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Tuesday 2 December 2014
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Northern Ireland Assembly

Tuesday 2 December 2014

The Assembly met at 10.30 am (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).

Members observed two minutes' silence.

Ministerial Statements

British-Irish Council: Indigenous, Minority and Lesser-used Languages

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): Go raibh maith agat, Mr Principal Deputy Speaker. In accordance with the statutory requirements, I wish to make the following statement on the indigenous, minority and lesser-used languages (IML) meeting of the British-Irish Council (BIC), which took place in Cardiff on 24 October 2014. I attended the meeting as appropriate Minister in place of the Minister of Culture Arts and Leisure, who was unable to attend. The Minister for Social Development attended as accompanying Minister.

The Welsh Government hosted the meeting, which was chaired by Carwyn Jones AM, First Minister of Wales. The Irish Government were represented by Joe McHugh TD, Minister of State for Gaeltacht Affairs. The British Government were represented by Clive Barbour, head of international, social and economic engagement at the NIO. The Scottish Government were represented by Alasdair Allan MSP, Minister for Learning, Science and Scotland's Languages. The Government of Guernsey were represented by Deputy Michael O'Hara, Minister at the Culture and Leisure Department. The Government of Jersey were represented by Tony Scott Warren, language officer. Finally, the Isle of Man Government were represented by the Tim Crookall MHK, the Minister for Education and Children.

One of the two main themes of the meeting focused on the place of indigenous, minority and lesser-used languages in early years education. This is an area that Ministers had asked officials to examine and was the subject of an expert and stakeholder seminar entitled 'Promoting IML languages through early years education' organised by the British-Irish Council in Cardiff in November 2012. The Council endorsed a paper that captured the key issues

in developing and supporting early years education and childcare within indigenous, minority, and lesser-used language communities. The Council also agreed the important role that encouraging linguistic continuity can play through the use of IML languages in childcare and early years education settings in each jurisdiction. In order to achieve that, it is necessary to identify needs, plan for provision and develop resources in the workforce, including through relevant professional development. Quality practice development and the use of relevant research also have a key role to play.

The meeting also received a presentation by Professor Rob Dunbar from Edinburgh University on the second theme of the meeting, which focused on the official report of the British-Irish Council's seminar on language policy and legislation. The seminar was held in Edinburgh in November 2013 and considered language legislation in BIC member Administrations and further afield. It also considered how to embed IML languages in other legislation; the role of policy as opposed to legislation in supporting and developing IML languages; external influences on IML languages policy; and reflections on the first year of the Welsh Language Commissioner.

The Council noted the report and discussed the important role that legislative, regulatory and policy approaches can play in support of IML languages, whether suitable initiatives in this regard may be appropriate to their jurisdiction and how continued sharing of best practice in the area of language legislation and/or regulation could further support IML languages across the BIC jurisdictions.

The Council also reviewed a report prepared by officials detailing the other activities of the IML languages work sector since the last ministerial meeting in November 2011. Ministers noted the continuing sharing of good practice between member Administrations on language issues. They especially commended the range of bilateral and other relationships built up and facilitated through membership of the Council

and the opportunities that those relationships have presented. Particularly noteworthy is the fact that these contacts have been beneficial for the smaller BIC Administrations.

Finally, the Council considered and approved proposals for the future work programme of the IML languages work sector. This will focus on issues relating to language learning for adults, marketing, the arts and digital media, the links between language and the wider economy, and the role of the community in sustaining IML languages. The Council also expressed its view that the three-year cycle between ministerial meetings was too lengthy and requested that consideration be given to more regular ministerial meetings.

Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):

The work that is carried forward on indigenous minority languages is largely done not at ministerial meetings but in the ongoing work programme between officials. How is the information, good practice and so on that is discovered through that work disseminated to the Department and more widely in culture, arts and leisure in Northern Ireland? I appreciate that the junior Minister is standing in for the Culture Minister, but maybe I could get an indication subsequently.

Ms J McCann: I thank the Member for his question. He is aware that I attended the BIC meeting on behalf of the Culture Minister. I do not have the complete answer that he requires, but I will certainly pass his question on to the Minister and maybe get a written reply.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. An dtig liom a fhiafraí den Aire faoin pholasaí teanga, mar an dara téama? Will the Minister give us more information on the second theme of the meeting, which was language policy and legislation? What consideration was given to embedding IML languages in other legislation?

Ms J McCann: I thank the Member for his question. As I said, the meeting received a presentation from Professor Rob Dunbar, which discussed languages legislation and embedding indigenous minority languages in legislation. There was quite a bit of discussion on the Scottish and Welsh models in particular and on how, when legislation is brought forward, the rights of those language speakers are enshrined in law, how that affords protection for the rights of citizens to use those languages and how it also helps to develop the languages.

Ministers felt that it was important to enshrine that in legislation.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaimse buíochas fosta leis an Aire as ucht a ráitis ar maidin. Ag amharc ar an darna leathanach den ráiteas, is iontach liom an meas atá ag muintir na hAlban agus ag muintir na Breataine Bige ar a dteangacha, agus ritheann sé liom gur trua nach léirítear an meas céadna ar an Ghaeilge anseo. In reference to the theme of legislation and policy, it strikes me that the people of Scotland and Wales have great respect for their languages; perhaps there are people here who could learn something from them. Tá ceist agam faoin téama áirithe sin. Will the Minister tell us what she learned from the discussions around legislation that might be helpful to us here as we plan an Irish language Act? Go raibh míle maith agat.

Ms J McCann: I thank the Member for his question. As I said in my previous answer, there was quite a lengthy discussion around how legislation enshrines the rights of speakers, particularly the Irish language Act here. The Member will be aware that the CAL Minister believes that legislation is very important for the status that it affords the language and for protecting the rights of citizens to use it. Obviously, it requires the agreement of the Executive and the Assembly. The Minister is on record as saying that, if local agreement cannot be achieved, there is a commitment in the St Andrews Agreement for the British Government to introduce an Irish language Act here. The Minister believes that they should honour that commitment.

Mr Lyttle: I thank the Minister for her statement. Does she agree with the Church of Ireland that support and respect for linguistic diversity is vital in a shared society? What best-practice policy approaches were discussed at that meeting that might help us to lead in relation to respect for linguistic diversity in Northern Ireland?

Ms J McCann: I thank the Member for his question. I agree that making a mockery of someone's language or insulting an entire language community serves no purpose at all. I made some comments in my previous answer about the legislation. Also discussed at the meeting was the importance of encouraging and developing early years education and learning through the medium of a particular language. If people start learning a language at an early stage and it is open to all members of the community, that is the way to show clear

respect. As the language develops, it will gain respect from all communities, no matter which community anyone is from.

There is benefit in maximising and realising all the social and economic benefits that come from that.

Mr D McIlveen: In relation to the Minister's last question, surely considerable respect is shown for the diversity of languages in Northern Ireland; we are the only part of the United Kingdom that provides an interpreting service for all our ethnic minority communities. We are unique in that regard, and we should be very proud of that. What discussion took place around how we recognise all the minority languages in Northern Ireland, which, of course, take in many of our recent immigrants over the last 10 years from eastern Europe and other parts of the world?

Ms J McCann: I thank the Member for his question. He makes a valid point about the importance of translating for people from countries that do not have English as their first language. We are looking at making it easy for people to understand services that are there for them, and we need to ensure that interpretive services are provided in a language that people understand. The Gaeltacht Quarter or the Ulster-Scots hub and visitor centre, which opened last week, are also very important because it is not just about the language; it is about people learning about the culture and all that. It is important that those places are open for people, particularly those from different ethnic minority backgrounds, so that we have that richness. Diversity is where we want to go; we want to see respect and tolerance, as they make our whole society much richer.

10.45 am

Mr Allister: I suppose it is a commentary in itself that it took six weeks to make this statement and that this useful body only meets once every three years. However, given that there is a real deficit in our early education years of introducing our children to real, meaningful languages that will have commercial use for them in the future and be to the benefit of the country, would the Ministers not have been better spending their time discussing that, rather than discussing esoteric, hobby-language pursuits?

Ms J McCann: I thank the Member for his question. I found the discussion of languages quite beneficial. The Irish language — I am assuming that is what the Member is referring to — is a very vibrant language, which is treasured by a certain community. We have to look at the Gaeltacht Quarter and how it has developed and sustained a vibrant economy.

British-Irish Council: Summit

Mr Hamilton (The Minister of Finance and Personnel): Mr Speaker, in accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following statement on the twenty-third summit meeting of the British-Irish Council, which took place in Douglas, Isle of Man on 28 November 2014. The deputy First Minister and I attended the summit. The First Minister was unable to attend and, in accordance with the provisions of the 1998 Act, nominated me to attend in his place.

The Isle of Man Government hosted the summit, and the heads of delegations were welcomed by the Chief Minister of the Isle of Man, the honourable Allan Bell MHK. The Irish government were led by the Taoiseach, Mr Enda Kenny TD. The United Kingdom Government were led by the Secretary of State for Northern Ireland, the Rt Hon Theresa Villiers MP. The Welsh Government were led by the First Minister, the Rt Hon Carwyn Jones AM. The Scottish Government were led by the First Minister, Ms Nicola Sturgeon MSP. The Government of Jersey were led by the Chief Minister, Senator Ian Gorst, and the Government of Guernsey were led by the Chief Minister, Jonathan Le Tocq.

These twice-yearly summits continue to provide an opportunity for the British-Irish Council to play its unique and important role in furthering, promoting and developing links between its member Administrations through positive, practical relationships and in providing a forum for consultation and exchange of information on matters of mutual interest within the competence of those Administrations.

Digital inclusion, which is one of the BIC work streams and was an agenda item at the meeting, is about ensuring that everyone has the opportunity to benefit from the potential of information technology. It was appropriate, therefore, that, although this was the twenty-third summit of the Council, it was our first e-summit.

As is now customary at each summit, the Council discussed the current economic situation. Each member Administration outlined their latest economic indicators and the strategies that they are putting in place. We were pleased to be able to report that there are positive signals of growth across a range of economic indicators and that the cautious optimism recorded at the previous summit has been sustained. We were particularly pleased to report our recent successes on the job-creation and investment fronts.

As its main agenda item, the Council also discussed the benefits and increasing importance of digital participation in everyday life. We reviewed audiovisual material produced collaboratively by the work stream to highlight these benefits and the disadvantages of exclusion. The Council was updated on examples of work under way in the different BIC jurisdictions to promote digital inclusion.

The Council agreed the importance of ensuring that everyone in their jurisdictions has the opportunity to share in the benefits of technology and the Internet, and the potential contribution towards wider government policies, for example accessing public services and tackling issues like social isolation. We discussed the training being provided in Northern Ireland to enable the harder-to-reach, digitally excluded sections of the population to gain digital skills and to access digital services. The Council agreed that officials in the BIC digital inclusion work sector should continue to collaborate on the common themes of people, partnerships and policies and investigate potential opportunities for research cooperation.

The Council noted the work that had taken place across each of the twelve British-Irish Council work sectors since the previous summit in June 2014. In particular, the Council noted the decisions made at three successful BIC ministerial meetings held in that period, namely the BIC misuse of substances, BIC indigenous, minority and lesser-used languages, and BIC environment work sector meetings.

Ministers also noted that further ministerial discussions are planned in a number of work sectors in 2015.

The Council also reviewed the latest youth employment statistics across the Administrations and welcomed the encouraging picture emerging in this important area. The Council noted the secretariat's mid-year progress against its business plan. Finally, the Council noted that the next BIC summit would be hosted by the Irish Government in June 2015 with a focus on the use and misuse of alcohol.

Mr Weir: He has obviously been promoted today. Can I ask the Minister what the Northern Ireland Executive are doing to increase digital inclusion?

Mr Hamilton: It is just a temporary promotion, obviously. In the BIC, the Isle of Man leads on digital inclusion. This was the 23rd summit but

the first e-summit of the British-Irish Council. There are a growing number of government and private sector services being made available online. I think that that is reasonable, particularly in the circumstances we find ourselves in, and I know only too well in my role as Finance Minister the pressures that Departments face. It can save money, importantly, and make services more accessible to our people, but it is important that, in so doing, we are careful and mindful of the fact that there are some who are outside the digital ways of life. It is almost second nature for young people nowadays, but there are people for whom using the Internet is not something that they are comfortable with or confident in doing. It is important that we continue to work at increasing the number of people in Northern Ireland who are digitally included.

The figures have increased. The work of Go ON NI, which is an initiative led by my Department to get more people online, has reported great success over the last four years. Since its operation, it has increased the number of adults using the internet by 10%, to a total of 80%, which is quite impressive and compares very favourably with other BIC areas. However, it still means that one in five people is not on the Internet, so we continue to work on programmes, particularly with people who are harder to reach, those who live in rural areas, people with disabilities and older people. As is common across the BIC area, we have been using the libraries infrastructure as a way to reach those who do not use the Internet and digital channels to access services.

Ms McGahan: Go raibh maith agat. I thank the Minister for his statement. Minister, given that more and more computer applications depend on a high-speed connection to maximise the potential of the Internet, will you elaborate on what discussions took place regarding digital inclusion for rural areas in the North of Ireland?

Mr Hamilton: We should be rightly proud that we were the first region, not just in the British-Irish Council area but in Europe, to have 100% access to broadband for our citizens. I appreciate that, in some parts of Northern Ireland, the speeds available are perhaps not as fast as they are here in Belfast or in some other urban areas, but we are in a stronger position than they are in many other areas in the BIC area. I noticed in the discussions that we had at the summit that the Administrations of Scotland and Wales commented on how the topography and geography of their countries made it very difficult to get anywhere near the level of access to broadband that we have.

I entirely appreciate the point that the Member makes. I know that there has been work conducted by the Department of Enterprise, Trade and Investment to identify what are described as "not-spots", where there are lower speeds and sometimes difficulties in getting any sort of signal at all. There are plans and programmes in place to invest in that sort of infrastructure. It is important that, while we fill in the gaps where there are slower speeds of access to the Internet, we continue to invest. We cannot take it for granted. Just because we are the first region in Europe to have 100% access to broadband, we cannot rest on our laurels. Technology is changing all the time. We need to continue to invest so that we get superfast broadband, develop good 4G networks and always stay ahead of the game with the offer that we have not just for our citizens but for the companies that invest in Northern Ireland.

Mr D Bradley: Go raibh maith agat arís, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. I note that the Minister said that representatives were able to report positive signs of growth across a range of indicators in the economy. Was there any discussion of the damage being done to the economy by the austerity policies being pursued by the coalition Government in Westminster?

Mr Hamilton: There was a discussion around those issues. This was not only my first time on the Isle of Man but my first British-Irish Council summit. In the discussion around the economy, I found it interesting and useful that each of the eight member Administrations outlined how their economy was doing. It was also an opportunity, particularly with UK Government representatives there in the form of the Secretary of State for Northern Ireland and Francis Maude, the Cabinet Office Minister, whilst being always cordial and friendly, to be direct in raising the concerns of our Administration. The deputy First Minister certainly raised these points, and the Welsh and Scottish Administrations said that, while their economies were showing signs of improvement, they had concerns. We are certainly matching Wales and are maybe a little further behind some of the economic developments in Scotland, but we are certainly up there and holding our own.

There was a degree of frankness and directness in raising issues around the reduction in public expenditure and how that is having and will continue to have an impact on our economy. As you might expect, the issue of welfare was also raised with the UK

Administration, not always in a positive way. It was a good opportunity to be blunt with the Secretary of State about the impact of her Government's policies. We know that only too well in the House; we saw it recently in the draft Budget and will continue to see it in future Budgets.

Almost irrespective of who occupies 10 Downing Street after the next election, there will be reductions in expenditure. As Mr Campbell rightly pointed out, the Taoiseach pointed out to the meeting the significant steps that he had had to take. I am on record as having praised the courage that he and his Administration have shown in going after the need to reduce public expenditure and sometimes taking difficult decisions in raising taxes. It was useful, too, in the sense that it affects not just Northern Ireland, Scotland or Wales but all of the British Isles.

Mr Swann: Thank you very much, Mr Principal Deputy Speaker. The Minister concentrated on the e-commerce side of things. The Council also reviewed the latest youth employment statistics across all Administrations. How are we faring against the other regions in the UK and Ireland, and did he pick up any useful tips to bring home and give to our Employment and Learning Minister?

Mr Hamilton: I am always trying to find useful tips to give to all Ministers, not just the Employment Minister. Whether they listen to the advice that I give them is another matter entirely.

Dr Farry: I always listen.

Mr Hamilton: Always listen. There you go; very good. Whether he heeds it or not is a different matter altogether.

That was an area touched on in terms of the ongoing work of the Council and its work streams and work sectors, but it was not delved into particularly. It came up in the discussion on the economy. We should not rest on our laurels, but the Member and the House will be familiar with the fact that our unemployment has fallen considerably. We are now at the UK average, and we should welcome that. We should not be complacent: at 6%, there are still too many people unemployed and still work to be done. Within that, one of the worrying indicators, although it is improving, is the level of youth unemployment in Northern Ireland. It was noticeable, though, that we are not the worst by any means in the United Kingdom. The Employment Minister will be more familiar

with these statistics than I am, but, having listened to the Welsh Administration talk about their problems, I think that they are in a graver position than us in respect of youth unemployment. Again, it is a challenge that affects every member Administration in the British-Irish Council. It is something that is worrying across the European Union.

That is why I have been supportive of many of the initiatives that the Minister for Employment and Learning has taken forward to try to address what is potentially a very damaging issue to our society and have assisted in the funding of some of them.

11.00 am

Mr Lyttle: Was an opportunity taken at the meeting to raise the difficulties surrounding the First Flight Wind offshore wind farm, which had the potential to create 100 jobs for Northern Ireland and to secure 13% of our energy from renewables?

Mr Hamilton: There was no opportunity to raise that issue, and it was not raised. Whilst I am concerned about the decision that has been taken by First Flight Wind, I am not familiar with the nuts and bolts of the issue so I do not want to comment on the whys and wherefores of the decision.

Obviously, the company took the decision, and I was not familiar with it until yesterday. If I had been able to raise it at the summit on Friday, I would have been almost a soothsayer. I would have been better doing the lottery that evening if I had been able to foresee the company taking the decision that it has taken in the past 24 hours. Obviously, it will greatly interest the Minister of Enterprise, Trade and Investment, who is responsible for energy policy in the Executive, and it is probably an issue that is better raised with her.

Mr Campbell: It is good to hear that all the Ministers got on so well and were able to speak in a language that everybody could understand.

The Minister mentioned the e-summit and the youth employment statistics. Was any comparison made between how we in Northern Ireland compare with the other BIC Administrations when it comes to young people applying for employment in Departments?

Mr Hamilton: There was no direct discussion on that issue. There was a lot of sharing of information and experience on unemployment, general economic conditions and issues around

youth unemployment. The issue is, I understand, a standing item on the agenda for all summits, and, as concerns or issues on youth unemployment or young people applying for government positions develop, it will come to the Council's attention and could be discussed at future summits.

Mr Spratt: I thank the Minister for his statement. To what extent were the conclusions of the Smith commission discussed at the summit meeting?

Mr Hamilton: As you might expect, given that the Smith commission reported the previous day, it was a topic of considerable conversation at the summit, both at the meeting itself and on the margins. The deputy First Minister and I took the opportunity to have a bilateral meeting before the summit with the new Scottish First Minister, Nicola Sturgeon, who was at her first BIC meeting as First Minister, and the issue was discussed then. It was also discussed at the summit.

There is a lot of detail in the Smith commission's report, which we will study as an Executive. Whilst the Scottish First Minister was at pains to stress that the report did not go far enough to please her and the Scottish Government, it is indicative of what is in play for the further devolution of powers, particularly tax powers, to the devolved Administrations, which include Wales and Northern Ireland. From the conversation that the deputy First Minister and I had with the Scottish First Minister, it became clear that, as they develop their thinking and understanding of the contents of the Smith commission report, especially on tax powers and welfare powers, when the Executive believe that there are opportunities for us, we will explore them with the Scottish Government, drawing on their experience of what happens from here on in.

The report was commissioned but will not be actioned for a while; it will be actioned over a period of time. It is incredibly important that the Executive work hand in glove with the Scottish Government and our counterparts in Wales. When there are opportunities for Northern Ireland and for the devolution of further powers that benefit the people of Northern Ireland, we should examine them seriously. We should learn from the other devolved Administrations. Part of the essence of devolution is that we all move at slightly different speeds, in slightly different directions and at different paces, but there is a lot of commonality and a lot of things that we can learn from each other. That is what the British-Irish Council is all about. Given the hotness of the topic, it was a useful opportunity

to discuss the Smith commission directly with the Scottish First Minister.

Mr Byrne: I welcome the Minister's statement. In relation to youth employment and, particularly, youth unemployment, was there any discussion about common strategies to tackle this sector, particularly in regard to digital technology use?

Mr Hamilton: The discussions on digital inclusion were very focused on how we make sure that the roll-out of government services in particular is as accessible to as many citizens as we can make it. We were on the Isle of Man, which is a very small economy that I am very envious of. It has reported 30 years' consecutive economic growth and unemployment at 2%. Oh, to have the problems of the Isle of Man. They have been able to change and adapt over the challenging period of the last number of years and get into, in particular, a lot of high-tech and digital industries such as e-gaming and e-banking. It has really grasped the whole area of potential in the private sector.

I am sure that the Employment Minister will agree that, as we bring people through our schools, our colleges and our universities, this is an area where there are increasing opportunities. We shared with the Council many positive indicators around the record year that Invest Northern Ireland had last year and the fact that, this year, it has already surpassed the number of jobs that it promoted last year. Many of those jobs have been, if not necessarily in the IT sector, with an IT basis to them. So, there are huge opportunities for our young people to get into employment through that sector in particular.

There has been useful work, not only on an east-west basis but on a North/South basis — the Employment Minister will be much more familiar with that than I — to learn from shared experiences and tackle youth unemployment. Indeed, I understand that there has been cross-border work on shared initiatives, particularly related to Europe, to help to fund perhaps some work in Northern Ireland and, indeed, in the Republic of Ireland. My view on working with other Administrations, whether on a North/South or east-west basis, is that we should not be afraid to learn from others and should not be afraid to work with others, if the end result is that it improves the lives of our citizens in Northern Ireland.

Executive Committee Business

Work and Families Bill: Final Stage

Dr Farry (The Minister for Employment and Learning): I beg to move

That the Work and Families Bill [NIA 34/11-15] do now pass.

I am pleased that the Bill has reached its Final Stage. This is an important and forward-looking Bill that promotes greater flexibility and choice for working people and, in particular, working parents. It establishes improved options for people who want to achieve a better balance between the demands of the workplace and the home. It does so, first and foremost, by giving working parents the option of sharing leave and pay entitlement following the birth or adoption of a child. It also extends the right to request flexible working to all qualifying employees. I thank all those who have given of their time to contribute to the Bill's progression and, in particular, the stakeholders who contributed so positively throughout the consultation process.

The Bill before us today will enable us to meet the needs of working parents more effectively while allowing employers to carry on running their business without unnecessary disruption. It establishes a progressive policy framework that recognises changing family roles and supports the contribution that fathers and partners increasingly want to make to the upbringing of their children. It is important that our workplaces support this change and that we address in a very positive way the historical and unhelpful assumptions that it will always be the mother who takes on the bulk of childcare and, along with it, a lengthy absence from work. At the same time, let me assure Members that the Bill in no way compromises the rights of mothers to take the full entitlement provided for them in the current arrangements.

I believe that the measures in the Bill will also make an important contribution to the work that is ongoing to promote gender equality in the workplace and in wider society. My Department has developed a gender action plan that seeks to build on the work being taken forward by the Executive to address the historical differences between men and women in pay and participation in the workforce.

We know that women are performing better than men in many different aspects and levels of the education and training system. However,

there are issues with the representation of women within some key sectors of the economy, most notably those that are set to grow most rapidly over the coming years. Furthermore, there are issues regarding the retention and progression of women in the workplace, and it is to that aspect of providing equal opportunities that the Bill is most relevant.

