a moment or two while we switch in the Chamber.

2.45 pm

Communities

Job Start: South Antrim

1. **Mr Blair** asked the Minister for Communities how many placements for young people were created by businesses in South Antrim through the uptake of the Job Start scheme. (AQO 2133/17-22)

Ms Hargey (The Minister for Communities): Applications for funding for the Job Start scheme opened on 2 April 2021. Employers of all sizes, including those in the voluntary and community sector, can participate in the scheme. Applications are categorised by the Job Start team by council area. The South Antrim Assembly constituency takes in a large part of the Antrim and Newtownabbey Borough Council area.

By 21 May, 33 employers with a base in the Antrim and Newtownabbey Borough Council area had applied for funding to offer Job Start opportunities. Some of those employers have sought funding for multiple jobs. My officials continue to assess applications and to carry out due diligence checks in order to ensure that young people who take part in the Job Start scheme will receive a quality job opportunity, along with the support that they need to develop occupational and employability skills that will help them to achieve sustained employment in future.

My officials will continue to engage with a range of organisations to inform them about opportunities in the Job Start scheme. In addition, a multi-channel advertising campaign through different forms of media, including TV, radio, digital and social media, commenced on Monday 10 May 2021. That campaign will

ensure that potential employers and young people are aware of the scheme and know where to access information on the nidirect and nibusinessinfo websites.

Mr Blair: I thank the Minister for that answer and for the specifics on South Antrim. What action is being taken in South Antrim and more generally, in addition to the measures that she outlined, to encourage young adults aged 16 to 24 to apply? Are any incentives being offered in order to enhance that encouragement to apply?

Ms Hargey: We are trying to use social media outputs, working through councils, in relation to economic development and job skills opportunities. As our social security offices begin to ease out of restrictions, there will be greater opportunities there. We are trying to provide information to the voluntary and community sectors, not just so that they can avail themselves of job placements but as a way of spreading the word about those opportunities. If there are additional and more specific things that we can be doing in certain areas, I am keen to explore those with departmental officials.

Ms Mullan: I thank the Minister for her response and for her commitment to creating opportunities for our young people, particularly in constituencies such as mine. Can she outline how many job opportunities in total will be created throughout the Job Start scheme?

Ms Hargey: Over 410 employers have applied to date, and 1,200 Job Start jobs have been applied for as part of that. To date, funding has been approved for 269 jobs as part of the scheme, and 68 of those jobs were advertised on JobCentre Online. Just over 1,000 additional opportunities are still outstanding for which young people can apply.

Mr O'Toole: The Job Start scheme is really important in getting young people into work. We know that they face a crisis coming out of COVID. It is also important that we do not forget about older workers, who will also have faced huge challenges through COVID-19. Many will be on furlough or will have lost their jobs. What specifically is the Department working on to enable older workers who face those challenges to get back into work?

Ms Hargey: To run alongside the Job Start scheme, we are looking at a similar scheme for older workers. We are in the middle of putting provisions in place to take that forward, and I am hopeful of making an announcement on that in the short time ahead.

Housing Executive Waiting List: North Down

2. **Mr Chambers** asked the Minister for Communities how many people in North Down are on the Housing Executive waiting list to be rehoused. (AQO 2134/17-22)

Ms Hargey: There are a total of 1,890 applicants on the common waiting list for the allocation of a social home in the North Down area as of 31 March this year. Of those, 1,319 were deemed to be in housing stress. While 275 homes have been allocated over the last year, I am acutely aware that there is a shortage in the supply of homes, and that needs to be addressed urgently. To do so, I have set out an ambitious long-term plan to increase the supply of social and affordable housing and reduce housing stress. However, these plans will take time to come to fruition, and, whilst I share the concerns about the numbers waiting on a home, the projected outcome of my plans is about ensuring that the supply of social homes meets the increasing demand going forward. Crucial to this is ensuring the protection of our existing social home stock. I am keen to consult about the right-to-buy scheme under the Housing Executive. We are looking at other opportunities through a housing supply strategy, working with the infrastructure barriers and the other practical barriers to housebuilding. The biggest issue is getting the Housing Executive to build again, and one of the critical issues is dealing with its investment challenges and ensuring that the structure is there so that it is able to borrow and that that money is not taken from the block grant. That is one of the barriers at the moment.

Through the social housing development programme, there is £162 million in social housing funding for this year and in the North Down area, over the next couple of years, we are earmarking a further 551 new social homes for development between now and 2025. I am happy to engage further on those issues in your specific area.

Mr Chambers: I thank the Minister for her answer. Can she detail how many newly acquired properties the Housing Executive plans on making immediately available to North Down residents in the next 12 months?

Ms Hargey: There are 18 new social housing units currently under construction in the North Down area. I am aware that several schemes have been proposed and we are doing the due diligence in working with housing associations

over the coming period to try to bring those across the line as soon as possible. As I said, there is a target under the social housing development programme of a further 551 homes to be carried forward between now and 2025.

Ms Ní Chuilín: The Minister will remember that a couple of years ago more homes were being built in North Down than in North Belfast, despite there being three and a half times the need in North Belfast. Can she give an update on her plans to bring forward not just social homes but affordable homes for all constituencies?

Ms Hargey: This is part of the revitalisation programme with the Housing Executive to deal with its investment and borrowing challenges and to make sure that it is structured in a way that it can borrow finances that does not have an impact on the block grant. Currently, any money that it borrowed would be taken directly off the block grant, so that would defeat the purpose. We are looking at that. We dealt with the issue of corporation tax, and we are trying to recoup around £56 million that has been paid to the Treasury over the past number of years. We are in continuing negotiations about that. As I said, I am keen to bring forward a consultation on the future of the Housing Executive's house sales scheme, and this is primarily about protecting the current supply of social homes and what we are losing through that right-to-buy scheme.

I also want to look at co-ownership and other models of home ownership and to introduce an intermediate rent, to provide an additional, high-quality supply of housing.

We are making changes, and I will soon implement the review of the housing selection scheme and the points system to make sure that we assess people quickly and that they get the appropriate points. A housing supply strategy will be going out soon to consultation, and that will provide the framework for addressing the whole-system approach and details of the impacts on or blockages to delivery.

All of those will come together. I gave a commitment, as part of the ministerial team, which the Member who asked the question was part of in November, that those investment challenges and opportunities will be presented to the Executive by March next year.

Mr Clarke: My question follows from the Minister's last response on the housing

selection scheme, which, she said, would be reviewed. There is no doubt about the need for houses in North Down, South Antrim, West Belfast or other constituencies. However, during this past number of years, housing associations have been building those developments. In my constituency, I can think of one development, Neillsbrook View, where nearly everybody who has moved into it has arrived under the shadow of darkness, because they had been put out of other estates. However, the police visit those new developments at least twice a week, and the fire and ambulance service do likewise. Most of those new developments, particularly in my constituency, have been dogged with problems. Is any work being done on that specifically, to make sure that those people are not moved from one development to another?

Ms Hargey: Work is ongoing on the housing selection scheme. A consultation has taken place; obviously, the Assembly was down for a while. I was absent last year, when I was ill, and Carál Ní Chuilín, as Minister, brought forward 20 recommendations as part of that review. Some 18 of them were adopted by the Department and proceeded on. The Housing Executive, with the Department, set up internal structures to implement those recommendations. It will take one to two and a half years for that to be done, because new systems have to be put in place for the new points system.

Two areas have not been taken forward, and more work is being done on them. They are access to intimidation points and interim points. Other assessments are being done. Obviously, we were concerned about removing those right away. We had to look at issues of domestic violence, gender-based violence and intimidation. Victims have to have a place to go. However, that work is ongoing. Over the next short while, we hope to have clarity on the way forward on intimidation points. Work has already started on implementation of the remaining 18 recommendations.

Resumption of Indoor and Outdoor Live Music

3. **Ms Sugden** asked the Minister for Communities when indoor and outdoor live music will be able to recommence. (AQO 2135/17-22)

Ms Hargey: I am pleased that live music, indoors and outdoors, can now be performed, though subject to a number of limits and specific exclusions in the interests of safety. From 24 May, the number of people permitted

at indoor and outdoor gatherings was increased, supporting the return of arts and cultural activities, including live music. The maximum size of an indoor gathering is now based on the capacity of the venue, and up to 500 people can form an audience at an outdoor gathering. Risk assessments and social distancing measures need to be in place, and those new limits do not supersede specific restrictions contained in the legislation on live music in hospitality venues or at post-ceremony celebrations for civil partnerships and weddings. Those steps are welcome and take us a considerable way along the path to the reopening of our culture, arts and heritage sectors, with all the social and economic benefits they bring. However, it is vital that we continue to be careful and stick to the rules and guidance.

I recognise the importance of getting our arts and culture sectors up and running again. For that reason, I have established a culture, arts and heritage recovery task force, chaired by Rotha Johnston, with members drawn from across those sectors, including the music industry. I recently met Music NI to discuss some of the specific issues around music venues and events such as festivals.

I have asked the task force to consider what further support might be needed for those whose activities and livelihoods continue to be impacted by COVID.

The task force will look at measures to support reopening and recovery in the short term and will inform the longer-term work on the strategy for culture, arts and heritage.

3.00 pm

Ms Sugden: I thank the Minister for her response. That will be welcome news, not least for the businesses that will depend on live music to aid their recovery. I also acknowledge the Minister's comments about being tentative moving forward.

Does the Minister have any concerns about some of the comments from the UK Government about potentially going into a third wave, particularly where big events are concerned? How is she preparing for that potential outcome?

Ms Hargey: We are conscious that we moved at a different pace with reopening in our pathway to recovery, and I know that that drew some criticism. We have engaged on that on a weekly basis in the Executive, and I am sure

that it will be raised again this week and next week as we start to look at the next phase of easing restrictions. On the one hand, we are moving well with the numbers that we are hitting in our vaccination programme, which is obviously having an impact. Assessments are still being done on the Indian variant and any other variants that may come into play.

One of the primary reasons for creating the task force was to start to work with the sector and those with expertise in managing events safely. Those people have done that for pretty much all their working lives, and it is part of the work that they do. We want to engage them. The task force has had meetings and has tried to meet individuals and groups over the last week or so in order that it can come back with firm recommendations on the way forward. I am hopeful that I will be able to make more announcements over the next few short weeks about getting music and events up and running again.

There have been pilots of some festival events in Liverpool, and measures have been introduced there. Via the Health Minister, we continue to engage with the Scientific Advisory Group for Emergencies (SAGE) and others on the learning and lessons from those events and how they can be used in what we do here. I will continue to keep Members up to date on that.

As I said, we are making those assessments. We are also working with the Department of Health to look at the cultural, economic and social impacts of keeping the current restrictions in place, but I hope that we can start to move to have music and events again in the short term.

With the release of the COVID moneys from the Budget, I now have financial support for the culture, arts and music sectors in the short term. That has been welcomed by those sectors.

Ms Ennis: Minister, those who make a living from performing were obviously some of the most affected by the pandemic. Despite that, they have been to the fore of keeping public morale up by giving online performances. I commend them for that. I also commend the Minister for the supports that she put in place to support that sector.

The Minister outlined some of this in her response to previous questions, but does she recognise and agree that there will be a need for continued support for that sector as we progress through the recovery?

Ms Hargey: Yes, there definitely will. That is why I was glad that my full bid for COVID moneys was met with the moneys that were allocated just over two weeks ago.

The situation with freelancers has been significant, as they have been directly impacted. That is why I made spaces available on the task force for freelancers. The nominations came from the sectors, and they nominated the people, they felt, could best represent them. Obviously, they are still being impacted, probably more so than other industries, as venues have effectively been shut and they have not been able to play music or participate in live events, festivals or gigs. As part of the COVID moneys for recovery and safe reopening, we continue to work through the task force to look at schemes that we can support them through until we are in the position where society and that part of the economy have fully reopened.

Mr Nesbitt: Minister, for clarity, I understand that Van Morrison is scheduled to appear at the Europa Hotel over four nights starting on 10 June. Are you saying that, if there is an appropriate risk assessment, those concerts can go ahead? Asking for a friend. *[Laughter.]*

Ms Hargey: Yes, as long as they keep within the regulations, which say that there will need to be an assessment of the venue size, recognising that venues have different capacities, and that a risk assessment will need to be conducted. There is an issue about how loud music can be in a venue, and they would need to adhere to that. As part of the task force's work, I hope that live music and how loud it can be played will start to be taken forward through more easements over the coming weeks.

Mr Durkan: I look forward to announcements, hopefully in the near future, on the resumption of music, which will allow performers and ancillary industries to earn a living and enhance our and everyone's enjoyment of life.

Will the Minister clarify whether entertainment, specifically stand-up comedy, will fall under the same category as live music, or can it resume on 21 June in line with theatres reopening? That really is on behalf of a friend.

Ms Hargey: Are you a stand-up comedian? *[Laughter.]* I am only joking.

The date of 21 June is indicative. We are working with the task force and the Health Department on bringing forward more specifics

to start to open venues. Mitigations can be put in place if you are doing stand-up comedy. The issue with music generally from a public health perspective is that the louder the music, the more people have to shout and the more transmission there is of spit and other things.

That said, we are actively looking at mitigations that could be put in place. With the indicative date as given, venues can increase capacity, depending on the size of the venue, and have events such as stand-up comedy, while making sure that a risk assessment is carried out. More information will be given after this week's Executive meeting and in the following week, once the Health Department has finished those assessments.

