



# Official Report (Hansard)

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# Northern Ireland Assembly

Tuesday 16 April 2024

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

*Members observed two minutes' silence.*

## Members' Statements

**Mr Speaker:** Any Member who wishes to make a statement should rise in their place. You will have up to three minutes to make a statement. No interventions or points of order will be permitted until the item of business is finished.

### PSNI: Bangor Public Enquiry Office Closure

**Mr Easton:** I want to raise the shocking closure of the Bangor PSNI public enquiry office. It is one of 17 such offices to close right across Northern Ireland. What is particularly worrying about that is that North Down has a population of over 162,000 people and will have only one police station, which is in Newtownards, that is open to the public. That means that Bangor residents will have to make a 10-mile trip to an actual station when they need to give in documents or report a crime.

In North Down, we have a huge problem. We have seen the closure of Donaghadee police station. Holywood police station is no longer open to the public, and now we will be left with just the station in Newtownards. It is a deeply worrying situation. All that is happening to save £400,000. In the scheme of things, £400,000 is not a huge amount of money to keep all those enquiry offices open, so I implore the Justice Minister to contact the Finance Minister and to raise the issue at the Executive, because it would be a disaster for policing right across Northern Ireland if we could not keep those enquiry offices open.

I am also deeply worried about recruitment to the PSNI. There are hundreds of vacant PSNI officer posts. If we do not do something, we will have a difficult time in the future with proper policing, because we will not have enough police officers or stations.

### Wild Atlantic Way

**Mr McGuigan:** Last week, a report by Fáilte Ireland concluded that the Wild Atlantic Way has had an economic impact worth €3 billion a year in tourism revenue to communities along the west coast of Ireland, led to the creation of an additional 35,000 jobs and supports 80,000 jobs in total. That is some positive impact for those communities.

The marketing of the Wild Atlantic Way stretches 2,500 km from Kinsale in County Cork up to Donegal, where it stops on the Donegal/Derry border. The Atlantic Ocean does not stop at Donegal, so I have to ask this: why should the Wild Atlantic Way? All of the promotional material that is used to attract visitors in international markets is designed and delivered by Tourism Ireland. The island is marketed as a whole to an international audience, so it makes perfect sense that major regional tourism experiences such as the Wild Atlantic Way should also reflect that by being cross-border in nature. There is a clear rationale for doing so, and it would undoubtedly help the North to develop further the economic potential of its tourism.

Why should we in the North miss such an opportunity as extending the Wild Atlantic Way from Donegal through Derry and the north coast and along the glens of Antrim to Belfast? The case for expanding the Wild Atlantic Way to incorporate the Causeway Coast and glens coastal route is compelling. With the likes of Dunluce Castle, the Carrick-a-Rede rope bridge and the Giant's Causeway, why should the local communities of Ballintoy, Ballycastle and Bushmills in my constituency not benefit from the boost that being marketed as part of the Wild Atlantic Way would bring, increasing visitor numbers and spend in the local economy and benefiting hospitality and tourism businesses, as well as the cafés, restaurants, pubs and tourist attractions in the likes of Cushendall, Cushendun and Glenariff?

The Fáilte Ireland report is a timely reminder of the successful impact that tourism can have on job creation for the local and wider economy, creating opportunities for people and

communities to prosper and thrive. Extending the Wild Atlantic Way into the North is one such opportunity.

## Lyra McKee

**Mr Middleton:** In just two days' time, 18 April will mark five years since the senseless, brutal and tragic murder of Lyra McKee in the Creggan area of Londonderry. That evening was one of utter turmoil. Many of us watched on with horror at the violence in the Creggan as rioting and scenes of destruction unfolded. Lyra, innocently watching those horrific scenes of utter recklessness alongside her neighbours and friends — she was described by her sister, Nichola, as one of the kindest, most beautiful souls ever to grace the world — was shot dead by a terrorist, so close to her family, her friends and her place of love and safety.

Those responsible for the violence on the evening on which Lyra was murdered and on many violent nights since do not speak for the wider community and the city that I am proud to represent. Only a few days after Lyra's murder, many people gathered at the Guildhall to join civic, religious and political leaders in condemnation. The then First Minister, Dame Arlene Foster, alongside Gregory Campbell MP and me, joined many in the Creggan standing in solidarity with people from all walks of life and backgrounds demanding peace and justice.

Sadly, although the police know the identity of the murderer, he continues to walk on the streets and remains free, not facing justice and protected by the anonymity that comes with a lack of charges being brought against him. Lyra's family and the community at large are unable to properly grieve or have any sense of justice, as they do not know who this person is. That is simply not good enough.

Members, it is imperative that we do not let Lyra's name be forgotten, five years on, on Thursday 18 April. As an Assembly, we must unite in our stance against terrorist activity, condemning the actions of illegal terrorist groups, masked gunmen and those who continue to choose to wreak havoc and destruction on communities and upset the peace that exists in them. Today, we as an Assembly remember Lyra with the hope that, one day soon, the terrorists involved in her murder will feel the full weight of justice.

## Arts Sector

**Ms Mulholland:** I rose in the Chamber a few weeks ago to congratulate local homegrown

talent on their nominations for the BAFTAs and the Irish Film and Television Academy (IFTA) awards. Just last night, actress Laura Donnelly, who, incidentally, studied drama and theatre studies at the very same drama department as I did — that is my tenuous link — was nominated for an Olivier award, having previously won that prestigious award.

I hope that many were glued to the BBC last night, as I was, for the return of the amazing 'Blue Lights'. From Ballymena man Declan Lawn, the writer and producer, to Hannah McClean playing Jen, to the exceptional performance by Cushendun man Seamus O'Hara as Lee, the links to my constituency of North Antrim are strong, as Annie would say. However, as we celebrated World Art Day yesterday, that positivity was not felt right across the board in the arts sector. Notably, the Waterside Theatre announced its closure, with four staff being made redundant. It follows other production and theatre companies that have had to take similar action recently. For too long and too often, the arts sector has had to do too much for so little. Ironically — I am not being dramatic when I say this — we are on the precipice of the decimation of our arts sector. At last month's meeting of the all-party group on arts, we heard that artists with decades of experience are having to leave the sector because they cannot sustain both their families and their careers. Either that or they are moving across the border or across the water, where public expenditure on the arts massively dwarfs our pitiful offerings. Every Member in this Chamber will have heard those statistics.

Every time I reference the arts and arts funding on social media, I am met with, "But what about health? But what about social housing waiting lists? What about issues with our education system? Typical Alliance, focusing on the cushy arts". Let me be clear: this should not be an either/or endgame. The arts are not a hobby or a nice wee add-on to pass the time or even an interest solely of the middle classes any more. They are a key driver of economic success in Northern Ireland, contributing millions to our economy every year and employing over 3,500 people, yet the percentage of public funding that they receive is absolutely pitiful. The arts can be life-changing and, as I have seen with my own eyes, life-saving.

I am making a plea today to the Minister for Communities and the wider Executive to please give the arts a lifeline. Having had more than a decade of real-terms reductions in funding, it will be a death by a thousand cuts next time. A cut, no matter how small, will represent a huge swathe of shelved productions, artists moving

elsewhere and a society bereft of those to tell their story.

## A5 Road Upgrade

**Mr McCrossan:** It will come as no surprise to the House that I rise again today to raise the important issue of the A5, particularly after another life was lost on the road last week. Oonagh Burns, aged 35, died on 7 April when travelling from Derry towards Strabane. She went off the road and sadly lost her life. Her death marks 50 people who have died on this treacherous road since 2007. Fifty deaths. Fifty families left with that pain and sense of tremendous loss. This month also marks the one-year anniversary of the terrible deaths of the three members of the McKane family, who died at the end of April last year on the Aughnacloy section of the A5. This road leaves devastation in its wake at every single stretch. There is no family in Tyrone and beyond that has not been touched to some degree by this road.

There are delays and delays and delays, and those delays are costing lives. We cannot afford any further delays. I do not stand here to make a political point; I stand here in desperation because, with every passing day, further lives are put at risk on the A5. Just this week, for the past three consecutive days, at three different sections of that road, there have been serious accidents. Three days in a row. People are desperate to see this road delivered, and the report from the public inquiry, which was very well attended, has been sitting with the Department for Infrastructure since November and with the Minister, John O'Dowd, since February. We need a decision, we need progress to be made and we need to ensure that this road is made safe.

I have listened to people online every time that I talk about this, and people are sick hearing me talk about it, but I am not going to give in until I see work begin on this road. It could be my family or anyone else's that is affected directly next. When I attended the wake of Oonagh Burns last week, her father said to me, "You never expect this to happen to your own family member, your own daughter".

I think of the Burns family today and of the community in Strabane, as we grieve another loss on that road. My plea to the House is this: whatever can be done must be done. We do not know how many more lives will be lost if we continue to see delays to work on that road.

10.45 am

## Social and Affordable Homes

**Ms Ferguson:** I raise a critical issue that significantly impacts on families in Derry, west Tyrone and other areas: access to social and affordable homes. Just last week, the Chartered Surveyors' report indicated a continued rise in house buyer enquiries and in house prices across the North, yet, as we see from the statistics, at least 46,500 households are on the social housing waiting list, 34,500 of which are deemed to be living in dire need and over 26,000 of which are statutorily homeless. Behind the statistics are tens of thousands of people who are unable to access housing. They live each day with the uncertainty and anxiety of homelessness.

In November 2020, on behalf of Sinn Féin, Carál Ní Chuilín outlined a vision and a plan for housing, with an emphasis on the urgent need for the revitalisation of the Housing Executive to enable our largest social housing landlord to start building again at scale. We consulted on the housing supply strategy, which advocated the building of well over 100,000 homes over the next 15 years, including 33,000 social homes in urban and rural communities across the North. Additionally, the Assembly delivered the Private Tenancies Act 2022, which was the first package of reform for the private rented sector to enhance the safety and security of renters.

We must now continue to work to enhance standards, deliver affordable rents and enhance security of housing, including consideration of tenancies of indefinite duration. We want to see real delivery for people on those issues and a focus on supporting our struggling homeowners and renters alike, alongside the prioritisation of ending long-term homelessness in our society. That should include the delivery of multi-annual budgeting and the expansion of homelessness services, including Housing First and projects such as Complex Lives in the north-west. Housebuilding projects must target areas such as Derry, where housing need is greatest, so that people who have been failed by the provision of housing for decades have the opportunity to live in their community.

I ask the Minister for Communities to publish the housing supply strategy urgently. I also ask for cross-departmental collaboration, with the support of our four-party coalition and the Opposition, on the prioritisation of housing. The British Government need to get serious about the investment in our public services that they must provide. That requires a new level of serious engagement on the assurances around securing the additional funding that is required

for the Housing Executive not just to maintain its current stock but, crucially, to remove the historical debt and begin bringing new social and affordable homes to meet the level of need across all our communities.

## Timmy Mallett

**Mrs Erskine:** I take the opportunity to celebrate Northern Ireland and the fabulous, unique tourism product that is its people. One man has shown that spirit of friendliness and hospitality as he weaves his way around on his circumnavigation of Northern Ireland: Timmy Mallett.

Timmy has a real zest for life. Over the past number of weeks, he has showcased Northern Ireland to his social media followers across the world in the most enthusiastic way. Going off the beaten track, he has spent his time acquainting himself with our history and way of life. He spent quite a bit of time in Fermanagh and South Tyrone. Can you blame him? It really is one of the most beautiful parts of Northern Ireland. He has found a friend in John from 'The Impartial Reporter'. He has been to Belleek Pottery, and he has met the Archbishop of Armagh, Olga in the Derg Arms and our very own deputy First Minister. He has celebrated people the length and breadth of this place. He even showcased the work of Gerry from Northern Ireland Water, who was collecting samples from Lough Erne.

Northern Ireland is a place to visit. Who, 30 years ago, would have thought so? We have come a long way in opening our doors and showcasing ourselves to the world. We should support and encourage our tourism and hospitality sector in what are challenging circumstances.

Timmy has made me very proud of Northern Ireland over the past few weeks. He has showcased Northern Ireland in a way in which no tourism strategy ever could. I thank him for all the laughs and joy that he has spread on social media about Northern Ireland, even in the glorious rain.

## Police Enquiry Offices Closure: Dungannon and Lisnaskea

**Mr Elliott:** I am disappointed that Timmy Mallett did not invite me to meet him, but I will probably get over it.

I bring to Members' attention the closure of two police enquiry offices in Fermanagh and South Tyrone. The first is in Dungannon town, which

is an extremely busy enquiry office. I cannot for the life of me understand why the plan is to close it. The second is in Lisnaskea in Fermanagh, which serves a huge rural area of south and east Fermanagh. People from Rosslea, Newtownbutler and Derrylin will have to plan significantly and travel a considerable distance to get to Enniskillen enquiry office, which is not open all of the time.

The decision is a huge drawback for the police and a huge blow to public confidence in policing. It is clearly a financial issue; there are letters that state that it is a financial decision. As well as being a blow to public confidence in the police, it is a blow to police officers, who feel a sense of, almost, disloyalty from their own organisation. They will not be able to provide that public-facing service to people in Fermanagh and South Tyrone.

The decision will leave one enquiry office in the large area of Fermanagh and South Tyrone, in Enniskillen. That is a huge drawback. I note that the police have indicated that the closures will take place. There will be no consultation on it. I am surprised that there will not be even a reasonable discussion with public representatives, the wider public and police officers about why the enquiry offices in those stations have been earmarked for closure.

## Windsor Framework (Implementation) Regulations 2024

**Mr Allister:** One of the headline sales pitches for the tainted Donaldson deal was, "Zero checks, zero paperwork". In that regard, the Windsor Framework (Implementation) Regulations were trumpeted as being the passage to that. Those regulations, which give the Secretary of State power to issue instructions to DAERA, came into effect last Friday. We still await the publication of those directions, which was promised in the legislation.

When one studies the regulations, it seems clear that the promise of zero paperwork is undeliverable. The regulations give power only to instruct DAERA, but DAERA is not the responsible authority. According to DAERA, HMRC is responsible for paperwork and customs declarations. Of course, that fits with the fact that that all arises from our subjection to a foreign EU customs code that operates on the basis that goods coming from GB are coming from a foreign territory into EU territory, namely Northern Ireland, hence the necessity for customs paperwork.

One will watch with interest to see whether the bold promise of zero checks and zero paperwork will be met. One will also look to see how the 5% minimum set forth in EU legislation will, allegedly, be overcome, or was it all just so much spin and hype? That seems to be the fundamental defining hallmark of the tainted Donaldson deal.

## Car Insurance

**Miss Brogan:** I want to highlight the significant increases in car insurance prices, which are crippling workers and families, many of whom are already struggling with the cost-of-living crisis. Over the past year, many people have seen their car insurance quotes increase at unprecedented rates, even if they have not had an accident, received a speeding fine or had a change in circumstances. Some drivers have been unfairly charged on the basis of a postcode lottery, with people in some constituencies being charged significantly more than others on the basis of their home address rather than their driving history.

In January, it was reported that the average car insurance price this year is £383 more expensive than last year, and those costs continue to surge. The average insurance policy for motorists here is now £1,000, which would have been unthinkable just a few years ago. That has a deep impact and knock-on effect on workers and families. I have heard countless examples of first-time drivers passing their test and then being unable to afford to get on to the road.

People struggle to pay those high insurance rates alongside high fuel prices and other costs. Insurers say that the increases are due to inflation and the cost of car parts and replacements. However, during the pandemic, when there was a dramatic drop in travel, we did not see insurers issue the same dramatic drop in insurance prices. The reality is that the insurance industry is making huge profits while workers and families struggle to cope with increasing costs.

Unfortunately, the Executive have no power over financial regulation. The Financial Conduct Authority and the Prudential Regulation Authority in Britain are responsible for challenging insurers on unfair hikes in insurance premiums. It is beyond time that those regulators held insurers to account. That needs to happen urgently.

The British Government should explore ways to alleviate the costs, such as reducing the 12%

premium insurance tax that is being lumped into people's renewal quotes. Sinn Féin will continue to press the insurance industry on the spiralling prices and stand up for the people who are struggling to afford the costs.

**Mr Speaker:** That brings to a conclusion Members' statements. I ask Members to take their ease before the next item of business while the Principal Deputy Speaker takes the Chair.



*(Madam Principal Deputy Speaker [Ms Ní Chuilín] in the Chair)*

## Opposition Business

### Universal Credit: Remove the Two-child Limit

**Mr O'Toole:** I beg to move

*That this Assembly acknowledges the findings of the recent Northern Ireland Audit Office report on child poverty that nearly half of all children living in relative poverty come from families with three or more children; recognises the pernicious role that the universal credit two-child limit has played in increasing the number of children in poverty; understands that the majority of those negatively impacted by the two-child limit are working families; notes that removing this limit is within the powers of the Northern Ireland Executive; believes that the consequences of childhood poverty far outweigh the cost of removing the cap; and calls on the Minister for Communities to present a plan before this Assembly to remove the two-child limit before the end of 2024.*

**Madam Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. As an amendment has been selected and is published on the Marshalled List, the Business Committee has agreed that 15 minutes will be added to the total time for the debate.

Matthew, please open the debate on the motion.

**Mr O'Toole:** Thank you, Madam Principal Deputy Speaker. When we entered opposition in February and in the weeks since, we have consistently said that we want to be a constructive Opposition. Recognising the scale and long-term nature of the challenges facing the Executive, we seek to offer constructive accountability and solutions as well as robust challenge when necessary. We also want to use our platform as an Opposition to give a voice to people who have been failed by our politics. As a party with its roots in social justice campaigning, the SDLP is determined to use our Opposition platform to address the moral shame and blight of poverty.

Before I go on, I thank the Cliff Edge Coalition, its members and, indeed, all the campaign

groups that have come to Parliament Buildings today to make their voice heard in support of our Opposition day and our motions.

**11.00 am**

Poverty levels in this society remain far too high, unconscionably so. That is most acutely the case with child poverty. A Northern Ireland Audit Office report recently found that one in five children in our society lives in poverty. Those statistics mask the reality of empty tummies and anxious children and parents. This is not solely a local phenomenon. Across the UK and further afield, the effects of more than a decade of austerity have combined with a post-pandemic spike in inflation to create a perfect storm of rising costs and suppressed incomes for the most vulnerable. However, while successive Tory Governments and their austerity agenda have squeezed welfare spending, without regard for the human consequences of doing so, it is wrong to imply, as some in the Chamber have done, that little can be done to alleviate or mitigate the pernicious effects of those policies.

Indeed, different parties in the Chamber have, at some points, wanted to give the Tories even more power to inflict harmful policies on the North, either by allowing them the power to legislate for welfare reform directly in Northern Ireland, allowing local hands to be washed clean of responsibility, or by boycotting ministerial office, as both main parties have done, so that the only people to take decisions for this region were those same Tory Ministers.

I note with some regret that although the Opposition is the smallest of the five main parties represented in the Chamber, we still have more MLAs in the Chamber now than the two main parties combined, which have nearly 60 MLAs between them. They may not want to give the Opposition day much credence but it would do them some credit if they gave the issue of poverty a little more respect instead of having such a paltry turnout.

**Mr McCrossan:** The Member raises an important point and I thank him for giving way. Maybe it is the case that the main parties' track record of failure on poverty and on resolving some of the problems is an embarrassment for them, and that is why they have not shown up in the Chamber. Does the Member agree?

**Mr O'Toole:** As always, my colleague puts his case forcefully. There is an argument to be made there. However, we have a choice. Although we will make political points, I want to

build some consensus on this issue in the Chamber. I also recognise that we are making the Communities Minister sit in the Chamber for an awful lot of today, as we did yesterday. I hope that we can make some progress in the debate. As I said, we have a choice.

Despite the political difficulties involved in getting there, Northern Ireland introduced a package of welfare mitigations that has, most experts acknowledge, mitigated some of the worst of austerity, though sadly not all of it. We have a clear template for how, when we turn up, do our jobs and make serious choices, we can improve the lives of people we serve. Therefore, the first item in our Opposition day package is a call on the Executive to remove the pernicious two-child limit on universal credit. That policy, introduced by the Tories in 2015, is an indefensible and direct punishment of children.

Our former leader John Hume often talked about the accident of birth in relation to identity. Of course, that accident of birth also applies to the family that a child is born into and, indeed, the order of their birth, but the effect of the two-child limit is to remove any additional support from that child if they are the third or subsequent birth, regardless of the objective need of the family. Of course, in Northern Ireland, the impact is disproportionately felt because of our larger family sizes.

It is also important to note that the policy affects working families too. The majority of households affected by the two-child limit are working families. The scale of the real loss to families is huge: a lower-income family in receipt of the child element of universal credit loses £3,200 per year for every third or subsequent child born after April 2017. The numbers of affected children is increasing year-on-year, making the effect of the policy evermore damaging. Of course, as the Resolution Foundation has pointed out, that is precisely the point of the policy.

A wide range of experts who have looked at this issue agree that the removal of the two-child limit from universal credit would be a hugely impactful and direct way of addressing child poverty. The review of welfare mitigations — created by the previous Communities Minister Deirdre Hargey and led by Les Allamby — found that virtually all the local stakeholders and campaigners that it engaged with highlighted the two-child limit as being a particular blight.

Listening to the debate yesterday, and the various arguments that were made for watering

down the SDLP's call for specific timelines and a rigorous ring-fenced budget for child poverty, one could have been left with the impression that the making of an anti-poverty strategy was as mysterious as the third secret of Fatima or as impenetrable as the text of 'Finnegans Wake'. It was as if there was nothing we could do. While poverty, including child poverty, is multifaceted and touches on virtually every aspect of public policy, there are clear and deliverable interventions that we have the power to implement, which would make a real difference to people's lives. If we were to undo the effects of the two-child limit via policy, we would make the lives of many children and families better, raise many out of poverty and improve their life chances. That is hardly a bad use of the power that we have. We think that it would be a good day's work.

How much would it cost, and how would or should it be paid for? The Department's welfare mitigations panel consulted two different economic consultancies that costed ending the two-child limit in Northern Ireland at about £40 million a year. That is a significant recurring cost, but it is not insurmountable. Indeed, the Executive have already raised the vast majority of it — they have raised £30 million — via an increase in the regional rate. That funding could be directed towards paying for removing the two-child limit. There are other options that the Executive could look at, such as reforming the long-term generosity of the vacant property relief in the rates system. It is, of course, entirely right that we have a relief for vacant property, but our relief is particularly generous when compared with that across the water or over the border. Those are not definitive decisions, because they are not ours to make, but they are an example of what the Executive could look at to pay for the policy. We also subsidise non-existent long-haul flights from Belfast by paying the Treasury more than £2 million a year in hypothetically forgone air tax, despite there not being any long-haul flights from Northern Ireland.