While the Bill's focus is most directly on working parents, there are also benefits for business. Put very simply, we cannot expect to successfully operate in the global marketplace if we do not make the most of the local marketplace of talent. The sharing of parental leave will enable many employers to retain and develop talented individuals, particularly by helping working mothers to preserve a meaningful attachment to the workplace. That can only have a positive impact on skills retention and the flexibility of the Northern Ireland labour market.

Achieving a balance between employee and employer needs in a way that promotes economic well-being is central to what my Department is seeking to achieve through the current review of employment law. I am satisfied that the Bill meets that objective.

As Members may know, the new rights to shared parental leave and pay that the Bill introduces in Northern Ireland correspond to new rights in Great Britain. Consultation has shown that that is what stakeholders here want, and it is only right that working parents in Northern Ireland do not have lesser entitlements. The similarity in the arrangements will also ease any administrative burden on employers who have staff in both jurisdictions. The swift progress of the Bill, thanks in no small part to the detailed and efficient work of the Employment and Learning Committee, should allow our working parents to exercise the new rights at the same time as their counterparts in Great Britain.

I want to emphasise that policies taken forward in Great Britain, or indeed elsewhere, are not always policies that are suited to the needs of Northern Ireland. A good example is the move in Great Britain away from a statutory process for considering flexible working requests to a reasonableness-based approach. The Bill makes no such change. The statutory process is one that is generally working well in Northern Ireland, and stakeholders have told us that a reasonableness approach has the potential to create new uncertainties and satellite litigation. The Bill, therefore, leaves that policy unchanged.

It may be helpful if I briefly remind Members of the key provisions that are contained within the Bill. The Bill will create a new entitlement for employees to be absent from work on shared parental leave for the purposes of caring for a newly born or adopted child. It will permit qualifying birth parents, adopters and intended parents in surrogacy arrangements to qualify for shared parental pay. It will make provision for intended parents in surrogacy arrangements to avail themselves of paternity and adoption leave and pay. It will set in place powers that, following any future review and subject to Assembly confirmation of relevant regulations, could allow statutory paternity rights to be made more generous. It will provide for statutory adoption pay to be paid at 90% of earnings for the first six weeks. It will create a new right for employees and certain agency workers who have a qualifying relationship with a pregnant woman or her expected child to attend up to two antenatal appointments during the pregnancy. It will create a comparable right for the partners of primary adopters and a new right for primary adopters to take paid leave to attend up to five introductory meetings before a child is placed with them for adoption. Finally, the Bill will remove the current requirement that an employee must have a parental or caring responsibility in order to make a flexible working request, and will open that right to all employees. That is a substantial list of positive measures for working people, and working parents in particular.

Importantly, many employers have expressed their broad support for the measures. That reflects the progressive attitude that our employers have towards their employees and their understanding of how promoting a work/life balance is a fundamental element of employee engagement and is also good for business. Understandably, however, the same employers have also quite rightly expressed legitimate concerns about what the practical realities of implementing the Bill will mean for them.

I understand the concerns that have been raised about the regulatory impacts of the proposals, and that is why it is right to leave the process for requesting flexible working unchanged. While more staff may be able to assert the right to request, employers will still use the processes they are familiar with when dealing with a request. As I have stated, that includes the current statutory procedure, which is being retained on the basis of feedback from consultees.

11.15 am

The administration of shared parental leave and pay will be as light in touch as possible and will mirror, closely, the processes with which employers and employees are already familiar for other working parents' rights.

Shared parental leave regulations will include requirements for employees to provide an early indication of their expected leave pattern. There will also be a limit of three employee notifications for leave or changes to periods of leave, excluding, of course, the changes that are agreed between the two parties. Those measures should encourage a culture where open and honest conversations can take place between employers and employees from the outset. However, I am mindful that agreement cannot always be reached. There are, therefore, proportionate provisions for situations where agreement is not possible. Again, as I have stated on other occasions, it is my desire to create a modern, efficient and integrated employment relations system with a strong economic focus, whilst protecting the rights of individual employees.

The generally positive response to the consultation proposals and the ongoing engagement with key stakeholders give me confidence that these measures will be implemented successfully. It will be in a way that offers working families and employers flexibility and certainty in the practical application of the rights.

Before the debate is opened to Members, I put on record my thanks for the positive role that the Employment and Learning Committee has played in supporting the progression of the Bill. The Committee's call for written submissions, and the opportunity afforded to stakeholders to give oral evidence, provided us all with additional insights into the concerns of stakeholders. The need for continued engagement with stakeholders, particularly in the preparation of guidance, which has been emphasised by the Committee, has resonated with me and my officials and will be a key action going forward.

We have already published for comment preliminary draft guidance for employers and are working on a range of other materials which will be issued in the near future. We will be working closely with key stakeholders to ensure that all of the guidance materials will be fit for purpose. It is critical that the uptake of the new rights is appropriately monitored. My officials are considering how best to take this forward in quantitative terms, including how to make best use of information collected by HM Revenue and Customs, which will administer the

scheme. However, I assure the Assembly that my Department will continue its normal engagement with stakeholders, exploring any qualitative issues that arise as the new rights bed in.

I look forward to hearing Members' contributions on this important Bill, and I commend it to the Assembly.

Mr Swann (The Chairperson of the Committee for Employment and Learning):

Thank you very much, Mr Principal Deputy Speaker. I thank the Minister for his opening comments. On behalf of the Committee for Employment and Learning, I welcome the Final Stage of the Work and Families Bill. I thank the departmental officials and the Minister for the close working relationship we maintained throughout the passage of the Bill. That helped to ensure that the Committee scrutinised the Bill thoroughly. At this opportunity, I also thank the Committee staff who worked so hard on facilitating our scrutiny of the legislation in a relatively short time.

The Committee's views on the Bill have been outlined at previous stages, as the Minister noted. I point out, again, that the Committee will continue to keep a watchful eye over the subordinate legislation and guidance that will be issued by the Department, as the actual concerns voiced by stakeholders were not specifically dealt with in the legislation but will be developed in the subsequent subordinate legislation.

On behalf of the Committee, I am pleased to support the Bill. I welcome the significant interest and scrutiny of Members throughout its passage in the Assembly. It is a Bill that will reshape the face of parental leave, and Members ensured that it got the close scrutiny that it deserved. We support the Bill.

Mr Buchanan: Thank you very much, Mr Principal Deputy Speaker. I welcome the Final Stage of the Work and Families Bill. Let us hope that, as it finds its way through Final Stage and on to the statute books, it will be something that will not only help working families and the parents, particularly, women, but will reduce the bureaucratic burden of red tape on our business sector, which is a problem at the minute.

I commend the Minister and the departmental officials for their close work with the Committee over the short period in which the legislation was coming through, and the Committee staff for the work that they have done. As the Chair said, the Committee will be keeping a close

watch on the subordinate legislation that will be brought forward by the Department to address the concerns raised by stakeholders that were not specifically dealt with in the legislation. We look forward to keeping a close eye on that. Again, I support the passage of the Bill through the House today.

Mr Ramsey: As a member of the Employment and Learning Committee and on behalf of the SDLP, I thank the Minister and departmental staff. It was an easy passage in many ways because a lot of the groundwork was done during a number of meetings, with key people from the Department briefing us and taking on board our concerns.

In the past, I have spoken about the impact that the legislation will have on businesses, and I would like to reiterate my views on that. As I have said before, it is crucial that businesses are made fully aware and educated so that they can react positively to the legislation. Committee members and stakeholders talked about the need to see the creation of a one-stop shop. I hope that that will enable businesses to be more informed and to be able to deal with the legislation as it comes forward. Such a website would provide stakeholders with the online tools and guidance necessary to allow them to properly understand and, ultimately, implement the legislation. I believe that it is crucial to the success of the legislation that such mechanisms are put in place immediately, and I am keen to hear what the Minister has to say on that, before any law is enacted. I call on the Minister to implement that as quickly as possible.

Families are at the heart of the Bill, and the SDLP remains committed to ensuring that standards in early years development are raised. We believe that good parental leave policies must be complemented by good family policies, including childcare, early years and nursery provision. We, therefore, argue that support for the family structure is central to positive childcare policies, and, once again, we clearly and, from the Committee's perspective, consensually welcome the Bill.

Not every family operates within the same context or circumstances, and I believe that it is important that the legislation remains flexible enough to benefit everyone. It is crucial that the Assembly supports hard-working families, and I welcome the Bill in helping to ease the external pressures that many of them face.

With regard to shared parental leave, as we have heard through the Bill's passage, one such external pressure is the matter of parental

leave. The introduction of legislation will go a long way to help to rebalance the nature of parenting and provide greater equality to everybody involved in parenting. In the past, I have commended the Bill for presenting Northern Ireland with a real chance of addressing the inequalities of parenting in our society. This legislation will help to reduce women's disproportionate caring responsibilities and go some way to tackling the discrimination felt by many women in the workplace.

I reiterate the CAB's belief that it will allow families greater flexibility, control and choice over care arrangements. I am happy to say that the Bill will also ensure that parents, including adopters and those using surrogates, will be able to avail themselves of shared parental leave, but I believe that we must ensure that more is done to help different family situations. I raised the issue of kinship carers with the Minister. It will not be possible through this legislation, but I think that, in future, we should be minded of the many thousands of kinship carers across Northern Ireland who we should be legislating for.

I was glad to see that those who are planning to adopt or are in the process of adopting are considered in the Bill. The change in adoption leave rights and the enhancement of statutory adoption pay will give adoptive parents the ability to spend much more time with their child. The proposed changes in appointments, entitling intended parents to take unpaid leave to attend up to two antenatal appointments is another way to help parents to develop a bond with their child.

In conclusion, the legislation will be beneficial not only to parents, adopters and surrogates but to the business community. The fact that the legislation aims to mirror the current arrangements already in place is also beneficial to many. We support the Bill.

Ms Lo: The Work and Families Bill gives new parents greater flexibility in their parental leave and gives equal rights to adoptive parents. This is progressive legislation, and I commend the Minister for bringing it to the House.

I am relatively new to the Employment and Learning Committee, but I understand that the Bill has gone through the various stages in a non-contentious way. That is obviously down to the open engagement and good cooperation between the Minister, departmental officials and the Committee. It is good to see legislation passing through the Assembly so smoothly.

It is important that we create a culture of shared parenting and recognise the inequality that many women face in the workplace. All families are different, and households face different pressure whether in work, at home, in caring aspects and in the economic need perhaps to bring income into the household. The realities of modern-day society should be reflected in the law. It is true that sharing entitlements will not suit everyone, but, if the Assembly can allow flexibility in that area, we must do so.

The Bill recognises the role of adoptive parents as equally important. Currently, an employee qualifies for adoptive leave only if he or she has 26 weeks' service. The Bill makes adoption leave a right from the first day. The enhancement of statutory adoption pay to 90% of the adopter's salary for the first six weeks brings it into line with statutory maternity pay. The Bill also extends the adoption and parental leave and pay provisions to cover surrogacy arrangements and entitles intended parents to take unpaid leave to attend up to two antenatal appointments. Those measures are all most welcome.

The Bill is about facilitating choice, not about dictating how parents must take their leave. While it is likely that mothers will continue to take the majority of the leave, as the Minister pointed out in previous debates, if we can enable change in our society so that shared parenting is embraced, it will be good for us all. That does not mean that giving employees more choice will disadvantage businesses. The Bill will make changes that will have the effect of creating a more inclusive workforce.

As we know, talent is not gender-biased, and we should be moving towards a greater maximisation of our talent pool. A female employee may take maternity leave for a number of months and sometimes up to a year. If she and her partner shared parental leave entitlement, she could return sooner if she so wished. In cases like that, companies could see key personnel returning to work earlier. It benefits employers to retain and build on the skills and talents that women bring to the workplace and also works towards removing some of the structural barriers to career progression.

I support the Bill, not just because it has been brought to the House by an Alliance Minister but because it will benefit parents in so many ways, will help businesses to retain and progress talented individuals, particularly women, and will enhance the flexibility of Northern Ireland's labour market.

Dr Farry: I thank Members for their comments and, indeed, welcome the points that they raised. I very much concur with the general themes that they reflected.

I will respond first to the comments from the Chair of the Committee, Mr Swann. I put on record my thanks to him, the Committee staff and all members of the Committee for the manner in which they have taken the matter forward. As he very well knows and will no doubt concur with and welcome, the Committee's work in that regard is far from concluded. He is quite right to emphasise that this is enabling legislation and that a lot of work is still to be done on the scrutiny and consideration of subordinate legislation. Indeed, some of that will need to return to the Assembly, given the confirmatory nature of some of the subordinate legislation that we are talking about.

The Committee will clearly have a major role in all that work. Indeed, it is something that our officials are committed to expediting, because we have our eyes on the prize of getting it in place for 1 April 2015 to coincide with the commencement in the rest of the UK. There are major advantages to ensuring that we act in a coordinated manner, given the crossover between what happens here and elsewhere, not least in terms of the administration to be conducted through HMRC and the fact that companies operate across jurisdictional boundaries in that respect.

11.30 am

The Chair and the Committee have also made the point about a review of the shared parental pay and leave provisions. I am more than happy to give the assurance that we will revert to the Committee with details of our terms of reference for any review in due course, once everything is up and running. That process of continued review is a healthy one to adopt to ensure that what we put through in the high-level discussions actually works on the ground. We have a commitment to take on board fully the views of stakeholders in that regard as we see things develop.

I thank Mr Buchanan, the vice-Chair of the Committee, for his ongoing support and understanding of the importance of the Bill to a whole range of constituencies. As other Members have stressed, it is a Bill that is good for the business community as well as for working families, parents in particular.

I concur with Mr Ramsey that this legislation is good for business. It is worth stressing the

importance of why we are saying that. It may come across in very narrow terms as more complication and administrative work, but, as Anna Lo also mentioned, there is a real prize for business in the retention and progression of talent. We need to encourage people from a variety of different backgrounds. It is right to reflect on the fact that families now come in all sorts of sizes, shapes, forms and types of unit so that we fully reflect the needs of the modern family, particularly how parents interact with the world of work. This should provide a means for key personnel to be retained, or, indeed, return to the workplace more rapidly than in the past, if, indeed, that is the wish of the parents concerned. That will have an impact on productivity levels and on the development of our economy as a whole.

Mr Ramsey is also right to put it in the context of what else is happening in the Executive. I concur with him on the importance of early years policy, which the Department of Education is taking forward, and what is happening with childcare, which OFMDFM is taking forward. All three interventions — and, indeed, there are others — are working towards a singular goal of developing our young people, supporting families and supporting our economy overall. We welcome the synergy and interface between all those interventions. He recognises that kinship care is outwith the scope of the Bill, but the point that he made is well made and received. No doubt it will continue to be subject to discussions, whether in the Employment and Learning Committee or elsewhere in the Assembly and other Committees. No doubt people will return to that in the future.

I also thank my colleague Anna Lo for her comments and her understanding of the Bill. I welcome her to the Committee. No doubt she will provide a unique perspective on a whole range of issues. She focused on the practical benefits that the Bill brings, the evolving shape of the modern family and the shifting balance of how we can best support parents.

In conclusion, let me reiterate that this is an important piece of legislation. It is primarily an enabling piece of legislation, but it is consistent with the overarching objectives of the Executive to support individuals, families and the economy overall. I commend it to the House.

Question put and agreed to.

Resolved:

That the Work and Families Bill [NIA 34/11-15] do now pass.

Deregulation Bill: Legislative Consent Motion

Mrs Foster (The Minister of Enterprise, Trade and Investment): I beg to move

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Deregulation Bill, as amended following Committee Stage in the House of Commons, dealing with: auditors ceasing to hold office as contained in clause 19 and schedule 5; appointment of proxies under company law in clause 20 and Part 8 schedule 6; abolition of Office of the Chief Executive of Skills Funding in clause 49 and schedule 13; legislation no longer of practical use in clause 82 and schedule 20; and to extend to other workplaces, the current Northern Ireland exemption of Sikhs from requirements to wear safety helmets on construction sites in clause 7; and agrees that the UK Parliament should consider amendments to the Bill to the repeal of those provisions of the Sea Fisheries Act 1868; the Fisheries Act 1891; and the British Fishing Boats Act 1983, which are redundant.

First, I apologise for my voice, which is leaving me. That may be good news for some in the House but it is not particularly good news for me.

We are here to look at the issue of extending some measures of the Westminster Deregulation Bill to Northern Ireland. I believe that those measures will help to ensure that legislation that is no longer of any practical use is removed from the statute book, simplify the regulatory environment and make things easier for business. They will also mean maintaining parity with the rest of the United Kingdom in those areas and avoiding any potential comparative disadvantage for businesses in Northern Ireland. The consent of the Assembly is therefore being sought for provisions relating to matters devolved to Northern Ireland.

The provisions under consideration relate to correcting an anomaly in extending the exemption for Sikhs from wearing protective headgear, from construction sites to other less hazardous workplaces which are not currently covered by the exemption; simplifying regulation relating to auditors ceasing to hold office under the Companies Act 2006; correcting some drafting errors in the Companies Act 2006 relating to proxies; and the abolition of the Office of the Chief Executive of Skills Funding, providing for the relevant powers to be transferred to the Secretary of State for Business, Innovation and Skills,

thereby ensuring that identified services can continue to be provided for Northern Ireland.

There is a range of pieces of legislation that are no longer in practical use and which we are seeking to remove from the statute book. The first relates to the audit of charitable companies in the Companies Act 2006. We are also taking away the Newspaper Libel and Registration Act 1881, the Aircraft and Shipbuilding Industries Act 1977, the Milk (Cessation of Production) Act 1985, the Mining Industry Act 1920, the Milk (Cessation of Production) (Northern Ireland) Order 1985, the Sea Fisheries Act 1868, the Fisheries Act 1891 and the British Fishing Boats Act 1983.

As Members can see, this provides an opportunity to address a number of legislative issues in a timely and efficient manner, which I hope will contribute to reforming regulatory requirements.

I welcome the support provided by my colleagues the Minister for Employment and Learning and the Minister of Agriculture and Rural Development, and indeed the Executive, in allowing me to bring a composite motion before the House for consideration. That in itself shows that my Department, along with DARD and DEL, has been working closely with the Cabinet Office and, indeed, Whitehall Departments to ensure that the Northern Ireland position is recognised and respected in the Westminster Deregulation Bill.

Regulatory reform is a key issue for me, the Department and Executive colleagues, and hopefully passing this motion will be an important step in helping to deal with that issue. I commend the motion to the House.

Mr Flanagan (The Deputy Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Níl ach cúpla focal le rá agam mar LeasChathaoirleach an Choiste Fiontair, Trádála agus Infheistíochta.

I have only a few short remarks to make. The overall purpose of the Bill, as the Minister said, is to assist in reducing the burden of regulation in the areas that are within its scope. Any steps taken to remove or reduce unnecessary or redundant red tape are to be welcomed. The Committee welcomes the legislative consent motion (LCM) on that basis.

The Committee sought and received clarification from the Department on two matters pertaining to the Bill. The first was about a query regarding the Mining Industry Act

1920. Officials confirmed that the Deregulation Bill will repeal the Act, which relates to powers that are held by a board of trade that have either been transferred elsewhere or have become obsolete. Officials assured the Committee that there would be no impact on the current licensing regime in the North and that the Health and Safety Executive has no objections to the repeal of the Act.

Secondly, members questioned officials on the impact on a company's insurance liabilities of the proposed extension to the exemption for turban-wearing Sikhs from wearing safety helmets in hazardous workplaces. The Department provided written assurances to the Committee that the current exemption protects employers from liability should someone suffer injuries as a consequence of choosing not to wear a helmet on a construction site. Clause 7 of the Deregulation Bill will extend the limited liability provisions associated with the current exemption to other workplaces.

Some provisions in the LCM, as the Minister said, are within the remit of the Department for Employment and Learning and the Department of Agriculture and Rural Development. The Committee therefore wrote to the respective Committees and neither had any points of concern regarding the provisions in the legislation relating to their respective Departments. So, having carefully considered the proposals, the Committee is of the view that the LCM is the most appropriate means of removing this unnecessary and redundant legislation. We therefore support the Department in seeking the Assembly's endorsement of the LCM.

Mr Kinahan: I thank the Minister for bringing forward this legislative consent motion. It all seems to be eminently sensible, although we seemed to be slightly at the mercy of the Department when we were being briefed and we looked forward to hearing more in certain areas.

Just now, the Minister listed one or two other areas that are not actually listed here. It may be that I was not listening properly or missed out, but I also think that there was a matter relating to the Companies House register. There are also one or two other matters that are going through the Lords. Are we, as a Committee, going to get more of a briefing on each of the other issues that are going through the Lords? Obviously, I would like to know and understand more. However, I think that this measure is eminently sensible and it is good to see it going through and taking off a burden. I hope that we can do it in many other areas so

that, when we bring forward legislation, it all gets much simpler.

Mrs Foster: I thank the Members for their comments. There has not been any real contention about the Bill, principally because we are tidying up a lot of things that have stayed on the statute books and which should have been taken off a considerable time ago. I am pleased to say that the regulatory reform bug — I can talk about bugs this morning because I have one — seems to have now caught on. I am pleased about that because it means that we are tidying matters that otherwise would have stayed on the statute book. I welcome the positive way in which the Committee dealt with the issue. The changes are minor but they will simplify the whole regime.

Mr Kinahan mentioned the House of Lords matter. As I understand it, the matters that affect Northern Ireland are all contained in the LCM, and I do not foresee anything coming forward that is not contained in it. I hope that the Committee has been fully briefed on the range of issues that I mentioned in the House this morning.

Mr Principal Deputy Speaker: Thank you, Minister. I hope that we were not too severe on your sore throat.

Question put and agreed to.

Resolved:

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Deregulation Bill, as amended following Committee Stage in the House of Commons, dealing with: auditors ceasing to hold office as contained in clause 19 and schedule 5; appointment of proxies under company law in clause 20 and Part 8 schedule 6; abolition of Office of the Chief Executive of Skills Funding in clause 49 and schedule 13; legislation no longer of practical use in clause 82 and schedule 20; and to extend to other workplaces, the current Northern Ireland exemption of Sikhs from requirements to wear safety helmets on construction sites in clause 7; and agrees that the UK Parliament should consider amendments to the Bill to the repeal of those provisions of the Sea Fisheries Act 1868; the Fisheries Act 1891; and the British Fishing Boats Act 1983, which are redundant.

Jobseeker's Allowance (Homeless Claimants) (Amendment) Regulations (Northern Ireland) 2014

Mr Storey (The Minister for Social Development): I beg to move

That the Jobseeker's Allowance (Homeless Claimants) (Amendment) Regulations (Northern Ireland) 2014 be approved.

These regulations amend the Jobseeker's Allowance Regulations (Northern Ireland) 1996 to introduce an easement that will enable claimants who have recently become homeless to be treated as available for, and actively seeking, employment for a temporary period. The applications of the easement will be conditional on the claimant taking steps to find living accommodation.

To be entitled to jobseeker's allowance (JSA), a claimant must satisfy the conditions of entitlement, which include being available for, and actively seeking, employment, which are known as the job-seeking conditions. The steps a claimant should take to satisfy the conditions are those that are reasonable for the claimant to take in any week and are detailed in their jobseeker's agreement.

When setting the jobseeker's agreement where an individual is homeless, advisers must consider how the homelessness situation, the need to find accommodation, and other issues, affect the steps that are reasonable for the jobseeker to take to find work in any given week.

Homeless claimants are likely to face difficulties when attempting to satisfy the job-seeking conditions. For example, they may find it difficult to contact, or be contacted by, prospective employers. Currently, the JSA regulations allow an individual affected by a domestic emergency to be treated as being available for employment, in order to deal with the emergency, for a maximum of one week per emergency, with four such emergencies in a year. Where claimants have been treated under those circumstances for a least three days in any week, they will also be treated as actively seeking employment in that week.