Ballycastle Town Strategy: Update

4. **Mr Storey** asked the Minister for Communities for an update on the Ballycastle town strategy. (AQO 2136/17-22)

Ms Hargey: The Ballycastle town strategy was published in 2009, and, earlier this year, my Department provided funding to enable it to be reviewed. The review is ongoing and has involved consultation with local elected representatives, businesses, community interests and relevant statutory bodies. The revised town strategy or "master plan", as we intend to call it, will focus on the regeneration projects that will allow Ballycastle town centre to grow, prosper and diversify in the years ahead. The review will be completed this month, and my Department will work closely with Causeway Coast and Glens Borough Council and other statutory bodies to agree how best to implement the recommendations of the Ballycastle master plan.

Mr Storey: I thank the Minister for her answer. The Minister will be aware that this has been on the cards since 2009 and that limited progress has been made. When I was Minister, we had the successful revitalisation scheme, which brought 200,000 people into the area's shops. Will the Minister give a commitment that the concerns of the residents, particularly in relation to the seafront and the ferry terminal, which supplies and is important to Rathlin Island, will be taken into consideration? Will she also commit to a financial package for the strategy? Will she agree to meet me and local businesses to discuss the development plan as it unfolds?

Ms Hargey: We await the presentation of the review of the master plan in the Department. There has been ongoing engagement with the council, which, in turn, has engaged with the

community. I am hopeful that the review will pick up the concerns, aspirations and hopes of the community. I do not have the plan yet, but, once I have the specifics, Mervyn, on the seafront and the ferry terminal, I will be more than happy to meet you. If that is on-site in Ballycastle and gets me up the coast, I will be more than happy to do that.

Mr Allister: Probably the most notable thing about the strategy is that it has been on the books for so long — since 2009 — with little progress. Is the Minister conscious of or does she have any plans for not only Ballycastle town but the many rural villages in that part of north Antrim that have suffered immense neglect in terms of community development?

Ms Hargey: Traditionally, in the Department, regeneration and the budgets that go along with it have focused on urban areas, particularly those with larger populations. A number of Members have raised the point about smaller rural settlements. In previous years and mandates, the focus on many of those came from DAERA.

In responding to COVID, good work has been done with DAERA to release moneys jointly to meet the community need, particularly in rural areas. Again, I have engaged with DAERA about regeneration moneys in order to expand that to rural settlements and areas. Early conversations have started with DAERA, and the Minister has responded positively. Our officials are engaging to find the best way forward to address those specific concerns. I am more than happy to speak to the Member about any issues. I will update Members after the conversations with DAERA have concluded and a way forward has been found. I hope that that will be soon.

Ms Kimmins: Minister, can you give an update on the Newry city centre master plan?

Ms Hargey: I do not have an update on the master plan with me. There has been engagement with the council on that matter. I can write to the Member with a more specific update on the actions that have taken place.

Ms Armstrong: Minister, I am glad to hear the update on the Ballycastle town strategy. When will the high street strategy confirm actions to assist all towns to recover from the impacts of COVID?

Ms Hargey: There are ongoing engagements between councils and the Department. Obviously, moneys went to councils as part of

the COVID revitalisation fund, and that will be used to revitalise town centres as well. Once those conversations conclude, the direction of travel will be outlined. When I have more detail, I will formally write to the Member and update the Committee in the Chamber.

Sports Sustainability Fund: Awards

5. **Mr Sheehan** asked the Minister for Communities for an update on the awards made through the sports sustainability fund. (AQO 2137/17-22)

Ms Hargey: The sports sustainability fund has provided funding totalling £23 million to 35 sports governing bodies to cover their losses and those of their affiliated clubs. I can advise that awards have been made through the sports governing bodies to 452 individual beneficiaries of the fund. The funding has proven to be essential to help to sustain our sports sector and the services that they provide to local communities. The sports governing bodies and their clubs have been able to provide a safe return to activities as the restrictions have been lifted. Sport NI is now involved in a post-award vouching and verification process to ensure that the funds have been used for the purposes provided. Should any irregularities be found, Sport NI has the option to request partial or full recovery of those funds.

Mr Sheehan: Gabhaim buíochas leis an Aire. I thank the Minister for that. I welcome the fact that the greater part of the support has gone to grassroots sporting organisations. It is particularly encouraging that women's sport has featured so prominently. Does the Minister agree that grassroots sporting organisations have played a vital role during the pandemic? They are often the linchpin of their communities, and it is important that they continue to be supported in the future.

Ms Hargey: Almost 80% of that funding has gone to grassroots sporting organisations across the North through the governing bodies. Sports organisations have played a huge role. At the start of the pandemic, working with the Executive Office, the IFA, Ulster Rugby and the GAA, primarily, came together to provide a strategic response to assist with issues such as the roll-out of the vaccination, the food response and the supply of medicines. We worked well with those organisations. In the last year, particularly in the last few months, I met grassroots sports clubs throughout the North in urban and rural settings. I have seen the contributions that they have made to their local communities during the pandemic by offering

their facilities and clubs to help with the community response in delivering food parcels and with other issues. I want to continue to engage with sports organisations, and one of the biggest areas is the need for small capital resources to assist clubs to upgrade their facilities. I hope to bring forward a scheme in the short term to further support those organisations in the time ahead.

Mr McNulty: Minister, "fortitude and prudence" is the motto of Collegeland O'Rahilly's Cumann Lúthchleas Gael, a club that you visited with me a number of weeks ago. The club was very grateful for the support that it received. Minister, can you give me your assessment of whether the sports sustainability fund has achieved its purpose of addressing issues that arose as a consequence of the pandemic? What is your advice for small clubs that have lost their funding streams during the pandemic? What funding streams are available to a small rural club in Armagh to improve its facilities?

3.15 pm

Ms Hargey: I was delighted to be in Armagh and visit the club. From watching the young people on the pitch, who were playing camogie, hurling and football, I could see the impact. I know from talking to some of the families and coaches that having young people back playing sports again has been a really good thing. Such clubs have made a big contribution over the past year. When the young people have not been playing, the community has felt the loss of the value that clubs make to society, particularly in rural communities. I therefore want to support such clubs.

The sports sustainability fund played a critical role, which the Committee recognised when it looked at the issue. The fact that almost 80% of the funding went into grassroots sport demonstrates the demand and need that was there. I recognise that some fell through the gap and did not get to apply in time, and that, as opening up continues, there are clubs that still find themselves in hardship. We got more money — an additional £5 million — under the COVID moneys recently for sport, and I want to work with grassroots clubs, the governing bodies and Sport NI on how to reassess need. Any club listening should make sure that it is registered with Sport NI to access the funding opportunities and support that are available. There is a small pot of money that clubs can apply for, via Sport NI, that looks at the sustainability of clubs post-COVID. Again, I advise people to go to the Sport NI website for assistance with applying.

Mr Speaker: That ends the period for listed questions. We now move on to 15 minutes of topical questions.

Housing: Intimidation Points

T1. Mr Lunn asked the Minister for Communities, following her answer to Mr Clarke's question about intimidation points, whether Base2 is still being used to assess housing applications. (AQT 1371/17-22)

Ms Hargey: Yes, there is still engagement there, as there is with the PSNI on verification. There is a recognition that, when looking at the housing selection scheme and at intimidation points more, we need to look at the verification process and make sure that it is as stringent as it can possibly be for those who have been intimidated and that it weeds out others who have not been and are perhaps trying to use the system. Those assessments are ongoing.

During the consultation on the housing selection scheme, the issues of gender violence and domestic violence against women were brought up very strongly. There was concern that, if the points system were to be removed without doing more work, people could be left at a disadvantage. Work is therefore continuing, and we are doing a broader review of intimidation points. I will bring the results of that review back to the Committee as soon as we have concluded it.

Mr Lunn: I thank the Minister for her answer. Ms Ní Chuilín, in the Minister's absence a few months ago, indicated that it was possible that a new body would be set up to replace Base2. If that happens, can we be assured that any assessment body will not have in its membership persons with a known association to criminal or paramilitary groups, given that such organisations are themselves involved in intimidation and expulsion?

Ms Hargey: Whether we will go ahead with the new body is being assessed at the moment, so I cannot give too much away until all that work has been done. There is, however, a recognition that the evidence presented must be robust and clear. There is also a recognition that not everyone goes to the PSNI, albeit it is the main body that gathers evidence of intimidation, and we are looking at how community information can support a claim. We are looking at all of that and at any implications or unintended consequences of next steps. Once I have clarity on a way forward, I will come back to the House to present the review's

findings, but I will also follow up with a response to the Member specifically.

Gambling Legislation: Planned Reform

T2. **Mr G Kelly** asked the Minister for Communities to give some detail on the expected benefits of her recently announced planned reform of gambling legislation. (AQT 1372/17-22)

Ms Hargey: Thankfully, I got agreement from my Executive colleagues to bring forward the Bill. There was a brief presentation to the Committee last week, and it will be presented in the coming period. There has not been a change in gambling legislation since I was five years old — 36 years ago — so it is long overdue. When that legislation was brought in, the internet was not a thing; it had not been created. Again, that shows that there is a need for a review.

I have agreed to take forward the gambling legislation. There has been consultation. There is a lot of interest, in the Chamber, in the important issues of reforming the existing laws. We will do it in a two-phase approach. In the first phase, which I hope will be done by the end of this mandate, we are looking at introducing a code of practice for those who are operating, looking at a levy, and looking at bringing in new criminal proceedings against, in particular, those who allow young people to use gaming machines. There are, therefore, a number of changes. There are also easements around proposals for Good Friday and Sunday openings, and around allowing charities to raise money and fund raise by way of selling ballots online. That issue was raised by the Northern Ireland Council for Voluntary Action (NICVA). That became a vital issue for charities resources and funds during the COVID pandemic, when charities were not allowed to meet in person.

More work needs to be done on the second part of the legislation. We are starting that work around online gambling, which is probably a bigger issue because it is unregulated. There are issues around advertising laws, which are a reserved matter. In recognition that we will not get all of that through during this mandate, I am allowing assessment and consultation work to be carried out so that we can start prepping legislation for the new mandate that will begin after the election next year.

Mr G Kelly: Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. It

was a very comprehensive answer; in fact, she may have answered some of my supplementary questions. I thank her for her determination to deal with the issue. Given that the legislation has not kept up with technological changes, as the Minister touched on, will she provide some detail on the main issues emerging from the consultation around that?

Ms Hargey: That is a huge area — probably the biggest. There was no internet when the current legislation was first implemented, so that area is completely unregulated, although there are other powers that can be used in the interim. There has to be consultation and engagement to look at the nature of online gambling, how widespread it is and its impacts here. There are issues that we need to pick up on around reserved matters, such as advertising. Work will begin on those areas. That is why we are breaking the legislation down. I wanted to make sure that we brought in some protections in this mandate. That is the Bill that I presented to the Executive last week. Work is ongoing to look at the bigger area of online gambling, in particular, so that legislation is ready for the next mandate.

Job Start: Vocational Qualifications

T3. **Mr Newton** asked the Minister for Communities whether participants in the Job Start scheme can work towards a vocational qualification, given that via the Committee for Communities, of which he is a member, and via questions for written answer, he has attempted to find this out and has been amazed by the different answers that he has received when a simple yes or no would have been sufficient. (AQT 1373/17-22)

Ms Hargey: They can, but it will depend on the employer and the other social security support that they can get. The opportunities are six-month placements. They do not go beyond that unless you are registered as disabled, in which case you can go for a nine-month placement. To get vocational training in that timescale may be restrictive, depending on what it is that you want to do. There is flexibility, working with work coaches. We can look to support, through schemes, any young person, individual or, indeed, company that wants to offer training opportunities. Nothing is set down, specifically, to say that you will get a vocational qualification, but that is something that we want to encourage, because the whole point of Job Start is to make sure that people are work-ready and being skilled up.

We could offer other opportunities. We provide CV support and application support, and we can look at training opportunities. I know that it does not relate to the question, but we have made changes to universal credit and childcare to try to free up opportunities by which people with children can look at getting into employment. That can be looked at on an individual basis.

If you have not had a specific answer to your question, Robin, I will go back to see why that is. I will then respond to you directly.

Mr Newton: It seems that the answer is simply no. As Job Start currently operates, you cannot get a vocational qualification. You enrol in the programme, and you leave without a qualification to say how you have benchmarked against an NVQ level 1, 2, 3, or whatever it might be.

How many employers have enrolled to deliver the Job Start scheme?

Ms Hargey: Over 405 employers have enrolled to deliver the scheme in a variety of areas. I visited some of those employers recently. The Job Start scheme is one element of support that we can offer in the Department, and we are also working with the Department for the Economy. It is a limited scheme in some ways. It is a six-month funded placement that gives people the opportunity to be in a workplace, to work with an employer and other employees, to build on their experience in that area and to see whether they are interested in it as a career path. If they want to progress in that career or to look at another career opportunity, we can support them through the wider Social Security Agency (SSA) supports. We are working with the Economy Minister to look at apprenticeship opportunities as a way of progression beyond the Job Start scheme.