Taken together, those measures could offer the means to pay for an essential intervention in our welfare system, end the pernicious two-child limit and start lifting children out of poverty. Of course, if Members from Executive parties wish to challenge or disagree with those suggested choices or options, they are more than welcome to tell us which choices they would be willing to make to pay for policies. As yet, we have seen precious little of that detail from the Executive parties amid more than a dozen motions promising action. Indeed, we may be the first party to propose a motion with a detailed explanation of how a measure could

be paid for. It is ironic for an Opposition party to do that work.

Of course, the long-term cost of child poverty, be it through adult welfare, healthcare costs or, tragically, in the criminal justice system, far outweighs the cost of the intervention that we are proposing. Let me be clear on this: we regard a proposal for full mitigation of the two-child limit via a separate payment as being entirely consistent with the ask in the motion. Our preference would be for abolition, but we are not theological, so I hope that we can avoid turning the debate into a theological debate about the technicalities of mitigation versus abolition. If mitigation covered the total cost of the two-child limit, we would be up for that. We would prefer abolition, but, ultimately, what matters is the financial outcome for families, not the precise bureaucratic mechanism.

Let me touch briefly on the DUP amendment, which, I am afraid, we cannot support. Like the Alliance amendment yesterday, it seeks to water down the specificity of the motion and the policy commitment that we are asking for. It simply asks that the Minister "consider the merits" of the recommendations of the Allamby mitigations panel. To be honest, I had hoped and assumed that the Minister would do that as a bare minimum without the need for Assembly instruction. I am afraid that the amendment would render our motion wholly inadequate, so we cannot support it.

I do not go in for grandiose quotes, but there is a Franklin Roosevelt quote that always resonates with me, and it is —

**A Member:** [*Inaudible.*] [*Laughter.*]

**Mr O'Toole:** I do not actually, but this quote resonates with me. Roosevelt said:

*"The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."*

There is no more important thing to do in politics or in public life than improve the life chances of those who are in need. With the motion, which proposes something that is not only transformative but affordable and practical, we all have that opportunity. Let us take that opportunity. I commend to the Assembly the motion to remove the two-child limit.

**Madam Principal Deputy Speaker:** I call Brian Kingston to move the amendment.

**Mr Kingston:** I beg to move

*Leave out all after "Executive" and insert:*

*"but would place serious and recurring constraints on public spending; further notes the recommendations of the independent advisory panel report 'Welfare Mitigations Review', including the proposal to offset the two-child limit by introducing a better start larger families payment; and calls on the Minister for Communities to consider the merits of this proposal when meeting his statutory obligation to produce a report on the current, and future, operation of welfare mitigation schemes by the end of this financial year."*

**Madam Principal Deputy Speaker:** Thank you, Brian. You will have 10 minutes to propose the amendment and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. Brian, please lead the debate on the amendment.

**Mr Kingston:** I start by thanking the Opposition party for the motion, the majority of which we support. However, as Mr O'Toole referenced, we wish to amend part of it, and I will explain the reason for that during my speech.

For context, the UK Government introduced the two-child policy in 2017, and, under the principle of parity, the same measures automatically applied in Northern Ireland. If the Assembly were to unilaterally abolish the two-child limit, it would mean funding those extra benefit payments out of the block grant that we receive, which would place considerable and recurring constraints on Executive spending for vital public services. The Opposition party is actively calling for our Executive to ring-fence funding in a host of other areas. How does it reasonably expect Ministers to fund the removal of the two-child limit on top of the other demands? Will it deprive our schools of that money? Will it put the pay rises for health workers on hold? Will it kick an affordable childcare policy into the long grass?

The Minister for Communities and the Executive have a duty to be fiscally responsible, given the current budgetary pressures and being mindful of the need to provide vital support to vulnerable and low-income households in every corner of our Province. The independent advisory panel report has provided a range of recommendations, including offsetting the two-child limit with a separate better start payment for larger families. It would be a dereliction of duty for the Minister and his officials not to consider the

merits of those proposals in detail. That is the basis of our amendment.

We also point out that the Department for Communities is under a statutory obligation to produce a review of current welfare mitigations by the end of the financial year.

**Ms Mulholland:** Will the Member give way?

**Mr Kingston:** Yes, I will, briefly.

**Ms Mulholland:** Does the Member agree that the rates of poverty and child poverty, particularly in his constituency, indicate that this is a crisis and that we cannot wait until the end of the financial year for that report? Does the Member agree that this needs to be brought forward with the utmost urgency, not just at the end of the financial year?

**Mr Kingston:** The aim is not to bring it forward at the end of the financial year, but it must be brought forward by then. Certainly, we all agree that, as the leader of the Opposition said, improving people's quality of life is what motivates all of us in politics, and it is what we all wish to do every day.

The Minister has already informed Members that any report produced will also present future proposals. It is important that we respect that process, provide space for intensive engagement with experts, stakeholders and claimants and resist the temptation to pre-empt the outcome. It is also worth noting that negotiations around a new fiscal framework are ongoing with the Treasury, and it would be counterproductive not to wait and assess the outcome of that process before making future decisions affecting those in receipt of universal credit and other benefits. Longer-term certainty on Budgets will be required to allow a strategic approach to all the Executive's priorities.

This is, essentially, a debate about where best to place our financial resources at a time when our front-line public services are experiencing massive shortfalls. We could not support redirecting tens of millions, if not hundreds of millions, of pounds from other much-needed front-line services in order to cover additional welfare benefits that are not funded by the Treasury. We make no apologies for seeking fairness for all families and for guarding funding for our vital public services.

**Mr Gildernew:** I thank the proposer of the motion for bringing it forward for debate. Clearly, addressing poverty and inequality is

one of this institution's principal tasks in this mandate.

The two-child limit was a policy decision taken and implemented by the Tory Government in 2017: first, in child tax credits; and, secondly, following the introduction of universal credit in the North, it was applied to that as well.

**Mr McNulty:** Will the Member give way?

**Mr Gildernew:** Go ahead.

**Mr McNulty:** You say that you are so careful and compassionate about child poverty, but to what extent do you accept responsibility, given that your party, the DUP and the Alliance Party handed over welfare powers to the cruel and tyrannical Tories?

**Madam Principal Deputy Speaker:** Colm, you have an extra minute.

**Mr Gildernew:** Thank you. I thank the Member for his intervention.

We believe that this policy discriminates against women and children, is a key driver of child poverty and disproportionately impacts on people here because of our larger family size. The inclusion of what has become known as the "rape clause" highlights just how wrong and unjust this policy is at every level. No child should be denied the financial support required to meet their essential needs.

We have called repeatedly for the British Government to scrap the policy, and we reiterate that call today.

The proposer of the motion, in stating that removing this element of universal credit is within the powers of the Executive, knows and understands that what they are really asking for are mitigation measures. Members will be aware that social security, including universal credit, is devolved within the principle of parity, that any deviation from that parity requires agreement from the British Treasury and that the Executive must meet any associated costs from the block grant.

**11.15 am**

**Mr O'Toole:** I appreciate the Committee Chair's giving way. I agree with everything that he has said. That is why, in my speech, I acknowledged every point that he has just made and offered a clear costing and a potential means for it to be paid.

**Mr Gildernew:** I am sure that the Member has indicated that he has come up with several ideas and that he will engage with the Executive on those ideas.

To be absolutely clear, Sinn Féin opposes the two-child limit and supports the call across the sector to offset it. We have consistently raised the issue and did so again in our submission to the welfare mitigations review led by Les Allamby. I commend Les and his panel for their work. It is no easy task to be asked to recommend what gaps in the social security safety net to narrow while acknowledging and understanding the limitations of the block grant, because the reality is that the Tory Government have eroded the social security system to such an extent that it has become difficult to even refer to it as a "safety net" any more. Furthermore, the impact of the historic underfunding of this institution and the current budgetary pressures make picking up the pieces of the human impact of Tory austerity policies increasingly challenging.

Finally, in considering the motion and the amendment, it is important to be realistic about the time frame and the budget required to ensure any form of mitigation introduced is sustainable in the long term. As work continues towards publishing an anti-poverty strategy, which we discussed yesterday, I implore the Minister for Communities to ensure that offsetting the two-child limit is included in that overarching strategy.

**Ms Mulholland:** This debate has much synergy with the debate yesterday about child poverty, and I thank the Opposition for bringing it forward. The recent findings of the Northern Ireland Audit Office report on child poverty and the Northern Ireland poverty and income inequality report have shone a light on a sobering reality. The rising number of children and families in Northern Ireland living in poverty is simply unacceptable, and we have agreed that.

The Audit Office report reveals that nearly half of children living in relative poverty come from families with three or more children. Those in larger families were already more vulnerable to deprivation even before this policy. We do not limit access to healthcare, education or public services by order of birth, so there is no justification for limiting access to social security, with £3,455 lost for each child born subsequent to the second, as recent figures have shown. The two-child benefit cap is a policy born out of callous disregard for the well-being of the most vulnerable people in society. It is penalising families for the number of children they have,

punishing innocent children for circumstances far beyond their control and forcing women to disclose pregnancy as a result of rape. According to the Northern Ireland Anti-Poverty Network, this represents 45,000 children in Northern Ireland. That is 45,000 children whom the Tory Government deem irrelevant when it comes to meeting their essential needs of food on the plate and a roof over their heads. Let us be clear: it is a policy that flies in the face of compassion, empathy and basic human decency, although those are not words that I would associate with the current Tory Government anyway, to be honest.

It is also clear that the policy exacerbates gender disparities, with women disproportionately affected due to their higher share of childcare responsibilities. Additionally, we cannot overlook the fact that, until recently, reproductive choice in Northern Ireland was greatly impacted, leaving women in extremely difficult circumstances when faced with an unplanned third or subsequent pregnancy. Comprehensive research by the Centre for Analysis of Social Exclusion (CASE) has shown that there is no evidence that it has increased employment, which was the initial justification. It found that those who had larger families tended to have to care for their own children, citing barriers to childcare and logistics as some of the reasons why they are not economically active. Incidentally, this also links to the necessity for a fully resourced childcare strategy for Northern Ireland.

From an international perspective, none of the other developed countries that are members of the OECD limit the number of children eligible for means-tested family benefits; in fact, they increase with family size. We can be absolutely clear that this is not the type of policy that a developed country with the well-being of its citizens at heart should have in place. While we support the motion and I do not think, in good faith, that any of us would argue that penalising children for the size of their family is good policy and my colleagues Naomi Long and Stephen Farry have vociferously campaigned and voted against the policy at Westminster, we would like it to be noted that we are concerned about the cost implications of a blanket call for a removal of the two-child limit before that happens at Westminster and any legislation can be changed at that level. It would break parity with what is in place and therefore siphon already much-stretched finances into creating an IT system to deliver an alternative rather than into the pockets of families, where it is needed most. I heard some costings, but I did not hear from the Opposition what the implications of

breaking parity — making that change — would be.

**Mr O'Toole:** Will the Member give way?

**Ms Mulholland:** Yes.

**Mr O'Toole:** The welfare mitigations review panel costed it at about £40 million a year. It then rises a bit. The Member for Strangford disagrees, but that is what is in the —.

**Ms Mulholland:** It does not include —.

**Mr O'Toole:** First, that is what is in the welfare mitigations review panel's report. We have explained how it would be paid for. It is important to say that we have not come forward with uncosted proposals, but I welcome the fact that the Alliance Party will support the motion.

**Madam Principal Deputy Speaker:** Sian, you have an extra minute.

**Ms Mulholland:** While I agree that you made some reference to costings, the point was more about the infrastructure around removal before there is a change in legislation.

**Mr Lyons (The Minister for Communities):** I appreciate the Member's giving way. I will have time to speak later, but, on that point, I thought that it would be useful for the House to have the updated cost for the next financial year, which will be £56.4 million, so it has gone up significantly. It is hard for us to estimate the cost, but the IT systems are additional to that. I make no comment but am giving that figure for the benefit of the House.

**Ms Mulholland:** Thank you, Minister. I appreciate the clarity on that.

We recognise the need for something urgent to happen. We know that we need to put money into the pockets of families as quickly as we can. As I said to the Member for North Belfast, this is a crisis. I ask the Minister to assess urgently the practical and fiscal implications of all options for IT and infrastructure and the cost of the mitigation.

In the same spirit, we welcome, in a lukewarm way, the amendment. We do not believe that this can wait for reporting on mitigation schemes. We absolutely want to see the adoption, not just the noting, of the independent advisory panel's recommendations in the welfare mitigations review, including, as was mentioned, the offsetting of the two-child limit

by introducing the better start larger families payment. That welfare supplementary payment would mitigate in full the penalising of third and subsequent children and put money back in the pocket of those who need it. Ideally, we would like to see that put in place alongside further recommendations from the mitigations review, such as the better start grant that would support families at pinch points in a child's life, and, as per Alliance policy, we would like to see an additional child payment to vulnerable households to allow for the best start to a child's life.

I will repeat what I said yesterday: regardless of the approach that we take, the question should be not how much this will cost to do but how much it will cost not to do.

**Mr Butler:** Today is my birthday. You will not believe it, but I am in my 30s. I have just turned 30. *[Laughter.]* On my birthday every year, I have a phone call with my mum. I was the first child of five. My mum tells the story of her going into labour 52 years ago, in 1972. The context of that is important, because I lived in a family that would probably have qualified under today's schemes for universal credit. At times, my mum and dad were in low-paid jobs, and, at times, they relied on social security. They did their very best, and they brought up five brilliant children — I credit my brother and sisters today, although I will not give their names — but, listening to my mum this morning, I was conscious that, of all the emotions that she went through when she brought me into the world, not one of them was, "Will I get the support? Will this be OK? Will I have more kids, and, if I have more kids, what will happen?". I am thinking about my three sisters. There was me and then my brother, and three sisters came along afterwards.

We have in place a draconian, bureaucratic system that puts a price on this society's ability to support families who are in greater need. We know that, in Northern Ireland, we have larger families than on the mainland. I hope that we have bigger families, because I love Northern Ireland and the people of Northern Ireland, and, on that matter and in that manner, we should support them.

In regard to the motion and the amendment, we will absolutely support the motion. There is obviously an issue with the time frame and the ambition of doing it; I add that as a caveat. We were minded to support the amendment, but I will be honest: I will have to listen to the debate further because Mr Kingston's word almost put me off supporting it, because it did not sound to me as though there was much consideration of

the impact that this is having on families. I will now race through my speech, but I thought that it was important to give the lived context of that. I will have my ears open, particularly for the Minister's comments on the two-child limit. It is imperative that we consider the voices and experiences of the thousands of families, like my family, that would be affected by this. Recent data shows that over 45,000 children in Northern Ireland live in families impacted by the limit, and that is a stark reminder of the human toll of the bureaucratic decision that it was. Moreover, public sentiment regarding the policy is indeed clear. A resounding 64% of the population believe it to be "Very unfair" or "Unfair". Such widespread discontent underscores the moral imperative for action. In fact, a significant majority — 60% of the population — are in favour of abolishing the two-child limit altogether, and that is not merely a matter for political debate; it is a reflection of our collective conscience as a society in Northern Ireland.

The statistics laid bare by the Northern Ireland Audit Office report on child poverty further underscore the urgency of our response. Nearly half of the children living in relative poverty come from families with three or more children, a deeply troubling reality that demands our immediate attention.

At the heart of the issue lies the pernicious two-child limit embedded in universal credit. I use the word "pernicious" because, when I think back, it would have affected my family — my mum and dad. It is a policy that exacerbates poverty rather than alleviates it. Families impacted by the limit are denied vital support, pushing them more deeply into financial hardship, and let us not forget that the majority of those affected are hard-working families, striving to provide for their children in an increasingly challenging economic landscape, as Mr O'Toole referenced.

This is not just about numbers on a balance sheet. It is about the real and tangible consequences faced by families across our nation. It is about the child who goes to bed hungry because their family cannot afford a proper meal. It is about the parent who sacrifices their own well-being to ensure that their children have enough to eat. It is about the cycle of poverty that threatens to engulf generation after generation, robbing them of opportunities and hope, and we heard a lot about that yesterday during our debates.

The cost of inaction is simply too great to bear. The Northern Ireland Audit Office estimates the annual cost of child poverty in our region to be

between £825 million and £1 billion, a staggering sum that represents not just economic loss but human suffering. However, we are not without solutions. Removing the two-child limit is within our power and within the jurisdiction of the Northern Ireland Executive. It is a moral imperative and a duty that we owe the most vulnerable members of society. The consequences of childhood poverty far outweigh any short-term financial considerations. Investing in our children today is an investment in our future, a future characterised by prosperity, equality and opportunity.

I pay tribute to the more than 100 organisations across Northern Ireland that have united to advocate mitigations in welfare reform, and I will address one final point. Guys, we really need to get the point where, when we talk about Tory austerity and underfunding, we all understand and come back to the fact that, when this place does not sit, it genuinely sickens the life out of me. Honestly, it is just a pure geg sometimes.

**Mr McNulty:** Will the Member give way?

**Mr Butler:** Absolutely. Go ahead.

**Mr McNulty:** Article 27 of the UN Convention —

**Madam Principal Deputy Speaker:** Sorry, time is up.

**Mr McNulty:** It was not up.

**Madam Principal Deputy Speaker:** Excuse me, it is up, OK? Thank you.

**Ms Armstrong:** As happens when you get to this stage of a debate — I know that a few Members have spoken so far —

**Mr Butler:** Will the Member give way?

**Ms Armstrong:** I will.

**Mr Butler:** Will the Member give way just to let me finish my speech, if you do not mind? I just wanted to say this: we are a pure geg in here when we blame everybody else but this place does not sit for five years out of eight and we fail the people of Northern Ireland. Thank you very much, Kellie.

**Madam Principal Deputy Speaker:** Kellie, you have an extra minute.

**Ms Armstrong:** Thank you, Principal Deputy Speaker.

When you get to this stage of a debate, quite a lot of people have talked about stats and figures and the different things that you can talk about, so I will move on from that.

Last week, the child element of universal credit increased to £3,455 per child for child 1 and child 2. What does that £3,455 pay for? It pays for their food. It pays for a child's clothes. It pays for part of the roof over their head, because we know that many people live in houses where their housing benefit does not cover the full rental costs. It pays for their extortionate school uniforms. If there is a school trip, it pays for that. It pays for so many things, so why do we say that child 1 and child 2 can have that but child 3, child 4 and child 5, as in Mr Butler's family, or child 6 or more cannot have that?

The Alliance Party absolutely agrees that the two-child limit is despicable and that it should be removed, but, as my colleague said, there are costs to the removal.

**11.30 am**

I grew up in a family very like Mr Butler's family. I had the added pleasure of a younger brother — I am the oldest — who had quite severe learning disabilities, and a younger sister. She would not have had any money. My brother's costs, because of the amount of disability that he had and the extra support that we, as a family, needed for him, would have meant that we were under pressure. We lived on benefits, and I had two parents who worked. Looking at this, I can say that to take away what support that there was for me and my brother, for any length of time, would have been unimaginable.

Minister, we will support your amendment. We detest the two-child limit, but we are going to support the amendment because I want a better start larger families payment. I am on the Committee for Communities, and I will hold your feet to the fire on this. Can the Minister tell the House how much the IT system is going to cost and how long it will take to put that system in place to make this a reality? If we jump before Westminster removes the two-child limit, what will the implications be for the House? I do not say that lightly, because, if I could get rid of the two-child limit tomorrow, I would gladly do so, but, pragmatically, I do not want to take the money out of the mouths of children who are already in poverty in Northern Ireland, and which has been counted on by so many people.

**Mr O'Toole:** Will the Member give way?

**Ms Armstrong:** Yes, I will.

**Mr O'Toole:** I have suggested how we could pay for this. Obviously, we hope that a future UK Government change the policy at Westminster, but I think that it is affordable here. When she talks about taking it out of the mouths of children, what does she mean exactly? How would removing it ourselves, via mitigation or directly, do that?

**Ms Armstrong:** This is Opposition day. There are lots of coulds and shoulds. I am not interested in coulds and shoulds. I want to make sure that people are not without money. Coulds and shoulds do not pay for somebody's school uniform or put food in a child's mouth. I need to absolutely know that, if we take a decision to do this before Westminster does it, we are not going to put people in a worse situation. I explained that when I spoke to the Cliff Edge Coalition, Action for Children and the British Association of Social Workers. I have spoken to everybody about this. Let us do this, but let us do it well; let us not put people in further poverty. That is why the Alliance Party is supporting the amendment. Asking the Communities Minister for:

*"a plan before this Assembly to remove the two-child limit before the end of 2024"*

is not enough for me. I want to see a payment coming forward.

Just as my colleague has concerns that the amendment is a bit wishy-washy, so do I, but, to be honest, it gives a better direction, and it gives something on which I, as a member of the Communities Committee, can work with the Minister to take forward.

A better start larger families payment by way of a Northern Ireland mitigation will mean that people here will not have to suffer from the loss of the £3,455 per child for the third child and subsequent children, but we need to know where that money is going to come from. If you divide £3,455 per child per year, that cost is £66.45 a week. Where are we going to get that money from? That money will need to come through as part of a coherent anti-poverty strategy in which all of the Executive have agreed to use the money to lift people out of poverty. I would back you on that, Minister, but I do not know whether the whole Executive would be willing to give up the money to allow it to happen. However, we need to do something.



Having a better start larger families payment as a mitigation is what we need to do.

That is what we said in the House about the bedroom tax. What a disaster that was, but we could not afford to walk away from the bedroom tax, so we mitigated the costs. That is what we need to do with the two-child limit. Until such times as Westminster changes that, we put a mitigation in place so that we protect children and lift them out of poverty. Sadly, I do not believe that a Labour Government are going to do that. I am concerned that £56 million is only the start of the annual costs for this. The IT costs and the length of time that it would take to implement would mean that we would have a generation of children here who would not have that support because Northern Ireland would not be able to afford it. Therefore, I agree with the amendment, but I say this to the Minister: we are looking at you for this, and we are looking for movement forward on it.

**Mr McGrath:** Many aspects of Tory policy of the past 14 years have brought pain to working people, but, today, we are discussing a uniquely cruel and punitive policy. Since the introduction of the two-child limit, the Tories have insisted that it is designed to boost employment, yet it is perverse Tory social engineering that is designed to punish the most vulnerable, push families over the brink and force more and more children into abject poverty.