11.45 am

The Department for Work and Pensions carried out informal discussions with stakeholders from the homeless and voluntary communities, including Homeless Link and Crisis. It

concluded that the existing domestic emergency provisions did not allow sufficient time for the claimant to address their homelessness situation. It also concluded that, because homeless individuals often lead very chaotic lives, a limit of four emergencies a year should not be placed on those individuals. The stakeholders were supportive of the principle of allowing homeless people time to focus on finding accommodation as a preliminary to conducting a job search. Therefore, the regulations amend the domestic emergency provisions of the JSA regulations so that, if they are applied because of a claimant's homelessness, advisers are allowed reasonable flexibility to treat claimants as meeting the job-seeking conditions for periods of longer than one week, with no cap on the number of occasions that it can be applied.

'The homelessness monitor: Northern Ireland', published in May 2014, makes reference to the recent Northern Ireland Housing Executive homelessness strategy, which states that in Northern Ireland the propensity to sleep rough is confined largely to Belfast and, to a much lesser extent, Londonderry. It is estimated that around 10 people sleep rough in Belfast on any given night, excluding foreign nationals, but that up to 100 people could be at risk if street outreach and other services were not available. Unfortunately, a breakdown of data is not available on the numbers who are homeless or rough sleeping and claiming jobseeker's allowance. However, it is thought that the policy will impact on a relatively small number of JSA claimants in Northern Ireland at any one time.

I am sure you will agree that the changes are worthwhile and necessary to allow homeless claimants time to focus on finding sustainable living accommodation that will better enable them to find work in the future. I believe that it is a significant improvement to support claimants who are recently homeless and to prevent individuals becoming entrenched in a homelessness lifestyle.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for introducing the regulations to the House. The Committee for Social Development considered the Department's proposal to make the regulations at its meeting on 26 June and the resulting statutory rule at its meeting on 3 July 2014. The Committee was of course supportive of the regulations. The Committee did note that the regulations will introduce, as the Minister said, an easement that will enable certain homeless

claimants to be treated as available for and actively seeking employment for a temporary period.

It is good to hear that the regulations have been made as a direct result of informal discussions between the Department and various stakeholders from the homeless and voluntary sectors in the broader community. The proposal is to amend the domestic emergency provisions of the jobseeker's allowance regulations so that, if they are applied because of a claimant's homelessness, advisers are allowed reasonable flexibility to treat claimants as meeting the job-seeking conditions for periods of longer than one week, with no cap on the number of occasions that it can be applied. On that basis, the proposals are clearly to be welcomed. Making those additional easements will help reduce the pressure on people who are already homeless and under significant stress as a result of that.

I remind the House that the rule coming to the Assembly this week is timely, in that it is homelessness awareness week. On behalf of the Social Development Committee, and with the Simon Community and the Housing Executive, I helped launch an app relating to homelessness a few days ago in the Long Gallery. As part and parcel of that, and in the run up to Christmas, which is poignant for many people who are homeless, it is timely that we launched the app and, more importantly, that we consider this statutory rule.

Following what the Minister has outlined and consideration by the Committee, and knowing the importance that the Committee has attached to the issue, we are willing and more than keen to commend the rule to the House.

Mr Storey: I thank the Chair of the Social Development Committee for the consensus and support for the regulations. I share the comments that he made about the timing of the issue.

Along with him, I attended the Simon Community launch of the app. During homelessness week and without any great fanfare or publicity, I visited some provisions that make an invaluable contribution to people who find themselves in that situation. Given the time of year, it is vital that we continue to have compassion and understanding for those who find themselves in very difficult situations. I was greatly struck when I visited one provision last week. No one could visit that location without feeling not only concern but relief that such places exist to help people in particular need. I

thank the Chair for those comments and for the Committee's work.

The regulations introduce an easement and will enable claimants who have recently become homeless to be treated as available for and actively seeking employment for a temporary period. By amending the domestic emergency provisions of the JSA regulations, we will allow homeless claimants the necessary time to focus on finding sustainable living accommodation that will better enable them to find work in the future and, I trust, enable them to change their circumstances dramatically. With those concluding comments, I commend the motion to the Assembly.

Question put and agreed to.

Resolved:

That the Jobseeker's Allowance (Homeless Claimants) (Amendment) Regulations (Northern Ireland) 2014 be approved.

Private Members' Business

A6: Dungiven Bypass

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and is published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr McAleer: I beg to move

That this Assembly recognises that the A6, which passes through Dungiven, is the main arterial route between the city of Derry and Belfast and is instrumental in terms of infrastructure to support regional development and economic growth in the north-west; and further recognises that Dungiven is one of the most polluted towns in western Europe and has been waiting for a bypass for over 40 years; and believes that this section of the A6 scheme should be advanced without delay, as per the Executive's investment strategy 2011-2021.

Go raibh maith agat, a LeasCheann Comhairle. Most of us will be aware, particularly those who live in the west and the north-west, of the strategic importance of the A6. It is a key arterial route in the Six Counties, connecting the city of Derry and the city of Belfast. It is part of the TEN-T comprehensive network. Along with other Members — not just from my party but from the SDLP and others — I lobbied the Minister to press the Commission to get this vital part of the core network established by 2030, and that is a job of work.

The A6 is absolutely vital not just for the town of Derry but for the north-west. Earlier in the year, our party's members of the Committee for Regional Development had the opportunity to meet business people from the Derry area, and the A6 was one of the key pieces of infrastructure that they flagged up as being very important for the future development of the city. In fact, the failure to complete it is impeding the economic growth of the city. Therefore, it is absolutely vital for the regeneration and growth of Derry city and the wider north-west.

Environmental health studies conducted by Limavady council and others have produced a great deal of evidence that Dungiven is one of

the most polluted towns in western Europe, which is due in large part to the enormous number of vehicles that are forced to pass through the town every day. Obviously, that is made worse by the fact that the town has no bypass. This has been in the pipeline for the best part of 40 years. Certainly, as a representative of the north-west, I see it as vital. The A6 feeds not only into the Six Counties but into the wider island of Ireland, connecting people from that part of County Derry and, indeed, Donegal to Belfast and on to Dublin. That was probably the key motivation for bringing the motion before the House.

Mr Dallat: I beg to move the following amendment: At end insert

"and recognises that, in addition to the bypass at Dungiven, there are other sections of the A6 that must be dualled and upgraded without further delay, including the section at Moneynick."

First, I want to thank the proposers of the motion. It gives me the opportunity to move our amendment, which lays our cards on the table in relation to how the north-west has fared in transport infrastructure investment over the years and what needs to be done to address that neglect. Our amendment extends the issue beyond the Dungiven bypass and recognises that there are serious issues all along that route.

It seems incredible that, at this late stage, the Minister is looking for an alternative route for a bypass; at least, that is what I am told. Either those in the past got it horribly wrong over 40 years, or the Minister needs to explain why he may not be following the plans that were gathering dust on his shelves. Of course, I look forward to Mr Kennedy sorting out the whole thing.

Our amendment makes it clear that, while the bypass is critical, there are other serious transport issues that should not and must not be long-fingered for a variety of reasons, not least the fact that some direct rule Minister in the distant past promised that the whole thing would be up and running by 2016. Of course, we all know that it will not.

As you all know, I am a fair and reasonable Member of the Assembly, so I am not laying total blame at the door of the present incumbent, who, to be fair, as I have said before, found some money for the railways, which was a vast improvement on his predecessor. Now, again, because I am a fair

person, I am not laying all the blame at the door of Conor Murphy either. I see a previous Minister across the Floor, Mr Gregory Campbell. At one time, he was the Minister for Regional Development. Of course, he was rotating at the time. Some unkind people might say that, even today, he is still rotating, but we will leave it at that.

Of course, the previous Minister, Mr Murphy, did not sit on his hands all the time. We will soon get 14.5 miles of motorway from Larne at a cost of £140 million, complete with a bypass for half a dozen houses and a river diverted to please local anglers. Good luck to the people of Larne, but if you are in the north-west it is not a good deal.

One criticism that I would make of the previous Minister, Conor Murphy, was that he stubbornly refused to decouple the bypass, which the motion is about. I firmly believe that, if that had been done at the time, we could have made a lot more progress.

I think that any fair-minded Member — I repeat that I am one of them — who listens to the traffic reports every morning will know that there are three items of news: the M1 is flowing freely, there is a wee bit of a problem at Sandyknowes and, as usual, traffic is at a standstill at Moneynick. Now, many people —

Lord Morrow: Will the Member give way?

Mr Dallat: Of course. To the lord, I most certainly will.

Lord Morrow: You do not have to be so humble. *[Laughter.]* I was interested to hear the Member say that the M1 was flowing freely. I wonder whether he has ever tried to get down the motorway on a Monday, Tuesday, Wednesday, Thursday, Friday or sometimes a Saturday morning. He might discover that it does not flow just as freely as he suggests or indeed as some of us would like it to from time to time.

Mr Dallat: Mr Principal Deputy Speaker, I fully accept what Lord Morrow has said, but these things are relative. If, like you, he were to spend some mornings on the Moneynick Road, he would, in fact, describe the M1 as fantastic.

Mr Ramsey: Pleasurable.

Mr Dallat: Yes, pleasurable.

Somebody needs to offer an explanation of why the north-west has been so unfortunate. It has

had a really bad run of luck. If I were a betting man, I do not think that I would have won a horse race in the last 50 years. The M5 was parked up — no fault of the Minister — the M6 was sidelined, the railway was stalled and the Magilligan ferry, which has been mentioned again recently, has been long forgotten and has been tied up. We know from Mr Kennedy last week that it was never discussed in his Department before his time. That makes me wonder why I spent an afternoon with Mr Murphy at Magilligan solving the problem. I then discover that it was not an issue.

12.00 noon

Let us not be negative; let us get back to the motion and the amendment. I do not want to see the proposals for the north-west parked in the same way as the cars are at Moneynick any longer. The issues are serious. They are not just about traffic jams but about economic and social inequalities. I came into the Assembly with other peace-loving people to address that issue 16 years ago. What have I to show in the north-west? There are talks going on at the moment, and there is chat about bonds for raising money. I suggest that we need a bond badly in the north-west to address the issues that, historically, have not allowed the north-west to develop economically in the way it should have. The Minister of Enterprise, Trade and Investment continually tells us that she cannot influence where inward investors locate, but we all know — there is no issue — that if you have good transport infrastructure you are more likely to be successful.

I really feel that this is perhaps our last opportunity to register once and for all a special case for the north-west. I want the Minister to listen to my next point. When I spoke to a senior official recently, he was probably irritated by my constant wrangles. He said, "You know, we have other roads that carry more traffic than the A6". That is probably true, but it totally misses the issue that infrastructure is not there that should be there, irrespective of counting the vehicles that pass between 7 and 10 or whatever it is. Let us give the north-west a boost in tourism. Let us turn the Glenshane pass into a pleasurable journey between our two cities and maybe even stop off at the Ponderosa for something to eat — I do not know, whatever people do. Let us get away from the image that travelling west is some kind of nightmare that you should not really undertake.

I do not, in any way, want to undermine the original proposal. Dungiven is the most polluted town in western Europe: that is a fact.

The people, particularly those at the lower end of the town, need justice and some kind of relief from what has been happening to them. Let us rise above the narrow discussions we have had about curries, yogurts, Trojan Horses and all the other things. Let us create a positive image of the Assembly to show that we actually care for people — not Protestants and Catholics but all the people, particularly those in the north-west, who have had a very raw deal over the years. Here is an opportunity to improve our image. Let us be serious about what we are paid for.

Mr Campbell: Thank you, Mr Principal Deputy Speaker. More often than the press gives us credit for, we rise to be, I hope, unanimous about what we want to see. While the mover of the motion had difficulty in spelling Londonderry, I will have no such difficulty.

This is about more than just Londonderry or the north-west. It is a connectivity issue, to use an in word. I put a question to the Minister of Enterprise, Trade and Investment a couple of weeks ago, and I got a reply yesterday. It was about the most frequented visitor attractions in Northern Ireland. Four were in the north-west: one was the city walls; another was the Giant's Causeway, which is just about in the north-west, depending on how you define it — we will certainly claim it; and the others were the Roe Valley Country Park and the Peace Bridge. That is in the whole of Northern Ireland, which includes the Titanic centre and all the other fantastic attractions that we have across the Province.

Mr McMullan: Will the Member give way?

Mr Campbell: Yes, I will.

Mr McMullan: Does the Member not think that the glens of Antrim should be included in his list of places to see?

Mr Campbell: I did not quite get that, but I take it he was including another one.

Mr McMullan: The glens of Antrim.

Mr Campbell: The glens of Antrim. That is maybe pushing the north-west a wee bit.

There is a huge volume of traffic. Hundreds of thousands of visitors go to each of those tourist attractions. We are at one in saying that this road, particularly the Moneynick and the Dungiven to Londonderry sections, needs to be dualled. I may be the first, but I am sure I will not be the last to speak up for the Minister in

this context, in that he has an exceptionally difficult task. We ask him to make bricks, and, of course, he says, "That is a great idea, but, please, can I have the straw?". I am sure he will say to me and others, as he frequently does, "Can I depend on your support with the Minister of Finance?". He normally does that, and I will be disappointed if he does not do so on this occasion. The answer that I normally give him is "Yes, you can, Minister". There is a difficulty in getting the resources.

I was born and bred in Londonderry, and I have represented the north-west all of my adult life, so I am an absolutely passionate believer in and supporter of building the links not just to the north-west but from it. We need to get people to come and go and to build the necessary infrastructure. This will be an essential part of that. But, the Minister has a major difficulty. He was criticised when we were talking about the rail network. I joined in the criticism, but, hopefully, it was constructive criticism. We got over that hump, and we got the development of the railway. We are now at another difficulty that needs to be overcome, and the Minister will have our support in doing that. We need to ensure today that there is unanimity across the House, that we all speak with one voice —

Mr Principal Deputy Speaker: May I interrupt? My apologies: you have an extra minute. I see you are watching the clock.

Mr Campbell: That is good to know. I will try to utilise that. If I interject with the odd bit of humour, hopefully it will be recognised as such and people will not take exception and write letters of complaint. More about that anon.

We have to get down to how we will provide the Minister with the resources. We can all get up and complain; we can all say that we need this and that we have been disadvantaged in the past; but the bottom line is that the Regional Development Minister needs the resources to provide this.

People mentioned the A5. The A5, had it not been for a legal case, would have meant hundreds of millions of pounds being spent on infrastructure in the west and north-west of Northern Ireland. That was not the fault of the Minister or the Executive; that was an entirely different issue. There has to be complete unanimity and, hopefully, there will be. We need to try to work over the next few years to provide the Minister with the resources to do the job not just for the north-west but for the entirety of Northern Ireland.

Mr Hussey: I will begin by offering my support for capital road improvement work, in particular on the section of the A6 between Randalstown and Castledawson. This element of the A6 project has, in my view, the greatest capacity to contribute economically and reduce congestion.

The motion that Sinn Féin has put before us today states that we should further recognise:

"that Dungiven is one of the most polluted towns in Western Europe".

I readily accept that air quality is an issue in part of Dungiven, but I do not accept that Dungiven has an air quality issue that means it can be described as one of the most polluted towns in western Europe. Even if I did, if I were from that town, I would not be advertising such a fact in the way that the sponsors of the motion are doing today. I would probably want to see hard medical evidence and facts of the impact of existing pollution before I made it the central plank of my argument.

A more positive argument is that of the reduced congestion and positive economic impact on the town that would come about by virtue of the construction of a bypass. Again, I have a problem with the comment that the western end of Main Street has an issue, making it amongst the worst in western Europe. In the last couple of weeks, the European Environment Agency published statistics on the most polluted cities in Europe. Bulgaria and Poland featured heavily, as we would have expected, as did towns in Italy and Slovakia. I am sure that those are not places that Mr Dallat has been to on his recent holidays, but they are the sort of places that would attract —

Mr Dallat: I have.

Mr Hussey: You have? Well, there you go. It is great to travel widely and extensively.

Unsurprisingly, Dungiven does not feature in those statistics. According to some reports earlier this year, Oxford Street in London is the most polluted street in Europe, in particular for nitrogen dioxide pollution. Dungiven does, however, properly feature as an air quality management area monitored by Limavady Borough Council. We do, and we all should, welcome the important role undertaken by the local council in actively monitoring air quality trends in the town and particularly in Main Street. I will declare a bit of an interest in that, in my previous life, working for Pearl Assurance, I was responsible for the entire area from Larne to Londonderry. I was often on that

road through Dungiven, although the roads seemed to be clear when I went there. They must have known that I was coming.

A shift to electric vehicles would possibly reduce and ultimately resolve the problem of air pollution, but, of course, that is going to take time. Promoting a bypass based on reduced congestion and positive impact on the town will still provide a favourable solution, even in an electronic vehicle age.

The motion urges the Minister to get on with funding the entire A6, but that fails to place the 2011-2021 investment strategy in context. The investment strategy suggests that the A6 will be funded by alternative finance, such as some form of loan or PPP serviced by resource funding repayments. The Executive are currently in a resource-funding crisis, such that the Finance Minister had to go to the Chancellor of the Exchequer and get a loan. Without detracting from the merits of the road upgrade, the signatories to the motion would be well served by addressing their minds to how it will be financed. The capital picture is not all that rosy, and the DUP/Sinn Féin-agreed draft Budget makes no provision for funding a single element of the A6 project.

My colleague the Minister for Regional Development has moved the Randalstown-to-Castledawson section beyond procurement-ready to shovel-ready from early next year. An opportunity exists to start this section in the next financial year. All that Sinn Féin has to do is work with the Finance Minister, who it has the ear of, and secure conventional capital to move the project forward. Mr Campbell made reference to the fact that this is the sort of thing that could be done. Of course, the Finance Minister is the Minister who holds the purse strings. If Sinn Féin were to get such an arrangement and agreement with the Minister, perhaps this could start next year, but that is in the hands of another Department. For that reason, I will leave the Minister for Regional Development alone and I suggest that you direct your other solutions to the Minister of Finance and Personnel.

Mr Lunn: I suppose, as I do not come from the north-west, that I rise on behalf of the rest of the country to support the motion and the amendment, which introduces another aspect to the A6 debate without diluting the original motion. I must say, having listened to other Members, that, for once, I am quite glad that I live in Lisburn, where we do not appear to have these massive traffic problems unless we try to get here, but that is for another day.

12.15 pm

The case for a bypass for Dungiven is well made. It has been a sound case for at least 40 years. A bit like Mr Hussey, I remember my weekly drive to Londonderry or Derry as a young insurance man all those years ago. I remember it mostly with affection, but that affection did not extend to Dungiven or Toomebridge because they were the bottlenecks. Thankfully, one has been solved but Dungiven still has not.

Even in those days in the early 1970s, there was a traffic jam in Dungiven every morning and evening. Concern was being expressed even then about air pollution and the potential risk to the health of the population, and those concerns remain. I fancy that stricter emission controls would probably have reduced the problem, but that improvement has been countered by the massive increase in the volume of traffic, so I do not think that it has improved overall. That is before you start to talk about the acknowledged problems of vibration, noise, congestion and general nuisance. I would certainly not like to live in the lower end of Dungiven — between the river and the junction halfway up the town — where the pollution must be at its worst.

It is not clear from the papers I have read what state of readiness the Dungiven bypass is at. I would appreciate the Minister telling us whether it is ready to proceed if funds permit. Is there still a problem with the illegal dump that apparently lies on or close to the route? Are there any remaining land acquisition or planning issues? Hopefully, there are not.

That brings me to the amendment, which is fine in itself, but it raises a question about priorities, which others have hinted at. If finance becomes available, the question must surely be that, if Dungiven is ready to proceed, and if the two sections either side of Toomebridge, particularly the section that I call Moneynick, from the end of the M22 up to Toomebridge, are also ready, which would have priority if they could not all proceed? It would be very nice if they could all proceed.

On the grounds purely of road safety and accident history, the M22 to Toomebridge would probably be the favourite, followed by the bit from Toome to Castledawson. However, in terms of public health and congestion easement to reduce journey times, the obvious choice would be Dungiven. That would have the added bonus of honouring a promise made to the population of Dungiven by, I fancy, just

about every Minister in the last 40 years, including some present.

I respectfully suggest that both schemes — all three if you count Randalstown and Castledawson as two schemes — should at least be at shovel-readiness. Perhaps they are; the Minister can advise me. When the finance is available, Dungiven should be given priority, and a long-standing problem would be solved, to the relief of residents and motorists alike.

I am a fairly regular traveller on the alternative route to Strabane/Londonderry, which is the M1 and the beautiful new section of road that takes you right through to Ballygawley. A few years ago, the bypass at Newtown Stewart was added. The changes in that journey — not necessarily the speed but the ease — must be making a difference to the region that that road touches. I am sure that the same thing would apply to the A6.

The A6 should be the premier route in Northern Ireland. The only competition is perhaps the A1 to Dublin, although some might not agree. Those are the two major routes. Mr Campbell said that the Minister has a difficult task, and I acknowledge that, but, at some stage, we will have to be able to proceed with some of these plans. I do not think that we will be able to proceed with all three in any foreseeable timescale, so I hope that Dungiven will be given priority because it is the most important.

I look forward to hearing the Minister's comments.

Mr Principal Deputy Speaker: As this is the first debate in which the Assembly will hear from Mr Maurice Devenney, I remind Members that it is the convention that a maiden speech be made without interruption. I call and welcome Mr Maurice Devenney.

Mr Devenney: Thank you, Mr Principal Deputy Speaker. It is an honour to speak in the House this afternoon for the first time. I was checking very closely whether it was the afternoon, because I thought that I might have to change references to the "afternoon" to "morning" in my speech.

I have been co-opted to the Northern Ireland Assembly to replace Willie Hay, former Speaker of the Assembly. Before I speak to the motion, I want to pay tribute to my friend and colleague William Hay.

Having represented the citizens of Londonderry in local government for over 30 years and in the Assembly since 1998, William was well

respected and known for his hard work, dedication and commitment to those he had the honour of representing. I wish William well in his new role in the House of Lords. I thank my Democratic Unionist Party colleagues for selecting me for this position and for their continued support and encouragement over the years.

As someone who now makes the return journey from Londonderry to Belfast at least three times a week, the A6 is all too familiar; the journey can often take up to two and a half hours in the morning and in the evening. The proposed project for the 30km dual carriageway from Londonderry, incorporating the Dungiven bypass, was first announced by the then Secretary of State Peter Hain, so it is with deep regret that we are a decade on and are still no further forward. The road network between Northern Ireland's two largest cities is vital to growth in the north-west and should not be overlooked.

My constituency, Londonderry, is continuing to grow rapidly as a serious destination for tourism and investment; the UK City of Culture year saw huge numbers of people flocking to enjoy all that the Maiden City had to offer. Figures released just last week show that the number of overnight trips to Londonderry and Strabane increased by 50% between 2012 and 2013 and that associated expenditure increased by 75% to £47 million in 2013.

While those figures are encouraging, the Londonderry to Belfast road is vital for the economy of Northern Ireland and specifically that of the north-west. An upgrade to the transport infrastructure is urgently needed to support the region's development and its further economic growth. The recent announcement by the Regional Development Minister on the Londonderry to Coleraine railway line has dealt a further blow to the region. Therefore, the A6 must be a priority.

Improved infrastructure will have a catalytic effect on the north-west and will improve the opportunities for investors to invest there, for developers to develop there and for tourists and commuters to get there. For business, that transport link is essential: by improving journey times on that route, there will be enormous benefits for commerce in the north-west. That will benefit Northern Ireland as a whole by ensuring that it is less burdened by transport delays.

Dr Eddie Rooney highlighted that the levels of pollution in Dungiven pose a potential health risk to people who are living and working in that

area, particularly vulnerable groups, such as the very young, older people and people with severe respiratory conditions. That has been of great concern to the residents of that area. The upgrade to that section of the A6 will no doubt alleviate pollution problems that come from the high volume of traffic that passes through.