Glentoran Football Club: Ministerial Visit

T4. **Mr Lyttle** asked the Minister for Communities why she declined his invitation to meet representatives of Glentoran Football Club to learn more about the valuable work that it is doing, the needs that it has and, indeed, its exciting plans for future development to promote sporting and community development in an area that has been designated for community regeneration in inner east Belfast, given that she is a big supporter of sport and, during her answer to an earlier question, spoke warmly of her visits to Gaelic clubs across Northern Ireland. (AQT 1374/17-22)

Ms Hargey: I have not met only Gaelic clubs. I have met football teams, rugby teams and hockey teams. I met clubs for a variety of sports over the past while. I even met many sports organisations during lockdown about the response to COVID. I have said previously that I am willing to meet clubs. In the context of subregional stadia where I will be making a decision on a future programme, I need to watch my engagement with clubs. I am more than happy to meet you and the Glentoran club. I have no issue at all with that.

Mr Lyttle: I welcome that answer. In any visit or meeting, we can highlight the excellent work that goes on to support boys and girls and inclusive disability football programmes, as well as highlighting plans for contributing to community regeneration. I think that the Minister will be really excited by the plans that are in place at Glentoran Football Club, and I will be delighted if she joins me to meet the club.

Ms Hargey: That is no problem. Everywhere I go, somebody is a member of Glentoran in one way or another, even though, admittedly, I am not. I am more than happy to take up the invite.

Mr Speaker: The next Member is not in his place. I call Linda Dillon.

Translation Hub

T6. **Ms Dillon** asked the Minister for Communities, after commending her for fulfilling the NDNA commitment to provide a translation hub, to provide an assessment of the expected use of the hub and the services that will be available. (AQT 1376/17-22)

Ms Hargey: The central translation hub has been established. That was one of the commitments of New Decade, New Approach. Phase one of the establishment of the hub for Irish and Ulster Scots went live in April of this year. Phase two, which is the establishment of a framework for newcomer languages, contract-managed by the hub, will go live in October of this year. The hub is initially using a hybrid model for operations, which includes an in-house team for Irish translation and an enhanced outsourced collaborative framework that provides written translation for all. Sourcing Ulster-Scots translation has presented some unique challenges, including the lack of an agreed standard for spelling, grammar and terminology. We continue to work with the Ulster-Scots Agency and others on the

development of that aspect of the translation hub. In the first five weeks of the operation of the hub, there have been 36 requests for Irish translations, totalling 172,000 words, and four requests for Ulster-Scots translations, totalling 7,000 words.

3.30 pm

Ms Dillon: I thank the Minister for her answer. I should declare an interest at this point as the mother of a child who is being taught through the medium of Irish and as somebody who has a keen interest in it. Can the Minister give us an update on the Irish language strategy, please?

Ms Hargey: At the moment, I have responsibility to bring forward a number of strategies, including the Irish language and Ulster-Scots strategy, and I am committed to doing that. I want to adopt the same approach as in other inclusion strategies around gender, LGBTQI, disability and anti-poverty. We want to set up an expert panel to do research on the situation at the moment with the language and heritage aspects and then look at a co-design approach, working with the Ulster-Scots community and Irish language community, to bring that forward. I have put my proposals to the Executive, and I am waiting on them being approved so that I can go ahead and set up the expert panel and the co-design groups.

Mr Speaker: I call Andy Allen. There will not be time for a supplementary.

Maisonettes, Knocknagoney Avenue

T7. **Mr Allen** asked the Minister for Communities, after thanking her for meeting him recently to discuss the maisonettes on Knocknagoney Avenue, to provide an update on her Department's consideration of the Northern Ireland Housing Executive's proposal for those properties. (AQT 1377/17-22)

Ms Hargey: It is still being looked at, Andy. I will have a meeting again soon with officials, but I have your meeting on my to-do list of issues that we are going to be picking up. They are doing some final assessments on some of the additional information that you provided at the meeting, and, as soon as I have a way forward, I will come back and update you directly.

Mr Speaker: Members, time is up. Please take your ease for a moment or two while we switch at the Table. Thank you.

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

Committee Business

Unadopted Roads

Debate resumed on motion:

That this Assembly recognises the systemic failures in the current process for adopting roads and services in new developments; notes with concern the Department for Infrastructure's inability to quantify the precise number of those households and developments affected; further recognises the resourcing constraints within the Department that exacerbate the problem, and is concerned by the lack of progress made in addressing these failures since they were highlighted in a Regional Development Committee report in 2012; acknowledges the impact these failings are having on communities living in affected developments; calls on the Minister for Infrastructure to take steps to reduce the backlog of unadopted roads and services as a matter of urgency and to work with Executive colleagues to identify areas where cross-departmental working can be used to alleviate the impact of resource constraints; and further calls on the Minister, in line with the 2012 report recommendations, to formulate and implement a more robust and time-constrained package of guidance and enforcement that includes ensuring appropriate bond levels to complete works and a review of the main statutory instruments. — [Miss McIlveen (The Chairperson of the Committee for Infrastructure).]

Miss McIlveen: I have to say at the outset that it is of concern that, almost nine years after the Regional Development Committee presented its findings on unadopted roads to the Assembly, the Committee for Infrastructure feels the need to bring this motion to the Chamber today. I am sure that all of us can give examples of constituents affected by this. While the extent of the issue is by no means as widespread as when questions were first raised, it remains a problem for a large number of householders across Northern Ireland. That this is the case almost nine years after the recommendations of the Regional Development Committee's findings were accepted is, however, alarming.

On 7 February 2012, in connection with a debate in this Chamber, the then Minister for Regional Development said:

"I recognise the concerns of local homeowners who find themselves in new

housing developments, where developers have left roads and sewerage systems unfinished. Roads Service and NI Water are making use of the current legislation and procedures to address these problems but this process takes time to complete."

Surely, after almost a decade, we should be far closer to resolving this than, the Committee has found, we are. Nine months after the Minister made his statement, the then Committee for Regional Development published a report of its findings following an inquiry into the matter.

The report highlighted the fact that, at the time, there were anything between 1,200 and 3,500 unadopted roads and some 1,200 sewage schemes in backlog and that, critically, Northern Ireland Water and the Department for Regional Development were unable to quantify the precise numbers. At its meeting on 12 May 2021, nearly a decade on, the Committee for Infrastructure found that that was still the case and that the recommendations made in the 2012 report to address the backlog are yet to be fully considered. That raises the question of how the issue can ever be rectified if the full extent of the problem is not known.

Owning a property on an unadopted road is not always a problem. In situations where there are inadequate management arrangements for those roads, however, it can become a serious problem for the property owners. Selling such properties can be difficult because prospective purchasers cannot obtain a mortgage to buy the property and lenders are reluctant to lend money for their purchase. The result, often, is that owners are unable to sell their property, potentially have to reduce the sale price or are limited to selling to cash buyers.

The Department manages the adoption of new roads that are determined as part of the planning process. The term "determined" means that a road is:

"suitable for adoption into the maintained road network, once it is completed in accordance with the approved drawings".

In theory, once planning permission is received, the Department works with the developer, the lender and the bond company to progress the adoption of a development's roads in a timely fashion under the Private Streets (Northern Ireland) Order 1980. As part of the planning application consideration, it must be clear that the standards of completion that will be achieved are appropriate. If that is the case, the private street is determined and considered determined. The developer then takes out a

bond, and the road is constructed and adopted. It is illegal for a developer to commence works on new developments without having an article 32 agreement and bond in place. They allow the Department to bring any development up to adoption standard should the developer fail to do so for any reason. However, sites remain where no bond exists.

One of the recommendations made in the 2012 report related to the role of solicitors. The Committee heard that the Department had engaged with the Law Society in 2012 and that, following that, there had been greater awareness amongst solicitors of the importance of a bond being in place before purchasing a property. The adequacy of the bond also needs to be taken into account, however. Two recommendations in the 2012 report dealt with the issue. One suggested the inclusion of an inflationary amount; the other suggested calling in the bond amount earlier in the process to reduce health and safety risks to residents. Neither suggestion has been adequately addressed.

The Committee heard that some sites remain unadopted because of sewerage and road issues that the Department has no powers to remediate. The concern in those instances is that, without the inflationary amount, the bond's value lessens the longer it is in place. I, along with others, am aware of cases where the bond can no longer cover the cost of the works required and the developer company has been wound up or cannot meet the obligations.

I am also aware that many sites have issues with not just roads but Northern Ireland Water infrastructure. The Committee recognises that and found comfort in the fact that Northern Ireland Water is at least trying proactively to identify high-priority and legacy sites to establish what the problems are at each one. The Department is working with them to get the work moved on and completed. That long-overdue prioritisation audit was also a recommendation of the 2012 report. The questions that need to be asked are these: could further cross-departmental working practices be set up to make more of an impact, and what is being done to seek further powers to do something about it? The Committee was advised that it has been some time since the last review of bond adequacy. Officials advised that they were working to update previous submissions on bond rates and will shortly bring something to the Minister. However, the Committee believes that that needs to be reviewed as a matter of urgency in order to avoid the need for enforcement and systemic

failures, which adversely affect the lives of those in affected developments.

That brings me to enforcement action by the Department in cases where the system does not work. It is alarming to hear that the Department has only approximately 20 staff to cover 3,470 live bonds and all the enforcement cases. Prior to 2015, the Department had double that number. The Department has reduced capacity to take enforcement action when a developer has commenced without a bond in place or, at the other end of the process, when they fail to complete the development. The result is an enforced reactive, rather than proactive, approach to enforcement, which is simply unacceptable. In order to get back to a proactive mode and to be better placed to know the number of sites and levels of occupancy, we need to go back to those pre-reduction levels. That is a stark example of how reduced resource budget constraints impact on capacity and how that translates into failings in delivery to the public.

The Committee acknowledges that much work has been done and is being done successfully despite those constraints. However, the backlog and the legacy sites are of particular concern. Adoption of sites is triggered by occupancy rates, with 80% occupancy being a key trigger. A number of sites have reached that threshold, yet they remain unadopted, many since around the property crash in 2007; indeed, there is a road that was bonded in 1988 that remains unadopted. There are some cases where enforcement cannot be used to guide the works, typically where there are land or access issues. The way forward in those instances is to work with the developers and residents to resolve the outstanding issues, which is less than ideal.

Finally, as well as the unadopted roads that are part of the Private Streets (Northern Ireland) Order process, Members will be aware that a number sit outside that. There is a provision in the order to adopt such sites, but, as with any development, it is a prerequisite that the site be brought up to an adoptable standard before the Department will take it on. To give a sense of scale, 10 years ago, a study identified over 620 kilometres of unadopted roads and laneways sitting outside the Private Streets (Northern Ireland) Order process. The cost of bringing those roads up to a standard sufficient to allow for their adoption would be in the order of £300 million. In addition, somewhere in the range of £41 million and £100 million was identified as being needed to allow for the adoption of sewage and waste water schemes. It was noted that, even then, it was extremely unlikely that

those levels of investment could be acquired from central government. Those fears have proved prophetic, with ongoing budget constraints providing the same concerns today. However, the Committee for Infrastructure, just like the Committee for Regional Development before it, believes that, despite that, actions can and must be identified and taken to rectify the problem and that a coordinated effort by all sectors involved in the process could see major improvement in even the most critical cases.

Mr Boylan: Ba mhaith liom labhairt i bhfabhar an rúin. I will speak in favour of the motion, and I welcome the opportunity to do so, as it is an important subject for the Committee. It is an equality issue too, because some developments are not finished, and the likes of raised manhole covers mean that services do not go in. I raise equality in the provision of services because the likes of bin lorries and so on do not go into some of those developments. I want to put that on record.

I hope that the motion will speed things up and that we will address the issue. The Chair has outlined many of the things that, I am sure, many others will mention, but I want to take the timeline back to 2012. There was a good piece of work by the previous Committee. From reading up on some of the report and its terms of reference for what it did at that time, I found that it came out with very good recommendations. Will the Minister outline, either in the Chamber or in writing, what recommendations have been adopted over those years and what she is using? It is vital that those are outlined.

The Chair mentioned some of my points, but I want to turn to the Private Streets Order. At the time, the previous Minister said that it was suitable. I do not think that the Minister at the time was keen to go down the route of looking at that legislation. In light of what has happened, will the Minister indicate whether she will look at that legislation to see whether we can tighten things up to move some of those developments on? What are her views about that?

3.45 pm

The Chair mentioned the voluntary exit scheme. When I wrote to the Minister about that, she wrote back and said that there had been 43.5 full-time equivalents; that the number of staff is now down to 22. Looking at it from the outside, we see a reduction of nearly 50%. Perhaps the Minister will comment on that and its impact on delivering services.

I do not think that it was the case that, when the Committee approached the subject, members were against the developers. However, we must remember that the hard-working individuals who are buying houses, paying their fees, getting solicitors' advice and everything else are not being treated properly either. That needs to be at the forefront.

Another issue that will be vital as we move forward into an economic recovery is that many of these developments will need to be brought forward and play a part in that recovery. We need to tighten up the system. I advise the Minister to go back and look at some of the recommendations in the 2012 report.

A review of bonds is ongoing. Perhaps the Minister will touch on the terms of reference for that review and suggest how we can work together, even as a Committee, to try to address that issue. We are going through a planning review. Everybody says that this is developer-led and the responsibility of the developer. Absolutely. However, in some cases, that does not happen. Recently, I have been talking to councils. We have definitely made some progress, but people think that, if there is a bond, there is no problem: the system is working. That is not the case, because very few bonds are enacted. I think that one bond has been enacted in all the years that I have been a councillor and representative. I stress to the Minister that there is an opportunity in the planning review to introduce that as the condition of a planning application. I support the motion.

Mrs D Kelly: As the Chairperson said, the Committee heard a presentation from Roads Service officials, because the issue is one that not only the current Committee but, as others indicated, other Committees over the years felt needed further inspection. It comes across all of our constituency desks.