The facts speak for themselves. As a result of the two-child limit, families with a third child or more children born since 2017 are missing out on up to £3,500 per child. Over one fifth of families in the North have three or more children. If we continue as we are, more than half of the families across the UK with three or more children will be in poverty in five years' time. The two-child limit is the single biggest driver of child poverty across these islands, so much so that the United Nations has said that the UK is in violation of international law over poverty levels and is grossly underfunding universal credit.

We know that such policies have a devastating impact in Northern Ireland, not only, as has been said, because we have larger families here but because our rates of poverty would shame any other country. They should shame the Executive and they should shame the Assembly. One quarter of children here live in poverty. In my council area of Newry, Mourne and Down, we have the second highest rate of poverty in the North, with children making up 21% of the population. The area also has, at 26%, the joint highest child poverty rate in the

North. The social inequalities that we see across the North and then reflected in other ways — for example, in health inequalities — become multigenerational. It becomes a cycle, with generation after generation trapped in poverty. As legislators, how do we help people to break that cycle of poverty?

Poverty is not a personal choice; it is a political choice. It is one that successive Tory Governments — at times, supported by parties here — have made. We certainly will not forget those parties who handed welfare powers back to the Tories 10 years ago. We will listen to hear whether they are crying today about the impacts of doing so. Children and families in Northern Ireland deserve much better than that. Children have the right in law to an adequate standard of living, including the right to social security. The two-child limit, or sibling penalty, runs totally contrary to that right, but it is not enough to just blame the Tories. My party's motion asks the Minister for Communities to present a plan before the Assembly to remove the limit; not to remove it overnight, but to set the direction for, once and for all, ending the poverty trap that has caused so much misery for so many people.

**Ms Hunter:** Will the Member give way?

**Mr McGrath:** Yes, of course.

**Ms Hunter:** The Member makes a fantastic point about misery. Does he agree that, for mothers who have conceived through rape, it is extremely re-traumatising to have to prove that their child was conceived through rape, and that that is just another reason why we must end the two-child limit and its horrific impact on mothers across the North?

**Madam Principal Deputy Speaker:** Colin, you have an extra minute.

**Mr McGrath:** Thank you.

Absolutely. Sometimes, the consequences of a policy are completely forgotten. For the consequences in this case to include the re-traumatisation of victims of rape and other crimes is absolutely horrendous.

While he is at it, will the Minister also use the other levers that he has at his disposal to eradicate poverty, including working with his Executive colleagues to introduce proper childcare support? That was meant to be a day-1 matter for the Executive — the four-party Executive. What concrete action have we seen them take so far? A motion? A debate? Maybe

a photo shoot? Without change to bring down childcare costs, more and more families will be pushed into poverty. No one should shirk their responsibility to act or blame the Tories without stepping up to do what they can do in this place. It is our duty to mitigate the worst impulses of the Tory Government for whatever time they have left.

In summary, the two-child limit is having a devastating impact on families right across Northern Ireland. It is within our gift to remove it, so I ask the Minister for Communities to get on with his job.

**Mr Carroll:** I hope that the DUP, Sinn Féin and Alliance Party MLAs who are sitting here are wholeheartedly ashamed of the role that they played in implementing this detested two-child limit. I would be ashamed to be a member of a party that voted through those rotten Tory welfare reforms, which have condemned so many children to a life of stark deprivation.

**Ms Armstrong:** Will the Member give way?

**Mr Carroll:** I will give way, yes.

**Ms Armstrong:** I will just remind the Minister —

**Mr Carroll:** Member.

**Ms Armstrong:** Member; I am sorry, Gerry. I am giving you promotions. In the House of Commons on 31 January 2012, when the vote was taken, Naomi Long, who was an MP at that stage, voted against welfare reform.

**Madam Principal Deputy Speaker:** Gerry, you have an extra minute.

**Mr Carroll:** I remind the Member that, in 2014 or 2015, I think, in this Building — I was not here, and I do not think that she was either — her party, alongside the DUP and Sinn Féin, voted for welfare reform. You voted for it. I gave way to you, so I would appreciate it if you did not intervene again and shout at me when I am trying to speak.

This appalling attempt at social engineering has plunged too many families into poverty and should be repealed as a matter of course. Just yesterday, we debated child poverty. The statistics give only a partial picture of the hardship that has been wrought by the two-child limit, but it is important that we have them. Nearly half of all children who are living in relative poverty come from families with three or

more children, and while nearly one in 10 children in the North live in households that are affected by the two-child limit — that is some 45,000 — it is important to mention the fact that over 4,000 of those children live in my constituency of West Belfast. That means that 16% of children are affected by the two-child limit in West Belfast, where at least 28.5% of children live in poverty.

You can see the damage that has been caused by this disastrous anti-working-class policy. It must be said that that is the harsh reality that has been imposed on our communities by Alliance, Sinn Féin, the DUP and, obviously, the Tories.

The research —

**Mr McCrossan:** I thank the Member for giving way for the second time. Will he agree that the attendance in the House today by MLAs from the DUP, Sinn Féin and Alliance is disappointing given the nature of this important debate? Will he also agree that it is equally disappointing that Alliance, as it did in 2015, is once again acting as a mudguard for the two parties that are failing people?

**Mr Carroll:** I thank the Member for his point. It is a valid one, because there is a bit of collective amnesia, and some spinning of history is being attempted in the debate. People should know better than that.

The research that was presented to us —

**Mr Dickson:** Will the Member give way?

**Mr Carroll:** I really need to make headway. If I have time, I will.

The research that was presented to the Assembly shows that the Executive have the power to scrap the two-child limit. More importantly, it shows that the parties that told us that there was no alternative to its implementation told a blatant spoof. Welfare reform and the two-child limit was a choice that the Assembly never had to make, but it chose to make it.

People Before Profit vociferously opposed a raft of Tory-designed welfare reforms, because we maintained that poverty in general, and child poverty specifically, does not have to exist in a society with colossal wealth. While letting the wealthy off the hook for billions in unpaid tax, the Tories, with the help of Stormont, brought forward policies to penalise the poor, the sick

and the vulnerable. Indeed, according to one report:

*"only the wealthy few, with the financial resilience to withstand all of life's misfortunes without recourse to the benefits system, could ever responsibly decide to have more than two children."*

What a rotten society we live in.

We know what it was about, and we will not forget the role that was played by Sinn Féin, the DUP and Alliance, which implemented welfare reforms, including the two-child limit, in a bid to devolve and cut corporation tax.

Communities across the North are clearly still feeling the harsh impact of those awful political decisions. I agree that we need to scrap the two-child limit. In our view, the entire welfare system is not fit for purpose. It has created a society where to be sick, unemployed or born working class has the potential to condemn you to a life of poverty.

People Before Profit wants the Executive to scrap the two-child limit — of course I do — but what I really want to hear today is a pledge from parties here and from the Minister that they will never again vote for or allow the British Government to roll out welfare reforms with similar intent. We have heard a lot from the Executive about tackling poverty. Welfare is a devolved matter, so I see no good reason why we cannot have a fairer system that allows children and all people to live with a bit of dignity.

**11.45 am**

**Madam Principal Deputy Speaker:** I call the Minister for Communities, Mr Gordon Lyons, to respond to the debate. Minister, you have 15 minutes.

**Mr Lyons:** I thank everyone who has contributed to the debate, and I sincerely thank the Members from the SDLP for their Opposition motions. It is useful for us to have such conversations around what are really important issues, and I am pleased to take part in the debate.

I thought it strange that SDLP Members Mr O'Toole and Mr McCrossan indicated that attendance at debates shows the level of interest that parties have in the matter. The Member pointed towards the attendance of other parties in this place. I do not think that he can draw anything from the attendance of

Members today, but, if he is to do that and if he continues down that line, that must mean that the SDLP has no interest in housing, because there was an Adjournment debate on housing last week in the Chamber, and not a single Member of the SDLP turned up. They may want to reconsider their thoughts on that issue.

There is no question that, over the past several years, we have seen significant challenges for people in Northern Ireland and, indeed, the rest of the UK, particularly for our most vulnerable. We have had the COVID-19 pandemic and Russia's invasion of Ukraine, and we have seen food and energy prices increased to the highest levels in four decades. We know that those cost-of-living increases hit low-income households hardest. As Minister, I am committed to continuing the important work of my Department in providing support to those who are most in need.

I acknowledge the findings of the Audit Office's report on child poverty, and I acknowledge the scale of the problems that we face, with 18% of children living in relative poverty. As is highlighted in the report, growing up in poverty has lifelong implications, with children from poorer households being twice as likely to leave school with no GCSEs and those who attain five GCSEs being 24% less likely to get the top grades. That in turn leads to reduced earning potential and employment prospects in adulthood, and that is simply unacceptable. We must work together to give our children a better start and better opportunities not only to simply survive but to thrive and, importantly, to set them on a path to meet their full potential. We know that poverty is rarely caused by a single factor; indeed, the Audit Office report highlights the fact that low incomes, worklessness and the rising cost of living are all among the factors that significantly impact on child poverty.

The factors to alleviate child poverty in our society are also multifaceted, and our approach must be collective and committed. I am certainly committed to doing what I can to drive down the levels of child poverty in Northern Ireland and to working with Executive colleagues to ensure that children who have been affected by poverty are afforded the opportunity to live happy, healthy and productive lives.

The report, based on 2019 to 2020 data, reflects that almost half of children in relative poverty in Northern Ireland live in families with three or more children. The two-child limit will inevitably impact on claimants who have chosen to have larger families. My Department currently administers welfare mitigation

schemes to alleviate the impact of specific changes to the social security system in Northern Ireland, such as the benefit cap and the bedroom tax, and the total budgetary requirement for the current mitigations package is £45 million for 2024-25. In October 2022, the independent advisory panel published the report of its welfare mitigations review, and it recommended creating new mitigation schemes, including the better start larger families payment, to offset the two-child limit.

I do not want the House to be in any doubt about my position on the two-child limit. I agree with what nearly every Member has said about that. From the research that has been done since then, the Government's ambitions have not even been met here. The policy has not led to the changes that they hoped for. There are issues with it. I am convinced of the problems that it causes. The issues around rape, for example, are particularly galling; it is horrendous to have to ask any parent to go through that. I do not support or defend the two-child limit in any way, and I do not think that it is of benefit to people in Northern Ireland.

I have to look at the cost of mitigating the two-child policy, however. As I set out earlier, the latest available estimate of the cost of mitigating it, if we were to take it on, is £56.4 million for this year. Kellie Armstrong asked about the total costs: unfortunately, I cannot give them. We have that figure of £56.4 million, which is the mitigation cost, but additional IT systems would need to be in place, and there would be ongoing staff costs. Mr McCrossan, in particular, has frequently raised the issue of staffing in my Department. I simply do not have those additional costs for the Member, but Kellie Armstrong will remember the debates that we had in the House during the previous mandate on the difficulties around IT systems in relation to parental bereavement leave and pay. It is not easy for us to do that in terms of the finance or the infrastructure required.

I think that the SDLP means the motion to mean something other than what it means. My understanding and a plain text reading of the motion is that the SDLP wants me to present a plan before the Assembly to remove the two-child limit before the end of 2024. I think that the leader of the Opposition wants me to present a plan before the end of this year, but, if the plain text reading is right, he actually wants me to remove the two-child limit before the end of 2024. That is simply not possible in terms of finance and, particularly, the IT infrastructure that would be necessary. I am committed to doing what I can to address the issue. Concerns have been expressed via the

amendment that my colleagues tabled, but I can assure the Member that I am working at pace to bring the report forward as quickly as possible. Although the amendment asks me to bring it forward before the end of the financial year, I believe that I will be in a position to bring it before the end of the calendar year, if not sooner. I understand how important it is. My officials are currently —.

**Mr O'Toole:** Will the Minister give way?

**Mr Lyons:** I will, yes.

**Mr O'Toole:** The Minister mentioned our text. It asks him to bring a plan to remove the two-child limit before the end of 2024. The Minister's party colleague said that that was unaffordable. The Minister says that he will look at the panel review and bring forward a report by the end of 2024 but seems to be saying that he rules out action to remove the two-child limit. Is there not a contradiction, if the Minister is saying that he cannot afford it and that it will not happen? Why is he bringing forward a report in the first place, if he has prejudged its outcome, and why is our motion objectionable in that regard?

**Mr Lyons:** My understanding is that the Member is asking me to remove the two-child limit this year. If the motion does not mean that but means what, I think, he actually means, which is to bring forward a plan to remove it, I cannot commit definitely to do so, because of the costs that I have outlined. I appreciate that the Member is trying to be a bit more mature than most opposition parties may be. He has tried to give evidence of where the funding would come from. He used the example of the non-domestic vacant rating, which, I think, he has spoken about before. We know how much that has brought in in the past: it alone would not cover the cost, and nor would the regional rate increase, which, I think, the Member's party was against. Certainly, his party leader complained about it on Twitter yesterday, and Mr McGrath has been particularly concerned about the rate rises in his area.

We cannot have it both ways. We cannot be opposed to regional rates or come to the House with four or five different ways in which that money could be spent and then ask for it to be spent on something else as well. I am trying to be up front and honest with Members by saying that yes, of course, I want to be in a position to remove the limit, but that I do not believe that we will be in a position to take it on ourselves, put in the legislative changes and pay for them. I want to look at that report in the round, however. I want to look at all the interventions

and at how we can use the resources that we have to make sure that we tackle the issues that cause the greatest distress and hardship and contribute to poverty. Of course child poverty is a problem. I am wholly committed to playing my part in alleviating that, but I cannot support the motion as framed to remove the two-child policy by the end of this year.

Tackling poverty is, of course, a responsibility for the entire Executive. I know that I am going back over some of the points that were made in the debate yesterday, but it is worth repeating that we are working at pace on the development and implementation of an anti-poverty strategy. We are looking at how we, as an Executive, can best move that forward. I want to work with Executive colleagues to agree an anti-poverty strategy that is sustainable and deliverable, and the issues raised will form part of that.

I will comment on some of the speeches that we have heard today. I completely agree with what the Chairman of the Committee for Communities said about the impact of the policy. He was realistic about finding a way for us to offset sustainably the impact of the two-child limit. I also welcome the comments from Sian Mulholland in that regard. She took a sensible approach by recognising that it is not just about the cost of the mitigations but about the cost of the IT systems and the infrastructure. That is why it is important that we consider all the recommendations in the round. If we are to put additional resources into tackling poverty, I want to make sure that we spend them on people and not on IT systems, where possible. To be fair to the Opposition, however, I think that they realise that there does not need to be complete abolition and that, rather, mitigation is possible. I accept that.

I wish Robbie Butler a very happy birthday. I am glad that his mother still calls him on his birthday. I hope that he calls his mother as well and not just on his birthday. I recognise the points that he made about the impact that the policy has on larger families in particular. Other Members made similar points. We do not want to find ourselves in the position in which children are penalised simply because their parents have more children. Kellie Armstrong referred to that issue as well.

Mr McGrath mentioned the importance of childcare: that is a priority for the Executive. That we are not making announcements about it in the Chamber does not mean that the work is not ongoing. Paul Givan has taken on the issue from day 1. It has been a constant theme

around the Executive table, and I look forward to progress being made.

Mr McGrath also made the point that tackling poverty is not simply about any one issue. Yes, the two-child limit is important, but this is about getting people into work; getting people better-paid jobs; making sure that people have appropriate childcare so that they can work; making sure that we address health inequalities; and making sure that people have warm homes in which to live. All of that contributes to the outcomes that we want to see, and that is what I am committed to doing. He told me to get on with the job: I assure him that that is exactly what I am doing, as I want to see the wider issue of child poverty sorted out. We need to address it. Doing that will take many different forms, and I look forward to making sure that we deliver.

In closing, I —.

**Miss McAllister:** Will the Minister give way?

**Mr Lyons:** Yes, quickly.

**Miss McAllister:** You mentioned all the different ways in which we can address poverty. I highlight something that was not mentioned in the debate today: while the Tory Government have ripped away the safety net from many families across Northern Ireland, many organisations in the charity and voluntary sectors have stepped up and provided the much-needed support that the Government should have provided. It is important to put it on record that we are grateful to the organisations that are knitted into our community for providing support where the Government have fallen down.

**Mr Lyons:** If we did not have the voluntary and community sector in Northern Ireland, we would find ourselves in a horrendous situation. It holds so much together, and it has really borne the brunt of some of the spending constraints that have been in place in recent years, so I completely acknowledge and accept what the Member said. That ongoing support is vital, and if that support were to be taken away, it would put incredible strain on our public services. I join her in paying tribute to the sector.

**12.00 noon**

I hope that Members can see what we are trying to do through the amendment. It is realistic, and I give the personal commitment that I will do everything that I can to address child poverty.

**Madam Principal Deputy Speaker:** Thank you, Minister. I call Brian Kingston to make a winding-up speech on the amendment. Brian, you have five minutes.

**Mr Kingston:** Thank you, Madam Principal Deputy Speaker. I thank all Members for their comments. We thank the SDLP, the Opposition party, for bringing the motion. Although we have proposed an amendment, I would point out to them that the majority of the wording of their motion will be kept. Our amendment is towards the end of the motion, and on the best way to address these issues. We agree with the SDLP that we acknowledge the findings of the Audit Office report on child poverty, that nearly half of children living in relative poverty come from families with three or more children. We recognise the pernicious role that the universal credit two-child limit has played in increasing the number of children in poverty, and we understand that the majority of those negatively impacted by the two-child limit are working families.

Through our amendment, instead of requiring the Minister to introduce the mitigation by the end of this financial year from the block grant from which we have to run public services in Northern Ireland, we are charting a way forward with a view to the better start larger families payment, and the recommendations regarding that.

We thank the other Members for their comments. Colm Gildernew spoke about other mitigation measures. He pointed out that the Executive have to meet the associated costs from the block grant, and that we needed to be realistic about costs and timescale. Sian Mulholland, likewise, was concerned about the cost implications of breaking parity with benefit funding from the Treasury. She said that she would give lukewarm recognition to the amendment, which we will accept in the circumstances. *[Laughter.]* Of course, we are dealing with an imperfect situation, and a rule that we all agree is punitive and is punishing larger families.

Robbie Butler said that the cost of inaction was too great to bear. Kellie Armstrong wanted to see the better start larger families payment actively brought forward, and said that she would be looking for evidence of that. She said that we needed certainty of the consequence of funding in the absence of Treasury funding and that the amendment at least gave better direction, and that Alliance would support it.

**Mr O'Toole:** Will the Member give way?

**Mr Kingston:** OK, briefly.

**Mr O'Toole:** I will be brief. Will the Member acknowledge that your amendment — the Alliance Party should be clear about this — does not call on the Minister to introduce a better start larger families payment? It asks that the Assembly:

*"notes the recommendations of the independent advisory panel report"*

including this proposal, and:

*"calls on the Minister for Communities to consider the merits of this proposal".*

Anyone in the Chamber who is saying or implying that the amendment creates a better start larger families payment or in any way obliges the Minister to introduce it is, I am afraid, coddling people on. It is very lukewarm, to use a phrase.

**Mr Kingston:** The problem is that the original proposal is looking for —

**Madam Principal Deputy Speaker:** Brian, you have an extra minute.

**Mr Kingston:** — an in-year commitment during the financial year, a £56.4 million cost, plus IT and staff costs. These things have to be done in a way that is sustainable and within the finances that we have available. To find possibly £100 million in-year would be hugely damaging to other public services, and your party — all parties — are highlighting needs in the public sector. This is not ignoring the issue. It is trying to have a considered and planned way forward.

Colin McGrath said that the two-child limit was a uniquely cruel and punitive policy, and also mentioned that up to a quarter of children here are living in poverty. Gerry Carroll said that the entire benefits system is not fit for purpose and that, in his view, the Assembly should not implement any changes to the benefit system that are agreed at Westminster.

The Minister, in response, highlighted that the economic shocks of recent years have been experienced most by lower-income families. He is committed to doing what he can, through his Department, to drive down poverty levels so that children can live happy, healthy and productive lives. He pointed out that there are mitigations in place that cost £45 million per year. He highlighted the costs of ending the two-child limit at £56.4 million per annum, in

addition to IT and staff costs. He said that he expects that the report that he requested will be brought back by the end of the calendar year, if not sooner. He also reiterated that he is wholly committed to reducing poverty and child poverty, as indeed is my entire party.

**Madam Principal Deputy Speaker:** I call Mark Durkan to make a winding-up speech on the motion. Mark, you have 10 minutes.

**Mr Durkan:** Go raibh maith agat, a Phríomh-Leas-Cheann Comhairle. [*Translation: Thank you, Madam Principal Deputy Speaker.*] Our unique position, growing housing crisis, low-wage economy, prevalence of larger families and high levels of people living with a disability mean that the impact of welfare reform has been more pronounced here. The need for mitigations was recognition that this policy was, and is, wrong. Social justice is a core founding principle of the SDLP, and I argue that the two-child cap, the biggest driver of poverty in the UK, is one of the biggest social justice challenges of our time. To stand idly by would contradict the essence of not just my party but that of the Assembly and Executive. This policy contradicts the principles of equality and fairness and cannot merely be mitigated — it must be abolished.

Since the introduction of welfare reform, compounded by the lack of a functioning Executive, we have seen an increase in child poverty rates, rising homelessness and a huge rise in the use of food banks. As of last April, 422,000 children were impacted by this cruel cap, a number that will rise massively given the recent migration of tax credit claims to universal credit. We are yet to feel the full punch of a policy that disproportionately impacts on single-parent households, chiefly single mothers. The UC migration will ensure that families with three or more children will be financially disadvantaged by £3,400 per year per child for their third child and every additional child, entrenching poverty as a daily reality for hundreds of thousands of children. Impact will differ from home to home: some will get it bad, and some will get it worse.

The impact is also being felt sharply by and across our local economy. Many in the Chamber were led to believe that the two-child cap, the benefit cap and the five-week wait under UC would be resolved under secondary welfare legislation. In 2021, Minister Deirdre Hargey assured me that they remained a priority consideration and would be progressed as a matter of urgency. The Sinn Féin/DUP-led Executive, however, failed people as they engaged in sham fights over mitigations. Now,

Minister Lyons states that he has no plans to mitigate the two-child policy.