Finally, the message should be clear from Londonderry and the north-west that the A6 is vital, is necessary and should be at the top of the agenda. I support the motion and the amendment.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé ag labhairt ar son an rúin agus ar son an leasaithe. I will be speaking in support of the motion and the amendment.

I commend Declan McAleer and apologise to the Chair: Cathal Ó hOisín was originally meant to propose the motion but could not do so because of time constraints. I knew that the Minister would be wise enough to know that Declan got up to ensure that the motion did not fall. We could have used the excuse that we were caught at Moneynick, but at 12.00 noon in the day that is an excuse that everybody would see through.

I commend Maurice Devenney for his first contribution to the Assembly and for being on-message immediately. Whatever work William did to ensure that the DUP had a good representative for Foyle paid off: Maurice was on-message on the A6, which is welcome.

On the motion, when Ross Hussey was speaking he perhaps felt that it was some sort of veiled attack on the Minister, as if he is the only person who is responsible for this. I think that we are all wise enough to know that this is an ongoing and long-established issue. As representatives of Foyle, Members from the north-west who have spoken, and even Trevor Lunn from a constituency far flung from the A6, we think that it is important to ensure that the issue is always on the agenda. In particular, we want to put it on the agenda because it was a major commitment in the Programme for Government, which —

Mr Hussey: Will the Member give way?

Mr McCartney: Yes.

Mr Hussey: I accept fully that you would never want to attack the Minister, and I accept fully that the A6 is an issue of great concern in the north-west. I accept that without reservation.

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

Mr McCartney: I am saying that just in terms of the framing. We believe that it is important, and I am sure that the Minister will accept that, in any contact that he has had with any person in the north-west, particularly in Derry, they will always point out the major infrastructure, and the A6 obviously features heavily in that. As I said, this is part of major commitments made in the Programme for Government to tackle unemployment, create more jobs and, obviously, deal with regional disparity and regional imbalance. It also has to do with the issue of connectivity and the ability for people to be able to move freely is what inward investors want. That is what INI tells the representatives when we sit down. That is what we need. We need better infrastructure and the ability for people to get in and out of the city quicker. That makes it more attractive for investors. That is the purpose of the lobby for the A6, and, no doubt, it was the purpose of the lobby for the A5 and any other capital project that is either in place or ready to go forward. It is all about making sure of those types of issues.

As a representative of the north-west, I understand well that there are other areas that are dealing with unemployment and poor infrastructure. They, quite rightly, make the case as well. We know that we are in a competitive market, but we believe that, given the critical importance of Derry, of the north-west and of the expansion of the university, issues like the A6 become even more potent and important. That is why it is important that we bring this forward.

Ross Hussey quite rightly made the point that, if we are ever going to present this to anyone to ask for more money, we have to be nearly shovel-ready. I think that that is perhaps one of the growing concerns. Perhaps the Minister will address the fact that there is a suggestion of looking at another way of bringing about the Dungiven bypass. Many people believe that the route that is now nearly established is the best one. Perhaps looking for an alternative route would slow the process down and push it further down the agenda. I believe that if we are all going to present a united case — the One Plan is very core to it — we have to put ourselves in the position where, if someone were to go the Minister in the morning and say, "Are you ready to proceed with the A6?", he would be in a position to say, "Yes, I have all the technical detail done." At present, the speculation about seeking another way of going around Dungiven, in my opinion, perhaps pushes it back. We should be trying to assist

the Minister in the process of having it shovel-ready so that, if the opportunity were to present itself in terms of capital, we would be ready to go.

Mr Principal Deputy Speaker: The Business Committee has arranged to meet immediately after the lunchtime suspension today. I propose, therefore, by leave of the Assembly to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.29 pm.

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

2.00 pm

Oral Answers to Questions

Environment

Mr Deputy Speaker (Mr Dallat): I have to tell Members that questions 1 and 4 have been withdrawn.

Sixmilewater: Fish Kill

2. **Mr Girvan** asked the Minister of the Environment for an update on the recent fish kill at Sixmilewater, Ballyclare. (AQO 7189/11-15)

Mr Durkan (The Minister of the Environment): The Northern Ireland Environment Agency (NIEA) is continuing to investigate the cause of a serious fish kill that occurred on Wednesday 29 October on the Sixmilewater at Ballyclare, County Antrim. As part of the investigation into that fish kill which was carried out by the NIEA in conjunction with DCAL inland fisheries, a large body of evidence was gathered. It included the collection of statutory samples from several premises, a detailed biological survey of the Sixmilewater and its tributaries in the area, and a detailed survey of the numbers and spread of fish deaths.

Interviews under caution are also being conducted as part of the process. The standard protocol in incidents of this nature is that interviews under caution are conducted in writing, and it is anticipated that it will be several more weeks before the process has been completed. Once the interviews under caution have been completed, the NIEA will review all the evidence and make a decision on appropriate enforcement action.

You will appreciate that, because it remains an ongoing investigation with evidence still being gathered from some parties, it would not be appropriate for me to comment further at this stage on the premises under investigation, as that might threaten the success of any future enforcement action. However, I can assure you that this remains a live investigation and that the NIEA is following definite lines of enquiry. Once the investigation has been completed and I am no longer constrained by legal considerations, I will, of course, be happy to provide you with a further update.

Mr Girvan: I thank the Minister for his answer. If there are further investigations ongoing with a view to making prosecutions, it will be fine to wait on that information coming through, but there was a further incident on 22 October —

Mr Clarke: November.

Mr Girvan: — November, when the Ballymartin river was polluted. Is the Minister aware of any investigations into that incident? That river is also a tributary of the Sixmilewater.

Mr Durkan: I thank Mr Girvan for his question and supplementary question on this topic. It is one that I know is very close to his heart, and we had an Adjournment debate about it one or two weeks ago.

I am aware of the more recent incident to which the Member referred. I assure him that Environment Agency is also aware of it and is investigating.

Mr Kinahan: I thank the Minister for his answers and look forward to hearing about many of the issues that we raised in that Adjournment debate. Does the Minister believe that the current penalties are effective as a deterrent, especially to public bodies, if, indeed, they are at fault? Does he have any idea why they are not working?

Mr Durkan: I thank Mr Kinahan. This issue was raised during the Adjournment debate, and there is evidence to suggest that fines for polluters are lower in this jurisdiction than in the others on these islands. However, the scale or nature of punishment for those crimes is beyond my remit as Environment Minister and is very much a matter for the courts. During the Adjournment debate, I said that I would raise the matter with the Minister of Justice, and I fully intend to do so.

However, I am given to understand that the average fine for pollution imposed by the courts in Northern Ireland has increased significantly in recent years and that fines of thousands of pounds are now routine. Of course, we do not want them to be routine, and we do not want pollution incidents to be routine. However, I believe that, for offences as serious as this, there should be serious penalties and deterrents, particularly for potential repeat offenders.

Ms Lo: Whilst it is important to have enforcement and increasing fines as deterrents, the most important thing is prevention, although it is very difficult to have preventative

measures. What preventative measures is the NIEA taking to prevent these very serious damaging events?

Mr Durkan: The agency works in conjunction with other bodies, primarily DCAL's inland fisheries, on the prevention of incidents like this. Unfortunately, we cannot prevent every incident, and it is impossible to measure how many events we have prevented through our proactive work. I know that quite a lot of work has been done in this specific geographical area, not only among and between government agencies, but with other stakeholders and anglers on the river. I believe that locals and local anglers have embraced that work very positively and have played an important role in it. That is how this should be addressed; prevention is, obviously, better than cure. The Environment Agency and DCAL's inland fisheries also visited all premises along this stretch of water in the not too distant past to look at pollution risks and to advise businesses of them. Subsequently, many of the businesses put in mitigation measures to prevent these disasters from happening.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. The Minister will be aware that, on occasions, the time between an incident, the detection of its source and subsequent prosecution is very significant. Sometimes, that is down to the manner in which it was first reported. Will the Minister ensure that the Environment Agency looks at the procedures in those cases?

Mr Durkan: I thank Mr Ó hOisín. In my answer to Ms Lo, I outlined the importance of a proactive approach to preventing such incidents. When these incidents occur, it is vital that our reactions are sharp, swift and successful. If there is an issue with how quickly, or otherwise, government agencies respond to incidents of this nature, it is something that I would like to address and see addressed. I will happily speak to the Member, as I know that he has a keen interest in angling, as do other Members, and I am happy to speak to them to hear their suggestions as to how this might be improved.

Community Planning: Health Role

3. **Mr McKinney** asked the Minister of the Environment what role health bodies will play in local government community planning. (AQO 7190/11-15)

Mr Durkan: I want to stress that community planning is not just for local government. From 1 April 2015, new community planning duties will be placed on central and local government. The Local Government Act 2014 sets out the process by which councils will lead community planning, and by working with their community planning partners, identify long-term objectives for improving the social, economic and environmental well-being of a district. The Act also places a duty on all 12 Departments to promote and encourage community planning and to have regard for community plans.

The community planning partnership will provide leadership in each council area by bringing together the key organisations and people. To ensure that that happens, I am making regulations to name the bodies that will be required to participate in the process as statutory community planning partners. Consultation on those regulations started on 17 October. I encourage all those with an interest in community planning to provide responses to the public consultation, which closes on 12 December 2014.

Given the key role of health bodies in improving the life of citizens, the health sector is well represented on the list of proposed statutory partners, with the health and social care trusts, the Public Health Agency and the Health and Social Care Board (HSCB) included. Indeed, the health sector has been very enthusiastic about the prospect of becoming involved in community planning, as previous work has shown the benefits of working together to achieve common goals and improved outcomes.

I know that the health bodies here already play a key role in the interface between public health, Health and Social Care and the role of the new councils. The DHSSPS strategic framework for public health, Making Life Better, reflects the important role of local government in helping to deliver improvements and in addressing health inequalities at community level. The joint working arrangements already in place between the Public Health Agency and councils to support health and well-being improvement, along with the commissioning responsibilities —

Mr Deputy Speaker (Mr Dallat): The Minister's two minutes are up.

Mr Durkan: — of the HSCB, will contribute to effective council community planning activity.

Sorry, Mr Deputy Speaker.

Mr McKinney: I thank the Minister for his fulsome answer. Will he outline how the needs of people with disabilities will be taken into account in community planning?

Mr Durkan: Community planning involves integrating all areas and aspects of public life, such as the services and functions that are delivered in that area, and producing a plan that will set out the future direction of a council area, with a focus on improving service delivery for all its citizens. To reflect the diverse nature of the communities that they serve, councils' community plans will be developed by bringing together key public-sector organisations, such as statutory community planning partners, and other non-statutory support partners. Those support partners might include businesses, voluntary organisations, and community and other groups that make vital contributions to promoting a district's social, economic and environmental well-being.

Under section 75 of the Northern Ireland Act 1998, all public authorities have a statutory duty to promote equality of opportunity and good relations. The Local Government Act explicitly makes reference to that duty for community planning. Equality of opportunity and social inclusion should be embedded in all stages of the process, and community planning partnerships will need to ensure that they work proactively to identify and address the specific needs of people with disabilities.

Mr G Robinson: Will hard-to-reach rural communities have a role to play in health on local government community planning bodies?

Mr Durkan: While I am in the process of drawing up a list of statutory community planning partners, I cannot tell each and every council who it should have on their community planning partnership. Different councils will have different needs and aspirations, and some council areas will be more rural in their make-up than others. However, I am determined to make sure that community planning ensures that all areas and sections in the new council areas are catered for, protected and looked after. For that reason, I believe that it is very important that consideration is given to those living in rural areas and that their needs are represented on a community planning partnership.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Will senior representatives of health trusts at director level be compelled to participate in the community planning process? I say that because, recently

in Omagh, negative proposals came forward regarding palliative care and dementia care that would never have seen the light of day if local elected representatives had been alongside health chiefs in decision-making.

Mr Durkan: I thank Mr McElduff for that sensible question — not that his questions usually are not sensible. As I outlined in my previous answer, the Department recently opened consultation that will identify statutory partners to participate in community planning with councils. Health organisations are well represented in that. I believe that it is imperative that they are on that list and that they have to be part of the community planning process, not least to avoid the kind of recent scenarios to which Mr McElduff referred. I believe that that is in the health trusts' interests as much as it is in the interests of the elected representatives and the people that they represent.

It appears that the trusts often make decisions based on balancing the books rather than on addressing need, and that need is perhaps more acutely understood by locally elected representatives. This is a fine model, and I am hopeful that it will succeed in getting statutory bodies to work together to the benefit of their citizens and our citizens.

2.15 pm

Hightown Quarry Landfill Site

5. **Mr McCausland** asked the Minister of the Environment for his assessment of the Hightown Quarry landfill site on the Upper Hightown Road, north Belfast. (AQO 7192/11-15)

Mr Durkan: Excuse me, Mr Deputy Speaker, I was informed that question 5 had been withdrawn as well, and it has now been withdrawn from my file. I can have a stab at it if you want.

Mr Deputy Speaker (Mr Dallat): Minister, there may be some confusion. It is topical question 5 that has been withdrawn.

Mr Durkan: Obviously there has been some confusion. I was disappointed because, for a few years, I had been asking Mr McCausland questions, and this was his first chance to ask me one. He was never able to answer mine either. *[Laughter.]* The Hightown quarry landfill site is the subject of a recent planning application. That planning application is being

treated as an article 31 application, so, ultimately, it will fall to the Minister to make the decision on it. As it is the subject of a current application, I cannot go into too much detail on it, and I certainly cannot give much away on my assessment of it. I assure the Member that the planning application will be dealt with as efficiently as possible.

Mr Deputy Speaker (Mr Dallat): I call Mr McCausland for a supplementary, and I am sure that the Minister will try to answer it.

Mr McCausland: I would be delighted if he answered the question that I actually asked, which was not about a prospective planning application but about his assessment of the landfill site as it is today. Having grown up in the area, I am familiar with the part of the hill just above the Horseshoe Bend as it was many years ago. The quarries have been filled in, but a much larger mountain is now developing there. Can the Minister assure me that officials have investigated whether the dumping at the landfill site has, up until now, been done in accordance with what was permitted or has it in some way gone beyond that? I am surprised that it has been able to grow in the way in which it has.

Mr Durkan: I thank Mr McCausland for that supplementary or maybe for clarification of his original question. I may have let the cat out the bag. There was a recently submitted planning application to extend the site. I assure the Member that what occurs on that landfill site is what occurs on any landfill site that we are aware of: it is closely monitored by NIEA and DOE officials. If the Member would like to bring to my attention any problems specific to the site or the situation, I will be happy to hear from him and have them investigated further.

Councillor Appointments: NDPBs

6. **Mr Maskey** asked the Minister of the Environment which departmental outside bodies will be specified for councillor appointments as part of the Local Government Bill. (AQO 7193/11-15)

Mr Durkan: I will not specify any bodies to which councils will make appointments. Section 6 of the Local Government Act (Northern Ireland) 2014 lists the positions that are deemed to be positions of responsibility. This includes those requiring the appointment of a councillor as an external representative of a council — in other words, where a councillor is nominated by the council to serve as a member of a public body on behalf of the

council. The Act defines "public body" as a body other than a council established by or under any statutory provision. There appears to have been some confusion about that, and local government sought clarification from my Department. My officials have been liaising with their counterparts in other Departments to identify public bodies established by or under any statutory provision that seek nominations from councils. The Department will provide councils with the information.

Mr Maskey: Go raibh maith agat. I thank the Minister for that response. I think it probably continues to add to the confusion, with respect. Can the Minister give the House an assurance that he will continue to liaise with all the other relevant Ministers to ensure that there is consistency in how councils engage with arm's-length bodies that have to relate to the new district councils in the new dispensation?

Mr Durkan: I thank the Member for that question. It is important that there is a degree of consistency. However, yet again, as I said in response to an earlier question, councils will have different needs. There will be bodies that are more relevant in some council areas than in others. However, I can imagine that there may be some difficulties where members are currently appointed to bodies by one council but not by another and now those two councils are amalgamating. My officials will continue to work with their counterparts in other Departments and, most importantly, their counterparts in local government.

Mr Campbell: The Minister would not outline the bodies that he will specify in the Bill, but will he undertake to look at the number of terms that councillors can serve consecutively on outside bodies, which I know has been a matter of some concern over a number of years?

Mr Durkan: I thank the Member for that question. As I have outlined, my officials continue to work with their counterparts in other Departments and in local government. I will ensure that, as part of that ongoing work, they ascertain the information to which the Member refers.

Council Grants: Budget 2015-16

7. **Mr Eastwood** asked the Minister of the Environment to outline the implications of the draft Budget 2015-16 for grants to councils. (AQO 7194/11-15)

Mr Durkan: If the current draft budget proposals for my Department were to be confirmed in the final Budget, there would be immediate and substantial reductions in key statutory grant payments to all councils, particularly to the less well-off councils dependent on additional rate support payments to guarantee basic levels of service at local level. Also, a wide number of grant programmes will face significant cuts and potential termination. They include emergency planning, which provides support to councils to undertake emergency planning preparatory work; construction products, which provide support to councils to carry out statutorily required inspection work; local air quality, which is aimed at assisting district councils in carrying out the statutory air quality duties prescribed under the Environment Order 2002 and corresponding air quality regulations; the Rethink Waste revenue fund, which provides grants for councils to improve resource efficiency and boost waste prevention, recycling and re-use activity; the listed buildings programme, which provides support for repair works to listed buildings in council ownership; and the natural heritage programme, which provides support to encourage the conservation and enhancement of key elements of the environment. In respect of the transferred functions grant, uncertainty remains about whether these sums will be protected from the basis of calculation or, indeed, any actual cuts in the future.

Mr Eastwood: I thank the Minister for his answer. Does he agree with me that cutting money to the councils that need it most is hardly the best way to begin a new council structure? Those councils are the poorest councils, which, unfortunately, happen to be located west of the Bann.

Mr Durkan: I thank Mr Eastwood for that supplementary question. As the saying goes, I would not start from here, that is for sure. I would love to be in a position where I could offer an assurance to all councils, particularly the less well-off councils. However, unfortunately, I cannot. The imposition of budgetary cuts of this magnitude will have a very detrimental impact on all councils at a time when they are starting a new era in local government, when they need certainty and when we here should support them as best we can. The impact on the less well-off councils — Mr Eastwood referred to the geography of the situation; they are largely in the west — gives me great cause for concern too. Not only will there be an impact on all councils but it will be disproportionately harsh on those that can least afford it.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Has the Minister assessed the impact on jobs if some of the grants do not go to local authorities?

Mr Durkan: I thank Mr Boylan for that supplementary question.

That work is ongoing. However, as a member of the Committee, you saw my budget paper last week and you will be aware of the impact that the draft Budget will have on jobs in the Department, leading to possibly 500 job losses. I am also aware of the impact that the cuts will have on jobs supported by my Department, be they in local authorities, where quite a number of building control staff, for example, are supported through the construction products grant, the local air quality grant and the emergency planning grant, or in other NGOs, which I do not want to name now but which are supported through other grants and do invaluable work in helping us meet our recycling and waste reduction targets. I do not have a final figure on that yet, but I am sure it will be bleak reading indeed, which will compound the bleak announcements of last week, not just from my Department but across all Departments.

Taxis: Driver Test

8. **Mr Ramsey** asked the Minister of the Environment how the recently introduced taxi driver test will benefit people with disabilities. (AQO 7195/11-15)

Mr Durkan: The taxi industry provides a valuable and vital service to many people with disabilities across the North, providing the only means of transport for many. The introduction of a new taxi driver test is an important element of the Taxis Act 2008. It was introduced on 31 October and will help increase minimum standards and professionalise the industry. Further, from September 2016, all taxi driver licence renewals will need to be accompanied by evidence of periodic training.

The taxi driver test will include a practical and a theory test. The theory test will include questions specifically relating to people with disabilities. The questions have been designed to ensure that those becoming taxi drivers are trained and fully responsive to the needs of people with a disability.

My Department has been working closely with groups representing people with disabilities. As part of a report on a new specification for wheelchair-accessible taxis, a survey of people

with disabilities was undertaken. When asked what features they thought would make it easier for them to use taxis, 49% of all respondents cited better trained drivers who are more aware of disabled people's mobility assistance needs. For that reason, within the periodic training regime, the only mandatory module for all drivers will be disability awareness.

The Member will also wish to note that an updated wheelchair-accessible taxi specification will come into force in the middle of next year. I am confident that these measures will make the taxi industry more accessible and go some length towards making the journeys made by people with disabilities safer and more comfortable.

Mr Ramsey: I welcome the Minister's detailed response and declare an interest as chair of the all-party group on disability. It will be encouraging and motivating for all those in our community who have disabilities, who struggle with public transport at the best of times and who depend on taxis.

Will the Minister outline any discussions he has had with the taxi disability groups across Northern Ireland in relation to the single-tier system that is coming into place soon?

Mr Durkan: I thank Mr Ramsey for that question. In the last year, I have had countless meetings with representatives of all sectors of the taxi industry as well as stakeholder groups such as Disability Action, the Consumer Council and the Inclusive Mobility and Transport Advisory Committee (IMTAC) specifically to discuss the taxi reform programme and to take soundings on their views. The following stakeholders expressed their support for single-tier licensing to me: Disability Action, IMTAC, the Consumer Council, Women's Aid, Victim Support, Belfast Chamber of Trade and Commerce, Pubs of Ulster and Visit Belfast.

2.30 pm

I made it clear in my statement to the Assembly in June that I have considered all the arguments presented to me and none has persuaded me to persist with the current dual-tier system in operation in Belfast. The relevant legislation is nearing completion and will be made within the next month. I intend to update the Environment Committee on progress on taxi legislation when I attend its meeting this week.

Mr Deputy Speaker (Mr Dallat): That ends the period for listed questions. We move on to topical questions.

Solar Photovoltaic Farms: Applications

T1. Mr McGlone asked the Minister of the Environment to confirm that applications for large solar photovoltaic (PV) farms in open countryside are being determined on the basis that the installations are temporary, albeit for 30 years, otherwise the land would have to be rezoned. (AQT 1841/11-15)

Mr Durkan: Applications for solar farms are determined under planning policy and the relevant development plan. The current policy for all renewables is Planning Policy Statement (PPS) 18 'Renewable Energy', as the Member is aware. For solar PV farms, the Department may include conditions on any permission for the removal of the structures 30 years after connection to the grid. That may be related to the lifespan of the technology, for example, and the planning condition ensures that old, non-functioning equipment is not left in the landscape. If an applicant wishes to continue operating after that 30-year period or beyond it, they would have to make a fresh planning application.

The zoning of land is a function of the statutory development plan. The reason for the temporary nature of planning permission related to solar farms is not related to the zoning of land but rather to issues associated with the proposed development and lifespan of the equipment or technology.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire arís eile. I thank the Minister again. What assurances can he give that those large solar installations will be decommissioned, the panels recycled and the land restored at the end of that 30-year period? In other words, what I am asking is: can it be conditioned as part of any potential approvals that are issued?

Mr Durkan: I thank Mr McGlone for that supplementary question. As mentioned, if an applicant wishes to continue operating at the end of the 30-year period, they would have to make a fresh planning application. The application would be subject to the full rigours of the planning system and be assessed against the relevant area plan in place at that time, along with the prevailing planning policy and any other material considerations. If the use of large-scale installations continues without the benefit of planning permission, the Department can initiate enforcement action against the applicant to ensure compliance with the original condition.

Social Housing: Demolition Restrictions

T2. **Mr A Maginness** asked the Minister of the Environment to comment on an application for a proposed housing development in Brookhill Avenue in north Belfast to assist those who have suffered from mental ill health, which has great social value and is a very interesting enterprise but has encountered difficulties through restrictions to the development due to the fact that demolition in an area of townscape cannot take place without an alternative use having been identified. (AQT 1842/11-15)

Mr Durkan: I thank Mr Maginness for that question. I previously met with the Member on this application. The meeting was attended by Mr Maginness, other community representatives and, quite tellingly, service users. I was most impressed by what they had to say. The planning application remains under consideration. It seeks to replace existing specialist supported housing at Brookhill with new facilities. There are three detached buildings that may be affected. While those are unlisted, they are in an area of townscape character.