People have been patient. We had the financial collapse in 2007-08. Then, we had many companies, particularly construction companies, going bust and the whole situation around the National Asset Management Agency (NAMA), and nobody knew who owned what for a number of years. Of course, this place being suspended for three years did not help with pursuing errant developers. However, it is confusing for many householders who have had to chase down different agencies and officials, not only in the Department for Regional Development or Infrastructure Department but in councils, to find out who has power over what. At times, people who went to

environmental health were told, "It is not us; it is them". Therefore, it is a bit confusing for householders.

When making representations on behalf of my constituents, I find that many do not want to go public. They are worried about the impact that it might have if they wished to sell their property. They feel that their hands are a wee bit tied. Solicitors must address the issue that they have responsibility for conveyancing and doing the relevant checks.

Mr Beggs: Will the Member give way?

Mrs D Kelly: I will give way.

Mr Beggs: I fully agree with the Member on that. In particular, has the Member encouraged her constituents to complain to their solicitor and, if they do not get a response, to complain to the Law Society, because the legal system that charges people for conveyancing should have done due diligence and, in my opinion, has some liability?

Mr Deputy Speaker (Mr McGlone): The Member has an extra minute.

Mrs D Kelly: Thank you, Mr Deputy Speaker. I am grateful to the Member for his intervention because we have been doing just that in connection with a particular development in my constituency. The Minister will be aware of it. I do not want to name it publicly because I want to respect the views of my constituents, who do not want to go public about it. In particular, it relates to NI Water (NIW) and the lack of a stick with regard to what can be done. As Mr Beggs highlighted, during the boom years, solicitors were very quick to get sales out the door, and I question some of the due diligence. Some of them may well have responsibilities there, and I have advised constituents to go down that route. As Members know, and Mr Boylan said, there are consequences for the delivery of other services such as bin collections. I have had dealt with that over the years, never mind the damage to cars from drainage lids sticking up well above the ground, as the Member said.

The time has come for developers to take greater responsibility. The 80% sales and occupancy rate seems to be quite high. I know from speaking to some developers that a lot of the additional financial burden of paying taxes for the sales of the houses as well as some of the bonds falls to them once they go over that threshold. Minister, you may want to look at that issue in any subsequent review, but your officials made it very clear to the Committee

that resources continue to be a huge issue for the number of street inspectors over the years, which, I believe, has at least halved under the voluntary exit scheme, and for financial resourcing to the Department. At one stage, the budget for infrastructure maintenance fell from over £50 million per annum to £27 million more recently. Those things come at a cost, and the cost comes in service delivery.

We all want to work smarter, not harder, but some jobs require labour-intensive resource for delivery. When I thought about that, I wondered about the number of different types of farm inspectors. For example, building control inspectors go on sites, and the Department has infrastructure inspectors. I wonder whether there could be a cross-departmental agreement whereby one inspector could report back on a number of findings to NIW, DFI Roads and building control and, therefore, share the load a bit. That could be a resolution because, as we know, the budget is not getting any better. It remains challenging for the foreseeable future and for the Minister's tenure. I know that she has worked very hard to consider all those issues and see the best way forward.

Buying a home is the biggest investment that the majority of us will make in our lifetime, and it is only right that, when we buy the dream, it is as it appears in the brochure, or, increasingly, on Instagram or on videos for turnkey houses.

Mr Deputy Speaker (Mr McGlone): I ask the Member to draw her remarks to a close.

Mrs D Kelly: The motion has all-party support, and I support the Minister in moving forward.

Mr Beggs: I declare an interest as I live on an unadopted shared laneway. I wish to make it clear that I have no expectation that the Department will re-tarmac the roadway to improve access to my property. That would be unrealistic. Similarly, we have to recognise that the Department faces the same financial pressures for all the hundreds of kilometres of private laneways in Northern Ireland. The Department is struggling to maintain our existing roads network. That is the reality of the current funding arrangement, and it is important that we do not create unrealistic expectations.

In preparing for the debate, I reviewed the then Regional Development Committee's inquiry recommendations in 2012, and it was clear that many of the failings related to a lack of understanding from purchasers and, I dare say, solicitors around adequate road and sewer

bonds to protect the purchaser should something go wrong.

I am pleased that, recently, in front of the Committee, a departmental official advised us:

"In trying to attract people to buy a property, it is in a developer's interest to take out a bond because their solicitors will pick up at an early stage if it is not bonded. That has encouraged developers to take out bonds."

As I indicated, however, if a solicitor fails to pick that up for some historical purchase, that represents a failure on the part of that solicitor to carry out due diligence. On a number of occasions, I have advised constituents to write to their solicitor seeking appropriate compensation. If they are unsuccessful, I have advised them to complain to the Law Society.

Ms Dillon: I thank the Member for taking an intervention. Does he agree that not all the issues can be resolved by bonds? I have areas in my constituency where sight lines are the issue, and a bond cannot be used to resolve that. We also really need to look at planning and at ensuring that sight lines are in place before houses can be completed and sold.

Mr Deputy Speaker (Mr McGlone): The Member has an extra minute.

Mr Beggs: I have come across that issue in my constituency. A group of houses in Prospect in Carrickfergus suffered from that; in fact, the roads were not adopted until 18 years after they were built, which is remarkable. Thankfully, there was some clever thinking, with ramps being put in to reduce speed on those roads. That then reduced the sight lines, which enabled the roads to be adopted. Yes, problems can happen, and the earlier that homeowners move on such issues, the better, before walls etc are built and perhaps cause problems.

As was indicated, there are particular pressures on the Department to follow up on some historical failings, but it seems to be saying that things have got better. We were told, however, that there are approximately 20 members of staff for 3,470 live road bond applications, but the numbers inspecting and following up have been halved, in line with the change in the budget allocated to the Department. There is a real issue there. If we want to chase up some of the historical failings, investment has to go into trying to resolve the issue and drawing down the bonds, because it takes time to identify where the failings occurred.

I commend the officials who work with me in parts of Carrickfergus and at Lindara in Larne, where, on another occasion, a developer went bust. There were road and water bonds in place, however, so work was corrected and the roads finished.

I am aware of a significant failing in the planning system. I speak of the Larne West Distributor, a major spine road on which hundreds and hundreds of houses have been built. Somehow, however, a very small portion, perhaps 100 square metres, has been auctioned off. Despite millions of pounds being spent on building a spine road, there is a missing link. Somehow, instead of the owner of that piece of land having a liability, because the land is not linked to any of the other land that he once owned, it has become a ransom strip. We have a Mexican stand-off, and everyone in the area is suffering because of failures in the planning system and the Department to ensure that the development-led road was built. That is definitely a failing, and I ask the Minister how it will be addressed. Do we need a regeneration Bill to give authority to the local council to invest? It says that it can do nothing at present. I have lobbied the Minister. I have lobbied the former permanent secretary. Translink cannot lay on a public transport route to all those houses because of the missing section of spine road. That is a major failing in our planning system. It needs to be addressed. We need a solution. The public are suffering. We are encouraging the use of private cars rather than public transport. Additional emissions are —.

Mr Deputy Speaker (Mr McGlone): I ask the Member to draw his remarks to a close, please.

Mr Beggs: I urge the Minister to outline how we can resolve such a situation.

Mr Muir: I welcome the fact that we are discussing this important matter. As has been remarked on, the figures for unadopted roads across Northern Ireland and the cost of bringing them up to the required standard are stark.

When he addressed the Infrastructure Committee last month, the Department's director of network services said that the process for the adoption of roads:

"works well most of the time."

4.00 pm

Theoretically, the developer-led process should be quite simple. The Department determines

that new roads are suitable for adoption as part of the planning process. The developer and the lender agree a bond to be held by a bond company. If the developer is unwilling or unable to deliver the infrastructure to the agreed standard, the Department can use that bond to bring the road and other infrastructure to the point at which they can be adopted. However, if the theory worked perfectly in practice, there would be no need for today's debate nor for the then Regional Development Committee's recommendations in 2012. Therefore, this debate is quite important.

Without doubt, one of the biggest reasons why the process is not working well is the reduction of capacity in the Minister's Department. We all know that the Department for Infrastructure's funding was slashed a number of years ago by the austerity Budgets from Westminster. Many of the issues with our infrastructure today, including unadopted roads, come back, at least in part, to that decision. At the Infrastructure Committee last month, we learned that, prior to the budget cuts of a number of years ago, the Department had approximately double the number of staff working on unadopted roads that we have now. On that basis, there can be no surprise that the issues that were identified in the 2012 report have not all been addressed.

I welcome that the motion recognises the resource constraints and the need for cross-departmental working. However, the reality is that while there are very few resources and a lot of competing priorities in the Department, such as investing in our water infrastructure, upgrading our creaking roads and tackling the climate emergency by investing in sustainable and active travel, there is a limit to the amount of resources that can go into the area that we are debating. There have, however, been important steps forward since the 2012 report, including making solicitors more aware of the process. I agree with what Mr Beggs said in his intervention in relation to that. This is a fundamental issue. People pay quite significant solicitor's fees for the completion of the transaction and the conveyancing process, and they deserve to be assured that that work is carried out to standard.

Officials informed us that in spite of the budget cuts, the system is working better than it was, although a range of cases still cause difficulties. We see those reported in the media very regularly. I also welcome the fact that the Department is prioritising the backlog of sites and focusing its work on the basis of need, such as for sites that have 80% occupancy. That is not ideal, but if you have 80% or more occupancy, the road really does need to be

adopted. We should not underestimate the mental strain for someone who purchased a property in the reasonable expectation that their road and other facilities would be adopted when that does not happen. Those people should not be left in a state of perpetuity; that is wrong.

In addition to the mental strain, there are physical safety and public health risks to residents — and their visitors — who live on roads that have not been completed. I know of at least one road in my constituency where, if you come across it when you are out walking, you need to be careful that you do not fall and hurt yourself. It is a miracle that cars are not more severely damaged.

Ms Dillon: I thank the Member for taking an intervention. Some Members spoke earlier about equality issues. Whilst it is difficult for those of us who are able-bodied, anyone with mobility issues, particularly those who are older or who have to use a wheelchair, have no chance of being able to get in or out of their home in some of those developments.

Mr Deputy Speaker (Mr McGlone): The Member has an extra minute.

Mr Muir: I agree with Ms Dillon that that is crucial. I am able-bodied so I can navigate those roads and pavements, but if you are a wheelchair user or you need assistance, it is impossible. Perhaps we should do some research into the number of people who have been injured as a result of that infrastructure. This has a real impact on people's day-to-day lives. This institution, the Department and, most crucially, the developers who build those developments but do not finish them to the correct standard have a responsibility for that.

As I was saying, I have been contacted by constituents who face precisely these issues. I am supportive of the Department's approach, which is to work closely with developers and residents in the first instance. That is often the quickest and easiest way to resolve outstanding issues that prevent adoption — if the developer comes back and is still in existence. Far too many times, the developer just disappears, shrugs their shoulders and leaves local residents with those developments.

I am also supportive of the fact that the Department is using its legal and enforcement powers when the developers are just not playing ball.

On the actions that the Department can take to improve the current situation, there is no doubt

that the three-year absence of power-sharing prevented progress. The level of bonds need to be increased, and I hope that the Minister considers that issue in due course.

In spite of the good work by officials, there is still a long way to travel to tackle this important issue, which directly impacts on people. I support the motion.

Mr K Buchanan: I also rise in favour of the motion, and I believe that a full and systematic review of the private street adoption process should happen. While I welcome the fact that the bond conditions are being reviewed in the Department, we believe that the exercise should extend further than just a consideration of its value. While I note that progress has been made, I am concerned that work is still needed to complete all the outstanding unadopted roads throughout Northern Ireland. Given the extent of the everyday impact that the failure to adopt roads has on the families and households affected, we find it entirely unacceptable that the level of enforcement actions by DFI Roads has declined in recent years. We would like to see consideration given to making bonds time-limited, but, first and foremost, they must be adequate to account for inflation and their reducing value over time, as was the recommendation of the Regional Development Committee inquiry in 2012.

There is a need for an all-inclusive review of the private street adoption process. The process for calling in a bond and taking enforcement action continues to be too complex and lengthy, compounding the problems raised by the fact that households may face daily issues around health and safety.

While we appreciate the budgetary constraints and difficulties that the Department operates under, we note that a study carried out in 2012 found that over 620 kilometres of unadopted roads and laneways in Northern Ireland that were not private roads fell within the normal private streets determination process and that an estimated £300 million would be needed to clear the backlog of unadopted roads. That did not include additional items such as land purchase or any required structures or utility works. It will be interesting to have a fresh estimate of that figure.

The Department also needs to review and improve the working partnership with Northern Ireland Water and other agencies to ensure that any problem is rectified, especially with issues such as sewage. The bond should be sufficient to meet all needs, and, with buy-in from all agencies, that needs to ensure that roads are

adopted in a timely fashion. We would support a review of DFI statutory powers in that area.

There is also an issue of historical unadopted roads. That is where council developments and other sites have never been completed to the required standard. Article 9 of the Private Streets Order allows DFI to consider the adoption of some roads if the majority of owners request it and the road or street is first brought up to the required adoption standard. There needs to be a simplified and streamlined process to call in a bond and to take enforcement action, which continues to be complex, compounding the problems faced by householders.