**A Member:** Will the Member give way?

**Mr Durkan:** Sorry, I do not really have time. I will come to you if I have time later on.

It is important to understand the events that got us here. The two-child limit was floated by then Chancellor of the Exchequer, George Osborne, among additional austerity-based welfare reform measures, as part of his post-election emergency Budget in July 2015. Osborne was, even then, deemed one of the most disastrous post-war Chancellors Britain had ever seen — too posh and too out of touch even for the Tories. His reforms were intended to encourage people into work and to cut the welfare bill. It is all very reminiscent of Victorian Poor Law, and I do not make the comparison flippantly. Those laws compelled the idle to work and perpetuated harmful, divisive stereotypes about the poor — the benefit scroungers — rather than setting sights on the big fish that continue to evade tax by the billion.

Some of this narrative was sadly parroted by the DUP at times and in places. I have to say that I am glad that they seem to have wised up, at least in that regard. Essentially, the Dickensian policies, founded by the Tory Government and rubber-stamped by the DUP, Sinn Féin and Alliance, have created a system whereby households in full-time work do not earn enough to support themselves.

I should point out for context that that was the Tory agenda that was in play at the very time when the Assembly voted to vest power in Westminster to inflict welfare reform on the North. The vote in 2015 by the DUP, Sinn Féin and Alliance was not just to acquiesce to the Welfare Reform Act 2012 but to fully endorse the entire suite of reforms — sorry, cuts — that were being driven by a Tory Government. They gave the big, bad Tory wolves the keys to the henhouse. The SDLP was the only party, both at Westminster and in the Assembly, that consistently voted against those reforms. Even Iain Duncan Smith resigned in 2016, claiming that universal credit was not achieving its intended aim of supporting working families and was not safeguarding people with disabilities.

I make no bones about it: the two-child cap is discriminatory by design. It disproportionately impacts on families from specific cultural and religious backgrounds, including Catholics and migrants. According to the Child Poverty Action Group, there are twice as many large poorer families here as there are in Scotland and the

south-west of the UK. Colm Gildernew made those exact points and stated that his party continues to call for the UK to scrap the policy. Sinn Féin would have been better voting against it than standing with placards on the lawns of Westminster.

Despite those circumstances, Mr Lyons recently confirmed that no equality assessment has been carried out on the impact of the two-child cap on the North or on women specifically. It is unforgivable that such a profound policy change was accepted while Departments were blindfolded to the reality of its consequences in this region. As if the nature of the two-child policy was not odious enough, the rape clause, which was raised by, among others, Ms Mulholland and Mr McGrath, is an egregious example of insensitivity and injustice in policymaking. It forces women to disclose deeply traumatic experiences of sexual assault in order to access welfare support for a third child who has been conceived as a result of rape. That re-traumatises and dehumanises survivors. It also poses a greater ethical dilemma for social workers in the North than that faced by their GB counterparts, because, under section 5 of the Criminal Law Act (Northern Ireland) 1967, a social worker could face prosecution for not reporting a rape disclosed to them during a universal credit application. The policy therefore fails to safeguard not only women but the social work sector.

It is a policy that drives poverty and places the UK in violation of international law under the UN Convention on the Rights of the Child. If such reforms broke Britain, I fear that they will eviscerate the North. How can we, in good conscience, accept that as an example of effective policy? We have been elected to make this place work. That means making tough decisions, but not at the expense or to the detriment of the people whom we represent. We are under no illusion that funding the removal of the two-child policy will be easy. We estimate that it will cost in the region of £135 million in the first three years. That could be, as my colleagues have said, funded by using the rates increase and further reform of the rates system. In reference to a point that the Minister made, the more you increase rates — we are not looking to increase rates across the board — the more empty premises we will see.

We are open to exploring options alongside Departments and Executive parties. We tabled this motion to get the Executive to act, not to embarrass them for not acting, although it would be impossible to embarrass some of the parties here. I am disappointed but not

surprised that the parties that enabled that punitive policy have circled the wagons. Alliance is voting for an amendment that Ms Armstrong described as being "wishy-washy" rather than taking a principled stand or even giving us a plan for how to put money back into people's purses now — wishy-washy indeed.

### 12.15 pm

To not support our motion because of cost, when there have been no such concerns as Executive parties have passed motion after apple-pie motion that would see spending like we have not seen since 'Brewster's Millions', suggests that some have misunderstood the meaning of Opposition day. Sinn Féin Members seem to have gone into hiding, although I am glad that they seem to be in breach of their two-MLA limit.

Child poverty costs society an estimated £1 billion per year, but abolishing the two-child limit has been lauded as the most cost-effective way of reducing those costs and would immediately lift a quarter of a million children out of poverty. Inaction on the matter will cost us dearly. On balance, we cannot accept that scrapping this callous rule would place serious and recurring constraints on public spending. We will not, as you will not be surprised to hear, support the amendment, which calls on the Minister to have a wee think about the merits of maybe doing something this time next year.

I thank and put on record our party's thanks to all those who work so hard in the sector. Their commitment has been unwavering, and their work has at times been harrowing. We thank them.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 69; Noes 10.*

### AYES

*Dr Archibald, Ms Armstrong, Mr Baker, Mr Beattie, Mr Blair, Mr Bradley, Ms Bradshaw, Mr Brett, Miss Brogan, Mr Brooks, Ms Brownlee, Mr Brown, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mr Delargy, Mr Dickson, Mrs Dillon, Mrs Dodds, Mr Donnelly, Mr Dunne, Ms Eastwood, Ms Egan, Mr Elliott, Ms Ennis, Mrs Erskine, Ms Ferguson, Ms Flynn, Ms Forsythe, Mr Frew, Mr Gildernew, Mr Givan, Miss Hargey, Mr Harvey, Mr Honeyford, Mr Irwin, Mr Kearney, Mr Kelly, Ms Kimmins, Mr*



Kingston, Mrs Little-Pengelly, Mr Lyons, Mr McAleer, Miss McAllister, Mr McGuigan, Mr McHugh, Miss McIlveen, Mr McReynolds, Mrs Mason, Mr Mathison, Mr Middleton, Mr Muir, Ms Mulholland, Ms Á Murphy, Mr C Murphy, Mr Nesbitt, Mr O'Dowd, Mrs O'Neill, Miss Reilly, Mr Robinson, Mr Sheehan, Ms Sheerin, Mr Stewart, Mr Tennyson.

Tellers for the Ayes: Mr Brooks and Mr Kingston

## NOES

Mr Carroll, Mr Durkan, Mr Easton, Ms Hunter, Mr McCrossan, Mr McGlone, Mr McGrath, Ms McLaughlin, Mr McNulty, Mr O'Toole.

Tellers for the Noes: Mr McCrossan and Mr McGrath

Main Question, as amended, put and agreed to.

Resolved:

*That this Assembly acknowledges the findings of the recent Northern Ireland Audit Office report on child poverty that nearly half of all children living in relative poverty come from families with three or more children; recognises the pernicious role that the universal credit two-child limit has played in increasing the number of children in poverty; understands that the majority of those negatively impacted by the two-child limit are working families; notes that removing this limit is within the powers of the Northern Ireland Executive but would place serious and recurring constraints on public spending; further notes the recommendations of the independent advisory panel report 'Welfare Mitigations Review', including the proposal to offset the two-child limit by introducing a better start larger families payment; and calls on the Minister for Communities to consider the merits of this proposal when meeting his statutory obligation to produce a report on the current, and future, operation of welfare mitigation schemes by the end of this financial year.*

**Madam Principal Deputy Speaker:** Members, take your ease, please, until we change the top Table. Thank you.

*(Mr Deputy Speaker [Mr Blair] in the Chair)*

**Mr Deputy Speaker (Mr Blair):** Members, order —.

**Mr Gildernew:** Mr Deputy Speaker, may I take this opportunity to apologise to the Chamber,

yourself and, indeed, the Minister for my phone inadvertently going off in the previous debate?

**Some Members:** Shame. *[Laughter.]*

**Mr Deputy Speaker (Mr Blair):** Thank you for that. I am sure that Members appreciate your clarification.

## Fuel Poverty

**Mr McCrossan:** I beg to move

*That this Assembly believes it is unacceptable that 290 people in Northern Ireland die each winter due to cold homes; accepts that the Warmer Healthier Homes fuel poverty strategy is over a decade old and is no longer fit for purpose; calls on the Executive to include a clear target for eradicating fuel poverty in the next Programme for Government; and further calls on the Minister for Communities to work with his Executive colleagues to establish a fuel poverty task force and to present an updated fuel poverty strategy before the end of this year, with specific commitments to introduce a cap on energy prices, system price protections for home heating oil customers and proposals for social tariffs to protect the most vulnerable.*

**Mr Deputy Speaker (Mr Blair):** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. Please, open the debate on the motion.

**Mr McCrossan:** Thank you, Mr Deputy Speaker. This is an important motion on eradicating fuel poverty. I begin by thanking the various groups that met with SDLP colleagues this morning, in the Great Hall, and others who we have been engaging with over the past number of months and, indeed, years on this very important issue. Those groups and charities are vital and do huge work in our communities to support the most vulnerable. They have been strong and powerful voices, particularly when this institution was not functioning for prolonged periods, and they have been extremely resilient in the face of considerable cuts and challenges to their own organisations, even though they have been advocating daily in the interests of ordinary people.

The issue is a huge challenge for society. We, as MLAs, continually — on a daily basis — hear

the challenges that our constituents face in relation to fuel poverty and the rising costs of fuel, particularly of late, when we have seen energy companies drive their pricing through the roof, to the extent that it is entirely unaffordable and has had considerable adverse effects on ordinary people — not just the vulnerable, but working families who have been driven to the brink and who are very concerned about the issue. The Department for Communities has defined poverty as a household that spends more than 10% of its income on energy costs, but the Department's figures show that, in 2021, the rate of fuel poverty was 24%, which is about 179,000 households. That is up from 18% in 2018. Those figures from 2021 are from before we had a cost-of-living crisis. In 2021, when we were coming through the worst effects of the pandemic, the SDLP was talking loudly about the cost-of-living crisis that was about to hit hard. That is exactly what it did. Our people are reeling from its consequences and from how it has put them into significant financial difficulty with regard to the things that most people should, and normally would, take for granted.

In May 2022, the Consumer Council produced a report that claimed that the actual number suffering from fuel poverty could be as high as 34%, and the Fuel Poverty Coalition suggests that figures are closer to 40%. Those are damning figures. They are a hugely shocking and real insight into the challenges that exist in our constituencies. I do not think that any MLA would disagree about the consequences of such stark figures and the impacts that they have on our community. That same report states that around 30% of excess winter deaths in Northern Ireland can be attributed to cold homes. Indeed, as the motion outlines, it is estimated that 290 people in Northern Ireland die each winter as a result of cold homes.

As Members will know, the fuel poverty strategy is out of date. It has not been updated since 2011, when it was introduced by my former colleague the then social justice Minister Alex Attwood. We are now in 2024, some 13 years on. I am sure that Members will understand and appreciate that things have changed dramatically in society as a consequence of the ever-changing situation with rising costs for energy, food and every aspect of human life. That strategy is most certainly out of date and needs to be updated to reflect the challenges of today's society.

The truth is that, in 2024, many families in Northern Ireland are in fuel poverty, more so than ever before. That is a major challenge for the House, but it must be a priority for the

Executive. Members have stood up and talked about the importance of looking after the public purse as its custodians. I appreciate that, but nothing is more important than dealing with poverty when people are struggling to make ends meet.

**Mr Carroll:** I thank the Member for giving way. Does he share my concern that, when the Executive were down, parties made various day-1 commitments, for example, on an anti-poverty strategy, and, when they have had the chance to vote for those exact commitments, they have failed to do so? Does he share my concern about that double-speak?

**Mr McCrossan:** I agree with the Member. I could state a long list, but my time to say what I could on this particular issue is limited.

The truth is that, when people needed us, we were not here. The Executive could have helped and assisted countless families. Often, in the House, when it is easy to do so, we point to the Tories and their austerity agenda, but the truth is that simple things were not being done in the House, where they should have been done. People's lives and needs should have been prioritised, and vulnerable people continued to struggle. The truth is that the Executive have failed. They have failed when they have existed and they absolutely failed when they collapsed. As a consequence, people have suffered.

There are huge challenges for the North. We are hugely reliant on heating oil. Across the North, 68% of homes rely on it. Rural constituencies like mine are discriminated against. According to Consumer Council research, 82% of homes in those areas rely on home heating oil. The market is unregulated, so it is unchallengeable and, therefore, gets away with charging extortionate amounts of money, forcing people into more difficulty. As I have outlined, Northern Ireland experiences some of the highest energy prices in the UK. When we should have been in the House discussing and trying to deal with those exact problems, we were outside talking about them. Fuel poverty has been exacerbated for people because we were not here to even attempt to mitigate it in any way.

Housing stock is not efficient. It is clear from discussions in the House in recent weeks that there are huge concerns about the efficiency of housing stock. Only 63% had cavity wall insulation, and the housing stock was non-compliant with current industry standards. Only 481 Housing Executive homes have had cavity wall insulation works within the past five years. I

am sure that people would agree that that is a ridiculous failing as well.

The working poor are the group that I would say are struggling most because, with the rising costs of inflation and the fact that wages have not gone up, they are being pushed further and further into poverty and struggle. Carers NI has flagged up that 31% of unpaid carers are cutting back on essentials, such as heating, and that rises to 42% of those who are on carer's allowance; people who save the public purse a fortune by looking after their loved ones or people in the community daily. Eighteen per cent of carers are struggling to afford utility bills. Those statistics are real-life examples of how people are struggling with the rising cost of living and as a consequence of the failure of the House to bring forward a strategy that would actually lay out a plan to deal with those challenges.

**12.45 pm**

The SDLP supports the work of the Fuel Poverty Coalition and its call to help the worst off, prevent postcode lotteries and embed an emergency response. The SDLP would like to see an upgrade of the fuel poverty strategy before the end of this year. We need to see a plan. No one in the House would disagree with that, but it needs to happen now: we cannot just talk about it. We also want the strategy to include, as outlined in the motion, a cap on energy prices, price protections for home heating oil customers and social tariffs for the most vulnerable. We want to see an increase in the winter fuel payment, which has not increased since 2011. The Communities Minister has the power to review the rate of that payment. I appreciate the financial challenge, but that is a priority issue. I hope that the Minister will feel strongly, as I do, about that, and I urge him to review that rate.

We need a cross-departmental fuel poverty task force, with all-party support, to bring a laser-like focus to the issue. We also need a warm homes discount scheme, similar to the one that is available in England, which provides a £150 credit on your bill and is of benefit to low-income families in particular. We also want earlier notification of billing by utility companies to give people due notice, because they are being given those bills and all of a sudden are not able to pay them. On the issue of extortionate utility rates, I received a gas bill recently that said that my bill was about to be cut by 21%. How can they jump from one end to the other? It is entirely ridiculous how they have been able to punish the most vulnerable in our society. This place needs a new strategy to

tackle fuel poverty. The current strategy, which is 13 years out of date, is no longer sufficient and has not been for some time. Minister, we need to get on with that important job.

I will conclude with a quote before commending the motion to the House:

*"Overcoming poverty is not a gesture of charity ... It is the protection of a fundamental human right, the right to dignity and a decent life."*

That is a quote from Nelson Mandela, and it is very relevant to the people in our society who are struggling on a daily basis to make ends meet. We are elected to solve problems, and we can work collectively to do that. There is no greater challenge for our society than poverty and its impact on every aspect of our society.

**Mr Gildernew:** I thank the proposer of the motion for the opportunity to speak on the issue today. The cost of heating homes to a reasonable standard, like the two-child limit that we have just discussed, is another key driver of poverty. Our over-reliance on oil in the North, with limited alternative options, especially for rural dwellers, makes us particularly vulnerable to price rises. For people on low incomes, who are already paying a higher rate when they order smaller quantities, those price rises can be really difficult to absorb.

We saw the impact of that acutely when energy and food prices spiralled and we found ourselves firmly in a cost-of-living crisis. Many people turned down their heating temperatures to try to reduce usage, and others turned it off altogether, using it only when absolutely necessary or relying instead on blankets and small electric heaters. As we are all too aware, the climate in this part of the world means that there are very few months in any given year where some level of heating is not required. For too many people, that has meant, and it continues to mean, living in cold homes or cutting back on other essentials. That should not be a reality in this day and age, let alone a growing reality.

We know the implications of living in a cold home for people's physical and mental health, especially for young children, older people and those with pre-existing conditions, particularly if it is for a prolonged period. We also know that the final cost-of-living payment for people who were eligible was in February, which means that there is now less financial support available for those who have the least.

While energy costs have reduced slightly, they still remain high. I concur with the motion, which asks for an updated fuel poverty strategy. Schemes such as the affordable warmth scheme, and the boiler replacement scheme before it ended, have been extremely helpful in supporting people to improve their energy efficiency, but there is also a need for new, innovative, practical and sensible solutions. Those items listed in the motion are certainly worthy of consideration as part of that, but so too are solutions that ensure a just transition as focus turns towards decarbonisation, increasing our use of renewable energy and reducing the use of fossil fuels. A chairde, [*Translation: friends*] we need solutions that work for people in the private rented sector, who lack the agency to choose or change the type of heating system that they have and are, therefore, more limited in what they can do to increase their energy performance. In the short term, there has to be action on fuel prices or the financial support provided to offset them. That can be done by the British Government's redirecting into people's pockets the money that was raised by the windfall tax on the excess profits that were made by large energy companies. Ultimately, an updated fuel strategy needs to align with the overarching anti-poverty strategy, as poverty does not exist in isolation. We support the motion.

**Mr Kingston:** The DUP fully endorses the need for a new long-term and cross-cutting approach to tackling fuel poverty. Rocketing energy prices have brought renewed focus to the crisis facing many, but, in truth, those problems have been building for some time. The Communities Minister is leading the process of preparing a new strategic approach to delivering real change in the fight against fuel poverty. Those ambitious plans will see the public consultation on a new strategy launch in the autumn. For context, the Housing Executive commissioned the Building Research Establishment (BRE) to model estimates of fuel poverty up to 2021. The study was published in October last year and concluded that there had been an increase in the rate of fuel poverty from 22% of households in 2016 to around 24% of households in 2021. That equated to an increase in the number of households in fuel poverty from 160,000 in 2016 to 179,000 in 2021. Overall, the combined effect of fuel price increases and energy efficiency improvements was a net increase in the mean household fuel costs of 8% between 2016 and 2021. The largest change in fuel prices was seen for electricity, with standard electricity prices increasing by 29% between 2016 and 2021.

It is clear that the 2011 strategy was somewhat overtaken by legislative developments on energy and climate change, and it is crucial that policy development takes account of those targets in a way that is fair and compassionate towards vulnerable and low-income households. Financial stress is not limited to those who are in receipt of benefits. In our low-income working households across Northern Ireland, which include many front-line workers, parents sometimes are forced to choose between whether to heat or eat or to go without so that their children's most basic needs can be met. That is not acceptable. The squeezed middle should not continue to miss out on multiple layers of support. That has to be addressed as part of the arrangements for any new energy efficiency scheme.

In the coming weeks and months, a series of workshops and focus groups will be held with stakeholders to dig deeper into what form the new strategy and scheme should take, nail down a definition of fuel poverty and discuss how and by whom any new interventions should be led. It is critical that there is close engagement and consultation with those who are personally affected by the existing affordable warmth scheme.

The proposal for a fuel poverty task force has been put forward in the motion with the best of intentions, but we are not convinced that it will provide added value, given that the Department has already set out a robust plan to engage and consult with communities, households, experts and stakeholders. Some events have already taken place in the consultation. Similarly, we are not persuaded that there is merit in prejudging the outcome of the consultation processes that have commenced by passing a motion in the House that dictates that policy such as a cap on energy prices must be part of the final strategy. That is counterproductive, and, whilst all ideas and proposals ought to be weighed up, we should not force the Executive or individual Ministers down a certain route until the consultation process has concluded.

The DUP is also clear that the development of a cross-cutting, all-of-government strategy to tackle fuel poverty over the next 10 years can be no substitute for effective and operable methods of providing emergency support to those households that need it most. It is appropriate to recognise the contribution of our membership of the United Kingdom to tackling fuel poverty. Despite being told that it could not and would not happen in the absence of the devolved institutions, households in Northern Ireland received a non-repayable payment totalling £600 last year to help with energy bills.

In addition, the energy price guarantee in Northern Ireland reduced the typical household's fuel/energy bill by hundreds of pounds.

Let me be clear that, whilst I expressed misgivings about some aspects of the motion's wording, the DUP will support it.

**Mr Deputy Speaker (Mr Blair):** Members, the Business Committee has arranged to meet at 1.00 pm today. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The debate will continue after Question Time, when the next Member to speak will be Kellie Armstrong.

*The debate stood suspended.*

*The sitting was suspended at 12.56 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.00 pm**

## **Oral Answers to Questions**

### **Infrastructure**

#### **Vehicle Damage Claims**

1. **Mr Butler** asked the Minister for Infrastructure to outline how many vehicle damage claims due to road defects have been made to the Department in the past year. (AQO 279/22-27)

**Mr O'Dowd (The Minister for Infrastructure):** I thank the Member for his question. During the financial year from 1 April 2023 to 31 March 2024, my Department received 4,878 roads-related vehicle damage claims. I should explain, however, that, although my Department has a statutory duty under article 8 of the Roads Order 1993 to maintain public roads, there is no automatic entitlement to compensation. My Department investigates and defends public liability claims, with every case turning on its own facts. In cases in which officials believe that the Department can raise a legal defence, claims will be defended. Since April 2019, there has been an upward trend in the number of roads-related public liability claims received by my Department. During the financial year from 1 April 2022 to 31 March 2023, 3,599 roads-related claims were received for property damage, personal injury and vehicle damage, whereas, during the financial year from 1 April 2023 to 31 March 2024, 5,643 claims were received.

**Mr Butler:** I thank the Minister for his detailed answer. I am sure that he will agree that there is a worrying trend. Does he agree that the issue is not just road deterioration? Perhaps he can update us on his work to look at the quality of repairs, which do not seem to last these days. My inbox is receiving more and more worries in that regard.

**Mr O'Dowd:** Repairs are inspected, although, due to resource implications, not all of them are; I think that around 5% of them are inspected. There are two phases to repairs at the moment. Once a pothole or fault is reported to my Department, particularly through the weblink, it is allocated to a private contractor, which then takes liability for that damage. The contractor then carries out an immediate repair — a quick fix. It then has to return and carry out

a full repair to that pothole to ensure that the work meets the standards of my Department. I am aware of concerns that have been raised by Members and by members of the public about the state of some repairs. It is an issue that I am discussing with my officials.