I am aware of the background to the application. As I said, I met Mr Maginness and the applicants' advisers and supporters. At the meeting, it was agreed that evidence should be submitted to show that all other options, including avoiding demolition of the buildings, have been considered. It was agreed that, in parallel, officials would engage with the applicants' architect on design issues. Amended plans have been submitted as of 21 October, accompanied by further information. A further meeting between my officials and the applicants will be arranged and held before the Department presents an opinion to Belfast City Council for statutory consultation. I hope to get that done soon.

Mr A Maginness: I thank the Minister for his detailed response on the application. Does he agree with me that the social value of the application outweighs, in many respects, the value of retaining the buildings due to their townscape character and that this is indeed a worthy project? Does he also agree that, in such circumstances, planners should take the view that the application should succeed?

Mr Durkan: Clearly, this project has potential social and health benefits, as it involves the provision of modern supported housing facilities. The applicants and their many supporters clearly articulated that at the

meeting that we held. There may indeed be benefits in maintaining supported housing at this location. That is something that I heard loud and clear from those who avail themselves of the supported housing. However, the issue for planning is to assess whether it is feasible to accommodate the supported housing needs at this location whilst seeking to retain the built heritage. I believe that a balance can be struck and I am determined to strike it.

Road Fatalities

T3. **Mr Givan** asked the Minister of the Environment what measures his Department is taking to address the concerning situation of the tragic deaths on the roads in various constituencies in recent months, with the figures this year, when compared to last year, making for very alarming reading. (AQT 1843/11-15)

Mr Durkan: I thank Mr Givan for that question. He quite rightly identifies the fact that this year has been a particularly bad one for fatalities on our roads in comparison with the previous two years. However, we must bear in mind that the previous two years had the lowest figures on record for fatalities, and we should look at the general trend to see how much we have improved our road safety and reduced the number of fatalities on our roads over the years due to continued education, improved engineering and the stricter enforcement of laws pertaining to road safety.

However, I think that it is important that we do not rest on our laurels. I assure the Member that that is not what has been happening or why we have seen the drop back this year and this sad and sudden increase in road deaths. It is strange because there has been no increase in serious injuries or collisions on the roads. However, that shows just what a fine line there is between survival and death on our roads.

I assure the Member and, indeed, the House that I remain extremely committed, if not more committed than ever, to ensuring safety on our roads. Next year, I will have less money to do that. However, I think that necessity can sometimes be the mother of invention. I will have to look again at how we work with our road safety partners to get the message out there. I chaired a meeting of the ministerial working group on road safety yesterday that was attended by Minister Ford and Minister Kennedy, and I am assured of their support. Indeed, I am sure that I have the support of all Members.

Mr Givan: I thank the Minister for that response. Fatalities on our roads had been on a downward trajectory for quite a number of years, and that is why the considerable increase this year and the devastation that that has caused the families impacted on by it is such a cause for concern. I know that the Minister is all too aware of that.

His predecessor and Ministers before that were able to use their ministerial office to attract media coverage and to enhance public awareness, and that was helpful in bringing the issue to the public's attention. I appreciate the difficult financial constraints and the implications that those may have on advertising campaigns. However, will the Minister assure the House that he will seek to use his office in a way that will attract as much public awareness as possible to the issue to try to help address the problems on our roads?

Mr Durkan: Absolutely. I give the Member and the House an assurance that I will use my office to do just that. I remind him and all other Members of their responsibility to use their office and any opportunity that they have to reinforce road safety messages as well.

The Member quite rightly outlined the fact that, although we are talking about statistics, we are talking about people. Each fatality on our road represents a life lost and a family devastated. I believe that we all have a responsibility to reduce that number or to eradicate it. My Department has a campaign called "Road to Zero". We would love to get to a position in which we had zero road deaths every year. That may sound beyond our ability, but it should not be beyond our ambition. The causes of many of the fatal collisions remain speed, drink and drugs and a lack of attention. Basically, it is human error, and that is why it is extremely important that we continue to reinforce our messages to the public.

Farmers: NIEA Interviews Under Caution

T4. **Mr McMullan** asked the Minister of the Environment why, rather than a face-to-face interview, when a farmer is called in to the Northern Ireland Environment Agency (NIEA) for an interview about using tyres on his farm for his legitimate farming business, he is treated like a common criminal by being sat down, interviewed under formal caution, with the interview taped using three tapes, as would be the case when charged in a police station. (AQT 1844/11-15)

Mr Durkan: I thank the Member for his question. I am unaware of the specifics of the case and therefore cannot comment on them. However, issues have been brought to my attention in the past around how officials, particularly NIEA officials, conduct their work, and, as such, I have ordered a root-and-branch review of the agency. I want to make it more customer-friendly and customer-focused. Certainly, the behaviour described by Mr McMullan does not give the impression of an organisation that is either of those things.

Mr McMullan: I thank the Minister for his answer. The community will be heartened by the fact that you are conducting a root-and-branch review of the agency's dealings. When a farmer applies to the agency to bring tyres on to his farm, why does he have to pay £842 for a licence to cover him for a three-year period?

Why is that permit or licence so dear? It is £842. There is no rationale for it whatsoever. Consider how much the countryside is blighted by bonfires every year. Nobody responsible for bonfires is being brought to book. Why is the farming community being singled out? Why is the farmer having to pay £842 for a permit to bring tyres onto his farm? Go raibh maith agat.

2.45 pm

Mr Durkan: I thank the Member for that supplementary question. I can assure him and the House that the farming community is not being singled out. Anyone who handles waste tyres will be subject to the same type of scrutiny and investigation.

The rationale behind paying that licence fee is actually to attach a value to those tyres because, all too often, tyres that are being used on farms are the very ones that end up on bonfires. I know that this is an issue that the Member has raised previously. Unfortunately, he was not able to be here on the day that there was an Adjournment debate on this subject. I know that that was through no fault of his own. I would happily meet him to discuss it in the future.

Finance and Personnel

Mr Deputy Speaker (Mr Dallat): Question No 6 has been withdrawn.

Public Sector: Skills Gap

1. **Mr Gardiner** asked the Minister of Finance and Personnel what redeployment and

retraining opportunities he intends to provide to cover the skills gap in the public service created by early retirement and redundancy packages. (AQO 7202/11-15)

Mr Hamilton (The Minister of Finance and Personnel): At the outset, I want to make clear that my answer is in respect of the Northern Ireland Civil Service. It is for other Ministers to answer for other public-sector bodies that come within their areas of responsibility.

The Executive have asked my Department to bring forward a range of proposals for strategic personnel interventions to effect a pay bill reduction in the Civil Service, including a voluntary exit scheme. It is important to stress that a voluntary exit scheme is only one of a range of measures to be considered.

DFP, in close collaboration with other Departments, has begun the process of establishing the overall size of the pay bill reduction that needs to be delivered and how this is to be achieved. It is recognised that it will be important in the planning of these measures to take account of the Civil Service maintaining essential business continuity. At this early stage, it is not possible to estimate the extent to which there might be any redeployment or any need for retraining due to the implementation of a voluntary exit scheme.

Mr Gardiner: I thank the Minister for his answer. In my constituency, there are 13,400 people working in the Civil Service and public service. Will he assure me that the interests of local towns like Lurgan, Portadown and Banbridge will be protected in any redundancy situations that he develops?

Mr Hamilton: As the Minister responsible for personnel in the Civil Service, I obviously have the responsibility of bringing forward a voluntary exit scheme for the Civil Service. Other Ministers are actually responsible for the bulk of public servants in Northern Ireland. The Civil Service accounts for roughly only 15% of the total public sector in Northern Ireland, which is around 212,000 individuals. I will seek to do that carefully.

The Member and the House will appreciate that the severest pressure that we face is the need to reduce our pay bill so that we can not only live within our means next year but be better prepared for future years. That will necessitate some tough choices, particularly around personnel issues. I think that everybody understands that, as far from ideal as it is, when you have less money and you are providing

fewer services, you will need fewer people to do that.

I am sure that one thing that we will not consider is the impact on individual towns or parts of Northern Ireland. What will obviously be at the forefront of our minds in devising, implementing and executing a scheme is the interests of the people who live in those towns and the services that they receive from government, whether they be through the Civil Service or the broad public sector. That is what we always have kept to the forefront of our minds: we are here to provide services and achieve outcomes for citizens. That will obviously necessitate public servants' being situated not only in Belfast or major towns but right across Northern Ireland. As far as possible, we will ensure that anything that is done will not do any violence to the delivery of services, whether that be in Upper Bann, East Londonderry, Strangford or indeed any other constituency.

Mr I McCrea: The Minister will be aware that local media have said that trade unions are planning to strike as a response to the job cuts — I suppose that the "voluntary exit scheme" is the proper phrase for it. Is the Minister willing to comment on what the impact of those strikes could be?

Mr Hamilton: Within 24 hours of the draft Budget being announced earlier this month, I had already arranged a meeting with representatives of the trade unions. We had a very useful discussion, as we do on any occasion we meet. What I heard at that meeting and at previous ones stands in stark contrast to some of the public utterances of some members of the trade union movement who I do not think are representative of the trade union movement as a whole or the members of trade unions.

Listening to some who appear on our airwaves and television screens regularly, there is an air of unreality about what they say on this issue. I think that they fail to understand, in the way that, I think and hope, most of us in the House understand, and I am pretty sure the people of Northern Ireland and the business community in Northern Ireland understand, that there is less money to do everything we want to do in Northern Ireland. That requires us to cut our cloth accordingly.

If those views are, in any way, seeping through to others in the trade union movement, I encourage trade unions to reflect again on those sorts of comments. If one of their objectives is to protect public services, they

have to ask what a strike, a series of strikes, or, as one member of the trade union movement said, a winter of discontent in Northern Ireland, would achieve. I am all for them protesting. However, if they are going to protest, they should protest where it matters. The fact that we have £1.5 billion less spending power today is not as a result of decisions taken by the Executive; it is because of decisions taken by the Conservative-led coalition in Westminster. If they want to protest, that is the place to go.

Mr Ramsey: I thank the Minister for his responses today. Given the dependency in some areas, as Samuel Gardiner said, on public-sector jobs, including my constituency, where there are high levels of economic inactivity, and given that it is a most emotive subject matter for many in our community, will the Minister outline to the House what discussions he has had with the trade union bodies in respect of the plans for early retirement and redundancy packages?

Mr Hamilton: As I said in response to Mr McCrea, I met the trade unions within a day of the draft Budget being published. We had a very good discussion in and around this issue. Obviously, you would not expect trade unions to welcome, with open arms, a draft Budget that reduces public spending. I have said that it is not a perfect draft Budget; it includes tough choices and difficult decisions. Obviously, they had comments to make in respect of a voluntary exit scheme and a reduction in headcount across the public sector.

By meeting them early, I showed my intent to include them in the conversation. There have been, there are, and there will continue to be, meetings between officials from primarily my Department, officials elsewhere in the public and the trade unions. I have a paper before the Executive this week on a reform and restructuring plan which includes details of a voluntary exit scheme. I hope to get approval for that from my Executive colleagues this Thursday, because we need to start moving on this very quickly if we are to realise savings starting in the next financial year.

When it is up and running, it is important that there is discussion with the trade union movement about the terms of all that and how it will work. Let us face it: many members of the public sector will want to avail themselves of a voluntary exit scheme, and I am sure that the unions will want to ensure that their interests are also looked after in that process.

DFP Papers: Timely Delivery

2. **Mr Hazzard** asked the Minister of Finance and Personnel what assurances he can give on the timely delivery of key departmental papers to the Committee for Finance and Personnel, particularly those papers relating to the draft Budget 2015-16. (AQO 7203/11-15)

Mr Hamilton: It is my responsibility as Minister to ensure that I am content with all the output from my Department, including briefing for the Committee. I will always endeavour to provide the information requested on a timely basis.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer, short as it was. No doubt the Minister will agree that scrutiny of these plans and papers is very important. In light of that, does the Minister agree that public engagement and, indeed, engagement by community groups and trades unions in the consultation process for the draft Budget are very important?

Mr Hamilton: The drive for efficiency may extend even to my answers in the Chamber, although do not hold your breath. Yes, I do. We are not unique, but our process of agreeing a draft Budget, putting it out to public consultation, finalising it in a final Budget and then legislating — a process that extends over roughly five months — stands in contrast to some other Administrations. I sometimes envy the ability of the Chancellor to get up on Budget day and say, "This is the Budget for next year". The next day the legislation is introduced, and within a week it is law. There is a neatness to that, but it does not allow for healthy public debate in the way that we do, although some may criticise the time that it takes.

The Committee system in the House plays an important role in taking feedback from Departments and scrutinising what they say when the Budget, as with this one, will make reductions. It also allows them to engage with sectoral groups, interest groups and the community, who are affected by Ministers' decisions. It could be criticised by some as cumbersome, and perhaps there is sometimes a perception, particularly in an environment where we do not have as much money as we would like, that there is not a lot of change. I think, however, that it is a useful process that allows the public, trade unions, the business community and others to have their say and an input into the Budget. I am sure that you already see that in the consultation, and I hope that you will see it reflected in the final Budget, which I hope to see agreed in early January.

Autumn Statement

3. **Mr Flanagan** asked the Minister of Finance and Personnel for an update on his Department's discussions with Treasury officials and Ministers ahead of the Chancellor's Autumn Statement. (AQO 7204/11-15)

Mr Hamilton: I have not had any direct communication with the Chancellor of the Exchequer on the content of his autumn statement, and, whilst my officials are in ongoing contact with their Treasury colleagues on a range of issues, they are not sighted on the content of the autumn statement.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. All the talk and speculation on the statement here is about the transfer of powers and corporation tax. The 'Financial Times' says yes; 'The Irish Times' says no. In wider terms, have you or your officials had any meaningful discussions about the real-term cuts to the block grant that you have alluded to in previous answers and how they have impacted and will impact on the Executive's ability to deliver core front-line services in the next year?

Mr Hamilton: As you would expect of me in this role, I take any opportunity to stress to Treasury Ministers when I meet them the impact that reductions in expenditure in Northern Ireland have had and are having. It is fair to say that our 2011-15 Budget was challenging, certainly in the latter years, and we are experiencing that in this financial year. However, that conversation was slightly different from the conversation that we are having now. I made a statement in the House today about the British-Irish Council meeting in the Isle of Man last Friday, which I attended on behalf of the First Minister. The issue was raised not just by me and the deputy First Minister but by the Scottish and Welsh Administrations. It was raised not with Treasury officials but with the Secretary of State. There is no doubt that the impact of spending reductions comes up in discussions that I have with Treasury Ministers and with other Ministers. Indeed, the ramifications for public spending in Northern Ireland and how we can deal with the issues come up in discussions that officials have with their counterparts in Treasury too.

Mr Girvan: Will Northern Ireland received a Barnett consequential from the £2 billion announced by the Westminster Government, and will it be ring-fenced?

3.00 pm

Mr Hamilton: I thank the Member for his question. We will hopefully find out soon exactly what the impact on Northern Ireland will be. To be honest, I was not expecting a terrible lot to come out of the autumn statement through Barnett consequentials for Northern Ireland, given that the Chancellor and certainly his Government have been heading more towards income tax reductions next year and have been dealing with less in their own tax revenues. I did not expect there to be a huge amount of additional spending, so I was pleasantly surprised by the announcement at the weekend of an allocation of £2 billion to the NHS that would have some Barnett consequentials. The timing is interesting: you would almost think that there was an election in the offing. However, we will take whatever we can get. It appears that there is at least between £40 million and £50 million of a Barnett consequential for Northern Ireland as a result of the decision that the Chancellor is expected to announce in his autumn statement tomorrow. Obviously, that is gratefully received by the Executive, and it will be a great help in arriving at a final Budget position.

On the Member's final point about whether it is ring-fenced, that is obviously a decision for the Executive to take in the fullness of the situation that we face. I am sure that my colleague Mr Wells, the Health Minister, could make a compelling case for why some of or all that money should go to his Department, but we should bear it in mind that a range of pressures is emerging between draft and final Budget across a range of Departments. I have spoken about some of those pressures in the House, and other Ministers have come to the House and spoken about some others. Let us not forget either that the Executive were generous to the Department of Health in the settlement that we had in the draft Budget and that some other Departments had to pay for that with larger reductions. We were able to give it £150 million of an additional allocation. It is one of only two Departments that will be in a beneficial position next year compared with last year. However, those pressures and what we have already done with the draft Budget —

Mr Deputy Speaker (Mr Dallat): The Minister is over his two minutes.

Mr Hamilton: — are obviously factors that the Executive will consider.

Mr Agnew: Even if we get a positive decision, as he would see it, on corporation tax powers,

will the Minister listen to the likes of Bro McFerran and Allstate and rein back his position on reducing the rate to 12.5% or even less?

Mr Hamilton: I share the views of others, not least my colleague the Enterprise Minister, who answered questions in the House yesterday. I am deeply disappointed by Bro McFerran's comments, particularly those on the Executive's ability to take decisions. Obviously, the Executive have been able to take what Mr McFerran would consider to be positive decisions on supporting his business and bringing employment into Northern Ireland. I think that it is disappointing. Aside from whatever the media may wish to do to blow up the impact of what Mr McFerran said, his views are not reflective of the business community in Northern Ireland.

We have a rare occasion where not only are all the five parties in the Executive supportive of the devolution of corporation tax powers but you have a collective across business, and not just big business represented by the likes of the CBI, the Institute of Directors (IOD) or the Chamber of Commerce but small business in the shape of the Federation of Small Businesses, the Northern Ireland Independent Retail Trade Association or Pubs of Ulster have all got behind the campaign to devolve corporation tax powers to Northern Ireland.

I remain hopeful of a positive decision tomorrow. The economic pact that the First Minister and deputy First Minister agreed with the Prime Minister in June last year made a commitment, which the Prime Minister signed, to make a final decision on the devolution of corporation tax no later than the 2014 autumn statement. The autumn statement is due tomorrow, so we expect a final decision tomorrow. I am hopeful, given the robust and compelling case that Northern Ireland has made not just on the need to rebalance our economy but on our unique situation as the only part of the United Kingdom sharing a land border with a state with a significantly lower rate of corporation tax. I think that that compelling case stands on its merits, and I hope that we get a positive decision from the Chancellor tomorrow.

Mrs D Kelly: Minister, you alluded to health with regard to the Barnett consequential and to the idea that there may perhaps be some ring-fencing of that. However, I understand that infrastructure is also to be accommodated in the Budget tomorrow in the autumn statement. I wonder whether there would be a willingness on your part and on the part of the Executive to

ring-fence some Barnett consequential for Northern Ireland for infrastructure.

Mr Hamilton: If there are Barnett consequential from decisions that are taken across the water on infrastructure investment, it will not be a matter of us ring-fencing that for infrastructure. It will come as capital that will have to be spent on infrastructure. That will be very welcome, too, because, whilst our capital position next year is improving from this year, it is still under pressure. Any money that we can pour into developing our infrastructure helps our economy and helps to create jobs, but it is also a boost to attracting investment to these shores.

We will see what comes forward in the autumn statement in any capital Barnett consequential. Some announcements that I have seen appear to be the bundling and re-announcing of previous commitments made by the Government, so it is not yet clear whether they are new decisions and therefore with a Barnett consequential if there is comparability or whether they are just a rehash of old announcements.

It is a bit like the caution on the announcement about health. Although it does look as though there are positive Barnett consequential coming from that, it is not clear how some of it might be financed. It could be coming from decisions that have negative Barnett consequential. There may be other positive and negative decisions, so we will find out at approximately this time tomorrow whether it is good news or not-so-good news for Northern Ireland.

Defamation Law

4. **Mr Weir** asked the Minister of Finance and Personnel what impact the proposed closure of the Northern Ireland Law Commission will have on the review of the law of defamation. (AQO 7205/11-15)

Mr Hamilton: The Northern Ireland Law Commission launched its consultation on the law of defamation on 27 November, and it will run until 20 February next year. I expect the commission to try to complete the analysis of responses and the final report by 31 March 2015, which is the scheduled date for closure. We are considering how the commission's resources can be maximised to help it to achieve that objective. However, if it is not able to do so, it may be possible to retain the services of the lawyer leading the project for a

further short period to allow for the completion of the review.

Mr Weir: I thank the Minister for his response. We were talking about the Barnett formula. Obviously, with Lord Barnett recently deceased, he would seem to fall outside the law of defamation. The Minister outlined contingency arrangements. Will they in any way compromise the independence of the project?

Mr Hamilton: I thank the Member for his question. I thank him for his original question, too, which gives an opportunity to clear up for the House some confusion that may have emanated from the Minister of Justice's decision to end the work of — close down, effectively — the Law Commission from the end of this financial year. There was concern in some print media that that would lead to the end of the review, which I commissioned about a year ago, and that we would not see any progress on the matter. I had correspondence with the Minister of Justice, and we have agreed the consultation, which was published just this past week. That will take some time to complete and get the feedback on.

The Member asked about independence. My whole objective in asking the Law Commission to carry out a review of the law of defamation in Northern Ireland to determine whether there is a need to extend to here in full or in part the changes that were made to the law of defamation in England and Wales was that we needed an independent perspective on it. We had views expressed by some in the legal profession, who may be considered to have a vested interest, and by some in the press and media, who may also be accused of having a vested interest. I thought it important to get an independent view.

In short, the contingency arrangements that I am talking about are designed to advance rather than diminish the level of independence. My Department will not be assuming any responsibility for the final stages of the review project. Rather, it is envisaged that the commission's lead lawyer, who has been carrying out the work on our behalf, will complete the final report and refer it back to the Department for consideration.

Mr A Maginness: I thank the Minister for his answer, but he misses the point in this. It is not really just that the report into defamation has been delayed and may not be completed but that the Law Commission is an important outworking of the criminal justice review. At the

stroke of a pen, the Minister of Justice effectively abolished —

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

Mr A Maginness: — the commission. Is that not a terrible waste of resources that the Assembly could have used to build a good legislative body in the House?

Mr Hamilton: There is a pattern developing: a lawyer asked the first question and another lawyer asked the second. I would expect a lawyer to point out where I was wrong in respect of this.

The decision on the Law Commission is not a matter for me; it is a matter for the Minister of Justice. The point that my learned friend made so eloquently would be better directed towards the Minister of Justice, who obviously faces, not just this year but in future years, pressures on his budget. I am sure he can argue with the Minister of Justice about the relative merits of the Law Commission.

While not wishing to speak for the Minister of Justice, I am sure that he would highlight the fact that, in the very pressurised budgetary environment that he is facing, not just this year but in future years, he has to take decisions that, in a more perfect environment or a more benign environment, may not be decisions that he would want to take, but that in order to ensure that as much of the front-line services, particularly around the police, are protected and supported within his area of responsibility, the decision to do away with the Law Commission is, in that context, a reasonable one to make.

Mr Kinahan: I thank the Minister for his answers so far. So we have got the review. However, when the consultation comes out, will the Minister guarantee that, if reform is needed, legislation will be brought forward?

Mr Hamilton: I was concerned, and this is why I am glad to have the opportunity to clear some of this up, that the Commission's expiring at the end of this year might have kiboshed the whole review and shunted it into the sidelines; it might have made it difficult for us to pick up and continue in a way that included the all-important independence that I wanted to have in that review.

I would be foolhardy if I stood here and guaranteed anything, including legislation, on this. However, the whole purpose of the review is to get an independent perspective and for us

to consider that and see where the balance of the arguments are on the need to introduce legislation. If the conclusion that I reach after studying the report is that there is a need for legislation, I will seek to bring that forward. Obviously, towards the end of an Assembly term there is a rush to get legislation through and there is pressure on resources in terms of the legislative draftsmen, the time available in this House and the time that the Committees have available. Certainly, if there is a need to do it, that is something that I certainly will pursue.