We appreciate that the number of bonds has increased in the post-recession period, but we also note that, unfortunately, there has been a gradual reduction in the number of enforcement actions since 2015-16. It is our understanding that that is not because the problem is diminishing but rather is because the staff are very overstretched. Previous contributors have referred to that.

During a recent Committee meeting, on 12 May 2021, the Department revealed that, following restructuring of the Department and retirements, there are now only approximately 20 staff working on private streets, and that is to cover the 3,470 live bonds plus the enforcement. That is a reduction of approximately half of what the Department had prior to 2015.

While we accept that sizable investment is needed and that there is no easy solution to the problem of unadopted roads, we need the Minister to demonstrate her commitment to reviewing current practices in a way that promotes more efficient and timely interventions and puts the needs of affected households first.

Ms Anderson: Ba mhaith liom labhairt i bhfabhar an rúin seo. I would like to speak in favour of the motion. As you have heard today, unadopted roads have plagued every one of our constituencies for decades because, as the motion notes, there has been systematic failure in the current process for adopting roads. I know that the Minister has inherited that situation.

None of us is a stranger to horror stories of housing estates, both old and new, with potholed roads, manholes and sewerage structure raised several inches from the ground, flooding, poor drainage and backed-up sewage. Despite the issue being well-rehearsed and its affecting every constituency, every city, every

town and every village, the Department for Infrastructure, as the motion also notes, seems to be no closer to resolving it. We have 2,991 unadopted roads right across the North. The bond value is almost £101.5 million. In my constituency, Derry City and Strabane District Council has 206 roads awaiting adoption, to the value of £12.5 million. None of us are strangers to hearing things such as, "The value of the roads bond is too low to incentivise developers", or "No enforcement measures are ever taken" against what some people describe as rogue developers. Families who bought their dream homes more than 10 years ago still live in darkness because they have no street lights.

In Derry, in Barleyfields, Culmore, my constituents took out choke-a-horse mortgages, I can tell you, and they have to haul full bins right up a steep hill to have them collected because the council collection service is unable to drive on unadopted roads. Thankfully, after Sinn Féin councillor Sandra Duffy and I intervened, the developer confirmed in writing its intention to achieve full adoption of the top of the Barleyfields by the end of June. However, those at the bottom have still to drag their full bins up a steep hill, which is absolutely impossible for anyone with a disability.

In the Waterside and Woodside estates, I had to intervene with the developers, DFI Roads and NI Water to get roads finished to an acceptable standard and fix an horrific sewerage blockage, 10 years after the estate was built.

In Sandale Park, on the Lenamore Road, a small group of constituents are forced to live in darkness after the Department for Infrastructure, instead of fixing the street lights outright, saw fit to take them all down on discovering that the road was not adopted. The developer built those roads over 50 years ago, and he is not here to pick up the pieces or the tab.

This is not just a small problem that a few reconfigurations of the road bonds issue is going to fix. It will require decisive action and, if needed, not just the threat of enforcement, but actual enforcement against what some people view as rogue developers. There is an opportunity in the current planning review to address this and, if needed, consideration should be given to including a clause which prevents developers from moving from one part of an estate to another until they can reasonably demonstrate that the roads, street lights and sewers are of an adequate standard to be adopted and maintained.

Minister, you know that buying a home is a massive investment, as has been said, and so, too, is renting a home in these estates. It is vital that people get what they pay for. We need to end the culture of some developers — thankfully not all — jumping to the next most lucrative venture before bringing roads up to scratch. We need to stop developers abandoning estates for decades before returning to fix issues only after representatives like myself and others press them to do the right thing. We need to ensure that those estates and homes built 30, 40, and 50 years ago, which have no developers to pick up the tab, are not abandoned. Minister, a road to drive on, a footpath to walk on and street lights to illuminate our neighbourhoods are all, I am sure you will agree, not too much to ask.

I apologise to the Deputy Speaker for my noisy watch. I had to put it on airport mode. I did not think I would have to do that in Stormont.

Mr Deputy Speaker (Mr McGlone): You never know what is flying about here, Martina.

Mr Robinson: In recent years, and in common with other areas of Northern Ireland, a number of issues have caused roads to remain unadopted, and requests have had to be made for bonds to be used to sort out those issues on new developments. Over the nine years since the DRD report, there are still Northern Ireland-wide problems. Immediate action is required to address these systemic problems. The failings identified by the 2012 report have a very real and stressful impact on those who have to deal with poor infrastructure in new developments. It is often a case of months, if not years, before a final resolution can be achieved. I also point out that such problems can see residents in situations where there is a negative impact on the price of their property.

It is essential that a hard and fast time limit is established to ensure that problems are rectified as a matter of urgency.

4.15 pm

There is also an issue with the levels of bonds that are required. I am aware of one developer who went out of business and the bond was not sufficient to cover the cost of the road finishing that was required. As the motion states, there must be a system that ensures:

"appropriate bond levels to complete works".

There should be no major impact on public finances due to inadequate bonds.

Any changes, as proposed in the 2012 report, must include a timetable for the time-constrained package of guidance and enforcement. That would ensure that residents who are affected by road and service adoption have a timeline that will be adhered to. It is also essential that that package of measures is enforceable by the Minister's Department. Otherwise, they are pointless and cause additional frustrations.

Minister, I also ask you to look at how progress could be made for, and, possibly, financial assistance given to, people who have purchased former MOD homes. I want to mention the former MOD housing sites on the former Shackleton Barracks in my East Londonderry constituency, where there has been a long-running issue of roads and other services not meeting adoption standards. I ask you to consider that families purchased those properties on the understanding, rightly or wrongly, that the Department would take over the adoption process a few years ago. That never materialised, much to the disappointment and frustration of those residents. Minister, I fully appreciate that full funding is not available from your Department, but could some investigation not be done into the possibility of a collaborative approach between the Executive, residents and the MOD to try to break the deadlock so that top-quality infrastructure can be delivered to all residents of Northern Ireland? I hope that a collaborative approach would see a positive result for residents.

Mr Beggs: Will the Member give way?

Mr Robinson: I have finished. Thank you.

Ms Kimmins: I, too, welcome the opportunity to speak on this important issue. I hope not to go over all the same points, but I certainly hope that the motion will help to draw attention to the plight of so many residents across the North. It is safe to say that all Members in the House will have come across someone who has been affected by the matter. We need a greater focus on reviewing the current processes, particularly so that we can address the significant backlogs and improve the process.

As other Members said, 2,991 bonded roads in private developments, across the North, have yet to be adopted. Some 263 of those are in the Newry, Mourne and Down District Council area, part of which I represent. Those bonds are worth approximately £8.2 million. That means that many residents have invested thousands of pounds in their home, yet they are living in

developments where there are substandard roads, and they do not have access to the basic services that other Members mentioned, such as bin collections, a winter service, street cleaning and street lights. One example in my constituency had, for over eight years, what could only be described as a dirt track for residents of a development of over 100 houses. Residents had to endure that until pressure was put on the developer to address it.

A number of factors led to this situation. Other Members mentioned the property crash in 2007 and how it clearly exacerbated the issue. A significant number of older backlogs remain as a result of that crash.

The inquiry has been discussed, and it provided a number of recommendations, some of which have been helpful in looking at how we can improve the current system. Part of the inquiry looked at the inadequacy of bonds, especially where they were not enough to carry out the remedial works that were required. That needs to be addressed proportionately, as we appreciate that it could affect costs to homeowners.

As others mentioned, the impact of Tory austerity played a huge role in reducing staff numbers. I particularly note the loss of experienced private street inspectors and how that impacted on the Department's ability to take enforcement action. That is clearly evidenced in the figures, which show that the number of bonds is increasing while the number of enforcement cases is decreasing.

I appreciate that enforcement action is a last resort, but serious issues are arising, particularly about what the Department considers to be a timely manner for dealing with unadopted roads. Encouraging developers to take action and to call in the bond could be looked at as part of the review, and maybe we could look at a time constraint for doing that, which might help to address it.

Rather than go over the same points that everyone raised, I will say that I fully support the motion. We need to commit to looking at ways of further improving the system and tackling the backlog of unadopted roads so that we can deliver fairness and equality for all those residents across the North who invested in their home and who are entitled to receive the basic services that, owing to this long-standing issue, they are unable to access.

Mrs Barton: Unadopted roads from developments left uncompleted in the financial crisis in 2008 are a major issue in numerous

towns and villages in Fermanagh and South Tyrone. The problem is that roads in the development cannot be adopted by DFI as they have not been completed to the standard necessary for adoption.

Completed houses in the uncompleted developments were sold, the original contractor went bankrupt and, eventually, many of the developments were repossessed by the financial institutions. In other cases, continuing work towards the completion of a development was halted overnight for financial reasons and the unfinished buildings in housing developments sometimes became a hub for unsocial activity.

Residents living in the uncompleted developments have to haul their bins out to the entrance of the developments for refuse collections. Street lights frequently remain unfixed and sometimes unconnected, while footpaths have been left in an unfinished and dangerous state. As time has passed, in some uncompleted developments, issues in the road foundations have emerged. The surface cracks, indicating that the roads may not have been built to the specified standards.

Meanwhile, the network of sewerage pipes becomes displaced and, consequently, the sewers become blocked. Galliagh Shore in Enniskillen is one such development. I make no apology for mentioning it; it is public knowledge. Northern Ireland Water is unable to adopt the private sewerage system because the developer is no longer trading, so the system remains in the possession of the bank.

The houses received planning permission and passed building control regulations, which allowed them to be sold on. It was only after the developer was declared bankrupt that residents discovered that the developer had not met the legal obligations for the sewerage system to be adopted. That means that the residents are liable for the repairs, which include the unadopted roadway.

Meanwhile, because of the health issues, Northern Ireland Water has been very kind in helping to clear blockages and providing a tanker to remove sewage, but it has said that it cannot keep providing that service.

Mrs D Kelly: I thank the Member for giving way. Water and sewage are a particular problem with developers in some areas. Has the Member experienced the situation where there are a number of developers on one site? One developer gets planning permission, then subcontracts so that somebody else builds and

somebody else sells. They each take a cut, but they reduce the standard of infrastructure.

Mr Deputy Speaker (Mr McGlone): The Member has an extra minute.

Mrs Barton: I thank the Member. I came across that in several developments; it happens frequently.

The National House Building Council (NHBC), which provides warranties for new homes, said:

"while we appreciate that this is a difficult situation for the Galliagh Shore residents, the NHBC Buildmark warranty cover does not extend to the rectification of the sewage system"

and the poor road foundations.

The main issue for the completion of those developments and, consequently, the unadopted roads is the value of the road bond that the original developer surrendered to DfI. It is no longer sufficient for the completion of the developments or to bring roads up to the required standard. It is therefore essential that DfI treat the matter of unadopted roads with some urgency. The Department must review the bond system and the supervision of the various stages of work in developments. Furthermore, a method must be developed for enforcement against developers and for DfI to prioritise the current unadopted developments and roads and get them completed.

Ms Armstrong: An unadopted road is one where street planning functions have been exercised, a bond has been placed under the Private Streets (Northern Ireland) Order 1980, and the Department is not satisfied that the street has been:

"sewered, levelled, paved, channelled, made good and lighted,".

An unadopted road is also one where people live without appropriate sewerage; where footpaths are trip hazards; where secondary drainage is often appalling and leads to terrible flooding; where manhole covers stand proudly in the centre of the road; and where people have to drag their laden bins quite some distance to the main road from which the council collects refuse.

My constituency has a number of developments with unadopted roads. In some of those areas, the developer has all but abandoned the people who bought or rent homes there. In one case, a

development built on a steep hill remains unadopted after a number of years. The road surface has been left in a mess, residents are distraught, and the developer has not been taken to task. In an example such as this, why has the Department not utilised the bond to put right the mess that the developer left people with? Those families cannot sell their homes to move to somewhere where their bins can be collected, where they can walk along the development's footpath without fear of trips or slips, and where children can play safely under street lights.

More determined and focused intervention is necessary to ensure that developers do not walk away and abandon residents for years and expect residents, or even the Department, to pick up the pieces. There is a reason why a bond is required, and it should be used much more quickly. All developers should be aware that, if they do not make good, their bond will be used. The bond needs to be of enough value to meet costs, not today's costs but future costs. For example, how much will it cost to adopt a road in five or 10 years' time?

The Department's website states:

"Prior to construction, a developer is required to enter into an agreement with DfI Roads, to provide the roads, footways and sewers to the Department's standards prescribed in The Private Streets (Construction) Regulations (NI) 1994. This agreement is secured by a bond, that may be used by DfI Roads to complete the road works should the developer default."

The Department's website confirms:

"Where a developer fails to properly complete street works within one year from the date on which the building(s) is (are) first occupied ... the Department shall issue a notice to the responsible person, to require completion of the works."

In my constituency, that does not happen. Years go by before developers complete a road. They use the excuse that their site is not yet finished and that there are more phases to come. In the meantime, residents live without bins being collected from near their home, with dangerous footpaths and with continued surface flooding. Residents are at their wits' end.

I ask the Minister for Infrastructure to end the torture that some residents face, please. Use the bond much more quickly to ensure that unadopted roads are brought up to the standard

at which they can be adopted. I will happily bring the Minister to a development in Killyleagh to see for herself beautiful homes surrounded by unfinished and entirely unsuitable access roads.

Minister, today, we have heard that you have too few staff to enable effective enforcement. Therefore, let us use innovation. Can councils do anything to help the Department? Is there enough of a threat to stop rogue developers from abandoning residents to go on to their next project?