**Mrs Erskine:** The Minister recently provided evidence about private investigators investigating certain incidents. What is the exact extent of the work of those private investigators? Is it in relation to personal injury or vehicle damage? When does his Department employ those people?

**Mr O'Dowd:** It is personal injury claims, and it is usually where a higher claim is involved. It is done only on the basis of legal advice; it is not done in every case. I have no role in it. It is down to legal advice, and officials take on board that legal advice when deciding whether a private investigator is required as they prepare a defence to a claim.

**Mr Durkan:** I bring the Minister back to a pothole that has been raised in the Chamber before: the notorious Northland Road "crater" pothole, which caused damage to a significant number of vehicles. Owners of those damaged vehicles are now being passed from pillar to post between DFI and Northern Ireland Water. If I follow this up with written correspondence to the Minister, will he look at the case so that those motorists are not penalised due to the lack of responsibility being taken by any Department?

**Mr O'Dowd:** I am more than happy for the Member to write to me about that case. I will ask my officials to look into it to make sure that proper procedures are being followed.

## Belfast Grand Central Station

2. **Mr Sheehan** asked the Minister for Infrastructure for his assessment of the benefits of the Belfast Grand Central station at Weavers Cross to Belfast. (AQO 280/22-27)

**Mr O'Dowd:** The construction of the new Belfast Grand Central station is progressing well, with the first phase due to be operational in the autumn. The new station, including the associated public realm works, will be fully completed by the end of 2025. When completed, Belfast Grand Central station will be the largest integrated transport facility on the island. It will double the number of rail and bus stands and will cater for around 20 million passengers per year. In comparison, the

present station accommodates approximately 7 million passengers per year. The scale of the project means that, in advance of the opening, there will be some disruption to existing rail services and some road closures to accommodate the works required. Throughout that time, Translink will keep its customers updated, and Belfast will remain open for business. The new station will include the Enterprise service, which will bring cross-border passengers into the heart of the city via a new hourly service to increase our connections North and South. The new station will help transform public transport by improving connectivity to support a modern, confident vision for Belfast and will act as a gateway to the entire island of Ireland.

**Mr Sheehan:** Gabhaim buíochas leis an Aire as ucht a fhreagra. [*Translation: I thank the Minister for his answer.*] Will the Minister tell us how the new transport hub or new station — whatever it is called — will help get people out of their cars and on to public transport?

**Mr O'Dowd:** I thank the Member for his question. As part of the outline business case for the new station, it was forecast that bus and rail passengers would increase by 32% by 2030 compared with 2015. As passenger numbers rise, my Department will continue to keep the schedule of services under review as part of the review of Translink's performance under the public service agreement (PSA).

The revision of any schedule of services will need to consider the availability of funding and how best to increase the use of public transport at the time. The station, while planned a number of years ago, fits into the broader objectives of the Executive and, indeed, of the House in tackling the climate emergency. We will have a state-of-the-art station in the middle of Belfast that will allow passengers to travel in comfort not only in and out of Belfast but to other destinations.

**Mr Buckley:** Is the Minister in a position to outline the expected total cost of delivery of Belfast Grand Central station and to tell us whether there will be an anticipated or expected overspend?

**Mr O'Dowd:** The full business case was approved in November 2021 at a total cost of £295 million. The latest cost estimate is £340 million, which, as the Member will be aware, is £45 million higher. The vast majority of that cost increase is due to the extraordinary inflation that has impacted on all major capital projects. The project is due to be completed by quarter 4

of 2025, which is in line with the date indicated in the approved full business case.

**Ms Bradshaw:** We are all excited about this development in South Belfast. When you visit it, the station is very impressive.

Minister, you mentioned connectivity: will you give us an insight into how the station will connect to the forthcoming south Belfast corridor for the Glider?

**Mr O'Dowd:** All transport service planners in the Belfast area are aware that the new station is opening and of the opportunities that it will provide. The other transport services — Glider, Metro and Ulsterbus — are all connected in some way or another to the new station in order to provide an integrated travel solution.

**Mr O'Toole:** Minister, I am hugely excited about Grand Central. I welcome its development and pay tribute to the work of the previous Minister, Nichola Mallon, as well as to you, for delivering it. Given that we hope to have the Euros at a newly built Casement Park in a few years' time, are you looking at having additional capacity to serve the Euros and at putting on extra services from Grand Central to Balmoral and Finaghy to allow passengers to alight there and go to the matches?

**Mr O'Dowd:** Such plans will be an operational matter for Translink, but I am aware, as is Translink, of the huge opportunities that the Euros afford us and the influx of people that that will bring into our city. We want to ensure that we have public transport solutions, whether people are coming into Belfast Grand Central station or using the Glider and Metro services that are also available. There will be connectivity and plans in place for that hugely beneficial event, both for Belfast and across the North.

**Mr Carroll:** The Executive have made commitments to improve the visibility of the Irish language. Activists and campaigners cannot be expected to play whack-a-mole with every new building on a case-by-case basis. Will you give a commitment to ensuring that a directive is issued to Translink to implement bilingual signage at all transport centres, including Weavers Cross?

**Mr O'Dowd:** My understanding is that I do not have the authority to issue a directive. My officials and I have been engaging with Translink on the matter. There is an opportunity for this state-of-the-art railway station to have signage in all the languages that represent the

communities that it serves. I have encouraged Translink to do that, but it is a decision for Translink.

I am reviewing my Department's Irish language policy and ensuring that it is in line with the European Charter for Regional or Minority Languages and the upcoming Identity and Language Act so that we lead the way on that. However, this goes back to many aspects of planning: we have to ensure from the outset that our services cater for all the communities that they are there for. Unfortunately, there was a missed opportunity at the start, but there is also an opportunity to catch up.

## Transport Emissions

3. **Ms Armstrong** asked the Minister for Infrastructure for his assessment of his Department's ability to achieve a reduction in emissions by the transport sector by 48% lower than the baseline by 2030. (AQO 281/22-27)

**Mr O'Dowd:** One second. Apologies. The 48% target for 2030 quoted in the Climate Change Act 2022 is a target across all the climate sectors and is not a transport-sector-specific target. There are no specific target figures set for the transport sector.

My Department has been working closely with DAERA and other Departments on the preparation of a transport chapter and supporting the quantification work required for the climate action plan. That will outline how the transport sector will contribute to carbon budgets. Through that detailed work, my officials and I realise how challenging the targets will be for the transport sector, particularly regarding the scale of change needed. Decarbonising transport will require us all to think differently about how we travel and how we utilise zero-emissions technologies. However, as the Department lead for the transport sector, which is the second-largest emitting sector, I am working with my officials to better understand how we can decarbonise the transport sector in a balanced way and contribute to the interim targets and the net zero goal of 2050. My officials are currently developing a strong evidence base to inform the development of both the climate action plan and the transport sectoral plan in line with requirements under the 2022 Act.

**Ms Armstrong:** I thank the Minister. A part of the transport sector is private cars. Will the Minister confirm how he will commit to exploring push policies that discourage private car usage

in Belfast and other city centres and, indeed, large towns across Northern Ireland?

**Mr O'Dowd:** In my response to the previous question, on Grand Central station, I said that we had a state-of-the-art facility coming on board that will encourage people to a modal shift and to start using public transport. There will be a challenge in Belfast over the next number of weeks and months as a result of that development, and there is an opportunity now for the users of private cars to make that modal shift to public transport. Translink will provide more information on this as the situation develops. The clear message is that Belfast is open for business, but we want to ensure modal shift.

I am looking at all the options available to ensure that my Department reaches its climate change targets in line with its legal and moral obligations, working in conjunction with my Executive colleagues.

**Miss Brogan:** Will the Minister describe what his Department's approach is to decarbonising the transport system, le do thoil [*Translation: please*] ?

**Mr O'Dowd:** The Member will be aware of the recent announcement on PEACE PLUS that we will be investing in an hourly service between Belfast and Dublin. That has been planned in such a way that we will be able to change those train sets to fully decarbonised transport systems, moving forward. We invest heavily in Translink in bringing forward zero-emissions and lower-emissions bus transport as well. That investment programme has been going on for a number of years, and I intend to continue it.

We want to see a change for private car usage where possible. As the Member represents a rural constituency, she will be acutely aware that families and businesses rely heavily on the private car. We want to ensure that they move to driving zero-emissions vehicles.

**Mr K Buchanan:** I thank the Minister for his answers so far. Staying on the emissions theme, as we speak, the transport sector — lorries and cars — sits in Cookstown, waiting to get through it, which will take approximately 30 minutes. As the public information scheme is on today, will you commit to delivering the Cookstown bypass or bring the train?

**Mr O'Dowd:** There are opportunities with both elements. The all-Ireland strategic rail network plan will be published, hopefully, in the early

summer, and I hope that that will allow for greater public connections in that area.

Yes, as the Member stated, there is a public event in Cookstown today, and I encourage as many local people as possible to attend and express their views through it. I have made a commitment to delivering a solution in that area. I want to hear the views of the public on the current plan before making a final decision on it. The bypass will provide huge opportunities that will allow the historic town of Cookstown to look at its active travel routes, how to provide a place plan for the town and how to make it more attractive — before you jump on me, I am not suggesting for one second that it is not attractive — to shoppers and others.

2.15 pm

## NI Water: Planning Application Consultations

4. **Mr McGlone** asked the Minister for Infrastructure to outline how many planning application consultations NI Water has taken over six months to consider in the past two years. (AQO 282/22-27)

**Mr O'Dowd:** My Department does not produce a live count of planning consultation data in its published statutory consultation performance reports at present. However, my Department's statisticians will consider options for the production of live consultation reports, going forward.

The information available at this time confirms that NI Water has returned 85% or more of its statutory responses within the 21-day target in four of the last five published annual performance reports and reported its best performance to date — 97% of responses considered in time — in 2021-22. That level of performance has been achieved despite a high number of consultation requests, with approximately 3,500 received per year during that time.

**Mr McGlone:** I thank the Minister for that detail. Perhaps we could establish whether there is more information around the level of delay that has been experienced by some people.

In a previous debate, the Minister referred to the need for or the use of pre-application discussions. Will he commit to providing extra resources to NI Water to facilitate that?



**Mr O'Dowd:** That will be an operational decision for NI Water. In defence of NI Water, it is also facing severe financial constraints, as all other public services are, and is trying to deal with the pressures that that brings to bear.

Yes, pre-application discussions are vital. What is also vital — this has come up time and time again in discussions around planning applications — is the quality of the initial planning application. A significant percentage of the original applications are returned to applicants because they do not have the correct information or are not clear or because submissions are missing. I encourage anyone who is submitting a planning application to fully outline their case as much as possible. That will speed up their application and make the work of the statutory consultees, such as NI Water, much easier.

**Mr Dunne:** Does the Minister agree that there needs to be some form of penalty or sanction for the statutory bodies that do not meet the targets for planning consultation responses, given the adverse impact that such delays have on new developments and investment in Northern Ireland?

**Mr O'Dowd:** With respect to the Member, that would be robbing Peter to pay Paul. We would be taking that money out of the public purse. All the statutory consultees are publicly funded, so, if we fined them, we would take money off them and make their job much more difficult. All the statutory consultees are under-resourced and understaffed. I am looking at my budget to see how I can support the organisations that are under my control.

We are also involved in the planning improvement process. As I said to Mr McGlone, it is vital that planning applications are properly fulfilled before they are submitted. We are looking at bringing forward legislation on the validation list, having learnt lessons from Belfast City Council. Measures are being taken to continue to make improvement in planning. I am not convinced that fining government bodies is the way forward.

**Mr McHugh:** We know that time is of the essence in planning. Can the Minister detail what Northern Ireland Water has done to speed up its response times to planning consultations?

**Mr O'Dowd:** In June 2021, NI Water introduced new responses to the planning process. They provided not only a more robust response to planners but more information to inform

planners of NI Water's decision-making process. As has been said by Mr McGlone and others, developers should always follow NI Water's three-step pre-development enquiry (PDE) process. Importantly for developers, PDEs are valid for 18 months from issue. The pre-development enquiry enables issues to be considered at an early stage with the aim of resolving them.

**Mr Blair:** Does the Minister agree that there are significant economic constraints due to water and waste water infrastructure issues being raised at the planning stage. I think in particular about town centre regeneration and the fact that such restrictions have been placed on converting premises for, for example, hospitality purposes. The matter needs urgent attention.

**Mr O'Dowd:** Yes. There are definitely challenges with the financial framework within which NI Water has to operate. I am doing my best, as a Minister, to support NI Water. I am awaiting confirmation of my budget for the financial year, and I have engaged with my Executive colleagues on the matter. As I said during the debate on NI Water funding last week, we have to get the balance right. We have to ensure that we recognise the challenges and take them on head-on, but we also have to make sure that we do not send out a message that we are not open for business, because we are open for business. The pre-development engagement process has proved worthwhile for many who have engaged with NI Water to seek solutions in cases where there may be constrained areas.

I am not shying away from the challenges that NI Water faces, nor am I shying away from the challenges that they bring for the economy, but I also want to give a balanced message: we are open for business, so come and talk, and let us see what solutions we can find together.

## **Transport Strategy and Regional Transport Plans**

5. **Ms Ferguson** asked the Minister for Infrastructure for his assessment of how regional transport plans change how people commute. (AQO 283/22-27)

9. **Mr Gildernew** asked the Minister for Infrastructure for an update on when the transport strategy will be published. (AQO 287/22-27)

**Mr O'Dowd:** With your permission, Mr Speaker, I will answer questions 5 and 9 together.

Decarbonising transport represents the greatest challenge facing our transport network in recent times and will require public authorities and society to rethink our approach to travel. That provides an opportunity to reshape transport to better connect our towns and cities across the island and create healthier and more prosperous communities. To that end, I am working with my officials to bring forward a new transport strategy that I expect to consult on later this year. The strategy will provide an overarching framework to inform the Department's planning and delivery of transport infrastructure and services through to 2035.

The strategy will provide a vision for transport that will allow people to choose the most sustainable transport option for their journey, whatever its purpose. Central to achieving that vision will be understanding the needs and opportunities in individual communities. For example, creating more sustainable transport options in Newtownards or Belfast will not be the same as it is in Enniskillen or Ballymoney. That is why my Department is working with councils and stakeholders in communities to produce a new suite of local transport plans that are centred on local transport solutions. That will include a focus on improving active travel infrastructure, reflecting our commitment to that area in the Climate Change Act.

At the regional level, a new transport plan for the strategic transport network will seek to ensure that people are able to access employment, healthcare and other services and create balanced economic growth across the North. The regional plan will look to improve safety and maximise the potential of our strategic network, particularly for public transport.

**Ms Ferguson:** Thank you for the update thus far. Will you also update us on the steps that the Department has taken to improve active travel?

**Mr O'Dowd:** As part of a restructuring in my Department, a new unit has been created and supported to ensure that we are ready for the task of improving our expenditure on active travel. We are working with councils on their active travel plans as well. As the Member will be aware, we have to spend up to 10% of our budget on supporting active travel. Although not the primary reason for decarbonisation, active travel helps to improve people's health, mental health and well-being.

**Mr Gildernew:** Will the transport plans support the city and growth deals?

**Mr O'Dowd:** The simple answer is yes. They are not only an integral part of the funding mechanism but a great way of working with councils. The local development plans of councils, as the Member is acutely aware, provide local democratic forums that know their communities better than anyone. It is about working in conjunction with the councils through their growth deals to ensure that we maximise investment and the progress towards ensuring that we have a transport system that is fit for the challenges of this century and the next one.

**Mr Stewart:** In the transport strategy, we, obviously, want to see more decarbonisation of private cars. What plans do you have to introduce more electric vehicle charging points as part of the strategy, given that the lack of charging points is one of the biggest impediments to people buying electric vehicles.

**Mr O'Dowd:** Electric charging points in this jurisdiction are a commercial project and are driven forward by the commercial sector. I know that several companies are involved in that. My Department engages with them in order to ensure that there is an understanding of our planning system and that we overcome hurdles where we can. Obviously, each planning application has to be taken on its merits.

My Department simply does not have the funding for that project, but we are working with and encouraging the commercial sector to move forward with its programme.

## **A5 Public Inquiry: Recommendations**

6. **Mr McCrossan** asked the Minister for Infrastructure to outline when he will publish the recommendations of the report from the Planning Appeals Commission (PAC) on the public inquiry on the A5 western transport corridor. (AQO 284/22-27)

**Mr O'Dowd:** Since coming into office, I have made several statements on the A5 and, quite rightly, have been questioned about progress on the A5. My Department received a final advisory report from the Planning Appeals Commission on 31 October 2023 on the latest public inquiry on the project. I am fully briefed on current progress and the advisory recommendations from the PAC. My officials are working at pace on detailed consideration of the recommendations, and I hope to make an announcement on the project in the coming months. When I make the announcement, I will do so in accordance with all the relevant statutory procedures on the basis of all the

evidence, representations and advice that I have received from officials and statutory agencies North and South, from members of the public and all other bodies that have participated in the process to date. I intend to release the content of the PAC report in full, together with my Department's response to each of the PAC recommendations, at the time of my announcement.

**Mr McCrossan:** I thank the Minister for that answer. Minister, I know that you will join me in offering your condolences to the family of Oonagh Burns from Strabane, who died last week on the A5. Fifty people have died on that road since 2007. I know that you agree that delays are leading to further deaths. Will the Minister update the House on what is delaying the publication of the report, given that it has been six months since it was handed to the Department?

**Mr O'Dowd:** I share the Member's condolences to the family of the latest victim on the A5. My responsibility in the matter bears heavily on me, I assure the Member.

The report, as I have said many times, is complex and detailed. Every line of that report will be scrutinised against my decision and my recommendation. I want to be assured beyond reasonable doubt that my officials and I, along with legal advice, have gone through it line by line and that I am living up to my statutory obligations before making any further announcement. The worst thing that we can do for those who have lost their life on the A5, their families and the communities that use it is make an announcement that is then overturned in the courts. I know that it is taking time and is frustrating — I understand that — but I want to get this one right.

**Mr McAleer:** The Minister will be more than aware that the project has been delayed by legal challenges and that, sadly, legal challenges have resulted in delays that have cost lives, no longer ago than last week. Are the Minister and his Department expecting further legal challenges to the project?

**Mr O'Dowd:** I expect so, but, if legal challenges are being brought against me, I want a robust defence to be in place against them. Everyone has a right to access the courts to present their case. I understand the concerns of some in the farming community. As I have said in the House before, I am from a rural community, and I understand that *grá* [*Translation: love*] that the farmer has for their land.

I will use the example of the A4. I spoke to a farmer who lost a significant amount of land, and he said, "At the time I was opposed to it, but now I am proud that I did it". Since the A4 opened, two lives have been lost — that is too many — but we think of the death toll on that road beforehand, and that farmer said, "I am proud that I helped save those lives."

**Mr Allister:** Given the Minister's effusive endorsement of the project since coming into office, has he not prejudiced his ability to bring objectivity and independence to the ministerial decisions that he will be required to make?

**Mr O'Dowd:** The A5 has been a long-standing commitment of the Executive as part of previous Programmes for Government and under its flagship project. My decision-making process has to be about whether the current plan for the A5 meets all my statutory obligations. That is what I am studying. I cannot simply make a decision and say, "Because it is a flagship project, I can go ahead". It has to meet all the statutory obligations under which I operate, and that is why I am taking my time and being careful, going through it line by line to ensure that when I make my announcement, I do so on a sound basis.

2.30 pm

**Mr Speaker:** We move to topical questions.

### **Residents' Parking Scheme: Derry**

T1. **Mr Durkan** asked the Minister for Infrastructure whether he will consider the roll-out of a residents' parking scheme in the Rosemount, Glen and Strand areas of Derry, close to the Magee campus of Ulster University. (AQT 181/22-27)

**Mr O'Dowd:** I am aware of the concerns about parking in residential areas in the vicinity of colleges and universities such as the Magee campus of Ulster University. A review of residents' parking schemes that includes lessons learned from the Rugby Road scheme in the vicinity of Queen's University Belfast has been completed. The review will be used to establish the policy for such schemes going forward. Reports will be published when I have had the opportunity to fully consider the findings of the review.

**Mr Durkan:** I thank the Minister for his answer. I understood that no scheme in Derry would be progressed until the scheme in the Bogside had been progressed. Parking in the area continues

to be a problem; in fact, it becomes more so. Does the Minister agree that it is unwise and unfair to delay progress on any and all residents' parking schemes because of difficulties in progressing the scheme in the Bogside?

**Mr O'Dowd:** That is not my view of the situation, but I am happy to be corrected later by officials or whoever. My position on residents' parking schemes is that we have to move forward with best practice. While they may seem, on the face of it, to be a good idea — in many instances, they are a good idea — there are associated costs for my Department and, possibly, for residents. There are considerations such as how you lay out the scheme and how many cars per house are allowed to park. It is not as simple a proposal as it sounds at the outset, but there are lessons to be learned from the review, and I commit to the Member that I will respond to that in due course.

## **Brompton Road Waste Water Treatment Works**

T2. **Ms Egan** asked the Minister for Infrastructure how he will address the fact that although NI Water recently completed improvements costing £4 million at the Brompton Road waste water pumping station, noticeably more sewage is going into the sea. (AQT 182/22-27)

**Mr O'Dowd:** I am not aware of the specifics of the issue that the Member raises, but the Member will be aware of the recent discussion of NI Water's funding and of how and when it can discharge from its sewage works. It can discharge when the system is overcome with rainwater from drains, for example. I do not know how many incidents there have been in that case, but I am more than happy to follow up with the Member. In simple terms, we need to continue to invest in our waste water treatment works. We need to ensure that we meet all our environmental obligations. That is a huge challenge for my Department and the Executive

**Ms Egan:** Thank you, Minister. Part of the concern is that we do not know what volume of sewage is being discharged or the duration of the discharges. When will you install event duration monitors in waste water treatment works?

**Mr O'Dowd:** As part of the capital plan for NI Water, approximately 700 monitors will be

installed. They will be targeted at reservoirs and swimming areas. They are starting to be rolled out and will give us a better picture of where the challenges are and where the incidents have been. We want to get to a point at which discharges are less frequent than they have been. That will require separation of foul water and rainwater drainage systems, which is a huge investment. We have started on that, but we have a long way to go.