Stephen Brimstone

5. **Mr Swann** asked the Minister of Finance and Personnel to outline his Department's role in the fact-finding investigation into the actions of Mr Stephen Brimstone. (AQO 7206/11-15)

Mr Hamilton: DFP had no departmental role in the fact-finding investigation into the actions of Mr Stephen Brimstone.

Mr Swann: Will the Minister clarify what specific role the head of corporate HR within his Department had? They were tasked to carry out a fact-finding investigation into Mr Brimstone's role as a civil servant.

Mr Hamilton: The Member has articulated the position exceptionally well, to the point where I am wondering why he needed to ask the question. The head of corporate HR in my Department — corporate HR has a range of responsibilities, not just in my Department, but for the broad Civil Service — was asked by the permanent secretary responsible for the Department for Social Development to carry out a fact-finding mission. I presume that that was done on the basis of getting an independent view or voice from outside the Department. That work was carried out, but it had nothing to do with me, and I did not commission it. Therefore, it is not a responsibility for my Department.

Mr Allister: Mr Stephen Brimstone, because he is a special adviser, is a temporary civil servant. He is therefore subject to the same code of ethics as every other civil servant. Your Department has responsibility for all civil servants in that regard. Why, therefore, would you not be interested in the fact-finding exercise pertaining to that which was carried out by your corporate HR department? Why do you want to be complicit in covering up the facts that were unearthed?

Mr Hamilton: That is a typical response from the Member, who has shown his position on this issue through his very open remarks in the Committee. I would have thought that, as a lawyer, he would have waited until the balance of evidence was there, but he has very clearly reached a conclusion in his own mind on the matter.

This was a fact-finding investigation, commissioned by the permanent secretary responsible for the Department for Social Development: it was nothing to do with me, and it was nothing to do with my Department. I daresay that, had I shown an interest in the report and asked to see it, the very same Member would have been accusing me of interfering in the process. I think that what I have done in not asking for the report, not looking at the report, not seeing the report, not commissioning it and not being involved in it in any way, shape or form was the right and proper thing for me to do.

3.15 pm

Mr Campbell: Will the Minister, in his capacity as Minister of Personnel, outline the protection offered to temporary civil servants when they come before a Committee for an inquiry, which Mr Brimstone has done not once, not twice, not three times but four times — and is due to come for a fifth time to answer questions, when others have declined to come — from constant badgering from people who cannot face up to the truth?

Mr Hamilton: It would not matter to me whether they were special advisers or, indeed, any other civil servant or public servant. When they come before Committees of this House, they should be treated with courtesy and respect. First, they should not be treated as if they are guilty, which is the behaviour of the Member Mr Allister in his dealings with Mr Brimstone. Secondly, they should not be treated as if they are some sort of witness in a court of law where the Member can practise the skills that he has developed through the years in the High Courts in Belfast. All witnesses and all people who come to the House to give evidence in whatever way, shape or form should be treated with decency and respect.

Mr Deputy Speaker (Mr Dallat): That ends the period for listed questions. We now move to topical questions.

Smith Commission: Local Impact

T1. **Mr Brady** asked the Minister of Finance and Personnel for his analysis of the Smith commission recommendations and their potential local impact. (AQT 1851/11-15)

Mr Hamilton: I think that it was an interesting report that was published last week by the Smith commission. I have taken a look at it, and, obviously, I will study it in much more depth. It is interesting in itself because of the impact that it has on Scotland, but it is more revealing perhaps, particularly with the conversation that we are having at the minute in respect of the devolution of further powers to Northern Ireland. Obviously, we are very much focused on the devolution of corporation tax, and, hopefully, we will get a positive response to that in the next 24 hours. It reveals that, particularly around welfare and other tax devolution, there is potential in Northern Ireland, should we want it and should we judge it to be in our interests, for more powers to be granted to the Assembly should we agree to seek them.

Mr Brady: I thank the Minister for his answer. The Smith commission's recommendations on welfare have changed the context of welfare cuts. Does the Minister think that the enhanced benefits offered to Scotland could have some impact or potential here?

Mr Hamilton: The area of welfare contained in the Smith commission report is one of the more complex ones. I met the new Scottish First Minister, Nicola Sturgeon, last week at the British-Irish Council. She was at pains to point out that the Smith commission, in her view, was a good start but did not go far enough as far Scotland was concerned.

In respect of welfare, I do not wish to ascribe views to her, but I think that she was a little underwhelmed that the welfare benefits that were potentially going to be devolved to Scotland were only a small chunk of the overall welfare benefits and that any decisions that came at a cost would have to be paid for by the Scottish Government. This, of course, sounds familiar to us here because, obviously, we have negotiated flexibilities around welfare reform. All of these flexibilities come at a cost to the Northern Ireland Executive.

I think that there is potential for us to work closely with Scotland. They will tease out and work out themselves whether it is in their interests, whether they want to take it, how they want to take it, what they want to take, what

they do not want to take and what the ramifications are for developing an IT system for Scotland. As they form a view on all of that, it is important that we keep close to them and continue to engage with them. The deputy First Minister and I pointed that out to the First Minister, and she was keen for that to continue, because, looking four or five years down the line, if the Scots do develop their own welfare system and that is a system that is more in keeping with where we might want to be at that time having passed some welfare reform legislation in the intervening period, there may be an opportunity for us to work with the Scots and have a joint welfare system, which would help to reduce many administration costs.

However, I am at pains to stress that that very much depends on what the Scots decide and will be very much in the longer term. I do not see it happening in the next year to 18 months or before we have to make a decision on the issue.

Public-sector Restructuring: Potential Impact

T2. **Mr McGimpsey** asked the Minister of Finance and Personnel, bearing in mind that we are looking at workforce restructuring proposals, and given the high level of public-sector workers in Northern Ireland, what his initial view is of the potential impact on the number of workers and jobs. (AQT 1852/11-15)

Mr Hamilton: Down through the years, certainly since I have been here and before that, there has been consensus across the House that we have an over-reliance on the public sector in Northern Ireland for economic growth and employment. We have a rather large public sector of around 212,000 people for a population of just 1.8 million. Whilst we want to rebalance the public sector, the circumstances that we find ourselves in that are forcing us towards rebalancing it are not ideal.

It is too early to say precisely how many people we expect to lose across the public sector. In the discussions that I have had so far with every Minister from every party represented on the Executive, I found that there are no Departments, arm's-length bodies or public sector bodies that do not foresee the need to reduce their headcounts by some degree. No matter who is stewarding those Departments in a ministerial sense, there are no Departments that see it as anything other than necessary to help us to live within our means.

Mr McGimpsey: I thank the Minister for that answer. Among the 200,000 people in the public sector, there is clearly uncertainty, anxiety and concern about those issues. Will he confirm that he, as the Minister, and his Department are in discussions with unions and the staff side and that a key feature of any proposals will be voluntary rather than compulsory redundancies?

Mr Hamilton: As the Member was talking, I wrote down one word: "voluntary". It is important to stress that we are developing a voluntary exit scheme.

I do not want to jump to rash conclusions, but the feedback that I am receiving is that a voluntary exit scheme will not be rebuffed by many in the public sector. A number of people would like to avail themselves of such a scheme, and we will see the quantities as we develop a scheme over the next number of months.

I am aware that it is one thing, and it is my responsibility, to stand here and say that we have a Budget, that we must live within our means and that, particularly in the current circumstances, that requires drastic action. However, I also have to be sensitive to the fact that we are talking about people, and the Member was right to make that point. Many people and families across Northern Ireland, for whatever reason and whatever their particular motivation or concern, will want to know with some certainty what is happening, when it is happening and what it means for them.

Whilst it would be wrong to say that something like that will not happen and that we will not have to have a voluntary exit scheme — we clearly will have to have such a scheme — it would be equally wrong to rush out and say that there will be x number of people in this, that or the other Department. A lot of work has to be carried out before we can hollow out exactly how much money we have, what it will cost to remove people and whether we will have to do that over one, two, three or maybe more years. We will then decide where the people will come from and when they will come out of those Departments or arm's-length bodies. It is very complex, technical, difficult and challenging work, but, at all stages, we have to bear in mind that we are talking about people and we need to be sensitive to their concerns.

Smith Commission: Consequences for Northern Ireland

T3. Mr Campbell asked the Minister of Finance and Personnel to outline the consequences for Northern Ireland following the publication of the Smith commission report. (AQT 1853/11-15)

Mr Hamilton: There are, perhaps, no direct consequences flowing from the Smith commission report. It was a discrete piece of work that was done for Scotland, viewed from a Scotland perspective and populated by Scottish politicians, and, obviously, Scottish politics were very much to the forefront of the minds of members of the commission and the conclusions that they reached.

Some have suggested that, because there was a rebuffing of corporation tax for Scotland and then the subsequent comments of the First Minister in Scotland that she was disappointed. To be fair to her, she has been supportive of our call for the devolution of corporation tax to Northern Ireland. Some have also suggested that the rebuffing of the Scottish demand for corporation tax might have thrown some sort of a spanner in the works. I do not see it that way. I am at pains to stress that Northern Ireland is in a unique position. We are not Scotland, in terms of our economy and our economic development. Scotland's economy is much stronger and more industrialised than ours.

As the Member and the House will know, we have suffered for a number of years from underinvestment because of the Troubles, and we have that challenging land border issue with a state that has a considerably lower corporation tax rate. The fact that there is nothing in the Smith commission report about corporation tax does not necessarily mean that there is going to be a bad answer for Northern Ireland. I hope that we get a positive outcome by way of, at least, some sort of decision by the Chancellor. Obviously, a lot of work will be required to be done after a decision is made. A positive or supportive decision by the Chancellor will necessitate work being done at Westminster, by way of the passing of legislation there, and in Northern Ireland, by passing legislation here. I am still hopeful that we will get the go-ahead tomorrow that will allow us to proceed with securing that policy.

Mr Campbell: Hopefully, the Minister is right and there will be a positive response tomorrow. Assuming that there is, and, within 24 hours, we know the position, will the Minister's officials, post-legislation at Westminster, begin the very

diligent process with the Treasury of rolling out the positive response?

Mr Hamilton: The economic pact was very clear about a final decision being made no later than the autumn statement. I expect a statement tomorrow. I do not know what nature and shape that decision will take, or what it will or will not say, but we expect a decision of some kind tomorrow.

If it is, as we hope, a positive decision, in many respects, after a decade of work to get to this point, the work to ensure that the legislation can get through Westminster will really start. Obviously, we will be looking to the Member and his colleagues to ensure the swift passage of that legislation across the Houses of Parliament. We have work to do in Northern Ireland too with regard to consenting to that legislation, and, later, passing our own legislation and deciding where we want to set our level of corporation tax. Work will be ongoing with officials. Even if there is a positive decision tomorrow, it will not be a positive decision with a precise price and all the technical details. Some work will still have to be carried out with regard to all of that, and that will, obviously, have to be done incredibly quickly over a short time.

Like the Member, I hope that we get a positive decision tomorrow that will allow Northern Ireland to move forward on this issue, after the struggle and battle that there has been for the best part of a decade to get to this point. We have done everything that we can. I think that we have made a very strong, robust and sound case, based on evidence and need. I also think that we have a Government in London who are receptive to our argument, and I hope that they follow through positively with a decision tomorrow that is beneficial to Northern Ireland.

Public Sector: Voluntary Exit Scheme

T4. **Mr Hilditch** asked the Minister of Finance and Personnel when he expects a voluntary exit scheme to be in place, given that most Departments are reporting the need to reduce staff numbers next year if they are to meet their budget pressures and targets. (AQT 1854/11-15)

Mr Hamilton: The Member is right. I do not think that any Minister who has reported to their Committee on the impact of the reductions in their budget has not said that they expect to take a number of staff off the payroll. The feedback that I am getting in discussions with

Ministers so far is that every one of them has wanted to discuss the issue and has wanted to understand when a scheme will come forward. They are not hugely relying on making savings next year, but they want to know that they can start to make savings next year, which will materialise in much larger quantities the year after.

I have submitted a broader paper to the Executive on restructuring and reforming the public sector; it includes a range of issues, but primarily the voluntary exit scheme. The paper outlines the hope that, with a lot of effort and work over the coming weeks and months, we could have a voluntary exit scheme in place open for applications early in the next financial year. We will then start to take the first tranche of people out of the public sector around August or September next year.

Mr Deputy Speaker (Mr Dallat): Order. Time is up. Before we return to the A6 debate, I ask Members to take their ease while we change the top Table.

3.30 pm

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

Private Members' Business

A6: Dungiven Bypass

Debate resumed on amendment to motion:

That this Assembly recognises that the A6, which passes through Dungiven, is the main arterial route between the city of Derry and Belfast and is instrumental in terms of infrastructure to support regional development and economic growth in the north-west; and further recognises that Dungiven is one of the most polluted towns in western Europe and has been waiting for a bypass for over 40 years; and believes that this section of the A6 scheme should be advanced without delay, as per the Executive's investment strategy 2011-2021. — [Mr McAleer.]

Which amendment was:

At end insert

"and recognises that, in addition to the bypass at Dungiven, there are other sections of the A6 that must be dualled and upgraded without further delay, including the section at Moneynick." — [Mr Dallat.]

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

Mr Clarke: I support the motion and the amendment. Like others, I listened to the debate, and many of the contributions came from the north-west. However, as many Members will know, I represent South Antrim, where the bottleneck starts on the M22. I support the principle of the motion, but I appreciate the difficulties, given the scale and enormity of the cost of the total project. That said, it has to start somewhere.

Listening to the contributions, it is interesting to hear people talking about jobs, unemployment, connectivity, infrastructure and investment. One area that has not been touched on, which is dear to me, given the area that I represent, is that, with regret, I have to say there have been a number of road deaths on the Moneynick section of the M22. People try to exit properties on to a road that was not designed for that purpose. While there are benefits for people travelling to and from Belfast and Londonderry, and that is a necessity, it has put many people's

lives at risk on the Moneynick section of the road where there are in excess of 18,000 movements a day. It has made it very difficult for people exiting and entering their properties, and it has put many lives at risk. It is with regret that I have to say that I know someone who lost their life on that section of road.

So, whilst we can talk about connectivity and investment, I do not think that we should forget about the people who make the difficult journey on that section of road. I am not taking away from the Dungiven section. Unlike others, I have travelled on it on a few occasions. It is not necessary for me to travel on it very often; however, I have sympathy with those who have to make that journey regularly. I also have sympathy with the people who live in Dungiven having that level of congestion through their village. To that end, I want to put on record that I support the motion as amended.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. I support the motion as amended. Some might ask why I am speaking on the A6, but I am doing so as the Deputy Chair of the Committee for Regional Development, and I think that it is important that I speak on the issue. I have travelled a number of times on the route through Dungiven from Belfast and from Derry to Belfast, and I have seen the difficulties that the residents of Dungiven have to witness almost daily. I was with my colleague here one Friday afternoon after a meeting, and I witnessed the congestion and the difficulties for residents and for travellers.

The point is that Dublin and Belfast, as well as Derry, which is up the west and north coast, are three of the major cities, but Derry and Belfast are the two key cities in the North of Ireland. It is reasonable for us to expect a high standard of road infrastructure between those two cities. On part of the route from Belfast, you first have the M2, which is an excellent road running out of Belfast. One of the things that I experienced the first time I took the journey was that you then run from a motorway into a second-class road and from that into a bottleneck in Dungiven.

I take a journey each day from Fermanagh, and I know that that is a similar distance to the journey from Derry to Belfast. My colleagues take about 20 minutes longer. The Minister, in a response to my colleague Maeve McLaughlin, said that the journey from Derry to Belfast was shorter in time than that from Enniskillen. I do not know where you got those figures from, Minister. You said that Enniskillen to Belfast takes one hour and 38 minutes and that Derry to Belfast takes a shorter time. We travel on a

fairly safe road from Fermanagh. I know that there are difficulties in parts of it, but once you get to Ballygawley, you have the A4, which is a recently built road, and you are then on the M1, which is safe and fast. The new part in particular has reduced the accident rate between the A4 at the end of the M1 to the Ballygawley roundabout. But between Ballygawley, you have a motorway and a dual carriageway, yet you do not have that between the two cities.

I want to focus on one or two points. Delivering a balanced regional infrastructure should be a key objective of the Department. There is no doubt that regional disparities exist because of decades of underinvestment in the west and north-west. People will mention, and have mentioned, the A5 — I know the difficulties with that — the Dungiven bypass and the more recent difficulties with the railway line. I cannot but mention the Enniskillen bypass, and I do not want it to be waiting for it for as long as the —

Mr Deputy Speaker (Mr Beggs): I encourage the Member to come back to the A6, which is the purpose of the debate.

Mr Lynch: I am broadly coming back to it. I am coming back to the A6 and the Dungiven bypass. Reading through the papers, I see that it has been waiting for decades.

If the north-west's full potential is to be realised, investment in the delivery of those projects must be a priority for the Minister's Department. I know that he will cite budgetary constraints, and I acknowledge that there are demands and fewer resources, but, very clearly, given the financial limitations, every effort should be made to invest in productive infrastructure, which will always produce economic dividends. For example, broadly speaking, the South of Ireland has made substantial improvements over the last decades and has a core network that is on a par with that in Europe.

I will say finally to the Minister —

Mr Deputy Speaker (Mr Beggs): The Member's time is almost up.

Mr Lynch: — that these priorities are very important.

Mr Ramsey: I welcome the opportunity to speak on what is a most important subject for many in the north-west. I take the point from a Member who spoke previously about the road deaths and the injuries on the A6 over the years. There was a bad crash when I was

coming up here yesterday, close to the Moneynick Road. The car that I saw was in an awful state, and I hope to God that whoever was involved in that accident is OK.

As a number of Members referenced, it would be interesting to see how many serious accidents and deaths have occurred on the Derry-to-Belfast road, with the exception of the motorway, over the last 10 years, for example. I am not sure whether the Minister will have that information.

Most of my adult life has been spent in politics, including 20 years on Derry City Council. I recall an early engagement with some of the direct rule Ministers in the 1980s. Investment at that time was determined by car ownership. That determined where direct investment on infrastructure took place.

People who come from outside the north-west resent it, but at times I talk to groups about how we get a bad bounce of the ball there. The ball is not even bouncing at times, never mind getting a bad bounce. Look at the A5, the A6, the railway and the university. Look at the recent jobs announcements for Belfast. They are immense and are good for Belfast, but there is a sense that the Executive are not delivering for people in the north-west. The A6 is crucial for the economic development of the area, similarly the university. The A6 is what the business community wants and what inward investors want. We have to do it in a better way.

People in my constituency — I say to the Minister that there is no implied accusation against him — get apathetic towards politicians. They even get angered and frustrated towards us, and they are saying very clearly that the Executive and the Assembly are not delivering for the north-west. That is painfully obvious. There are groups here today ranging from St Mary's to the community and voluntary sector. There is a group from the Roe valley. Those subjects are on all their lips. They ask, "What is wrong that we cannot get our roads?"

The north-west takes this seriously. There are few local authorities throughout this island, if not the British Isles, that invest as hugely in airport infrastructure. It means so much for the region, the business community and the people in that community. Derry City Council invested immensely — beyond belief — when other people were criticising it. The future for the next generation of our young people has to include access.

Why, every time there is a major infrastructure project, does something go wrong? Is it bad luck? Is it incompetence? Is it no determination on the part of the Executive to see it through? Look at Dungiven. I visit Dungiven more often than maybe I want to, having to travel here three or four days a week. It is not a pleasant journey. You would think that there was a race getting to Toome many's the day. When you get there, you are at a standstill for 30 to 40 minutes, bumper to bumper on the Moneynick Road. Unfortunately, there are people on the roads who take a chance and do things that they should not, and that results in accidents.

I say to the Minister that the Dungiven bypass has been on the table for far too long. There has to be a serious will in the Executive to deliver it. It is not a matter of pointing the finger at anyone, with respect to Danny Kennedy, but we get depressed as elected representatives. People on the other side of the House say, "Oh, the ones from Derry" or "The ones from the north-west", but we in the north-west deserve much better from the Executive. We deserve what was in the Programme for Government. If we are going to be true to its word, where is the regional balance when it comes to the economy and to jobs?

Mr Deputy Speaker (Mr Beggs): Will the Member draw his remarks to a close?

Mr Ramsey: Important as this debate on the A6 is, where is the regional balance when it comes to infrastructure? We need it, we deserve it, and we should get it now.

Mr G Robinson: I am pleased to speak in the debate, as I see the A6 as a vital improvement to transport infrastructure in the north-west of the Province. The proposed upgrade will be a bonus to investors, the construction and tourism industries and road users in general. Indeed, it could stimulate the economic growth of the entire north-west of Northern Ireland if and when the long-awaited A6 upgrade comes to fruition. In my constituency, I am also very aware of the health risk that currently exists in Dungiven and would support a bypass at the earliest possible opportunity, even as a decoupled scheme. Due to the health dangers that currently prevail for residents and motorists alike, the earlier this can be achieved, the better. I travel the route on my way to the House, so I speak with intimate knowledge of where the problem areas exist. These include the Moneynick section of the A6, which has witnessed many accidents in past years.

3.45 pm

I am acutely aware that the Minister has a restricted budget, so I truly appreciate that any developments will be on the basis of finances being made available, as my colleague Mr Campbell mentioned. Every job that is attracted to Northern Ireland is welcome. The A6 would be a vital component of that job creation for the north-west and for Northern Ireland in general. I hope to see some movement, especially in regard to the Dungiven bypass in the short to medium term, and I hope that the Minister will endeavour to prioritise the scheme, for the beneficial reasons already outlined. I support the motion and the amendment.

Mr Kennedy (The Minister for Regional Development): I am grateful to Members for what I think was a useful debate on the issue. I particularly want to thank Members for the tone of the debate; it has been largely constructive. It has also been sympathetic to me in one sense. I realise that I have not yet heard the winding-up speeches, so I will not go completely overboard, but I have asked my officials to take note of the Hansard report so that, if I do not have time to pick up on points raised by Members, I can write to them following the debate.

I note the concerns expressed by Members, and I do indeed welcome the opportunity to debate the schemes being progressed on the A6 between Londonderry and Belfast and, in particular, a bypass at Dungiven. At the outset, I confirm that I welcome and support improvements to the A6 and, indeed, the other arterial routes across Northern Ireland. As Minister for Regional Development, I wish to see improvements across the entire road network that will enhance safety, reduce journey times, provide value for money and, indeed, support the economy. Members have expressed their views, which align with the support for the schemes from local representatives that my Department has received over the years relating to the A6 Londonderry to Dungiven dualling scheme, which includes a bypass of Dungiven, and the A6 Castledawson to Randalstown dualling scheme.

The A6 forms part of the north-western transport corridor, an element of the strategic road network between Belfast and the north-west, providing an important link for commerce and services between Northern Ireland's two primary cities. A bypass at Dungiven was included in the regional strategic transport network transport plan 2015, which was

published in 2005. The scheme would reduce traffic congestion in the town and improve the poor air quality.

The investment strategy for Northern Ireland, which was first introduced in 2005, set a new, comprehensive approach to be used by government to make informed decisions on the investment priorities for Northern Ireland. The strategy confirmed plans to commence additional investment that would result in higher-standard roads, providing improved access for commercial traffic, buses and private cars, mainly on the key transport corridors connecting Northern Ireland's major cities, including key cross-border routes. This saw the introduction of a project to provide a 30-kilometre dual carriageway from Londonderry to Dungiven, including a dual carriageway bypass of Dungiven. This supports the aims of the regional transportation strategy and the revised 'A New Approach to Regional Transportation', which are reflected in my Department's vision to provide dual carriageway-standard roads on all key transport corridors. In response, my Department continues to develop proposals for a new dual carriageway on the A6 between Londonderry and Dungiven and between Castledawson and Randalstown.