Mr Beggs: Will the Member give way?

Ms Armstrong: I will.

Mr Beggs: Does the Member agree that it would be reasonable to have a higher bond rate for developers with a proven track record of abandoning property and not putting in place appropriate road and sewerage infrastructure?

4.30 pm

Mr Deputy Speaker (Mr McGlone): The Member has an extra minute.

Ms Armstrong: Hopefully, I will not need it, Mr Deputy Speaker. I agree with Mr Beggs. Any developer who misses targets should not be allowed to apply for reduced bonds in the future.

Developers are leaving people high and dry. Of course, some may go into bankruptcy — we have seen that happen over the last number of years — but the residents — the people who are paying money and rates — are the ones being let down. We have to get innovative. I know that your budget is tough, Minister, and I do not envy you at all, but, honestly, the residents in Killyleagh are one example of people across Northern Ireland. I do not want to have to watch again one of the residents pulling 20 bins to the road down a steep hill that is half a mile long, because it is not good enough. It is a big job of work for your Department, Minister, but the bonds are there, so please use them.

Mr Deputy Speaker (Mr McGlone): I have been informed that Mr Robinson recently had a big birthday. George, on behalf of us all, all the very best. That is probably a road that is well travelled and well adopted. *[Laughter.]* All the very best to you, George, and many more of them.

Mr Robinson: Thank you very much.

Mr Deputy Speaker (Mr McGlone): Iarraim ar an Aire chun freagraí a thabhairt ar an díospóireacht. I call on the Minister to respond to the debate. The Minister has up to 15 minutes.

Ms Mallon (The Minister for Infrastructure): Thank you, Mr Deputy Speaker. I add my birthday best wishes to Mr Robinson.

I thank the Chairperson of the Committee for Infrastructure for tabling the motion on unadopted roads. Every Member who spoke highlighted the fact that this is an important issue that affects so many people across the North. As the Minister for Infrastructure, I am focused on improving the lives of people across Northern Ireland. I have listened carefully to the views expressed by Members and recognise their genuine comments on behalf of their constituents. I also completely understand and recognise the frustration shared across the House that we are sitting with a Committee report that was produced in 2012, despite there having been successive Ministers since then. As Ms Kelly and Mr Muir highlighted, we had three years without any Government or Minister in place, which has contributed to the slow pace of change on the issue.

I recognise that, as Members have highlighted, renting or buying your home is a special moment in your life. That should be a positive experience, and it is not right that, for many people for quite some time, it has not been a positive experience because of the reasons that Members have articulated.

While my Department manages the adoption of roads in new developments, it is important to acknowledge, as a number of Members did, that it is primarily a developer-led process. It is equally important to recognise that, in most instances, developers act responsibly and their developments are completed and adopted without the need for any interventions from my Department. However, as we heard today, some developers commence work without having the necessary road agreement and bond in place. In those cases, I can confirm that my Department will take action against the developer. Equally, where a developer fails to complete road infrastructure in a new development, my Department will adopt a phased approach to intervention that is appropriate to the individual circumstances. Where a developer is still trading and seems to be progressing their developments, albeit slower than some residents might like, my officials will, first, engage with them and encourage them to complete the outstanding

works in a timely manner. My Department's private streets inspectors will also monitor a developer's progress. Should a developer ultimately fail to progress their development, my Department will issue an enforcement notice under the Private Streets Order 1980 requiring completion of the roadworks. If a developer fails to comply with that notice or is no longer trading, my Department can complete the outstanding roadworks and adopt the road into the public road network.

I recognise the important role that my Department's private streets inspectors play in the process. However, as Members across the House have rightly identified, the voluntary exit scheme halved the number of officers that I have who are able to carry out that role. It was made clear at the time that the scheme would have an impact on services, and, unfortunately, the resource budget allocated to my predecessor, Danny Kennedy and the cuts that ensued have had an impact not only in that area but, as Members across the House know because they passionately represent their constituents, on services across my Department.

That is the reality within which we have to operate. I am heartened by the fact that the Committee's motion rightly recognises that difficulty, which was reiterated by Committee members and others. I look forward to working with the Committee as we try to address the resource allocations to my Department, particularly with the first opportunity presenting itself in June.

Ms Dillon: I thank the Minister for taking an intervention. Martina Anderson raised the legacy issue of some developers no longer being around to meet requirements. Some of the developments were built by the legacy councils and taken on by the Housing Executive without the roads ever being adopted. There are two such developments in my immediate area of Coalisland, and I know that there are many more across Mid Ulster, as, I am sure, the Deputy Speaker can attest to. It is a real issue, and it is also an equality issue. We built those houses. Government built those houses, and government needs to fix the problem.

Ms Mallon: I thank the Member for her intervention. She is correct to point out the legacy sites and the difficulties that have ensued. Even within the resource constraints that I have outlined, my Department is trying to take a proactive approach to tackling issues at those legacy sites, and for it to be a prioritised approach, working with Northern Ireland Water.

Members have rightly identified that there is an issue with the level of bonds from developers. As Minister, I will clearly state today that I recognise that that is a difficulty. I have therefore asked my officials to carry out a review of how we calculate bonds, because we have not changed how we do so since 2008. That review will take place. I think that it was Mr Boylan who asked about its terms of reference. It will be reviewing the construction costs to ensure that bonds are able to cover the cost, and it will be working with a range of stakeholders from within the construction industry and across the board. The Committee will, of course, be kept updated on the process. I reassure Members that I am committed to ensuring that construction rates are used to calculate our road bonds and that those fully reflect the cost of constructing roads in new developments. Kellie Armstrong and others raised that issue. Hopefully, that will give residents some peace of mind.

Mr Beggs and Mrs Kelly in particular emphasised the importance of the legal profession to trying to find solutions to the issue. Progress has been made, in the sense that there is a greater level of awareness of responsibilities when it comes to providing conveyancing advice. There is also a greater level of public awareness about bonds and agreements being in place when solicitors are advising people on the purchase of their new home. Many people who are buying in new residential developments will therefore have greater protection than previously was the case.

Before I move on to addressing the specific points that Members raised, I will go back to the point about legacy sites that Ms Dillon raised in her intervention. As Members have highlighted, there are legacy sites right across Northern Ireland that remain unadopted. As Members have also rightly identified, a lot of those sites emanated from the property crash of 2007. There are often very complex sewerage and road problems affecting adoption, although, in recent years, my Department has made some progress on adopting a number of the legacy sites, as Mr Muir highlighted. I am keen to provide a fresh impetus to the process, so I am committed to ensuring that my officials in Roads and Northern Ireland Water continue to work proactively to address a number of legacy developments towards adoption, with intervention prioritised on the basis of need.

A number of Members talked about the 2012 Committee report and the series of very helpful recommendations that came from it, and a number identified the fact that progress had

been made on the implementation of some of those recommendations. I will quickly run through a number of them. We talked about conveyancing advice and a greater level of awareness in that area. My Department had engaged with the Law Society on that issue. There is a recommendation in the Committee motion about ensuring that we have a much more robust set of guidance. Members may be aware that guidance on private street procedures was updated in 2014 and circulated to all staff involved in private street matters.

However, as we have said, the reality is that the voluntary exit scheme and the cuts to the Department's resource budget have impacted on the level of staffing. I am keen to address that.

The Committee motion also talks about a code of practice to trigger broader enforcement. I hope that Committee members are aware that, as I think the Chair highlighted, Northern Ireland Water has introduced a monitoring system to speed up the timescales for the adoption of sewerage infrastructure by monitoring the progress of bonds through the adoption process. That enables it to take a much more proactive approach to the process, rather than the previous developer-led scheme. It should help us to identify much earlier sites where development has stalled and, therefore, should lead to quicker enforcement action.

Mrs Kelly talked about the importance of having clarity of roles. She spoke about the role of local government, as a number of other Members did. One of the recommendations of the Committee's report was that property certificates should be adapted to include the legal opinion on the condition of the roads and sewers. Since then, as part of the reform of local government, responsibility for property certificates has been passed to councils, with the regional property certificates unit in Fermanagh and Omagh District Council providing a service on behalf of all the councils. That responsibility includes the production of new service-level agreements with its property certificate consultees. The property certificate unit within Fermanagh and Omagh District Council has initiated work to review the questions in the property certificate. That work is ongoing. Some positive actions are being taken but, as Members have said, it is a hugely challenging issue.

Mr Buchanan raised the issue of private streets legislation. In his view, there should be a wholesale review and reform of that legislation. Officials have said that, in their assessment, that legislation is generally adequate and fit for

purpose and that that view was supported in the course of the review by other key stakeholders including the Construction Employers Federation, the National House Building Council and Law Society NI. I am keen to hear the Committee's view on that as well.

One of the other issues that was rightly identified in the Committee's report in 2012 was the loophole by which a developer could choose not to enter into a bond or agreement. Section 6 of the Water and Sewerage Services Act (Northern Ireland) 2016, which was made by the Assembly on 23 March 2016, closed that loophole. That was another positive step, but I recognise that there is still a lot of work to do.

Ms Anderson and Mr Boylan talked about the planning review and how we can better join up our planning system on this issue. We received a number of submissions about the review of the Planning Act and the issues that were raised within it. We let it be open for stakeholders to raise any concerns. All the issues that were raised will be examined. I will be keen to keep the Committee updated on that.

Mr Beggs referenced the real financial challenges faced by the Department, and he is absolutely right. We need to be real when we talk about the service and staffing levels that we can provide. He mentioned Larne Road. I see that he is not in his seat, but I am happy to follow up with him on that. He has raised that issue with me through Assembly questions and correspondence.

Mr Muir rightly talked about the responsibility of developers. We should not lose sight of that in the middle of this. Government should be stepping in only when things have gone wrong. Through conveyancing advice and enforcement and by working proactively with developers, we should make sure that it never gets to that stage in the first instance.

Particular issues in local areas were identified by Ms Anderson, Mrs Barton and Kellie Armstrong and right across the Chamber. I do not underestimate the impact on families of having to live with this. I am pleased, however, that some Members have been able to report that there has been progress as a result of working with developers. I am keen that we do that. It is about finding the resolution in the quickest possible time frame but, where necessary, the Department needs to step in to take enforcement action.

In closing, I thank all Members for contributing to the debate. I thank the Committee Chair and

members for tabling a very constructive motion. I will keep the Committee updated on our work to review the level of bonds. I look forward to working with the Committee as we try to address the resource difficulties that face the Department.

4.45 pm

Mr Hilditch (The Deputy Chairperson of the Committee for Infrastructure): I thank those who have contributed to and participated in the debate this afternoon. We have heard about a wide range of issues across Northern Ireland. Every constituency from the west right through to Strangford has the same problems, and we have heard about those on the Floor today. I also thank the Minister for her attendance and contribution this afternoon. I welcome some of the statements that she made about outstanding works, bonds and construction costs.

Ten years ago, the figures relating to unadopted roads were stark. Anything between 1,200 and 3,500 unadopted roads and some 1,200 sewerage systems were identified as being in backlog, with over 620 kilometres of unadopted roads and laneways that sit outside the private streets process. While progress has been made, a worrying amount remains to be done, some of it dating back as far as 2007. Perhaps most worryingly, Northern Ireland Water and the Department for Infrastructure have yet to detail precise numbers of affected sites.

We have all heard examples of real situations affecting real families, and each of those deserves remedy. We have heard today about how problems have been exacerbated by low staff levels and loss of key skills in the Department and that, to get back to a proactive enforcement model and to be in a better place to know the number of sites and levels of occupancy, we need to go back to 2015 pre-reduction levels.

Much has been said about the 2012 report by the Regional Development Committee and the recommendations that it made for remedial action to address the backlog in legacy sites, yet we have also heard about how little seems to have been achieved in almost a decade since the report was published. The Committee believes that there are still issues to be addressed around bonds. The 2012 report recommended that:

"statutory providers and representatives of the construction and financial sectors agree

a bond level that is acceptable to all parties and which includes an inflationary amount."

Yet, we hear that, to this day, there are sites without bonds and sites where delays and inflationary increases mean that the bond is no longer held in a sufficient way to bring works up to suitable standards for adoption.

The Committee still has concerns around the prompt triggering of bond enforcement and suggests a review of whether the use of 80% occupancy rate is really the best measure of when adoption should be triggered. It also believes that a review of the departmental procedures, with a view to ensuring a prompt reaction to calling in the bond, is still valid today in order to alleviate the public health and safety risk to residents.

We have heard — we welcome it — that there has been engagement with the Law Society, but more can be done. What progress has been made to fully implement adapting property certificates to include legal opinion on the condition of roads and sewers, whether those have been adopted and advising potential vendors of the consequences that non-adoption will have for them? What progress can we make in developing an information guide for vendors?

I could go on about the recommendations made in the report and how the Committee's investigations of the current status of the issue reveals the need for each to be revisited and further actioned, but, rather than do that, it is sufficient to say that there is much work to be done overall.

Key to resolving the issue is the need to clearly understand its extent and the details of each site that is of concern. The Committee welcomes news that Northern Ireland Water is proactively trying to identify high-priority and legacy sites and to establish what the problems are in each. We welcome the fact that the Department is working with Northern Ireland Water to get that completed. That is long overdue.

The Committee acknowledges that there are instances where enforcement cannot be used to guide the works, typically where there are land issues and access issues. In those instances, there is a need to work out, with developers and residents, a way to move forward and resolve outstanding issues. Is there a way of moving further forward? The cooperation forum was recommended previously. It is the Committee's belief that no stone can be left unturned in seeking ways to

address the issues and to address the backlog, particularly in the older outstanding cases.