**Mr Speaker:** Miss Hargey is not in her place.

## **Biodiversity: Grass and Hedge Cutting**

T4. **Mr Gildernew** asked the Minister for Infrastructure to outline the benefits to biodiversity of reduced hedge trimming and grass cutting at this time of year. (AQT 184/22-27)

**Mr O'Dowd:** The benefits are huge, and my Department will continue to ensure that hedges and grass are cut at verges for road safety reasons. We have adopted a new policy from the previous time that I was in this Department, and we are now encouraging and allowing grass and flowers and biodiversity to thrive at our road verges.

Just before I came down to the Chamber, I took a walk outside. Members may have had the opportunity to walk around the perimeter of this Building. I think that the Assembly Commission has adopted a similar policy here. You can see the range of wildflowers and grasses that are now growing on the front lawn, which used to be trimmed like a snooker table. It is far more attractive, and it is more effective for biodiversity than it was previously.

**A Member:** What about the weeds?

**Mr Gildernew:** Minister, will you therefore launch a campaign to promote the benefits of biodiversity with the wider public?

**Mr O'Dowd:** Yes. When my Department was developing this programme, we engaged with Ulster Wildlife, and we will continue to do so. A Member said, "What about the weeds?" Yes, there is a balance to be got in all of this, but I think that, when the public understand why grass verges are growing and that it is not simply, "There is no money. They are not doing it. See them politicians, you could not trust them", but is about protecting and encouraging the biodiversity, not only in rural but in urban settings, they will be behind us on it.

## Road Safety: Ballynahinch Road, Carryduff

T5. **Ms Nicholl** asked the Minister for Infrastructure whether he will commit to a renewed road safety assessment, including traffic calming measures to address speeding, of the Ballynahinch Road at Carryduff, on which there was a serious road traffic collision at the weekend. (AQT 185/22-27)

**Mr O'Dowd:** Again, another tragedy on our roads, and my deepest sympathies to the family of the man who lost his life.

The section office is looking at that spot to see whether there is a way to improve safety for pedestrians and other road users. There are challenges at it. I think that there is quite a narrow footpath, and there may be a challenge in relation to disability access etc, but the office has taken a look at that. Obviously, the PSNI will have to investigate the cause of the accident and do its duties. It will also provide us with a report at that stage, which my officials will also learn from, moving forward.

**Ms Nicholl:** Thank you, Minister. The incident that I was referring to was a young woman who did not lose her life. It was another accident, but it was very harrowing for the family, and I think that we need to look at how we improve all measures. I welcome the fact that you are looking at this.

On improving other connectivity within the area, specifically cycling, cyclists who travel from Carryduff to Belfast are very nervous. Is that something that you can look at improving too, please?

**Mr O'Dowd:** Apologies for mistaking the incident.

Yes. Obviously, promoting active travel is vital. I have a legal obligation and a moral obligation to promote it, and cycleways are an ideal way of doing that. It is like any change: sometimes they bring challenges, and you have to convince the communities who live along the route and other road users, and also sometimes you have to engage with landowners to bring forward new routes, new greenways or whatever it may be. So, yes, I am committed to doing that, and we will continue to work with local elected representatives and the local council to improve that.

## Greenway Scheme: West Belfast

T6. **Ms Flynn** asked the Minister for Infrastructure for an update on the greenway scheme in west Belfast. (AQT 186/22-27)

**Mr O'Dowd:** There are a number of schemes progressing in Belfast, and, again, some are at a more advanced stage than others. I will give you the detail of those. Design work is ongoing for the majority of schemes in the Belfast cycling network, with short-term lists for delivery by the end of 2025. Designs of schemes need to be thorough if we want to deliver the highest-quality active travel infrastructure. There are a number of schemes: for instance, at Ravenhill Road, Dublin Road and Botanic Avenue in south Belfast; Lagmore Avenue greenway in west Belfast, which the Member will be aware of; Island Street and Sydenham greenway proposals in east Belfast; Limestone Road, Cavehill Road and other connections from north Belfast into the city. Working in conjunction with local communities and the councils, I am confident that we can move all these forward.

**Ms Flynn:** Thanks very much, Minister. Does the Minister agree with me that the active travel initiatives have positive mental health benefits for people, as well as benefits for physical health?

**Mr O'Dowd:** Without a doubt, and that has been proven over and over again. In my opinion, health is a collective responsibility for the Executive. Understandably, much of the focus is on acute and primary care, but if my Department can assist in improving citizens' quality of life, there is more chance of their not needing acute or primary care. Improving people's mental health through active travel has been proven beyond doubt.

**Mr Speaker:** Topical question 7 has been withdrawn.

## Road Safety: DFI Initiatives

T8. **Mr Buckley** asked the Minister for Infrastructure whether he and his departmental officials, who must be gravely concerned, have reassessed potential initiatives to improve safety on our roads, given that, during Question Time, we have heard many examples of tragic incidents on our roads, particularly in 2024, with single-vehicle collisions causing the death of more than one person and with figures in 2023 showing 69 deaths on our roads compared with 55 in 2022. (AQT 188/22-27)

**Mr O'Dowd:** Yes, I hope to be able to bring a renewed road safety strategy to the Executive

in the next number of weeks, or perhaps into next month. The Member is right to highlight the fact that there has been an increase in the number of lives being lost on our roads. There has been an increase not only in multiple fatality incidents but in incidents in which a single life has been lost. I appeal to all road users, be they drivers, cyclists, motorcyclists or pedestrians, to be conscious of the fact that every action that they take on the road will define their fate or somebody else's fate. If they take the wrong decision, they or somebody else may not go home.

**Mr Buckley:** Thank you, Minister. Trying to ensure that we can minimise the number of such incidents on our roads is something on which the House is united. I particularly think of some of the very effective advertisement campaigns that the Department has had in times past that have shown the harrowing impact of unsafe driving on our roads. Has the Minister given consideration to increasing the number of such advertisements? There seems to have been a decline in them. I ask him to comment on that.

**Mr O'Dowd:** I am discussing that matter with my officials. Unfortunately, owing to budget constraints, the very effective road safety adverts that were on our televisions have not been on as frequently. Part of the engagement that I have had with my officials has been to look at what the most effective advertising forum or platform is to use, particularly for young people who are very vulnerable on our roads as drivers, pedestrians, cyclists or whatever. Using a digital platform is probably the most effective way in which to do it. I am talking to officials about how we can launch an advertising campaign across social media to ensure that we are getting the message out to those who are most vulnerable on our roads.

## MOT Backlog

T9. **Mrs Erskine** asked the Minister for Infrastructure, with trying to get an MOT appointment still an issue for the public, to outline a timeline for the introduction of the measures that he referred to on 11 March in the Chamber, when he said, "I have asked officials to bring forward for my urgent consideration options", including "the introduction of temporary exemption certificates" and "biennial testing". (AQT 189/22-27)

**Mr O'Dowd:** I thank the Member for her question. I intend to make a statement to the Assembly before the end of this month in that regard.

**Mrs Erskine:** I thank the Minister for his answer. I look forward in earnest to hearing it. The new test centre at Hydebank has been hailed as one of the places that will ease some of the backlog, but I am not so sure about that. Will he give me a timeline for when that centre will open?

**Mr O'Dowd:** Hydebank will assist in tackling the backlog, but we have to get it open. My officials are still engaging with the company that installed the equipment in Hydebank to ensure that it meets requirements and is safe to use. I certainly will not be signing off on the centre until I am satisfied that the contract has been fulfilled. As I said, engagement is continuing.

**Mr Speaker:** I call Declan McAleer. The Member has one minute.

## A5 Road Upgrade: British Government Contribution

T10. **Mr McAleer** asked the Minister for Infrastructure whether he has considered asking the British Government to contribute to the final costs of the A5 dual carriageway project. (AQT 190/22-27)

**Mr O'Dowd:** I have, yes. It is mentioned in the UK connectivity report. There is a huge opportunity available for the British Government to improve connectivity not only across this island but between these islands, at various ports and so on. I have therefore engaged, and my officials are engaging. I will be meeting the UK Transport Minister next month, I think, and one of the items that I have put on the agenda is a discussion on whether the British Government can contribute to the A5 project, if and when we sign off on it.

**Mr Speaker:** That concludes questions to the Minister for Infrastructure. We will now resume the previous debate. Members may take their ease while we change the Table.

2.45 pm

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

## Opposition Business

### Fuel Poverty

*Debate resumed on motion:*

*That this Assembly believes it is unacceptable that 290 people in Northern Ireland die each winter due to cold homes; accepts that the Warmer Healthier Homes fuel poverty strategy is over a decade old and is no longer fit for purpose; calls on the Executive to include a clear target for eradicating fuel poverty in the next Programme for Government; and further calls on the Minister for Communities to work with his Executive colleagues to establish a fuel poverty task force and to present an updated fuel poverty strategy before the end of this year, with specific commitments to introduce a cap on energy prices, system price protections for home heating oil customers and proposals for social tariffs to protect the most vulnerable.*

**Mr Deputy Speaker (Mr Blair):** Members, we will now resume the debate on eradicating fuel poverty.

**Ms Armstrong:** On behalf of the Alliance Party, I can say that we will support the Opposition motion on eradicating fuel poverty. I can also confirm that I am very aware that the Minister's officials have been holding fuel poverty strategy pre-consultation meetings to look at the climate change objectives. My staff attended one of those meetings. I have to say that it was very helpful, resourceful and thought-provoking.

As the motion states, we should be working to eradicate fuel poverty and the next Programme for Government should include clear targets to achieve that. How we achieve that was discussed at the pre-consultation event. Will it be person-led or stock-led? To explain: do we deal with people or homes? We could certainly provide people with money to deal with their bills, as we have in the past. We could cap bills, or we could have price protections in place. Those are some of the short-term actions that we could take. Fixing cold homes is another way.

The other thing that we need to consider is who we will help first. I am sure that many in the House have received papers from Age NI and others that outline the issues that there are for people who are at home during the day, are

often quite immobile and who depend on having the heating on to help them. I think of older people and people with disabilities who are immobile. While those people may well be asset rich, they are income poor. We have to consider how we will help them. Others have mentioned rural homes. I live in one of them. At the moment, I am dependent on oil. We need to bring oil into line with other fuel supply under the Utility Regulator. That will not be for the Minister for Communities to deal with; it will be for the Minister for the Economy. That is a longer-term issue.

The other thing — it is close to my heart — is what we will do about retrofitting or establishing Passivhaus-standard homes across Northern Ireland. I have spent a good bit of time, I have to say, going around looking at options for retrofitting. It will not come cheap. The fabric-first approach that is already being taken by the Housing Executive, for instance, to put insulation into homes goes some way towards helping with that. Recently, I met the Northern Ireland Housing Executive. We talked about its heat pilot scheme. It is targeted at 300 homes across Northern Ireland. That is very welcome, but it is focused on gas-fuelled homes. If we are serious about eradicating fuel poverty, we have to help people to move away from fossil fuels so that they can heat their homes in the most cost-efficient way. I have seen amazing results in retrofitted homes that I have visited. One lady with a grown-up family went from paying £500 on her oil bill every couple of months to paying out no more than £20 a fortnight for her heat and light, and that is absolutely incredible.

It has been brought up at the fuel poverty strategy pre-consultation events that we need a new definition of fuel poverty. That could be taken forward by the task force that is mentioned in the motion, or in the consultation that takes place on the fuel poverty strategy. Yesterday was a good example of how the House can come together to agree on an anti-poverty strategy. That strategy, which will look at child poverty, could also include the fuel poverty work that needs to be done. We need to think about fuel poverty as a way to move forward on our climate change objectives.

I welcome the motion, which is very timely. We have nearly run out of time to get this work done. We have people who will no longer get a cost-of-living support from the UK Government in the year ahead. That additional money, which they have had in the past, will not be there this winter. We need to think about how we are going to do things in the short term and the long term. As one of the many MLAs who were able to roll it out, I pay tribute to the Bryson House

support scheme, which has helped people with their energy costs. That community and voluntary sector support scheme has delivered support directly to people to help them to meet their bills. I hope that this is the last year that we have to do that, and that we can do something more proactively in the long term to help to reduce those bills forever.

**Mr Stewart:** I thank the SDLP for tabling the motion. At the outset, I confirm that the Ulster Unionist Party will support it.

It is imperative that we confront the stark reality that is facing many households across Northern Ireland: the exorbitant cost of energy, coupled with rising prices for necessities, has pushed more and more families and individuals into the depths of fuel poverty. This is a crisis that demands our immediate attention and concerted action. The statistics paint a grim picture, indicating a worrying trend of increased hardship among households. We have already heard today from the likes of Carers NI and from those who are lobbying on behalf of elderly people and those who are vulnerable just how stark the statistics are and how much the impact is beginning to bite.

The cost of energy remains prohibitively high, leaving a significant proportion of our population struggling to make ends meet. It is incumbent on all of us to address immediately the pressing issue with urgency and to create solutions that alleviate the hardship. We all acknowledge that we cannot have a silo mentality and leave it just to the Minister for Communities, who, I know, is dedicated to resolving this matter. It will be a cross-cutting issue, and one that will require a constructive and collegiate approach from all Members and all Executive Departments.

In the short term, we must implement immediate measures to provide relief to those who are grappling with fuel poverty. That includes targeted financial assistance to help households meet their energy bill costs during periods of acute need. Additionally, we need to invest in energy-efficiency grants and subsidies to improve energy efficiency in homes, thereby reducing energy consumption and lowering costs.

Looking beyond immediate relief, we need to focus on sustainable solutions in the medium term. Community-driven initiatives and domestic retrofitting programmes, as we have just heard, can reduce energy expenses and improve insulation in homes, thereby helping to mitigate fuel poverty in the long run. I am aware of an ongoing pilot being run by the Northern Ireland Housing Executive, which can be a

game changer, but it is, obviously, massively cost-prohibitive, so funding for that is key. Structural change is also necessary to address fuel poverty effectively in the long term. That will include policy reforms to address the root causes of escalating energy costs and promote the addition of renewable energy sources and infrastructure.

The proposer of the motion touched on regulation. We have an insatiable appetite for home heating oil in Northern Ireland, but it is unregulated. The fact is that consumers are potentially paying more because it is not being regulated. I would like home heating oil, bottled gas, which is also massively more expensive, and bottled home heating oil to be brought into the Utility Regulator's remit: that could have a massive impact.

I want to take this opportunity to commend the ongoing efforts of my party colleague Andy Allen, who, for more than two years, has been calling for the establishment of a fuel poverty task force to support vulnerable families and individuals who are dealing with soaring prices. Andy took the lead on behalf of the Ulster Unionist Party, hosting, at the height of the energy crisis, two round-table workshops, which included representatives of the energy companies, the voluntary and community sector and the energy regulator and other political representatives to look at how urgent support could be delivered. The fact that the creation of a fuel poverty task force is contained in the Opposition motion shows just how much of an impact Andy made.

We must act swiftly and decisively to alleviate the burden of fuel poverty on our communities. It is only through cross-departmental commitment and collaborative efforts that we can deliver meaningful solutions and support those in need. I support the motion.

**Ms Mulholland:** The crisis due to the cost of living and fuel poverty in Northern Ireland is one that I have seen consistently in my constituency office. After housing, it was the second most frequent issue that was brought to me over the winter months, and I pay tribute to the Bryson House initiative that my colleague Kellie Armstrong mentioned. Without that community and voluntary intervention, many, many more of my North Antrim constituents would have had a much colder winter, especially given the cessation of schemes like the affordable warmth scheme.

In my first winter as an MLA, I cannot deny how impactful it has been to see such a steady stream of people who are living with energy and



fuel poverty issues. I had a young mother who turns her oven on and opens the door and gets the kids to sit in the kitchen because she cannot afford a full oil tank because it is such an outlay in one go. I heard of nights where a much older couple would prefer to go bed with hot water bottles and extra blankets than sit up and waste, as they would say, the heating and the electricity to keep the lights on. The situation in 2024 is horrendous, especially in a country like ours.

This crisis is affecting the most vulnerable, forcing them into the absolutely impossible decision of whether to heat their homes or put food on the table. That has absolutely no place in a modern, compassionate society. With an estimated 45% of households in Northern Ireland experiencing some type of fuel poverty, including those who have never experienced fuel poverty before, it really is shocking that one in 10 households in Northern Ireland is compelled to skip meals to ensure that it has enough to pay for its energy bills.

One of the key factors that we have been looking into feeds back into that thought of having some form of audit of poverty and looking into the costs that are outlaid on our public services and our public spending. We could then look at how to offset some of those costs to try to invest to save. That is really what I am getting at. If we look at the cost of fuel poverty, in particular to our health service, we see that there is a clear correlation between excess winter deaths, inadequate thermal insulation in housing and low indoor temperatures. We see those deaths soar during the winter months, and they are directly associated with increased cardiovascular mortality and elevated blood pressure.

Mounting evidence suggests that children who reside in cold homes are over twice as likely to suffer from respiratory ailments compared with those in warmer environments. Cold exposure does not just exacerbate such existing conditions as well as arthritis and rheumatism, it heightens susceptibility to minor ailments. When you have the flu, not having a warm home to recuperate in turns it into something that is so much more dangerous. In essence, fuel poverty subjects households to lethal coldness despite being absolutely preventable. That is the point that we want to make. We have to put money into some of those initiatives and there has to be a way that we can alleviate the problem with public spending. That money will then be saved across the board, both in the short term, when we look at the winter excess deaths, and in the longer term.

I thank the Members who tabled the motion for bringing the matter to the Chamber and not waiting until we got closer to winter to do so.

**Mr Honeyford:** I will speak to the motion from an economy and energy perspective. I echo a lot of the comments that were made by Sian, Kellie, John, Colm and the proposer of the motion. I want to look at some long-term stuff as well as practical support that we can do now.

I will start at the beginning. We live on an island in the Atlantic Ocean, and, moving forward, we should have little or no need for fossil fuels. It is very simple. With new technology quickly advancing, we have all the natural resources at our disposal, and we must be looking to develop our capacity to the point where we can actually export energy rather than aim to produce 70% or 80% of our own requirement. As well as that, we should be rolling out progressive technology around biogas and hydrogen. If we do that, we could eliminate fuel poverty in the longer term. Alliance believes that that is the energy target that we need to be delivering, and it is an issue that we need to continue to work on with an all-island approach.

### 3.00 pm

If we look at what we can deliver straight away — some of this has been said — we see that that includes upgrading the insulation of our houses and that improving airtightness is another way to reduce the amount of warm air that leaks out and the cold air and draughts that come in. We can and should help with such measures, which would drastically reduce the energy that is needed in the first place and protect the most vulnerable people. We should start retrofitting their homes first. Our constituents need us to make that wider change in order to transform homes from oil dependency to more energy-sustainable methods, be they biogas, heat pumps or solar panels.

The initial capital outlay to upgrade property is a barrier that, with a little thought, we can help to overcome. I appreciate that the Minister is with us. A lot of what I am saying is about the economy, but that shows that we need the cross-party Executive to work together, including the Minister for the Economy, the Minister for Communities, the Minister for Infrastructure and the Minister of Health. In this case, the Department for the Economy needs to look at incentives to make it easier for people to upgrade homes and properties and for the Housing Executive and housing associations to upgrade their properties. Even a cost-neutral

facility, like interest-free loans that would enable people to spread the cost over several years and thus see savings quickly, would be of huge benefit. I would love to see schemes like that being put on the table and taken forward.

We need to invest now in offshore wind, onshore wind, solar, biogas and hydrogen in order to create the conditions for those technologies and industries to flourish. I stress that our green industry and all that development have been held back by an outdated and completely under-resourced planning process. Reforming that process needs to and absolutely must be one of the priorities of the Chamber to allow that development to happen and to move forward.

Another practical thing that we could do quickly is to fit smart electricity meters to our homes, which would allow consumers to save money and use energy away from peak times and when excess clean energy is available. We are the only part of these islands that does not have smart meters, but they could help the situation quickly and simply.

I have said before that every business should make a profit, but the other side of profit is taxation. That should redistribute wealth and support low and middle earners. Alliance —.

**Mr McNulty:** I thank the Member for giving way. Does he agree that a meaningful way to provide security and stability to households in fuel costs would be through a united effort by the Executive to lobby the UK Government for the introduction of a cap on the profit of energy companies, as was done successfully in France during recent spirals in home energy costs?

**Mr Deputy Speaker (Mr Blair):** The Member has an additional minute.

**Mr Honeyford:** I thank Justin for his comment. The answer is, simply, yes. I was saying that we need to redistribute wealth. We want to live in a region where everybody thrives, so we cannot sit back and allow hugely exaggerated profits from oil and gas companies to go to just a few people with high wealth while ordinary people on ordinary incomes are hurting. While that is a Westminster issue, I stress again that Alliance believes that taxation should be progressive and must redistribute wealth fairly and protect our most vulnerable.

Given all that I have said on energy, be in no doubt about this: Alliance will always stand up for people and for the planet. It will stand up for action against climate change as well as for

actions to deliver net zero and a green new deal and to support new green industries. Importantly and centrally to those objectives, the Alliance party will, equally, stand up for our constituents and for equality and justice. Nobody should suffer fuel poverty in 2024.

**Mr McGlone:** As we all know, household budgets are under enormous pressure. Childcare continues to be exorbitantly expensive and, in many areas, difficult if not impossible to access. Rampant inflation might have eased somewhat, but prices are still rising. Often, the choice for a household that is under severe financial pressure is between food and heat. That is why a fuel poverty strategy is essential, if the Executive parties are serious about tackling hardship. Fuel poverty has significant impacts on a household's quality of life, as well as on an individual's physical and mental health and well-being. Overall, fuel poverty is typically a direct consequence of three main factors: a comparatively low household or personal income; household energy costs; and the energy efficiency of a home. To be effective, a fuel poverty strategy needs to address those fundamental elements.

As mentioned earlier, the voluntary and community sector has played an incredible role. It has faced adversity too, because it was hammered by cuts. The picture often comes to my mind of a Tory in a lovely shire going along to get a photograph taken at his food bank, even though he, through his votes and policies, contributed to the need for that food bank. I was talking to some healthcare workers today who told me about nurses going to food banks. Working people going to food banks in 2024 is an absolute disgrace and brings shame on our society. I hope to God that the Tories get an awful hammering in the upcoming election. It is difficult to say whether those who follow will be any better, given the financial constraints. All I will say is that they could not be much worse.