The Londonderry to Dungiven scheme will provide a dual carriageway, including a dual carriageway bypass of Dungiven. A further 14 kilometres of dualling will be provided in a separate scheme between Randalstown and Castledawson. Both roads will be high-standard dual carriageways. There will be no private accesses; no central reserve crossovers; junctions will be grade-separated or left-in/left-out; and side roads will either be stopped up, diverted or linked to minimise the number of junctions. This standard of dual carriageway has considerable safety benefits for the road user.

Construction of the schemes will yield transport benefits for road users and wider economic benefits for Londonderry and the wider north-west. The transport benefits of the scheme include improved passenger and freight transport links between Belfast and Londonderry; reduced journey times on the trunk road network, contributing to the Government's target of reducing road congestion; road safety benefits accruing from the provision of improved carriageway standard and reduced vehicle kilometres on the highway network; and a reduction in the number of accidents. I note the contributions made in respect of that particular point.

The wider economic benefits of the scheme include an increase in accessibility to the north-west for a greater number of firms and workers. Firms are more productive when they have access to a large labour market. Recruitment is quicker, and it is easier to find workers with the skill-match required.

There are, of course, health benefits with the proposed bypass of Dungiven, which would help to alleviate the current air-quality issues in Dungiven. I am aware that Limavady Borough Council was required, under the Environment (Northern Ireland) Order 2002, to identify areas of poor air quality. Those areas were declared air quality management areas. Such areas are only declared where an exceedance occurs at locations where members of the public might reasonably be exposed. The western end of Main Street, Dungiven was identified as an air quality management area in March 2006, due to high nitrogen dioxide levels. Subsequent air quality action plans have examined a range of measures to improve the air quality in the air quality management area. They include traffic management, sustainable development, travel initiatives and the provision of a bypass.

Some Members asserted that they thought that Dungiven had the worst air quality in Europe. I do not think that that stacks up. I do not think, either, that it is terribly helpful in promoting Dungiven as a destination. The arguments for the bypass stand apart and are clear without, if you like, blighting part of Dungiven by saying that it is a toxic place to be.

Perhaps it would be helpful if I confirmed the current position of the A6 dual carriageway schemes. As mentioned, there are proposals to dual two sections of the A6, those being Randalstown to Castledawson and Londonderry to Dungiven. My commitment to improving the A6 can be seen through the advancement of the Randalstown to Castledawson section to be shovel-ready in 2015, so that it will be in a position to commence construction at short notice, when the necessary funding becomes available. To be fair, all Members around the Chamber accepted that the financial position is a challenge, and I hope that they will remember that as they speak to their colleagues on the Executive, particularly the Finance Minister, with whom some Members are particularly friendly. I very much hope that they will remember the DRD and Danny Kennedy when it comes to getting funding for a scheme that has widespread political support. The procurement process for this scheme is well progressed, and I hope to be in a position to

announce the successful contractor in spring 2015.

But then we need the money. The A6 Londonderry to Dungiven dualling scheme, which includes a bypass of Dungiven, is also well advanced in development. It has been through a public inquiry, and the inspector has produced a report containing a number of recommendations. One of the recommendations was to examine a suggested alternative route for the Dungiven bypass that was put forward by a third party on the final day of the public inquiry, and we are therefore quality-assuring that route. That work continues, and, when I am satisfied that all issues have been appropriately reviewed, I will issue a departmental statement.

To provide the option of advancing the Dungiven bypass ahead of the remainder of the Londonderry to Dungiven scheme, the draft vesting order, which identifies the land required to build the scheme, was published in three parts: the Dungiven bypass, Derrychrier Road to Crebarkey Road; Caw roundabout to Maydown roundabout; and Maydown roundabout to Derrychrier Road. That will enhance the flexibility of the construction programme.

The motion calls for this section of the A6 scheme to be:

"advanced without delay, as per the Executive's investment strategy 2011-2021."

Members may be aware that the investment strategy envisages the progression of a package of high-priority schemes on the north-western and northern corridors amounting to around £390 million beyond 2015, using alternative finance. The strategy recognises that a commitment to fund the revenue consequences of this roads package will be required, so the timing depends on future resource budgets — back to money. Members will also be aware of the significant cuts proposed across Departments in the draft 2015-16 Budget, particularly in resource funding. My Department faces a 19% cut, which, if implemented, will have significant impacts on front-line services. I have, however, continued to progress the development of major road improvements that will benefit the economy of our country to the point at which they are in a position to avail themselves of funding when that becomes available. That has proved successful in the case of the A26, with a contract recently awarded, and the Magherafelt bypass, with procurement well advanced.

The process continues with the tender competition for the Randalstown to Castledawson section of the A6, and my intention is to appoint a contractor to develop a detailed design that can then move to construction as soon as funding becomes available. I have set out the progress to date on the A6 Londonderry to Dungiven scheme, but I cannot pre-empt due process and my decision on the statutory orders. If that decision leads to the publication of the direction order, delivery of the scheme will be subject to final approval of the business case and be reliant on funding being made available by the Executive.

A number of Members contributed to the debate. Mr McAleer opened the debate, I think to keep the debate going. He highlighted the strategic importance of the route and referred to the pollution in Dungiven.

John Dallat raised a number of issues. His general complaint was that the north-west was being sold short. I am working hard to ensure that that accusation will never be levelled accurately against me and will continue to do that. He asked us to consider stopping off at the Ponderosa sometime, but that is down to the personal choice of Members.

To be praised by Gregory Campbell in the current climate is quite dangerous. In some ways, it would be considered risky. However, he did at least speak up for the Minister — me — and assured me that he would speak directly to his friend the Finance Minister to see whether a more benevolent approach could be adopted to funding for the scheme and perhaps other things.

Ross Hussey, who is no longer in the Chamber, made a point about Dungiven. I do not think, however, that it is good to ridicule the area too much.

Trevor Lunn, who is in the Chamber, made an interesting contribution. He sort of accepted that there was no money. He then extolled the virtues of the Castledawson to Randalstown scheme but ended up firmly on the side of the Dungiven bypass, even though there is no money. It seemed a classic Alliance pitch.

4.00 pm

Maurice Devenney, who is, sadly, not in the Chamber at present, made his maiden speech, and I wanted to welcome him to the Assembly. I welcome his contribution; he made points outlining his support for the overall scheme and for priorities in the north-west area.

Raymond McCartney showed some sympathy towards the financial position and sought the advancement of the scheme as quickly as possible.

Trevor Clarke mentioned the very tragic issue of road deaths and the tragic loss of life that areas of that stretch of road have yielded. Of course, our sympathies will always be with those people.

Seán Lynch highlighted the virtues of the A6.

Let me say to Pat Ramsey that there is no cunning plan here. There is no conspiracy on my part to deny the north-west. I know that you did not make that allegation. However, I accept the arguments and the need for the upgrade of the A6 —

Mr Deputy Speaker (Mr Beggs): The Minister's time is almost up.

Mr Kennedy: — and I hope to proceed with it as quickly as possible.

Mr Eastwood: Thank you, Mr Deputy Speaker. I thank the Minister for the invitation to talk about conspiracy. However, there has probably been some conspiracy and a fair bit of cock-up over the last number of decades that has led to a very difficult economic position for the people of our city. It feels a wee bit like Groundhog Day. Everybody has been very nice and very supportive, and that is good. We know that there is the current financial difficulty — we all recognise that. However, we must recognise that this is a legacy of neglect of west of the Bann. The way in which the fundamentals of the economy have been allowed to develop over past decades is an absolute tragedy. Unfortunately we are doing nothing, or nowhere near enough, to address that and to redress the imbalance.

The Executive's investment strategy talks about balanced economic development, and it talks about Derry and Belfast being key economic drivers. That is great. There is a lot in the Programme for Government and in that particular strategy that I do not agree with, but I was glad to see that. However, I would like to see some action on the back of that. I do not put that at the feet of the Minister, because this is a far bigger issue than one Minister or one Department.

There will probably be an announcement tomorrow that corporation tax will be devolved to Northern Ireland. I have said a number of times that we already have lower corporation

tax in Derry. It is called Muff, Bridgend or Killea, or any of those places that are just on the edge of our city that already have corporation tax at 12·5%. We still do not have a significant amount of foreign direct investment and neither does north-east Donegal. Why? If you look at the north-west corner of Ireland as a whole, you will see that the road and rail network is pitiful in comparison to that in the rest of the country. Another issue is that we do not have a major and expanded university with the proper courses to attract all the inward investment that people think we are going to get as a result of lower corporation tax.

We need to be very careful and understand that, unless we invest properly and significantly west of the Bann, whether that is in infrastructure or skills, there will not be any great uplift from corporation tax for us. I have a constant running argument with Invest Northern Ireland and different Ministers in here about the fact that they cannot direct investment to wherever we would like them to put it. That is what they say. Whilst I do not 100% agree with that, I agree with Invest Northern Ireland when it said to me personally and publicly that —

Mr Campbell: I thank the Member for giving way. I know that it was just in passing, but he said that Ministers say that they cannot direct investment, and then he said that he did not necessarily agree with that. Is he suggesting that Ministers should take the power to direct inward investors as to where they should go?

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

Mr Eastwood: The Member probably does not read all my press statements. However, one of the things that I have put out a number of times is that, in the South, the idea is that you have targets of 50% of investment outside of Belfast and outside of Cork. Now, for some unknown reason, Invest Northern Ireland and the DETI Minister have refused even to countenance any kind of targets around balanced regional investment. That is the truth of it.

Let us just say that it is the case. Alastair Hamilton of Invest Northern Ireland has said to me, and I agree with him on this point, that it is extremely difficult to attract high-quality jobs west of the Bann unless we have connectivity of roads and rail and an expanded university that does all the courses, especially the high-tech ones, that we need to attract those kinds of jobs. For the first time in a long time, I agree with Invest Northern Ireland's assessment. If that is the assessment of the Government's

chief investment adviser, why have we not done anything about it? Why have we not tackled the connectivity issue of roads and rail? I know that it has been a longer, legacy issue than the one over which the Minister has had control. Why have we not done anything about the university?

Mr Osborne, another man I rarely agree with, has announced £15 billion of roads investment for Britain. Let us see some of that coming here. If we are seriously going to stand over a decision at some point to reduce corporation tax to 12.5%, we have to do the work beside that to increase infrastructural and skills development west of the Bann. Otherwise, we will see no impact, other than the cuts of hundreds of millions of pounds that it will take to pay for it in my constituency, those around it and the constituency of Donegal North East.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Is mór an t-áthas atá orm an rún a phlé inniu sa Tionól, nó is é seach-bhóthar Dhún Geimhin an t-ábhar is tábhachtaí i mo cheantar féin.

First, I apologise for not being in the Chamber for the moving of the motion. The Dungiven bypass has been one of the most important subjects in my area for some time; it has been rumbling on for many years. Any time that I go into the street, a shop or whatever, I cannot avoid a discussion about it, because it is a running sore. There has been enough evidence and discussion of it through the years, both in the Chamber and in councils. Indeed, my predecessor spoke very eloquently about it in the 2008 Adjournment debate. The research pack will show the list of questions that have been fielded specifically on the bypass. The Minister knows that nearly every time he sees me, I have a question about it as well.

The proposal for the bypass originated in the 1960s proposed strategic roads network and was first mooted in 1965. In 1969, a very fresh-faced seven-year-old went to a public exhibition that showed the lay of the land on the bypass. Unfortunately, that same fresh-faced seven-year-old brought his seven-year-old to see a similar exhibition exactly 40 years later. That is where that was. The difference between the two visitations was that in 1969, the cost of a single-carriage bypass for Dungiven was about £1 million. The cost today of course, as the Minister well knows, is £60 million to £70 million.

Up until the point when the preferred route was announced on 6 May 2009, there were many years of inaction. Some of us — particularly

people in Dungiven — feel that, since then, there has been a lot of painful inaction.

The Minister and others may not want to examine them, but a catalyst for this has been the health aspects, mainly because the air quality management area (AQMA) showed that levels of nitrous dioxide were dangerously high: 10 times more than the EU recommended level. There is anecdotal evidence of respiratory issues and indeed even — people would go as far as to say — of cancer clusters. However, the factual evidence in recent times is that I know of at least 10 or a dozen fatalities on the route of the Dungiven bypass in the past number of years. That is the reality on the short route.

People in Dungiven have of course seen bypasses at Toome and Limavady leapfrog their own. In fact, you actually go through Toome in order to bypass the bypass. That is the reality, and I see it every morning of life. I suppose that there was an expectation locally that the Dungiven bypass would soon follow, but that has proved to be a false dawn many times.

The public inquiry, which the Minister referred to, was to start in 2011, but it did not get going till 2012. Its report has been sitting either with the inspector or the Minister until now — two years-plus later. There are questions about that as well.

I know that the Minister will perhaps not have the opportunity to answer this, but the announcement that he made three weeks ago blindsided the thought process on the route of the Dungiven bypass. The preferred route, which is the one that everybody looked at and which involves much of the work, including the archaeology work and plans and so forth, is to the south of the village. I know that there were other routes to the south, but there is also a route to the north. People are asking me whether that has been costed, what distance it is, whether extra engineering is required for bridges, whether archaeology is required, whether it can be developed, and how much longer it will take. They also ask why Dungiven was allowed to slip, especially as they see the other schemes named in the investment strategy for NI being progressed.

There has been fairly universal support for the bypass from all the councils in the north-west, despite some having their own priorities, such as Coleraine, which would like to see the A26 developed, and Strabane, which like to see the A5 developed. The chambers of commerce have been very supportive of it. I talked to

Sinead McLaughlin, the president of the Derry chamber of commerce, and that chamber figured that 70% of the internal investment in Derry city comes up the A6.

I am glad to say that there has been cross-party support here today. There is a realisation of the centrality of regional development and economic growth in the north-west on the A6 and the Dungiven bypass in particular. Hopefully, the DARD headquarters will come to Ballykelly next year, and people will go down the M2 in the other direction. Any bypass there, regardless of where it goes around the town, would be incredibly healthy. People referred to the new cancer centre and, of course, the University of Ulster in Derry. I know that others brought it up today, but people have asked about all the major infrastructure projects in the north-west, be they the A5, the A6 or the railway. I know that the Minister has not looked at the Magilligan to Greencastle ferry, but we recognise it as a vital piece of infrastructure for not just tourism but the social economy in the north-west.

I am not disparaging the Moneynick section by any means. I sit in the Moneynick section for an hour every day, whether I am coming this way or going the other way. I think that my record time through Moneynick, which is a four-and-a-half mile section, is something like 52 minutes. That was just before last Christmas. I know Moneynick as well as anybody else; I know every tree and almost every docken on it. John Dallat referred to listening to traffic reports in the morning. I really do not need the traffic report, because I am stuck in the middle of it. I could probably actually give traffic reports.

I am very pleased that we have unanimity. I think that that was the word that Gregory Campbell used; I might use it again myself. Unanimity is all right, but we need action. The frustration with Dungiven is that all the other projects seem to have been advanced. People are saying, "Well, listen, even if we had the money tomorrow, we cannot do the job." That is the issue. People are asking whether the third option, which was introduced on the final day of the inquiry, has effectively knocked back the Dungiven bypass by a significant period of time. If that is the case, we need to be told. That is what people are saying to me.

I hope that the Dungannon bypass reference was a Freudian slip and that the Minister will, with his Executive colleagues, try to identify the money for the Dungiven bypass. People always talk about 40 years, but at the end of this month it will be 50 years since a Dungiven bypass was first mooted. People are at their

wit's end not just because of their health but because of the fatalities on the road, life quality and even the economic infrastructure in the village. There is very little left in the town; there has been a lot of dereliction in recent years. People think that it has got to the point where it is going to be very difficult to recover, bypass or no.

I urge the Minister to work hard on this. I hope that he publishes the report at the earliest possible convenience. As I said, it has now been sitting with him for over two years. People are very interested in getting this pushed forward and in addressing the east-west divide in terms of the delivery of infrastructure.

I support the motion and, indeed, the amendment. Go raibh maith agat, a LeasCheann Comhairle.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises that the A6, which passes through Dungiven, is the main arterial route between the city of Derry and Belfast and is instrumental in terms of infrastructure to support regional development and economic growth in the north-west; and further recognises that Dungiven is one of the most polluted towns in western Europe and has been waiting for a bypass for over 40 years; and believes that this section of the A6 scheme should be advanced without delay, as per the Executive's investment strategy 2011-2021 and recognises that, in addition to the bypass at Dungiven, there are other sections of the A6 that must be dualled and upgraded without further delay, including the section at Moneynick.

Motion made:

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

4.15 pm

Adjournment

Arc21 Incinerator: Mallusk

Mr Deputy Speaker (Mr Beggs): The proposer of the topic will have 15 minutes and all other Members who are called to speak will have eight minutes.

Mrs Cameron: I thank you, Mr Deputy Speaker, for the opportunity to speak on an extremely important issue. I welcome the opportunity to raise this on behalf of my constituents in South Antrim ahead of any planning decision by the Department of the Environment. At the outset, I declare an interest, as family members are current employees of Bombardier.

I am incredibly disappointed that, at the eleventh hour, the Minister decided that he would not be present to provide clarity to my constituents or to answer any of the questions that I wish to raise. I could understand if he came to the Chamber and could provide only limited responses, owing to the fact that the decision-making processes are ongoing, but it appears that he is hiding behind the advice of his officials and does not deem the people of south Antrim or, indeed, north Belfast, important enough to leave his office for. He did come to the House for the debate on the illegal waste dumping at Mobuoy, but, of course, that affected his own constituents. Perhaps that explains why that debate was important and this one is not.

Opposition to developments such as this are often derided as simply a case of residents being against any progress or change in their locality, but I can assure you, Mr Deputy Speaker, that this is far from a case of "not in my backyard". The proposed incinerator at the site of the old Hightown quarry is highly controversial for a host of reasons and is opposed by almost 3,000 local residents. Last year, I canvassed the doors of many of those residents during the local election campaign, and this was by far the issue that raised most concern.

I begin by taking this opportunity to praise the work of the No-Arc21 group and its tireless

efforts to ensure that the issue has remained to the forefront in the area. I thank the group for its diligence and determination to ensure that awareness is raised. It has secured the support of a large number of elected representatives, including my colleague William McCrea MP, who led a cross-party delegation of MLAs in a meeting outlining opposition to the planning proposal to Minister Durkan. Members of the No-Arc21 group planned to be here for the debate, but because the time of the debate moved forward, they have been unable to get here in time.

The need to reduce landfill waste is paramount. For that reason, I find it difficult to comprehend that the focus is on developing a plant to incinerate waste, rather than on encouraging further recycling, reusing and repurposing initiatives. Although no one can argue with the need to reduce the amount of domestic and commercial waste that we send to landfill, particularly given the European directives and the penalties for non-compliance, the proposed Hightown development, quite simply, is not safe, not sustainable and not wanted.

The area around the proposed site is intensely populated. Indeed, in recent years, several large developments have been built. Its proximity to the city centre and motorway links has meant that the Mallusk area has essentially become a conurbation of Belfast. That said, the existing road infrastructure is grossly inadequate for supporting the traffic that that increased development has brought, and it is far from suitable for handling the volume of heavy vehicular traffic that a waste disposal facility at Hightown would bring. The very obvious road safety concerns have clearly not been taken into consideration in the proposal. Whilst Arc21 has stated that it plans to upgrade Boghill Road and Hydepark Road, that is all relative and therefore a moot point. The proposed upgrades would barely be enough to bring the road infrastructure up to the standard required for current traffic levels, let alone the vast increase in heavy vehicles that would be using the road network in the vicinity.

In an area with such a high concentration of homes and families, I have profound concerns that we are looking at potential fatalities on the surrounding roads should the development proceed, both during any construction phase and when the plant is up and running.

The environmental impact of such a development must also be considered. Pollution of the watercourse by fuel, oil and concrete have all been identified by Arc21 as potential hazards during both construction and

operation. That is not to mention the impact that development of the area would have on various protected species such as otters, bats, smooth newts and marsh fritillary butterflies. The vital contribution that these creatures make to our delicate ecosystem cannot be underestimated. The destruction and devastation of their natural habitat has the potential to have wide-ranging environmental implications across County Antrim and beyond. We have enough industries polluting the Sixmilewater and other areas of south Antrim without allowing more to add to that damage.

The most worrying repercussions of the development for my constituents have to be the potential health hazards caused by small particles that are formed as part of the incineration process and released into the surrounding atmosphere. It is an undeniable fact that the health ramifications of such pollutants are often not known until many years down the line, by which time it may be too late. The dioxins produced will remain in the air and soil for decades to come and may stay in our food chain for significantly longer. I fully appreciate that incineration plants will have strict internal protocols and will be governed by stringent legislation in order to limit their emissions, but to site this plant in such close proximity to a densely populated area seems ill-advised.

Neither I nor my party is anti-incineration. We understand the need to deal with our waste in more efficient ways than we have done in the past. I could stand here all evening and put forward reasons why the Hightown site is simply not suitable for the proposed incinerator. However, the most compelling argument that I can make is the basic fact that it is not needed.

In January, the Minister of the Environment awarded planning permission to Full Circle Power to begin development of an energy for waste gasification plant at the Bombardier site at Belfast harbour estate. Despite the protestations of Arc21 that there would be enough waste for both plants to coexist, it is a fundamental point that, whilst there is currently enough waste in Northern Ireland and the Arc21 area to feed the plants, as we move towards our waste reduction and recycling targets, this supply should become significantly less if the Department is doing the work to reduce waste to landfill and encourage greater recycling. Will my constituents be faced with a white elephant of a development once these waste reduction targets are achieved?

Not only has the plant at Bombardier gained planning permission, but it is non-controversial.

It is able to handle the huge amount of domestic and commercial waste that we in Northern Ireland produce. It is willing to seek further permission to be able to process our entire landfill waste total. The plant will also serve as a sustainable energy source for the operation of Bombardier. This will enable Bombardier to reduce its energy costs and maintain its position in an extremely competitive industry, and, in turn, safeguard the future of Bombardier's 6,000-strong workforce. It is vital that it goes on record that not one single planning objection was received to the Bombardier developments.

The Arc21 proposal is very clearly a non-starter. I fail to see how any credence can be given to the proposal given the vast number of objections from local residents and, more prudently, because a non-contested, sustainable and productive plant is already agreed only a stone's throw away in the harbour estate.

I have not even begun to mention the failures of the tendering and procurement processes, which are fundamentally flawed and show inherent problems with this proposed development. Arc21 is a business and, as such, has seized on an opportunity to profiteer from our need to reduce our waste going to landfill. However, the Minister cannot allow a commercial operation to ride roughshod over the feelings of those who will have to live with the short- and long-term consequences of residing next to this mammoth intrusion into our community.

I call on the Minister of the Environment to listen to the groundswell of public opinion before making his final decision on the Arc21 proposal. My concerned constituents and the No-Arc21 group are not willing to let this go ahead without a fight. The very least that they expect of the Department is for the matter to go to a public consultation before any decision is taken.

I reiterate my bitter disappointment that the Minister has chosen to disregard such a huge number of people's opinions in refusing to be present to respond to this debate. I hope that the Minister employs a common-sense approach on this proposal, and I look forward to being able to hear a positive outcome for my constituents in the very near future.

Mr Deputy Speaker (Mr Beggs): I call Danny Kinahan.

Mr Kinahan: Thank you very much. That was a surprise. I thought I was going to be speaking third or fourth.

I, too, very much welcome this debate and congratulate Mrs Cameron for bringing it forward. I also praise to the No-Arc21 campaign. I want to pose four questions to the Minister, which I hope will be passed on to him.

Would the Department sit down and calculate the tonnage figures, when they know that Bombardier, Lisburn, possibly Maydown, and even Derrylin are part of the future of waste. If the Department sits down and does an accurate calculation, it will see that there is no need for the Arc21 plan.

I would also like to ask the Department to look at how long a contract needs to be to be financially viable, given the likely tonnage. Twenty-nine years, or nearly 30 years, seems far too long, unnecessarily long. Once again, when the Department does that, it will realise that there is no need for the Arc21 plan.