In closing, it is worth reiterating the call that the motion makes on the Minister for Infrastructure, which is to take urgent steps to identify the extent of and to reduce the backlog of unadopted roads and services. Given the ongoing constraints on the Department's resource budget and its implications, the motion also calls on the Minister to work with Executive colleagues to identify where cross-departmental working could help to address the issue and to examine again the recommendations made in the 2012 report with a view to formulating and implementing a time-constrained package of guidance and enforcement that includes ensuring adequate bond levels and a review of the statutory instruments.

There are still issues outstanding. The Committee for Infrastructure, just like the Regional Development Committee before it, believes that actions can be identified and must be taken to rectify the problem and that a coordinated effort by all sectors involved in the process might see major improvements in even the most critical cases. I commend the motion.

Question put and agreed to.

Resolved:

That this Assembly recognises the systemic failures in the current process for adopting roads and services in new developments; notes with concern the Department for Infrastructure's inability to quantify the precise number of those households and developments affected; further recognises the resourcing constraints within the Department that exacerbate the problem, and is concerned by the lack of progress made in addressing these failures since they were highlighted in a Regional Development Committee report in 2012; acknowledges the impact these failings are having on communities living in affected developments; calls on the Minister for Infrastructure to take steps to reduce the backlog of unadopted roads and services as a matter of urgency and to work with Executive colleagues to identify areas where cross-departmental working can be used to alleviate the impact of resource constraints; and further calls on the Minister, in line with the 2012 report recommendations, to formulate and implement a more robust and time-constrained package of guidance and enforcement that includes ensuring appropriate bond levels to complete works and a review of the main statutory instruments.

Mr Deputy Speaker (Mr McGlone): I ask Members to take their ease while we move to the next item of business.

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

Private Members' Business

Integrated Education Bill: First Stage

Ms Armstrong: I beg to introduce the Integrated Education Bill [NIA 23/17-22], which is a Bill to make provision about integrated education; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Motion made:

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

Adjournment

Street Lighting in the Rural Areas of Mid Ulster

Mr Deputy Speaker (Mr Beggs): In conjunction with the Business Committee, the Speaker has given leave to Emma Sheerin to raise the matter of street lighting in rural areas of Mid Ulster, but the Member is not present. I ask Members to take their ease for a moment.

Just to reiterate, the Speaker has given leave to Ms Emma Sheerin to raise the matter of street lighting in rural areas of Mid Ulster. The proposer of the topic will have 15 minutes.

Ms Sheerin: I put on record my appreciation to the Minister for being here and my apologies for taking so long to get here. I thank the Speaker for allowing the debate on this matter.

I have often said that, as a rural representative, issues of connectivity are the things that are brought to us most often by constituents. The issues that our constituents face in trying to access things such as health, roads, broader infrastructure and telecommunications services are brought to us incredibly often, and those are what matter most to the people that we represent.

Street lighting is one of the issues that I have brought to the Minister on many occasions, and

we work a lot with the local DFI officials, who are brilliant. However, the current policy is not fit for purpose and is not best serving the rural populations that we represent. The criteria to get street lighting in a rural area is difficult, as you need 10 properties which all have an independent entrance onto the road within 200 metres. I have a lot of examples, and I have written to the Minister about the criteria and the policy. I have also been working locally with Martin Curran from our local division, who has been at various site meetings with me, and I think that he is exasperated an awful lot of the time.

One example that I have raised on countless occasions is the patch of road between Straw and Draperstown. It is almost in my own back garden, as it is very local to me. It is a walking route for the population of Ballinascreen. Our football club is located in Straw, which is about a mile or less from the town. There is a good enough population in the town of Draperstown, and the route is a link to there. It is a walking and cycling route for people. We have a great new walking route around two of the pitches in the club, and people use that walking route all year round. As we live in Ireland, darkness falls at 5.00 pm or 6.00 pm for half the year, and, therefore, the route is not fit for purpose in the evening for most of the year. I use that walking route. During COVID, people relied on getting out and about for their mental health, and, obviously, we know the benefit of physical health for our own mental well-being. You meet people coming with wee headlamps on, because that is the safest way to get about. I have had countless requests for street lighting. It is a very small patch of road that is not lit up, but there is a safety issue.

Other examples include the Magherafelt Road, as it is called, which is the road coming out of Castledawson and heading towards the Castledawson roundabout. Again, I have been working with local officials about it. There is a dedicated walking and cycle track, which is brilliant and which has been recently resurfaced. There are bollards along the middle of the path, and people collide with those bollards, because there is no lighting whatsoever. It does not meet the criteria, but it would be a link route, and it would allow people who are coming from Castledawson to go in over the roundabout and into Magherafelt. It would provide people with an outside amenity that currently cannot be used because of the lack of street lighting and the safety issue that that presents.

Another example is provided by the Ballyneill Road in The Loup, where the football club is

located. It is a walking route for people from the village, the houses and, basically, the centre of The Loup out to football club, but they cannot use it for most of the year because there is no street lighting, and it is not safe. You have cars flying past, and, if people want to walk their children to training and to dander back, they cannot do that for a big portion of the year.

We have the Crew Road in Maghera. My colleague councillor Brian McGuigan has worked hard to get that road designated as a Highway to Health route.

Basically, there is a great circle in Maghera that, this year during lockdown, people used every day. There is just one small section of the road that has no street lighting. That is the break in the chain. People come down the Station Road and out on to the Crew Road, but they cannot use that section in the evening time for most of the year because there is no street lighting.

5.00 pm

Councillor Donal McPeake and I have had Martin Curran out in Ballymaguigan to the stretch of the Shore Road from St Trea's Primary School up to the houses, where there is no street lighting. Again, it is a break, and it means that there is a barrier to safety for people who want to use the facility. Having worked with departmental officials, I know that they are doing their best. The last time we had a debate in the Chamber about road safety in Mid Ulster — I am sure that this could apply across the North — we found that those issues are being brought to us time and time again because they affect people's everyday lives. It is a source of massive frustration, but I know that the officials we work with are doing the best that they can. It is the policy that needs to change.

Obviously, that policy has been in place since 2012. I would like to see some adaptation to it that means that issues would be looked at on a case-by-case basis. Whilst we have to bear in mind light pollution and acknowledge and preserve the rural aspect of a particular place, as regards the places that I have listed, particularly the likes of between Straw and Draperstown, locals in Ballinascreen do not see that area as rural compared with the rural road that I live on. It is an extension of the town, and people regard it and use it as such. That lighting would not be a barrier for people; they would welcome it. We could adapt it, look at it on a more sensible, case-by-case basis and look at the number of people who use the road

daily to see whether safety could be enhanced if there were lighting. That is all from me.

Mr Deputy Speaker (Mr Beggs): I advise Members who speak subsequently that they will have up to 10 minutes.

Mr K Buchanan: I thank the Member for raising this important issue and for the virtual tour of Mid Ulster for the Minister's benefit. I actually learned of some places too. It was very informative. I thank her for that.

The importance of rural street lighting cannot be overstated. It provides a number of benefits to constituents. Street lighting promotes security in rural areas, as the Member said, increases quality of life by artificially extending daylight hours and improves road safety for all. It is my understanding that the Department uses two main criteria when considering the provision of street lighting in rural areas. Those are the density of housing in a community, including public buildings with significant night-time use; and road safety, where street lighting would contribute to a reduction in the number of night-time collisions.

We have been contacted by constituents in our areas who want to improve street lighting. As the Member said, changing the criteria that have been set out by the Department would provide more positives than negatives in individual cases. Street lighting on rural roads improves safety for drivers, riders, cyclists and pedestrians alike. According to the Royal Society for the Prevention of Accidents (RoSPA), 40% of fatalities and serious injuries in the United Kingdom occur between the hours of 7.00 pm and 8.00 am, despite only one quarter of travel happening in that time frame. Between 2013 and 2017, 229 people were killed or seriously injured in Mid Ulster. That is an average of 45 road traffic collisions (RTCs) a year. In 2017, Mid Ulster accounted for over 6.5% of road traffic collisions in Northern Ireland, despite accounting for 5.5% of the population.

Evidence has found that increasing rural street lighting will decrease the number of fatal and non-fatal RTCs on motorways. A total of 2.6% of accidents are fatal where street lighting is present compared with 4.3% where it is not. On built-up roads, 1.3% of accidents are fatal where street lighting is present compared with 1.9% where it is not. Similarly, on non-built-up roads, 3.1% of accidents are fatal in lit conditions, rising to 4.9% in areas without street lights.

Increasing rural street lighting in Mid Ulster would promote security for the people who live there. In the past, they have become more aware of antisocial behaviour in the smaller villages around the constituency. The darker side of humanity comes out in the shadows, and places can become more sinister. On many occasions, most people in those areas have requested better lighting. Obviously, some people who carry out crimes and antisocial behaviour can hide in the shadows.

I welcome the transition to the new LED lighting in Mid Ulster. The benefits of the new LED lights are clear to see, if you will pardon the pun. The new LED lights provide brighter and cleaner lighting in our rural towns and villages and are a welcome sight to behold in comparison with the dull orange or sodium street lights, as they are known, to which we have become too accustomed. The new LED lighting is far more environmentally friendly. It does not contain lead or mercury. The LED lights reduce light pollution. The lights are more focused and project a more accurate colour rendering. Of course, some people are concerned about the lesser spread of the lights, and Martin Curran has made changes. You will get complaints, but that comes with their newness. Obviously, if there is a new system, your centres will be somewhat different. Some will have negative vibes, but that is only because of the change.

It is important to highlight the financial benefits of the new LED lighting scheme. The estimated annual savings from the implementation of the LED lighting scheme are around £906,000. The money saved can now be spent where it is needed in our constituencies and in wider society in Northern Ireland. Of course, some of those savings can be spent on some of the areas that my Mid Ulster colleague has requested.

I thank the Member for securing the debate, and I look forward to hearing other Members' remarks.

Mr McGlone: I thank the Member for securing this important debate. It follows on from the earlier debate on undeveloped roads. Many instances occur where, through the neglect of a developer, street lights cannot be provided in estates or on extended footways, and that creates a further problem.

I place firmly on record my thanks to Martin Curran, who, during my time as councillor and, indeed, as an MLA, has been prompt and efficient in getting back to me, sometimes in difficult circumstances: for example, when lights

being out in a housing estate has caused issues. I can think of one occasion when a young mother had died, and, in order to facilitate the wake, he moved promptly to get the lighting dealt with. That gave some relief to the family at that time. I thank Martin for that.

The SDLP has lobbied successive Ministers on the provision of street lighting and the need to maintain and repair existing lighting. That requires investment, and I thank the Minister especially for the recently completed street lighting on the flyover on the Tobermore Road in Maghera. That had been raised repeatedly by constituents, and the lighting has been widely welcomed in the area.

A party colleague in Mid Ulster, Councillor Christine McFlynn, has been lobbying recently for street lighting to be provided in Mountview, which is in Moneymore, to link a new build housing estate to the town. In Manor Park, the footpath has been extended, but, unfortunately, the contractor has not extended the lighting.

Such street lighting improves safety for residents. It can help otherwise isolated new build housing estates to feel part of an established community. Road safety is greatly improved by the provision of street lighting, enhancing the visibility for all those driving, cycling, wheeling and walking. We debated road safety issues at schools in Mid Ulster recently. Lighting around our rural schools was raised as an issue at that time, and it is worth highlighting again that one of the areas that I have been asked to raise is the area around Aughamullan Primary School outside Coalisland. That has been raised as an important issue by residents. In the winter months especially, it can be very difficult. Improving safety for children going to and from schools at all times of the year should be a priority for all of us as representatives of rural constituencies such as Mid Ulster.

Modern LED technology, which Mr Buchanan referred to, can provide adequate street lighting with improved quality and better energy efficiency. Residents from Carnan in the upper part of Ardboe parish have registered their thanks for and acknowledgement of that new form of lighting, as have residents in Glenone at the lower end of the constituency, close to the River Bann in County Antrim.

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Achieving a target of net zero by 2050 will need the adoption of new technology in the provision of vital infrastructure such as street lighting, and it is important that we figure that into our deliberations. I welcome the Minister's

commitment to climate action in this and other areas.

Mid Ulster is the proud home of the OM Dark Sky Park and Observatory at Davagh forest park.

It is only the second place on the island of Ireland and the first in the North to be accredited as an international dark sky park.

The adoption of new technologies for street lighting must include new design features that minimise light pollution. If future generations are to be inspired to follow in the footsteps of Northern stars such as Dame Jocelyn Bell Burnell, the renowned Northern Irish astronomer, who, as I am sure Members know, discovered radio pulsars in 1967 — I did not know that until someone pointed it out to me — we must ensure that we take light pollution as seriously as we do other environmental pollution. All that that will require is agreement from the Finance Minister and his Executive colleagues for the necessary investment in new technology to upgrade street lighting in Mid Ulster and right across the North.

The existing network of street lighting needs to be maintained and repaired until it can be upgraded. Previous Ministers cut budgets for that work at times and left some areas of our towns completely in the dark. That is not that long ago — a couple of years. People were ringing constantly, especially pensioners, when it came into the winter months. They lived in isolated areas, small estates and quiet areas, but they were very fearful once the lights went out at night. Some towns, indeed, were left completely in the dark.