Despite its importance, the existing fuel poverty strategy has not been updated since it was introduced by an SDLP Minister in 2011. The failure of the Executive and subsequent Ministers to update the fuel poverty strategy for over a decade, including five years during which Sinn Féin and the DUP blocked the formation of an Executive, has left thousands of families exposed and vulnerable to the exponential price increases that we have seen in recent years. We consistently report higher levels of fuel poverty than England, Scotland and Wales, but, unlike England, Scotland and Wales, we do not have a target for reducing fuel poverty. In fact, the level of fuel poverty has increased, according to the official figures, from

22% of households in 2016 to around 24% of households in 2020 and 2021. I am not sure about more recent years, but that figure could be even higher. In a survey last year, 45% of homes in Northern Ireland reported spending over 10% of their income on fuel and energy, which is the level of spending that is used to indicate fuel poverty.

The overarching principle that the Fuel Poverty Coalition recently published sets the standard by which a new fuel poverty strategy will be judged. Those who are most in need — our most vulnerable — should be supported first. The strategy must support low-income and vulnerable households equally across the North. The strategy must also recognise the urgency of the cost-of-living crisis and the impact that that is having on fuel-poor homes in the North. Many homes in Northern Ireland suffer from poor energy efficiency, inadequate insulation and outdated heating systems. Of course, we remain reliant on expensive home heating: about 68% of households depend on oil as their main heat source. That rises to around 82% in rural areas, such as that where I live, where the size and age of some of the buildings mean that they are generally less fuel-efficient in any case.

**Mr Stewart:** I thank the Member for giving way. He makes a valid point about the amount of home heating oil that we consume. In that regard, does he think that it is mighty strange that it is one of the only areas of energy consumption that is not regulated? Does he agree that the regulator's remit should be extended to include oil so that consumers can get the best value for the money that they spend?

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

**Mr McGlone:** Absolutely. When you look at the exorbitant, crucifying profits of the oil companies in particular in times of crisis, you ask yourself, "Who's coddling whom here?". It is despicable.

Unlike electricity and gas, the home heating oil market, as the Member said, is unregulated and can be highly volatile. The cost per litre is currently around 66p, but, in the past 18 months, it has varied from 55p to over 100p. The likes of home improvement grants, home insulation grants and the support that is required to meet net zero targets and objectives, such as support for the likes of solar panels on people's homes, which is crucial, can contribute to net zero, better heating in the

house and the better well-being, welfare and health of its occupants.

Introducing price protections for home heating oil customers and social tariffs for the most vulnerable should be key elements of a new fuel poverty strategy. Reducing that reliance on fossil fuels like oil for heating will also help to contribute to decarbonisation and those net zero objectives.

We have some of the highest energy prices on these islands. Along with other factors that I have highlighted, we see the result of that in the figures for fuel poverty. We need a new fuel poverty strategy. It must be a comprehensive and multifaceted approach that addresses the root causes of fuel poverty, promotes energy efficiency and supports vulnerable households. The strategy must have statutory targets —

**Mr Deputy Speaker (Mr Blair):** The Member's time is up.

**Mr McGlone:** — for reducing fuel poverty by which the public can, and we can, judge its effectiveness.

**Mr Carroll:** We have heard that around 45% of people here live in fuel poverty, with many choosing whether to heat or eat. I will hazard a wild guess and say that most MLAs, with their big salaries, are probably not in that category. If they were, we would see much more urgency in tackling fuel poverty. The cost-of-living crisis — energy prices in particular — is completely out of control. That is the case now, and it was the case before the Assembly collapsed, so there is absolutely no excuse for the ruling parties here to have sat on their hands for this long. The Executive parties have a case to answer for the stagnant wages, poor-quality homes and unchecked profiteering of energy companies that have compounded the hardships facing families across the North.

Some months ago, I saw the shocking statistic that energy companies in Britain were raking in £1 billion per week. That is price gouging — exploitation writ large — and it is no surprise to me that half of our population is experiencing fuel poverty when real weekly earnings in the North show the largest annual decrease on record: 4.5%. At the same time, energy prices continue to climb for so many, for everybody. Just last week, oil prices rose for a fourth consecutive week, and 67% of households here rely on oil to heat their home, yet, as has been said, we have absolutely no regulation of the companies that provide it. Successive Economy Ministers have been resisting since 2012 the

Consumer Council's call to regulate home heating oil. I urge the current Economy Minister to urgently reconsider if he is serious about protecting people from fuel poverty. The current Communities Minister, in his previous role, has a lot to answer for for inaction on that and many other matters.

I broadly welcome the motion, but, when I hear the words "task force" emanating from the Assembly, it usually causes me concern or nervousness at the very least. People experiencing fuel poverty need this Government to take responsibility for addressing the issue. To be completely honest, what they do not need is another talking shop. The Economy Minister, the Communities Minister and their Executive colleagues could and should make specific commitments to address fuel poverty now before another cold winter. We need to see the regulation of oil companies to take money out of their hands and put it in the pockets of ordinary people. This is a devolved issue. A real energy price cap that challenges the profits of the energy firms can and should be implemented to cut bills. The Executive need to strengthen the hand of the Utility Regulator to properly check and investigate the spending and pricing of local energy providers. The Communities Minister should roll out an ambitious scheme to insulate homes and make them energy-efficient to address the obscene damp and mould that are destroying the houses and health of people in my constituency and beyond. Badly insulated homes face average bills of £124 per month, compared with £76 in well-insulated homes. While we welcome the fact that the Department for the Economy will soon launch a renewable electricity support scheme, it is absolutely unacceptable for the Government to leave the delivery of green energy to the private, for-profit sector.

Any strategy for eradicating fuel poverty needs to get real about the renationalisation of energy provision — public ownership. Ultimately, of course, that is within the gift of the British Government, but it is unacceptable for the Executive simply to leave them to their own devices. The Assembly and Executive need to stake out a position that aims to take energy — a basic human need — out of the hands of corporate profiteers. The Executive should join the majority of the public across these islands in calling for the provision of energy on the basis of need, not greed.

**Mr Frew:** I have listened to the debate intently in the Chamber or up in my room when I was having to make calls. Everyone here knows of my interest in energy, so fuel poverty is a natural progression of that.

I agree that more can be done to prevent fuel poverty and to lift people out of it, but we are in danger of looking in the wrong places and of tackling the issue in the wrong ways. We could miss tricks that we should adopt but do not because we go down a certain path.

### 3.15 pm

It interests me that the first line of the motion talks about the 290 souls lost every year in winter, yet from March 2022 to March 2023, there were over 1,000 excess deaths in this country, and no one wants to talk about those people. They died over the summer. In this rolling year of 52 weeks, 766 souls were lost. No one wants to join me in asking for an investigation of why people are dying needlessly. It is as if Members do not want to know or those people are not really dying. Why is that the case?

There is no doubt that we need a fuel poverty strategy, and one that is updated and fit for purpose. I look, however, at what the Opposition want to see in such a strategy and see that they list a menu in the motion. We can all call for a task force, but surely we have enough expertise in bodies that are already in situ to deal with some of the issues. If the Minister establishes a task force, all well and good, but it will probably produce a report with ingredients that we already know about.

I am very interested in having a cap on energy prices. Northern Ireland suffers from having one of the highest levels of electricity costs in the whole of Europe for businesses and manufacturers. We compete with Italy, so our costs are either the highest or second highest. Sometimes we beat Italy, while sometimes it beats us. Our domestic situation is not as bad, but that is to do with the way in which we have worked out the tariff. It is the opposite down South, by the way. There, the domestic customer pays more, while businesses are subsidised. It is a similar situation in Germany. The European Union has taken both states to court because of the way in which they configure prices.

My question is simply this: if we impose a cap on energy prices, who pays the difference? Energy prices do not come down that way. Rather, it just means that someone else pays. Who pays, if it is not the customer or the consumer?

**Mr O'Toole:** I thank my Finance Committee colleague for giving way. Does he accept that there are multiple ways in which a price cap can

be implemented? A particular model operates in Britain. In our manifesto, we suggest that, when energy company prices become too high, a cap be created by effectively imposing a kind of profits tax. There are, I am sure, other models in other parts of the world. Are those not exactly the kinds of options that a task force could examine and report back on to the Communities Minister or, indeed, the Economy Minister?

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

**Mr Frew:** Thank you very much, Mr Deputy Speaker.

I am grateful for that clarification. There are a number of things in there, so let me pick the bones out of what the Member said. We have a fairly small number of people who generate electricity in this country and then distribute it. It is not the same in England, where there are countless such businesses. What has happened there is that, when a cap is set, it is like a speed limit, with everybody racing to get up to that speed. They do not go slower or lower. Rather, they all go up to that target. When, inevitably, companies have to push through the cap, some go to the wall. Companies in England can afford to do that, but we cannot afford to have more companies go to the wall in Northern Ireland. Our market is too limited.

**Mr Carroll:** Will the Member give way?

**Mr Frew:** Yes.

**Mr Carroll:** Has the Member considered doing this? The energy companies' profits are out of control. British Gas's profits rose from £72 million to £751 million in a year. Tax the companies or introduce public ownership, and then prices can be reduced.

**Mr Frew:** I thank the Member for his intervention. That is a different thing. Wealth tax is different from a price cap. We should never, ever distort the two. If you do not distinguish between the two, you will only bring more pain to the taxpayer.

One of the big things that the Assembly can do is fund the Utility Regulator to do its job properly and appropriately to control the big beasts that generate and distribute energy here and the System Operator for Northern Ireland (SONI). We need a properly funded Utility Regulator. The Assembly can gift that funding.

**Mr Deputy Speaker (Mr Blair):** Will the Member bring his remarks to a close?

**Mr Frew:** Thank you very much.

**Mr Deputy Speaker (Mr Blair):** Thank you, Members. I call on the Minister for Communities to respond. The Minister will have up to 15 minutes.

**Mr Lyons (The Minister for Communities):** Thank you, Mr Deputy Speaker. I thank the leader of the Opposition for bringing the motion to the House today and the Member who moved it. I welcome the opportunity to discuss the issue.

One of my first engagements as Communities Minister was to visit the home of someone who had seen significant improvements in the quality of that home. I saw the impact that that had on her and her family. I completely agree with the points made this afternoon about how intolerable it is that anybody should die in Northern Ireland due to a cold home. I am grateful that the proposer highlighted the fact that 290 people in Northern Ireland die each winter due to cold homes. That is a stark and horrifying statistic in many ways. I hope that that focuses our minds on the issue and on the need to address it.

As I said many times today and yesterday, addressing poverty, in all its forms, is a key priority for me. Fuel poverty is one of the many elements of poverty, and it needs to be taken seriously not just in my Department but right across the Executive. To that end, I am pleased to inform the House that I have tasked my officials to urgently take forward work on developing a new fuel poverty strategy, with a view to presenting that to the Executive before the end of this financial year.

Our most recent modelling suggests that, in 2022, more than a quarter — 27% — of households here were living in fuel poverty. As all Members recognised, that figure is unacceptably high. The impacts of fuel poverty can be felt right across our society. Living in a cold home presents hazards and health risks for people of all ages. Cold and damp homes are linked to worsening respiratory conditions, cardiovascular diseases, poor mental health, dementia and hypothermia. That is particularly concerning for vulnerable people or those with existing health conditions. For children, living in a fuel-poor home is associated with a significantly greater risk of health problems, and it can also impact upon their educational attainment.

As many Members highlighted, a household is considered to be in fuel poverty if it must spend more than 10% of its household income on fuel use. However, as has also been said this afternoon, that does not recognise the complexity of fuel poverty. Fuel poverty depends on the interaction and relationship between three key drivers: income, energy use and energy price. Work is well under way on the preparation of a new fuel poverty strategy that will set out a long-term, strategic approach to reducing fuel poverty. It will focus on addressing the root causes of fuel poverty rather than measures such as one-off cash payments to alleviate its short-term symptoms. We have to move beyond that and deal with it at the root.

The strategy will contain some key themes, including how government supports those living in or at risk of fuel poverty; improved collaboration to target the hard-to-reach and make the best use of our resources; improve health outcomes; and provide consumer protection through the energy transition. It is a useful opportunity to consider a cross-government approach to defining whom we target for support and to agree common principles that can be applied for all kinds of home energy support to ensure that, collectively, we reach the right people.

We want to better understand the problem of fuel poverty. That means not only its definition, which, as we all know, differs across each part of the UK and Ireland, but its impacts. I want to improve our measurement of fuel poverty so that we can be more responsive to those who need help.

My Department continues to deliver the affordable warmth scheme for owner-occupiers and those in the private rented sector most at risk of fuel poverty. That application-based scheme provides low-income households with a range of heating and insulation measures to improve the thermal efficiency of their home. I am also in the early stages of developing a new fuel poverty intervention to replace the affordable warmth scheme when it comes to an end in March 2026. That fuel poverty intervention will ensure that people who are living in owner-occupied or privately rented homes and experiencing fuel poverty will receive vital energy efficiency work. My ambition is for it to be a more comprehensive and ambitious scheme that supports the principles of the new fuel poverty strategy and helps to decarbonise homes. To that end, my officials are exploring the option of low-carbon heating solutions and will consider the eligibility

criteria and income thresholds in the development of the new scheme.

A key principle of the fuel poverty strategy will be long-term sustainable support that tackles the root causes of fuel poverty. However, I recognise that, at times, people experience financial crises and need short-term financial support. For those in need of immediate support, additional financial support is available through the discretionary support service. That is unique to Northern Ireland and is there to provide support to people in financial need and those who require short-term assistance in crisis or emergency situations. In addition, the winter fuel payment is a tax-free and non-means-tested benefit introduced specifically to help older people with their winter fuel bills, and is payable to customers who meet the eligibility criteria, regardless of whether they are receiving a social security benefit.

My Department's Make the Call service continues to support individuals and families who, otherwise, may miss out on the benefits that they are entitled to. The Northern Ireland Housing Executive offers support with energy efficiency advice that is targeted actively at vulnerable households and those who will benefit most from energy efficiency-related advice. As the one-stop shop for energy advice across Northern Ireland, it offers information to help with energy efficiency, grants, signposting, renewable energy and energy saving and advice on how to switch energy suppliers, on debt, on fuel poverty and on how to benefit from oil-buying savings across Northern Ireland.

We will all be aware of the transformation required across government by the targets in the Climate Change Act to transition to net zero by 2050. As Communities Minister, I am leading the residential element of the building sector and will drive a step change in what we are doing to reduce carbon emissions in the sector. Fuel combustion in households makes up 95% of emissions from the residential sector. Therefore, a key challenge will be switching to non-fossil-fuel-based systems, mainly air and ground source heat pumps. However, let me make it clear: we need to do that in a way that is not too expensive and does not increase fuel poverty.

We need to significantly increase the energy efficiency of homes across all tenures — social, private rented and owner-occupied — but we need to do that carefully to avoid cold bridging, condensation, damp and mould. Importantly, we need to enhance the capacity and skills in our construction sector in order to deliver that. Making homes more energy efficient and easier

to heat, with a particular focus on those who are more at risk, will have a positive impact on both mental and physical health, and will deliver benefits for public health and reduce inequality across our community.

I want to ensure that the transformational change is a just transition as required by the Climate Change Act, but, again, it is really important that the most vulnerable are protected and that no one is left behind. That is critical to my work as Minister. Alongside the challenges of decarbonisation, we must ensure that the fuel poor are not excluded and that they benefit from real opportunities to create warmer and healthier homes.

### 3.30 pm

During the debate, there have been calls to introduce a cap on energy prices, system price protections for home heating oil customers and proposals for social tariffs to protect the most vulnerable. As I have said, fuel poverty is not a simple issue and the solutions are neither simple nor solely within my remit. I am pleased that that was acknowledged by a number of Members in their contributions. Those actions demonstrate that the responsibility lies with the Economy Minister. That is not to pass responsibility on to somebody else but to highlight the genuinely collaborative approach that we need as an Executive to develop long-term sustainable solutions to fuel poverty. My officials have been working collaboratively with those who understand the issues and can help to address them. Through a fuel poverty reference panel, we have been working closely with academics, colleagues across government and the community and voluntary sector to inform and advise on the new fuel poverty strategy. That collaboration will be key to its successful implementation.

I have also established a cross-departmental project board to oversee the strategy development. It is for that reason that I believe a fuel poverty task force is not necessary; in fact, it would be a step backwards as we continue to develop the strategy. My officials are carrying out pre-consultation stakeholder engagement from now until June for the strategy and the new affordable warmth scheme. Those engagement events will continue to take place across Northern Ireland, and I encourage all who are interested to get involved. Many new energy and residential policies are being brought forward across government, and I want to take a collaborative approach with my ministerial colleagues to work towards meeting net zero while protecting the fuel-poor.

I will not oppose the motion. There are many things in it that are good and useful for us to be aware of. We should highlight how serious the issue is. I recognise that the fuel poverty strategy is out of date. I have been clear about what we are doing and how we will bring forward a new strategy. I have made comments about the fuel poverty task force, and there will certainly be lots of debate on some of the other issues that Members have listed in the motion.

I want to be clear that I recognise how important fuel poverty is in tackling the wider issue of poverty and that, as a Department and an Executive, we are committed to making real and tangible progress in this area. That will require substantial cross-departmental work and collaboration, but I want to be clear that that is something that I am up for. We do not have an easy task ahead of us: it will require a lot of work and the right resources being in place. Although there are significant challenges that come with this, there are substantial opportunities as well for the people whom we serve and represent.

This is about people, their lives and their well-being. A warm home is a happy and healthy home, so we must ensure that everyone can afford to heat and power their home to an adequate degree at a reasonable cost. I look forward to playing my part in that, and I hope that I will have the support of other Members here in doing so.

**Mr Deputy Speaker (Mr Blair):** Thank you, Minister, for that response. I call Sinéad McLaughlin to conclude and wind on the debate. You have up to 10 minutes.

**Ms McLaughlin:** I am grateful to the Members who have contributed to this important debate. Many statistics are associated with fuel poverty, and we have heard several of them this afternoon. However, the main statistic is one that should focus our minds, and Daniel McCrossan outlined it when he proposed the motion: 290 people die here every year because of fuel poverty. That is an absolute scandal in this day and age, and it is happening on our watch. It is fuelled by the policies of our Government and the dysfunction of our politics. As other Members said, due to the repeated and consistent failures of this place, whether in policy and strategy or because of the refusal of some parties to work the common ground and operate the institutions, we have allowed individuals to live in homes that are simply not fit for purpose and have pushed more and more people into fuel poverty, with devastating consequences for their health, well-being and livelihood. Of course, in recent years, more

people have struggled than ever before thanks to the impact of the pandemic and the cost-of-living crisis. Faced with those challenges, what was the response of the biggest parties in the Chamber? They walked away from the table and took turns to bring this place down. Those actions did nothing for the thousands of people here who struggle with the choice between heating and eating.

We all know of families who, without support from government, have chosen to go without food in order to make sure that the heating can be turned on. Sian Mulholland told us about the impact of the fuel poverty that some of her constituents experience. We have all seen how even the government support schemes that exist do not reach everyone who needs them. As has been said throughout the debate, fuel poverty literally costs lives, with people in damp, cold homes paying the price of the failure to address the issue. It does not affect everyone equally. In Derry City and Strabane, we have the highest level of individuals in relative poverty, after housing costs, at between 23% and 24%. That is double the lowest level in Northern Ireland. That kind of regional inequality is unacceptable. It means that whether you will experience fuel poverty is very much a postcode lottery.

In 2024, it should not be the case that anyone struggles to heat their home or keep a roof over their head or gets sick from damp and mouldy conditions. I do not believe that that is a controversial statement. The question now is this: what will the Executive do about it? In the past, this place delivered the Warmer, Healthier Homes fuel poverty strategy, but that is over a decade old and is no longer fit for purpose. The truth is that, in recent years, progress towards meaningful change has been woeful. People who are in desperate need struggle with fuel poverty. There has been little change in practice, and the fuel poverty strategy for Northern Ireland has not been updated since 2011. That failure has exposed thousands of families to exponential shocks in recent years and has had a devastating impact.

Several Members referred to the number of households living in fuel poverty, citing the fact that, in 2016, it was estimated that 22% of households were in fuel poverty. Recent data from the Fuel Poverty Coalition suggests that that has risen to 45%. We know that the challenges of fuel poverty are especially acute for our rural communities, as Colm Gildernew highlighted. Around 82% of people in such communities are heavily reliant on home heating oil, which is totally unregulated. In this mandate, we must finally see the delivery of the

long-overdue fuel poverty strategy, which must set clear, ambitious targets to eradicate fuel poverty in the next Programme for Government.

Patsy McGlone stated that the strategy must establish much-needed support for working families, particularly those who have not had the opportunity to avail themselves of support streams. The strategy must provide the framework for transformational change, particularly when it comes to retrofitting homes. Kellie Armstrong made that point very well. At the time of the 2019 Housing Executive stock survey, 63% of homes had cavity wall insulation that was not compliant with the industry standard. People living in those homes simply do not have a chance when it comes to ensuring that their home can stay warm, and they are much more likely to get sick, particularly if they are elderly or have pre-existing health conditions. We know that cold homes exacerbate respiratory illness and mental health issues, which, in turn, places yet more demands on our National Health Service.

John Stewart talked about the quality of housing. I have lost count of the people who have come into my constituency surgeries whose health issues can be traced back to their housing situation. I thank John Stewart, who mentioned Andy Allen's work in calling for the establishment of a fuel poverty task force. It is time for the Government to get serious about the matter and to undertake a large-scale retrofit programme. Such a scheme may be expensive, but it is, no doubt, possible, and it will pay off tenfold in the long run. After all, if heat is lost through our homes, it does not matter how many support schemes are created, because we will never solve the problem. That strategy can also help us meet our climate goals through reducing carbon emissions and their associated environmental impacts, all while delivering a new generation of energy-efficient homes, bringing down costs for families and helping us to reach net zero. We need a programme of retrofitting, and we need to address the challenges that people face.

David Honeyford highlighted the need for innovative thinking, and a reform programme will require fundamental change in our planning system. For that, we should be prepared to look elsewhere. In the South, planning policy and regulation are facilitating the homes of the future. We are building homes for the past, and we are doing that now. Everyone in the Chamber knows that planning policy here is a complete handbrake on sustainable development and on creating the housing stock that we all want to see for the future. Only by introducing such an approach can we future-



proof the strategy so that it stands up to scrutiny over time. That means that this is not a job for just the Minister for Communities, as he rightly said. The Minister for Infrastructure also has a role, and there is a wider impact on the rest of the Executive. Indeed, the next fuel poverty strategy must encourage and facilitate collaboration across Departments, public health agencies and other stakeholders. No one can shirk responsibility on this. In short, the Assembly is only up and running, but we are already seeing examples of the silo mentality that characterised the previous mandate.