I also would like the Department to look at how a new bidder gets involved when there is new technology or more economic processes coming on board. How do you get flexibility into this so that we get a new system? Again, if you look at that, you will find that there is no need for the Arc21 plan or that it is not the right way to go forward.

All of us have looked at the changes in our own habits and waste in our own houses and we have seen new technologies come on board. We have seen incineration and a change to gasification. We have seen many new ways coming forward. If we have seen all those changes, we realise that we need something that is flexible.

As has already been raised, I would also like the Department to look at the legal position of everything that is going on. We seem to have a process that is completely flawed. Is the relationship between Indaver and Beacon legal? Councillors who are long-term members of Arc21 are taking part in decisions in their councils but are about to be members of the new super-councils. Where does that place them? Is this legal or does it add more holes to the system?

Is the funding of Arc21 with council, European and Department money all legal? There are a mass of questions that we want the Department to answer. I think that when it looks at those questions and comes up with its answers, it will realise that it is No-Arc21 that we should be

supporting. I have left the Department with plenty of food for thought.

Ever since I went into politics, I have tried to base my actions on what I think is best for south Antrim and Northern Ireland, and to try to find the right thing to do for Northern Ireland. When I first heard of this proposal, I had been to Sheffield and saw how well an incinerator could work. In the back of mind was the thought that this was the right use: you were using a quarry and everything seemed to be correct.

But the more you looked at it, the worse it became, because so many details just did not work. On the very first day that we went to the presentations, the first thing that went through my mind was the roads. All the roads went through areas where many people lived, yet missing from their map was the key Mayfield Road, which was the biggest one that could have taken lorries. That showed already that the thing had not been properly thought through or presented.

Once you looked at even that, you realised that you were trying to put 580 lorries through a busy area full of people, and one that already suffers from Biffa, smells, dirt and a mass of other industrial things. That makes life difficult. If you even think it through, with the awful accident the other day with the school children in Antrim, here we have children crossing the road from a busy home side to the side where there are businesses and industry, and we do not have crossings. There was a whole mass of things that needed to be done.

Also buried in the back of my mind was an idea from schooldays that small was beautiful, which I think Professor Schumacher said. Here we were about to create an enormous body that was going to do everything. We had the South Waste Management Partnership (SWaMP) at the time, and North West, but as they dropped out, everything was left with this one big company. That just did not seem right.

If I can put it this way, Bombardier then comes to the rescue. I need to declare an interest, albeit a vague one, in that I worked for Shorts for three years in the late 1980s, so I still have a soft spot for Shorts or Bombardier. When Belfast City Council decided to turn down Duncrue Street, I felt that that was wrong and that the lough shore was the right sort of place to put anything that dealt with waste. However, it was the council's choice.

Now, Bombardier has planning permission for a plant that can cope with the tonnage that we

need it to, and, as you heard, it did not receive any objections. It is on the lough shore, where it can provide energy for owned buildings, it has the major network and the docks, and it does not need a 29-year plan. That is where the plant should be.

4.30 pm

I absolutely agree with Mrs Cameron that this is not Nimbyism. The Arc21 plan has attracted nearly 3,000 objections. If you add up the tonnage capacity required — I will not go into all the figures — the Bombardier site and Lisburn can deal with all the tonnage of the recycling waste that is suitable for them. That leaves nothing for Arc21.

Even if we locked ourselves into a contract, councils would probably have to buy in waste to meet the Arc21 targets. So it is essential that the Department looks at this properly. There is no reason why Arc21 should be allowed to go ahead with its proposal.

Something bothers me. Mrs Cameron's MP, Willie McCrea, is keen that we oppose the plan, I am keen that we oppose it, and there is cross-party agreement to oppose it. However, in the capital budget for the Department of the Environment, £50.5 million of financial transactions capital has been put aside for the project. That must have been an Executive decision. I ask Mrs Cameron to get her MP to write to the members of the Executive about that, because, at one end, all of us are saying that we do not want it, and, at the top end, we have people putting money aside so that it can happen. We should look at what we are all doing. We need to stop this happening.

I praise the No-Arc21 group, and I hope that the project stops now and that Bombardier is given the chance to deal with our waste.

Mr Ford: For the sake of Hansard, I record that I am speaking from a Back Bench as a constituency MLA.

I congratulate my constituency colleague Pam Cameron on securing this Adjournment debate. However, it is not just a constituency issue; it is a strategic issue for the whole of Northern Ireland as we look to the future, although, clearly, in the concept of the current plans for the Hydepark site, it is very much a constituency issue for those who live in the Mallusk area.

I fundamentally support the concept of generating energy from waste. There is a limit

to what can be recycled. To put it more accurately: whatever we do to reduce, reuse and recycle, there will still be some residual waste that can only be dealt with in a practicable way by deriving energy from it. It is an issue, therefore, that we have to address, and it needs to be considered urgently as we look at the targets that we in Northern Ireland have to meet, whether they are European or are linked to UK-wide taxation. We can no longer continue to landfill the amount that we currently do.

Good work has been done by Arc21, as a consortium of councils looking at the options for the largest of the three groups set up in Northern Ireland. Unlike some Members, I have no problems with the concept of the technology: the kind of health concerns that existed about incineration are no longer relevant if we use the proper modern process. Frankly, the key issues of concern in the past on dioxins should be addressed by ensuring that we remove plastics from the waste stream for reuse and recycling before they end up at an energy-for-waste plant.

In one respect, I must disagree with Danny Kinahan. He quoted E F Schumacher when he said that small is beautiful, and I agree with that as a principle in many areas. Certainly, something like composting should happen as close as possible to where it is derived and be used as close as possible to where it is processed. However, the reality of the economics of energy from waste is that we need to look to plants that are of a significant size. It is not necessarily certain that we will go with the size that is in the plan for Hydepark, but we will be looking at substantial projects. We are long past the time when individual councils, even at the scale of the new 11 councils, will be capable of managing their own waste in a meaningful way.

The key issue for me is the local infrastructure for the site that is proposed. The idea of siting an energy-from-waste plant in, effectively, a brownfield site in an old quarry has certain benefits. However, we then have to look to the issue of the surrounding infrastructure, and Mrs Cameron has well highlighted the problems of the housing development in the Mallusk area, the poor roads infrastructure and the fact that even what might have been possible for a roads layout had this been thought of before Mayfield, Alderley, and that general area were developed, is simply not now a practical option for the number of lorries that would have to deliver to that site.

Ideally, of course, an energy-from-waste plant such as this should have been sited, as was originally proposed by Arc21, on the north foreshore in an industrial area. Unfortunately, that was blocked some years ago by Belfast City Council, despite the fact that, according to my memory, polling across Belfast, particularly in the Shore Road area, showed that people were broadly supportive. A majority of councillors voted against that. Yet, if we are to look to the best practical environmental option, clearly, siting a process such as this in an industrial area close to transport and communication links and where there are businesses to make use of the heat that is generated as well the electricity is a key option.

In that respect, we are certainly all aware of the plans for Bombardier's site, but I am not sure exactly where Bombardier currently stands. There appear to be differing views on exactly what it may be capable of dealing with in the way of household waste. My understanding is that the formal planning permission at this stage relates solely to commercial and industrial waste, and, therefore, that being the option is not quite as clear-cut as perhaps some of us from south Antrim might wish it to be.

We cannot be sure, even with the potential expansion, that Bombardier would be able to handle the kinds of waste arising from the domestic sector as well as those from commercial and industrial use, but what is clear is that a site somewhere in that area, whether on the north foreshore or on the Shorts side of the river, is the best possible site for something like this. That would put it adjacent to the key transport links, including the M1, M2, Westlink and the Sydenham Bypass and even, frankly, would allow the option that waste could be compacted in the Antrim/Ballymena area, the Larne/Carrick area, in north Down and in Lisburn and moved by rail into that site. That would be a considerable benefit to those who currently see the congestion that exists on those key arterial roads. That would then also allow, as I have said, the waste heat to be used by industrial processes in that area and would ensure that we would get the best possible benefit, because we also need to be aware of the needs for Bombardier to have its own generated cheap electricity, as Bombardier Belfast competes with other Bombardier plants elsewhere in the world with much lower energy costs.

So, there is potential there, but we cannot be sure that that is exactly the solution for Bombardier. We can, however, be absolutely assured that that sort of industrial site, on transport links, not against open countryside,

and where there is the best possible use of the heat generated as well as the best possible opportunities for easy communications without causing disturbance on small rural roads or in the growing suburbs around the Mallusk area, are all key reasons that point to the need to look to somewhere different.

We may not be sure of exactly what the best possible option is at this stage, but it appears to me that emerging now quite clearly is that the unfortunate way that Arc21 was forced by a previous decision by Belfast City Council to look outside the city has contributed to major environmental threat in the Mallusk area and potential significant damage to the human environment as well as the natural environment and that the HydePark site does not appear to me to be the best practical environmental option.

It is time that we had a proper strategic rethink of the needs of Northern Ireland to best meet the needs of this community, the needs of our economy and the needs of our society in the future and not, as currently seems to be the case, Arc21 being forced down the route of the only option that it sees, when it is not the proper option either for Mallusk or for Northern Ireland.

Mr G Kelly: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as an ábhar a thabhairt os ár gcomhair inniu. I thank Pam Cameron for bringing this important issue to the House.

We are in danger of breaking into agreement. The issues have been well covered. I will cover some of them briefly, but I think that the arguments have been well made by the previous Members who spoke. I want to thank the No-Arc21 group, which put all the work together. I have met its members a number of times and have been at its meetings. The group gave very good briefing points for the debate, and they deserve credit for all their work. A wide range of residents is involved; you know the numbers. Some 3,000 objections have been made to the Planning Service, and that is due to rise further. I have been at meetings at which there were between 350 and 400 people, so you can see that there is a huge swell of residents who are against the waste management plant being sited on the Hightown Road or Mallusk area.

Just to put it into perspective so that we know what size of a project we are looking at, the plant has been described as a Wembley Stadium-sized project that will handle some 300,000 tons. What is confusing about it is that, when you go into the statistics, you see that

there is not enough domestic waste in the whole of the North for that. I wonder why they are trying to put in something of that size. Of course, a significant amount of taxpayers' money has already gone into the preparation of the site, which, in itself, is a difficulty.

Residents and experts in the industry have made objections about the incinerator; in fact, there has been a series of objections. It is less than a kilometre from old communities and from new and growing ones, and it will, of course, affect house prices and the health and quality of life of the people in the surrounding area. I have been at the site, which is surrounded by working farmland. As some Members said, if it is needed — that is a big question — it should have been sited in an industrial site that can handle it. I repeat that the farmland is active.

As I said, we have been told by experts that between 116,000 tons and 142,000 tons of domestic waste — it varies — are produced in the whole of the North per annum; yet, this is for 300,000 tons per annum. Where will the waste come from?

The road network is inadequate. I presume that, like me, Members have been around the site and looked at it. The vehicles that will use the road will include HGVs and other industrial vehicles, as well as street-cleaning vehicles etc. That will bring its own difficulties.

I am also told that Arc21 has already started to vest land. When I was at the site on a rainy day not so long ago, people came out of their houses to talk to me. I was going up not to see them but the site. They said that they were worried about the vesting procedure. We know, through the No-Arc21 group, that the vast majority of the farmers do not want to sell. We also know that vesting is a long and arduous process.

The traffic situation will also change massively, with the possibility of well over 500 additional vehicles in the area daily. They will go through residential areas, and you do not have to use your imagination to realise that that will cause great danger to people in those areas.

On the visual impact, the site is in an area of landscape character and in proximity to another designated area of high scenic beauty. There will be a chimney stack that, at 95 metres, will be the highest building, if it can be called that, in the North. That is before we get to the plume of smoke, which may go 30 metres into the sky. You will be able to see it from a very long distance away.

4.45 pm

The length of the contract, which was mentioned, is significant and important. There will be 30-year contracts. If people buy in to that, they will have to supply the amount of waste as part of that contract. There is also an issue of waste management, especially with recycling and advancing technology. As far as I can see, there is no get-out clause for any advancement in recycling. It actually buys people and, indeed, councils into that very long contract and into having to provide agreed amounts. It will damage the recycling process and investment in it.

I think that need is also crucial. I have already gone through some of the issues on that, as have other Members. It is a huge question: is it needed? There is the Bombardier site, and there is the Lisburn site. I think that one takes 80,000 tons, and I am told that the other takes 300,000 tons. In that case, the question of the need for the site gets bigger and bigger. As Pam Cameron said, Bombardier safeguards a huge number of jobs, while this will take jobs out of the industry.

So as not to be too repetitive, I will conclude on that. It is the wrong location. I am disappointed that the Minister is not here for the Adjournment debate, so I urge him to read Hansard and to realise that this is a cross-party objection. It reflects the objections of a huge number of people in the area. I urge him to take cognisance of that before making any decision. The concerns relate to scale, visual and traffic impact, adequacy of the road network and the impact that it would have on road safety and the environment. He needs to take all that into consideration. I do not think that there is enough capacity in the area to deal with a site of this size.

Mr A Maginness: As the fifth Member to speak in the Adjournment debate, I think that there is very little meat left on the bone, but I will try my best to produce some. If I reiterate what other Members have said, it is simply to emphasise the point that there is cross-party consensus on this application. It is clear that all parties in the House, certainly the Members who have spoken, are opposed to the application. They are at one with the local residents, who are very opposed to the site and see it as a threat to themselves, their children, their homes and the basic amenity of the area in which they live and that they enjoy. They are entitled to that.

A number of issues were raised, one of which is location. The others are the scale of the plant, which seems to be extraordinarily big in all the

circumstances; the inadequate road network; the inevitable adverse impact of an increase in traffic; and, of course, the visual impact, which the Member who just spoke referred to. There would be a 95-metre chimney, which, in fact, would be seen for many, many miles around. It would have a serious impact on an area that is in the countryside and is, in my view, of considerable scenic value.

In addition, we have issues with the procedures that Arc21 has gone through. I am not going to delve into those, but, even if you were to remove all the other objections and magic them away, you would still have one very substantial argument at the very heart of the application, and that is the sustainability of the project. I do not believe that it is sustainable in the medium term or in the long term, if 30 years is regarded as long term.

It is clear from the figures that we know about that over 900,000 tons of waste has been collected by local authorities in the past year. If you were to take the present project and the Arc21 area, that would absorb roughly 55% of that, which would bring you to about half a million tons. If you were to take 50% of that for recycling, composting, and so on, you would reduce that figure down to a quarter of a million tons. However, you have to add on a 100,000-ton allowance for combustible commercial and industrial (C&I) waste, which means that the total waste available for thermal treatment within the Arc21 area would be around 350,000 tons per annum.

As other Members rightly referred to, the planning approved for thermal treatment capacity within the Arc21 area at Lisburn and Bombardier right now is approximately 300,000 tons. Therefore, it seems, at least based on the mathematics of this particular project, that there is no sustainability in the short or medium term or in the long term. That goes to the very heart of the project. If it is not sustainable, even leaving aside all the environmental objections, all the objections by residents, and all the fears over health and all the rest, the project is not sustainable, is fundamentally flawed and should not go forward. It should not receive approval.

We as a region are right to adopt a process in which we will deal with residual waste. That is necessary and proper, and we have to prepare for that. I think that we have the capacity to deal with that and, in due course, that it will be dealt with, but I believe that it will not be satisfied by the particular project before the House as a matter of discussion in this Adjournment debate.

I thank Mrs Cameron for initiating the debate and for bringing it to the attention of the House. I apologise to her for not being present at the beginning of her speech, but I understand that she was critical of the Minister. Towards the end, she was equally critical because of his absence this evening. The Member should fully understand that it would be inappropriate for the Minister to attend the debate and respond to it, as it could be seen as prejudicing the process of the application. Therefore, I believe that the criticisms levelled at the Minister are, in fact, unwarranted. Either Mrs Cameron is being very naive about the matter or she — I hope that she is not — is being very mischievous regarding the Minister's absence. I stoutly defend the Minister in his decision not to attend the debate. It would be inappropriate and could be prejudicial. Therefore, I think that he has taken the right decision.

Mr Agnew: I am happy to take part in this Adjournment debate, and I thank Pam Cameron for securing it. Those campaigning against this proposal will say that it is the wrong technology in the wrong place, and the representatives for the local area have probably covered the issue of the wrong location extensively. I will maybe focus more on the issue of the wrong technology because, unlike others here, I and my party are not only opposed to this incinerator but opposed to incineration. I will outline why that is.

As has been said, these incinerators are large. I take Mr Kinahan's point that small is beautiful. I would say that; I am 5' 3". They are large, and they need to be to be economically viable. They also need a large and consistent feed of waste and, indeed, for the investment to make sense, they need it over the long term. Everything that we are trying to do in terms of waste and the direction of travel that we are heading in is about reducing waste, and these contracts would lock us in to long-term waste production, which is the wrong direction of travel, in my view. The former Environment Minister — he is here with us — set a stringent target of 60% recycling. That, to me, is incompatible with incineration and with such a long-term contract to continue to produce waste.

We need to move towards a zero-waste strategy. That has to be the direction of travel. To me, that is what 60% recycling targets are about. It is what Reduce, Reuse, Recycle is about. We also need to move to a situation where we redefine waste. Waste is a resource, and I suppose that part of my and my party's opposition to incineration is that it is a waste of resources. By its very nature, it destroys

resources. I should qualify that because, when I say that I am opposed to incineration, I mean mixed waste incineration and the type of incineration where the feed stock is unsustainable. A wood-pellet boiler, for example, is biomass and is something that I support. It is a single waste stream and a renewable waste stream. The mixed waste that would go into the incinerator would, including the likes of plastics, be non-renewable resources. We live on a finite planet. If everybody lived the way we do, we would need three planets to sustain our lifestyle, but we only have one. We need to work towards one-planet living and seeing the waste that we produce as a resource. Moving towards zero waste is the direction of travel that we should be moving in.

Mr Ford said that plastic should be removed ahead of any incineration. Essentially, once you do that, there is effectively very little left from the residual waste stream. I agree with him on that point, but that is when the incinerators become unsustainable. In my view, they are financially and environmentally unsustainable to begin with. We should be front-ending the removal. Belfast City Council took the wise decision in the first instance, in my view, to go with a mechanical biological treatment facility when an incinerator was first proposed so as to extract more recyclables and more resources from the waste stream. That is the way we need to be heading, and we need to move towards a stage where we are recycling and finding uses for the resources that come through our waste stream, rather than locking ourselves into lengthy contracts to feed incineration and to put at risk the efforts that we are making in terms of recycling, reducing and reusing.

That includes engaging with supermarkets and those who create the waste, including households, to see how we can front-end the reduction, but we have done that, to a large extent, with the improved recycling rates in councils. Of course, more needs to be done. Credit to Banbridge District Council, which is very close to meeting the 60% target for recycling. Other councils need to step up. We need to look at supermarkets producing less waste. Indeed, I think that Europe has now seen its first package-free supermarket. That is the type of thing that we can look at moving towards.

5.00 pm

As I said, incineration is the wrong technology. Clearly, for this particular proposal, it is the

wrong technology in the wrong location. Indeed, it seems as though there is a race to be the first Arc21 area and have the first incinerator facility, whether it is Bombardier, Lisburn or this proposal. There is a race, and it seems to me that Arc21 is coming third in that race. Regardless, it is a race to the wrong solution.

Mr Attwood: I welcome the debate, and I acknowledge Mrs Cameron's tabling of it. As everybody else has said, I first want to acknowledge the people who are campaigning in Glengormley, Hightown and the adjoining areas, because they are good people. They have good arguments and are running a good campaign. At a public meeting in March or April, which was attended by 200 or 300 people, I said then — and I will say again now — that I think their argument and their campaign will prevail.

I agree with Mr Maginness about why Mr Durkan, the Minister, is not here. My advice to him, and to anybody in this situation, is to adopt a very precautionary approach. There is a company in Northern Ireland at the moment that is taking legal proceedings against two Ministers. One happens to be a DUP Minister. According to one media report a couple of weeks ago, that company, in terms of its fracking ambition, aims to sue the Northern Ireland state for billions of pounds. It was Mrs Cameron's colleague Mrs Foster whom they named in that regard, as I understand it. Having gone after the Enterprise Minister, they now intend to go after the Environment Minister on the very same issue.

We should not create any exposure to our Government or to any of our Ministers in respect of planning matters, given that, when it comes to planning applications, like Tamboran and fracking, and like the Arc21 proposal, there are huge international corporate interests and institutions in the background. They are looking for opportunities to trip people up in order to create opportunities to have access to legal remedy.

In all these circumstances, given what has happened in respect of Tamboran over the last few weeks, and given the corporate interests — and I know well about them, because I met them when I was Environment Minister — it is very wise to adopt a highly precautionary approach when it comes to public debate about the matter if you are the Minister, although that does not apply to the rest of us. I urge people to recognise and acknowledge that as the wise course of action. I have no doubt, knowing Mark Durkan, that he would like to be here and

be involved in this public debate, but the wise course of action is to adopt a slightly different approach.

I endorse all the arguments, and will maybe add to one or two of them. This is not the place for the project. It does not have community and political support. It does not have the roads and other infrastructure. It is not the appropriate environment, given the heritage value of that particular area. For what it is worth, my sense of things is that Arc21 is not an organisation that has the capacity to deliver a viable project. That is my view based on the knowledge that I have gathered over the last three or four years. We will see whether that view prevails in the fullness of time.

I was the Minister who agreed to the north-west planning application for a gasification plant — it was not incineration; it was gasification — because I accepted that, when you interrogate the evidence, you realise that, as waste volumes increase over the next 30 years and even as recycling might speed up, there will still be a strategic gap, which has to be disposed of in the most responsible way. In my view, a gasification plant that had waste coming in, that had that waste recycled, with the residue going into gasification and the bottom ash then being used for further recycling processes, was a valid approach. I stand by that decision.

Steven Agnew's point was a valid one. Given that we cannot go to landfill, we do not want buckets, volumes and mountains of black bin bags lying here, there and everywhere because there is no other way to dispose of them. Noting that point, and given that recycling volumes are increasing and that the strategic gap is reducing, it was a valid point made by Mr Agnew's about interrogating the evidence to see what other remedy there might be for the disposal of that which remains. I hope that the Minister and the Government will continue to do that.

In doing so, will we face up to some wider responsibilities? Will the Assembly endorse statutory recycling targets? That is not the big ambition that I tried to articulate when I was in the DOE, which Mr Agnew referred to. Will we endorse statutory recycling targets so that, when it comes to the disposal of waste, we are challenging ourselves in a big way to have big ambition by putting statutory recycling targets in law, on the far side of which there will be more discipline and rigour? I say to Mrs Cameron that my sense, frankly, is that there will be other Ministers in the Executive who would resist a statutory approach because they think that it would somehow tie the hands of the farming or

other industries. Will we face up to the challenge that Mr Agnew rightly put to the Assembly or will we not?

Mr Kinahan rightly referred to the fact that £50 million was somehow allocated to the DOE in the draft Budget without the DOE knowing anything about it. Who allocated that £50 million? It was the Finance Minister. So we have Mrs Cameron rightly making an argument about Arc21, when, at the same time, the DUP Finance Minister puts in a Budget line, without reference to the Minister of the Environment, of £50 million. What was that £50 million for? It was to subsidise the capital costs of Arc21 up on the Hightown Road. Will someone explain to me how you can reconcile an argument against Arc21 when a Budget line has been created without the knowledge or consent of the Minister of the Environment? We know who else endorsed that draft Budget, which included an allocation under financial transaction tax of £50 million to an Arc21 project that, in my view, should not be supported.

Given this small island, will we recognise that the only coherent, long-term approach to dealing with waste will be through an all-Ireland strategy? The resources of this part of the world do not recognise the border. The disposal of waste should not recognise the border either in having a responsible, integrated, all-Ireland recycling and waste strategy. Otherwise, we are pretending to people that we are dealing with the threat of waste to this island.

Adjourned at 5.09 pm.



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