I welcome the Minister's restoration of the budget for that essential work, and we have seen that. I have seen it in my own area of Ballinderry where, within about 12 hours of reporting it to Martin Curran, the team was out at the bridge with their full gear to carry out and effect those repairs. It is a busy location and at times the traffic flow is a wee bit nippy. I place on record my thanks to the Department for Infrastructure, following representations, for the road surfacing work at Ballinderry bridge and on the Drumenny Road. I am sure that Conor will relay that to the contractors as well.

The Infrastructure Minister has made a good start on the schemes that have been delivered to date, but there is much more to do, as we are hearing. I am sure that other Members will join me in thanking the Minister for her work and in calling for the Executive to agree further investment in the modernisation of street

lighting in our constituency. Such investment can save money by reducing power and the cost of power.

I mentioned a number of areas that residents have been speaking about in relation to street lighting, such as Annagher Road, Coalisland. I have been approached by people from the Straw area of Draperstown and the Clady/Glenone area. A Member also mentioned The Loup. Councillor Christine McFlynn and I met officials from the Department for Infrastructure there a fortnight ago to get a footpath in place. I refer to that because there are a number of areas where there are designated developments or villages in close proximity to one another. The Straw, Draperstown, is one such area. I think also of Clady and Portglenone, where there is a short footpath in places. Those designated developments are in relatively close proximity. The footpaths are in place or, hopefully, about to be in place at the likes of The Loup following our representations. Maybe the Department could look at where there is a regular flow of people and where, in some places, the footpath might be a wee bit difficult or dangerous at its edge where a pedestrian does not have any light. If there is a defined short area of footpath that has been provided and/or adopted by the Department, it would be worthwhile looking at the criteria for the provision of street lighting at those locations: Glenone to Clady, Straw to Draperstown, and hopefully, at the likes of The Loup.

The debate has given us a lot of food for thought and, I hope, food for thought elsewhere where the money and investment are at the Executive. I know that they have constant draws on their time. We heard about those earlier when we debated unadopted estates and people were suggesting further investment. This issue, however, involves road safety, the safety of pedestrians, particularly youngsters and families travelling to and from places of work or school.

Finally, I will mention just one more place: the Broagh outside Castledawson.

You were down there recently, Minister, to open the A6 formally, on which great work has been done. It was great to see you back in the constituency again, and I know that your friends and family are from not that far away from the Castledawson roundabout. I know them well and am sure that they were delighted to see you as well.

5.15 pm

The A6 is a brilliant roadway, but there is a footbridge from one part of the Broagh to the other. The Broagh is a townland that has been divided by the A6. There was previously street lighting where the existing roadway went, but now there is none. I want to highlight the fact that both sides of that footbridge are very dark, which is dangerous. A lot of people traverse it from one part of the Broagh to the other to get to St Malachy's Gaelic Athletic Club (GAC) pavilion, so, in the interests of pedestrian safety, it will be very important to get something moved along there.

On that note, I will conclude. I again thank the Minister for her intervention in a number of cases that I have raised.

Ms Dillon: I thank the Minister for attending the Adjournment debate and hope that we will get some results out of it. We all have our pet projects, for want of a better term. We all have areas that we want looked at, but we need to go right back to what was said by my colleague Emma Sheerin at the beginning of the debate, which is that we need a change in policy. We can all want lights wherever we want them, but if the policy does not allow for them, that is not going to happen. That is the reality, so we need to look at the policy.

A first step, Minister, on a case-by-case basis, which is something that Emma Sheerin suggested, is to look at how we can work with councils. I cannot speak for councils in other areas, but I can speak for Mid Ulster District Council. Right across the board, our council officers are outstanding when it comes to looking at what is good for Mid Ulster, what will benefit its residents, what is strategically beneficial and what will work for us economically to benefit people's lives, their health and their mental well-being. Every single facet of life of the people of Mid Ulster is valued and benefited by what our council does, from our council officers through to our councillors. They work well together to ensure that we have the best possible standard of living across Mid Ulster. Doing that would therefore be a good starting point.

It has already been said that, where there are dark areas, we will have antisocial behaviour. As much as lighting is important for just being able to walk from one place to another safely, it is also important for residents' safety, as it guards against antisocial behaviour. To be fair, rural residents feel a wee bit neglected and not just by the Minister's Department. A lack of infrastructure is a massive part of why they feel neglected. We have talked before about access

to footpaths, and street lighting is part of that, because, very often, if you do not have a footpath, the chance of getting street lighting is pretty limited. We need footpaths and street lighting, however, and we need to link up areas such as top Clonoe, where I live, to the town of Coalisland via Annagher Road. There is a really good footpath there, which was laid and maintained by the Department, but it has no lighting. For the better part of the year, it is no good to anybody. It is vital for allowing people access from top Clonoe to get to services such as Na Fianna GAC, the shop and everything else that is closer to the town. Having lighting there is really important. People feel a bit abandoned. They have that footpath, which takes them to Coalisland, but there is no link from top Clonoe to bottom Clonoe at all.

We have the same circumstance in many other areas. I agree with other Members when they talk about developers looking at where footpaths and street lighting are situated when they are considering a development. There are some small areas close to where I live where a tiny stretch of footpath with a bit of street lighting could connect them to the town. We are talking about a couple of metres' worth in some instances, but not having the street lighting prevents residents from being able to access services and access the town. We talk about mental health and well-being, but we often do not get the benefits in rural areas of having walking tracks and the lit-up areas that have footpaths that enable people to walk, particularly in the evenings.

Those of us who work have to walk at either 6:00 am or 7:00 pm or 8:00 pm and, at particular times of the year, it is dark at those times. We really need to look at where we can put street lighting and consider where we can put minimal investment but create maximum benefit. That is important.

I agree with some of the contributors who spoke on the need to look at how to protect our environment through the type of lighting that we put in in certain areas. It is really important to certain individuals, particularly people who have made representations to me, that, when we put lighting in certain walkways, we should be really conscious of what wildlife is in that area and how that lighting will impact on it. It is great to see that people are conscious of that because there was a time when people would have just said, "We want lights, and all that matters is us". Now, people say that they want to protect their surroundings and their environment, and that is good.

I will not go over the points made by other Members on the benefits of LED lighting because those are plain to be seen in every possible way, not least financially. I accept that finances are an issue; they are an issue for every Department. They are an issue for the Executive and the Assembly, because we have finite resources. We have finite resources not because our Executive do not want not to give all our Ministers money to do whatever they want but because we rely on a British Government to give us money. I do not want to be in that circumstance; I would much prefer that we had complete control over our finances. I certainly would not like to be going with a begging bowl to pay my bills in my house. I like to be in control of my finances, decide what my priorities are, decide how I spend my money and decide what bills I pay first. The Executive should be in the same position, and you, Minister, should be able to deliver all of the things that we talked about in the debate earlier and what we are talking about this evening. I would love us to be in control of our own destiny.

I will not go over all of the points that have already been made, but, by changing the policy and working with the council, we could make a real difference to the lives of the people across Mid Ulster, not least in our very rural and isolated areas.

Ms Mallon (The Minister for Infrastructure):

As other Members have done, I thank Ms Sheerin for instigating the debate on my Department's policy for the provision of street lighting in rural areas of Mid Ulster. Of course, the issue extends beyond Mid Ulster and is relevant to rural areas across all district councils in Northern Ireland. I have listened with interest to the comments and the issues raised by Members, and I thank them for their positive commentary on the staff in the local division. Our staff in my Department live locally. They care deeply about their communities and really want to make a positive difference. I will ensure that that positive feedback is fed back to them because it is important that they get to hear of that.

I recognise the importance of street lighting to the public and the contribution that it makes to communities by extending the hours in which activity can take place. As every Member has highlighted, street lighting has multiple benefits for citizens and road users and in helping communities to feel safer. Recognising those multiple benefits, I was pleased when I came into office to be able to commit funding to ensure a full street lighting repair scheme and to, effectively, as Mr McGlone highlighted,

switch the lights back on in Mid Ulster, where there are over 66,000 street lights, and back on across the North. Many Members and communities have remarked on the positive impact that that has had across the North. While in government there is so much more that we need to do and so many of us can be focused on the big projects, I have always been keen that we get the basics right too. No matter how big or small, getting the basics right is key to supporting our communities and enhancing the lives of citizens.

My Department's policy for the provision of lighting in rural areas seeks to strike a balance between factors such as the needs of rural communities, road safety, environmental effects, costs and sustainability. The criteria that I inherited from predecessors are based on the identification, as Mr Buchanan highlighted, of a rural community, which, for the purpose of this policy, is defined as the presence of 10 dwellings in a continuous 200-metre stretch of road.

The policy recognises the importance to the community of public buildings, such as church halls or schools, and, for the purposes of assessment, they are given a weighting and counted as two dwellings.

I also appreciate, as Keith Buchanan and other Members highlighted, that it can also improve road safety for drivers, wheelers, cyclists and pedestrians. My Department works each and every day to improve road safety, and, for that reason, the policy also allows for the provision of road lighting at locations where there have been a significant number of night-time collisions and it is deemed that road lighting would contribute to road safety.

However — this is where some of the challenges begin to come in — it is also important to get the right balance between the demand for more rural lighting and — Ms Dillon highlighted this — the unwelcome effects of the increased urbanisation of the countryside, the effects on people, wildlife and flora, and the environmental impact of night sky light pollution.

Members are also aware that my Department has suffered historical underinvestment and that, despite my best efforts, the resource budgetary outlook, in particular, is not great for this year. It represents a real-terms cut, and this financial year will be challenging in maintaining the level of service that we had in the previous year.

I also have to consider the considerable financial costs of providing and maintaining

additional public lighting installations. In recent years, due to ongoing resource and capital funding pressures, there has been a need to direct the finite resources available towards the maintenance and replacement of existing assets, rather than increasing the network by providing new lighting in areas that were not previously lit.

It is important to pause to reflect on the scale on which my Department works to make improvements across our community. My Department is responsible for around 289,000 street lights. Of that total, approximately 32,000 are over 40 years old, which is well beyond their intended design life of 25 years. The cost of replacing those ageing columns is estimated at £72 million. In addition, and in order to maintain the current age profile of the existing lighting stock, my Department needs to replace approximately 7,000 street lighting columns per year, along with the associated cabling, at a cost of £14 million. The annual cost to maintain those lights, including outage repairs and electrical inspection and testing, is approximately £7.5 million, and that is over and above the annual electricity cost for street lighting, of around £11.5 million. I do not say that to add negativity to the debate, but it is important that I set out the factual context in terms of the financial requirement of providing our existing service.

All that presents huge challenges. As well as that, I am keen that we do what we can to reduce costs. I am committed to reducing my Department's energy use, and, as Members have highlighted, my Department has changed almost 112,000 sodium street lights, which is 39% of them, to more energy-efficient LED lights. I welcome the support that has been expressed by Members for the continued roll-out of our LED units. It has resulted in a reduction in energy consumption of about 24%, and that programme has also delivered savings in maintenance costs, due to the much longer operating life of LED, as well as providing environmental benefits in helping us to tackle the climate emergency. I am pleased to inform Members that, in order to make additional reductions in energy use, I will make further allocations towards LED retrofitting in this new financial year.

I appreciate the list of requests that Members have highlighted today. They have also highlighted them in correspondence with me, so I know how strongly they feel about them. I am very sympathetic to the provision of additional lighting in our rural communities. I completely understand why people would say that we should, as a Department, take a case-by-case

approach, but the issue here is that we need to have one that is objective, fair and consistent. Importantly, we need to have an approach and policy that we can fund, and that is where the challenge comes in.

There is merit in the partnership approach that Ms Dillon highlighted. Members know that I set up the blue-green infrastructure fund to act as a catalyst for change. There may be opportunities there. Ms Dillon spoke at length about the possibility of extended pavements.

I wonder whether there is something that we could do there, working with Mid Ulster District Council, for example. If Members have proposals, I encourage them to encourage their councillors to work with officers to bring those through to the Department to see what we can do.

5.30 pm

I would like to do much more in this area, but I struggle to fund the existing service and the roll-out of LED lighting within the current budgetary constraints. That does not mean that I am not open to changing, or would not like to change, the policy; I would. However, as I said, I need to manage expectations and be honest with people.

Ms Sheerin: Will the Minister give way?

Ms Mallon: Yes, of course.

Ms Sheerin: Thank you, Minister. I understand all the issues that you have outlined about funding and the ramifications of extending the network. I also know that you referred to my request for it to be looked at on a case-by-case basis. However, particularly with the Straw to Draperstown example — I literally cannot count the number of requests that I have had about that — you could compare that stretch of road with a stretch of road at the top of the town that has lighting and does not have any more entrances coming off it.

Will you commit to a site visit, to come out and look at it? It would not mean increased urbanisation. I know what you said about increased costs, but you are literally talking about three street lights, I would say, for you to fulfil your requirement to improve safety. It would also mean that people would have the option of a walking route that they already use, but without the apprehension and anxiety that it currently produces.

Ms Mallon: I thank the Member for her question. I will be happy to call in and have a look when I am on my next visit to Mid Ulster. The challenge here is that you, as a Member, have come with a list of requests, but I get those requests from across the North. I have to be fair in how I respond to all those requests and make sure that I have recurring funding to fund them. I am certainly happy to take a look. I am also very keen to work with councils so that we can promote active travel and have a new cohort of budding astronomers — astronomers, is that right, Patsy? — in Mid Ulster as well.

Adjourned at 5.32 pm.

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