**Mr Lyons:** Will the Member give way?

**Ms McLaughlin:** Certainly.

**Mr Lyons:** I have to take exception to that point, because I have been in the Chamber a number of times over the last couple of days and given examples of how we have worked collaboratively on the defective premises legislation, for example. There has been very good working together between Departments already on this, which is a priority. The Member has outlined a lot of things that, she thinks, I should do, but I have just highlighted in my speech exactly what I will do. I do not think that there have been any examples, since the Executive have been up and running, of how we have not been working together; in fact, the collaboration has been very good, and it will make a difference.

**Ms McLaughlin:** Thank you for that. Really? There are Ministers who come in here and kick the ball wherever it will land, so there is still a silo mentality.

That effort must address the root causes of fuel poverty while supporting the most vulnerable in our community. We have previously called on the Department to take steps, including establishing a fuel poverty task force. We heard Brian Kingston express misgivings about such a task force, but there is nothing to fear from gathering experts and engaging in a co-design process. We have also previously called on the Minister to extend the winter fuel payment to universal credit recipients and to implement a warm home discount scheme so that families here can enjoy the same benefits as families in England. Those calls fell on deaf ears with the Minister's predecessors, and I hope that Minister Lyons is willing to take up that challenge.

I thank the Minister for responding to the motion. We welcome your commitment to prioritising poverty, but we need urgency, pace

and action. We welcome the new fuel poverty interventions that are being developed. They cannot come soon enough, as you will have heard across the Chamber today.

Minister, you also spoke about the Northern Ireland Housing Executive providing energy efficiency advice, yet it has some of the most inefficient housing stock on this island. In relation to a task force, Minister, surely you can walk and chew gum at the same time.

Today, the call from the official Opposition is for the Executive to make the right choice when it comes to fuel poverty. I urge all parties to play their part in eradicating fuel poverty once and for all by committing to update the fuel poverty strategy before the end of the year. By agreeing the motion, the Assembly can take action on the issue once and for all by placing a cap on energy prices, by introducing system price protections for home heating oil customers and —

**A Member:** Will the Member give way?

**Ms McLaughlin:** Sorry, I have to finish this.

**Mr Deputy Speaker (Mr Blair):** The Member's time is up.

**Ms McLaughlin:** — by bringing forward social tariffs to protect our most vulnerable.

**Mr Deputy Speaker (Mr Blair):** The Member's time is up.

**Ms McLaughlin:** Above all, let us make sure that we do not have another 290 people dying as a result of fuel poverty.

**Mr Deputy Speaker (Mr Blair):** Time is up. Thank you for concluding the debate.

*Question put and agreed to.*

*Resolved:*

*That this Assembly believes it is unacceptable that 290 people in Northern Ireland die each winter due to cold homes; accepts that the Warmer Healthier Homes fuel poverty strategy is over a decade old and is no longer fit for purpose; calls on the Executive to include a clear target for eradicating fuel poverty in the next Programme for Government; and further calls on the Minister for Communities to work with his Executive colleagues to establish a fuel poverty task force and to present an updated fuel poverty strategy before the end of this year,*

*with specific commitments to introduce a cap on energy prices, system price protections for home heating oil customers and proposals for social tariffs to protect the most vulnerable.*

**3.45 pm**

## **No-fault Evictions: Ban**

**Mr Durkan:** I beg to move

*That this Assembly declares a housing crisis; expresses its concern that social housing waiting lists have almost doubled in the past 20 years, with a clear long-term trend towards longer waiting times; acknowledges the findings of the 2023 report by the Office for National Statistics (ONS) on private rental affordability that median rent in Northern Ireland's private rented sector accounts for 25% of household income; regrets that the loss of private rented accommodation continues to drive homelessness; and calls on the Minister for Communities to provide an immediate update on the housing supply strategy and bring forward legislation to ban no-fault evictions in Northern Ireland.*

**Mr Deputy Speaker (Mr Blair):** The Business Committee has agreed to allow up to one hour for the debate. The proposer of the motion will have five minutes in which to propose and five minutes in which to make a winding-up speech. As an amendment has been selected and published on the Marshalled List, eight minutes will be added to the total time for the debate. Please open the debate on the motion.

**Mr Durkan:** I am proposing a ban on the pervasive practice of no-fault evictions, which has contributed to increased homelessness and hardship and has uprooted the lives of thousands of families here. At present, the over-reliance on the private rented sector threatens security of tenure and access to safe and affordable housing. The majority of private tenancies here are non-protected, and landlords can terminate a tenancy without citing any fault or wrongdoing on the part of the tenant. That creates an unfair balance of power and serves as a stark reminder of the inequalities that persist within our housing system.

It is a stain on the record of the Assembly that the numbers on our social housing waiting lists have risen to a mammoth 45,000 households as of March last year. That did not happen overnight. Instead, it is a result of a sustained failure by the Executive to fund homelessness prevention initiatives, set and meet ambitious

social housing build targets, and prioritise such strategies as the empty homes strategy, which has not made a dent in reducing some 20,000 empty homes across the region. The freeze on local housing allowance rates for low-income private renters, amid escalating rental costs, and the decision to end discretionary housing payments for some of society's most vulnerable have further compounded pressures on the housing waiting lists.

The private rented sector here is the fastest-growing across these islands, with twice as many families living in private rented housing than in the social sector. The unaffordability and insecurity of tenure within that sector is responsible for an estimated third of all homelessness cases presented to the Housing Executive. The Tory privatisation of social housing stock, which is their endgame, coupled with the blasé attitude of successive Executives to addressing the housing crisis, has all but decimated existing stock. It has stripped almost an entire generation of the opportunity to have somewhere to call home, denied them the stability and security that comes with that, and forced them to navigate an increasingly precarious rental market.

In 2022-23, there was a 17% increase in the number of households presenting as homeless due to the loss of private rented accommodation. That is an extremely worrying trend. I have spoken with countless private renters who have been evicted after 10 years — sometimes, 15 — for daring to make reasonable requests for repairs or ask for persistent problems in their homes, such as damp, to be tackled. That has, in part, contributed to a staggering 4,500 children living in temporary accommodation. The increased use of non-standard accommodation, such as hotels and B&Bs, for families should be a concern for all of us. Accommodation that was once deemed as a last resort has become the norm, and the rapid escalation in emergency accommodation expenditure has seen costs spiral from £700,000 in 2017-18 to an eye-watering £7.5 million last year. That is a particularly bitter pill to swallow when we consider that DFC has not seen fit to fund homelessness prevention initiatives, which are currently operating at a £7.4 million deficit.

To better understand the true cost of no-fault evictions, I will share the story of one of my constituents, which also exemplifies the cyclical nature of the policy. That working single-parent family was allocated hotel accommodation that was quite far outside its locality. For weeks, my constituent had to pay for taxis to get the children to and from school and was forced to

order takeaways owing to the absence of cooking facilities. Those hidden costs of homelessness are rarely considered. That family, already struggling to make ends meet, fell even further into debt, and that is before we consider the emotional distress, the sleepless nights and the detrimental impact on the children's school lives.

Promises that DFC and its Minister made during the previous mandate on welfare mitigations and, now, private tenancy safeguards have seemingly evaporated. The Private Tenancies Act (Northern Ireland) 2022 fell short of what is required, but we were assured that we would see subsequent legislation that would strengthen security of tenure and deal with grounds for eviction. The 2022 Act makes provision for longer notice to quit periods, which worked effectively during the pandemic. It is important that we see that provision brought into operation — we hope that we will see it — but, as it is not yet in force, the DUP amendment is kind of rendered obsolete.

Promises were also made about taking a whole-system approach under the housing supply strategy to build 100,000 homes in 15 years. That was planned to be completed in spring 2022.

**Mr Deputy Speaker (Mr Blair):** Will the Member bring his remarks to a close?

**Mr Durkan:** It remained, and remains, in draft form, however, because of the lack of a functioning Assembly. Any update on that strategy remains outstanding. I ask Members to support the motion.

**Mr Bradley:** I beg to move the following amendment:

*Leave out all after "strategy" and insert:*

*"and, as a matter of priority, meet the duty to bring forward regulations to put in place much longer notice to quit periods, as provided for in section 11 of the Private Tenancies Act (Northern Ireland) 2022."*

**Mr Deputy Speaker (Mr Blair):** The Member will have five minutes in which to propose the amendment and three minutes in which to make a winding-up speech. All other Members who are called to speak in the debate will have three minutes.

**Mr Bradley:** The private rented sector accounts for 13% of households in Northern Ireland, and

many of them are vulnerable households. Indeed, we have previously heard evidence that almost half are in receipt of housing benefit or the housing element of universal credit. In recent years, the private rented sector has grown considerably, particularly in the 25- to 34-year-old age group. That would suggest that it has been a valuable option for those who are priced out of the market as a result of shortages in the housing sector. Stable high house prices, the spike in interest rates and the affordability of mortgages have all had an impact. The DUP fully recognises that those households deserve a safe and secure tenancy. We are committed to driving up standards in the private rented sector. We supported the legislation that was passed by the Assembly in the previous mandate, and it has gone some way to improving regulation.

The Private Tenancies Act (Northern Ireland) 2022 afforded the potential to go even further on providing greater assurances for renters, particularly through longer notice to quit periods. It would be an abdication of responsibility not to pursue the implementation of those enhancements in favour of an outright ban, which may take longer and require additional legislation in the House when time is not on our side to do so. That is not to say that my party does not support exploring the merits of banning no-fault evictions in a second phase of reforms. It is crucial, however, that, in the first instance, we focus on what is deliverable and on what will yield the greatest added value for vulnerable renter households in the shortest time frame possible. The Minister for Communities is actively working on the necessary legislation. I urge the other parties to support that direction of travel.

The balance to be struck between protecting tenants and the risk of over-regulation is a fine one. Recent research by the Chartered Institute of Housing (CIH) has found that as many as 60% of private landlords could seek to exit the market, particularly when Airbnb and holiday lets may acquire higher rents. In the policy that we make, there is therefore a need to ensure that we do not exacerbate problems in housing supply either by driving current landlords out of the sector or by reducing its attractiveness to new buyers. The sustainability and longevity of the private rented sector is absolutely critical when we consider that, of 6,051 housing starts in Northern Ireland in 2022-23, over 80% were in the private sector. In general, there was a 19% decrease in new starts. In that sense, it is clear that a failure to get to grips with the challenges that face housing supply will be magnified by the level of accommodation that is available from the private sector, not least

because the shortage of social stock places pressures in that direction, but the DUP is committed to unlocking supply across all tenures. The Minister is reviewing a draft housing supply strategy with exactly that in mind.

In closing, we need to future-proof the private rented sector, which means tackling the practices of a minority of rogue landlords who are operating in the sector without disadvantaging those who operate with fairness and integrity in their dealings with renters.

**Ms Ferguson:** Across all our communities, people, families, homeowners and renters alike should be able to access decent, affordable and suitable homes, which meet their needs and are situated in the community in which they wish to live, whether urban or rural.

Prior to the collapse of the Executive, Sinn Féin had worked to protect people from evictions during COVID and was working on extending the length of time in which people can be given a notice to leave their private rented accommodation, in order to protect renters from evictions, and particularly those who might find themselves at the mercy of unscrupulous landlords. Therefore, we fully support additional work to ban no-fault evictions, recognising that no person should be facing the threat of eviction through no fault of their own. That has often been employed as a mechanism to increase rents or to silence people from highlighting sub-standard accommodation.

We would go further and suggest looking to tenancies of indefinite duration, which would effectively mean that, after six months of living in a tenancy, the tenant would have a right to remain for an unlimited duration provided they uphold their rental obligations, unless served with a limited and valid notice on permitted termination grounds.

We support the motion. We all now need to see action from the Minister for Communities to deliver the housing supply strategy and to work closely with the housing sector, our front-line homelessness network and people with lived experience of housing stress and homelessness. Critically, all our Ministers and all parties must be united in determination to get the right long-term funding package agreed here if we are to tackle the financial challenges that are facing the Housing Executive and make the delivery of decent, affordable, accessible and sustainable housing a reality for all.

**Ms Armstrong:** I have three minutes, so I will try to fly through this as quickly as possible. As

the Alliance Party's housing spokesperson, I can say that we will support the Opposition motion but not the amendment. The reason why we are not supporting the amendment is that the Department for Communities has published on its website some of the protections around notices to quit that are contained in the Private Tenancies Act (Northern Ireland) 2022 and have already been brought through. We already have the provision that, for instance, from 5 May 2022, if a tenant had less than 12 months left on a tenancy, they were entitled to four weeks' notice. If a tenant has less than 12 months left but not more than 10 years tenancy, it is eight weeks' notice, and for tenants with a tenancy of over 10 years, it is 12 weeks' notice. The tenant must also give notice. The next stage of the Private Tenancies Act will be taken forward by the Minister without needing an amendment to a motion today.

We support the ban on no-fault evictions in Northern Ireland, but to back that up, I have some of the communications that I have received from Renters' Voice, which was extremely helpful on the Private Tenancies Act. It has said that, as a group of private tenants, it has concerns that without security, private renters are not raising issues regarding repairs and maintenance for fear of being evicted. So, having a ban on no-fault evictions in Northern Ireland is something that we should and must consider.

If we are going to ban no-fault evictions, however, there will need to be careful consideration of the reasons why landlords are permitted to end a tenancy. That matter was raised by the previous contributor, Ciara Ferguson. Permitted termination grounds need to be very carefully thought about. For instance, I am not very impressed by the fact that, in Scotland, they include on their list misuse or annoyance as some of the reasons that a landlord can get rid of a tenant. They can also evict someone if they want to lease their property for off-season holiday lets or if they want to use it for a lay missionary property. Some of those reasons are just not acceptable to me, and it would be appropriate to have proper scrutiny of that and bring that forward.

A number of people in Northern Ireland live in private rented accommodation. We would have a worse housing crisis if they were not able to live in private tenancies. The evidence from Scotland, however, shows that bringing in a ban on no-fault evictions has not led to a mass exodus of private landlords from the sector. In fact, they had not seen much difference in it, but I have to say that some of their figures were from the COVID period, when there was a ban

on moving out of houses. We need to work with our private landlords and with private tenants and we need to consider better how we can protect people in the private rented sector, given the fact that Renters' Voice is saying that those tenants need that type of support.

**4.00 pm**

**Mr Nesbitt:** I support the motion but, unfortunately, not the amendment because I feel that it does not actually address the fundamental point, which is to ban no-fault evictions. That is not to say that extending notice to quit periods should not be looked at and, indeed, increased.

This is a question of balance between what is best for the tenant and what is best for the landlord. To put it another way, it is about rights: the rights of the landlord and the rights of the tenant. When you have two sets of rights, they often compete and give rise to a tension. That is the case here. That leads me to wonder about the motivations of the two groups. Perhaps it is easier to assess the motivation of the tenant. It may be that a tenant simply does not want to commit to owning property. That is a perfectly valid position to take. On the other hand, it may be that the tenant becomes a tenant because they cannot afford to own their own property, and that introduces, of course, the concept of vulnerability. Let us look at the motivation of the landlord. It may be that they are decent, reasonable people who just want to make a lawful living by renting their property, but, on the other hand, it may be because they want to pursue profit at all costs, inflicting an unreasonable, hurtful, damaging regime upon the tenant.

On the former motivation of the landlord, let us recognise the important role that private landlords play in addressing housing need. Housing Executive statistics suggest that private landlords account for almost 50% of housing rentals. I am referring to statistics for the financial year 2022-23, which also indicate that 48.15% of rentals were with private landlords and the rest with the Housing Executive and housing associations. If we assume that the majority are professional in their management of tenants, we still have to accept that there will always be exceptions to that rule — landlords who are attempting to take advantage of vulnerable tenants. That is why we support the motion.

I am sure that every Member is aware of circumstances where tenants have chosen not to report repairs that are required or issues that they are having with the property to the landlord

due to fear that, rather than having those issues rectified, they will end up being evicted. Removing the ability of a landlord to end a tenancy for no reason provides much more security to households, many of whom, as I said, are among the vulnerable in our society. This is a reasonable, proportionate and balanced proposal, which this party is happy to support.

**Mr Tennyson:** I thank the Opposition for tabling the motion, which we support, and for the opportunity to have this important debate.

Everyone has a right to feel secure in their home, to feel settled in their local community and to enjoy stability so that they can look forward to the future and plan with confidence. Instead, thousands of responsible tenants can still be uprooted by their landlord, at any time and without justification, simply because they are outside of a fixed-term tenancy or licence agreement. The precarious nature of renting and the looming risk of losing a home through no fault of their own is a sad and anxiety-inducing reality for far too many of our constituents. Loss of private rented accommodation was the cause of almost 3,000 families presenting as homeless last year. That, along with soaring rents, a social housing waiting list that has almost doubled in the past two decades and the fact that over 4,500 children are in temporary accommodation, is evidence that a complete and radical overhaul is now required.

As has already been referenced in the debate, we, as elected representatives, all have experience of constituents who are fearful of reporting required repairs or who are living in private rented accommodation that simply is not fit for purpose. So too are we all aware of the barriers facing young people who are struggling to get out of their parents' back bedroom and into their first home due to affordability issues. In that context, the limited protection offered by the Private Tenancies Act, whilst welcome, does not, in itself, go far enough, nor can it be the ceiling of our ambition. That is why we cannot support the DUP amendment.

Business as usual is simply not good enough in the face of a crisis. We must see a step change in approach and a new deal for renters. Primary legislation to deliver an end to unfair no-fault evictions once and for all is an important step in that process. That should, of course, be supported by an increase in supply through the implementation of an ambitious but credible housing supply strategy that is predicated on a robust and independent assessment of need, alongside action to explore and deliver a

system of rent controls and a renewed focus on improving housing quality. Achieving that vision will require action not just from the Communities Minister but from right across our Executive, not least the Department for Infrastructure, whose inaction on waste water infrastructure is holding up as many as 19,000 homes. The challenges are undoubtedly huge, but I hope that parties can unite today on the issue and take the first progressive step towards the change that is needed.

**Mr Carroll:** There are too many landlords in the Assembly. It is no wonder that so many people can be evicted on a whim. The housing crisis is multifaceted, but, ultimately, it boils down to the refusal of the Executive parties to do anything about it. The reason why they refuse to do anything about it is that they have absolutely no material interest in doing so. It suits them and their agenda to allow people to be at the mercy of greedy landlords.

When I say that people are at the mercy of landlords, you have only to look at the reasons that they can use to evict people. Tenants can be legally evicted if they ask for repairs; if a landlord decides to increase the rent and the tenant cannot afford to pay it; if a landlord decides to convert the home into student, HMO or Airbnb accommodation; if a landlord decides to sell the tenant's home; or if a landlord just does not like their tenant. I thank the activists in the Community Action Tenants Union (CATU) for briefing us on those points ahead of the debate. I commend them for their work in resisting the evictions, legal and illegal, of all people in our communities, including asylum seekers and refugees, and I have stood with them previously on those issues.

Housing is a human right, in theory if not in practice. The fact that a commodity has been made of it is a damning indictment of the capitalist system. In 2022-23, the loss of private rented accommodation — evictions, in other words — was the second most common reason for people presenting as homeless to the Housing Executive. That should never be the case. It should never be the case that so many have to rely on private rented accommodation. That is why it is important to recognise that the Stormont Executive's failure to build social homes has been the primary driver of homelessness. It has forced too many people into substandard rental accommodation, where landlords are allowed to squeeze every last penny out of working people. You will have seen, Mr Deputy Speaker, some of the houses in which my constituents and those of others in the House live. Many of them are riddled with mould, damp, mice and worse. Across the

board, rents are up by around 10%. The average rent in the North is now £850, which is a staggering figure. It is no wonder that people live in poverty, when the bulk of their earnings go on lining landlords' pockets.

I hope that those at the sharp end of this crisis will remember how parties here voted against my proposal to cut and freeze rents. We were told that it could not be done. Lo and behold, Scotland did it a few weeks later. People voted against it because they were afraid to challenge landlords, and because many of them are landlords. I will not shame anyone here personally, but, in front of me, I have a list of some 15 MLAs who are landlords, from all parties across the Chamber. The information is on the Register of Members' Interests, and I urge the public to look at it. One in six MLAs is a landlord, which is a shocking figure that should give everyone an indication of whose interests the Assembly and Executive represent.

**Mr Deputy Speaker (Mr Blair):** The Member's time is up.

**Mr Carroll:** I do not think that any landlord should be allowed to vote on anything that might penalise their tenants —

**Mr Deputy Speaker (Mr Blair):** Thank you. Time is up.

**Mr Carroll:** — or boost their own earnings.

**Mr Deputy Speaker (Mr Blair):** All those who indicated that they wished to speak have done so. I call the Minister for Communities to respond. The Minister will have up to 10 minutes.

**Mr Lyons (The Minister for Communities):** Thank you, Mr Deputy Speaker. I start by declaring no interest. I am not a landlord. I would like to make that very clear. I thank those who contributed, and I welcome the opportunity to speak to the motion. There is much in it that I support and much that I am taking forward already to deal with some of the issues. I recognise the concerns that the proposer and others raised. I am very concerned about the high demand for social housing, increasing waiting lists and pressure on the homelessness system. Alongside that, there is increasing pressure on our private rented sector, where supply is reducing and costs are increasing. As Minister for housing, I am already on record saying that housing is a priority for me and that the challenges that I have set out cannot be addressed by my Department alone. I am

looking forward to working with Executive colleagues to make sure that it is a priority across the Executive.

Last week, we heard from many Members about how infrastructure constraints and water connections in particular continue to frustrate our attempts to deliver more homes. The issue needs to be sorted out. It is stopping thousands of houses being built and adding tens of thousands of pounds to the price of houses. We have an opportunity to act now, and we must. I am absolutely determined about that. We need to work together to make sure that we do not slide into the sort of crisis that exists in other places in the UK and in Ireland.

The motion states the findings of the 2023 report by the Office for National Statistics on private rental affordability. It is worth noting that the ONS considers housing to be affordable if a household spends 30% or less of its income on rental costs. While Northern Ireland is one of the most affordable regions, we must be upfront about the fact that rents have increased significantly over the past three years and have done so more sharply here than elsewhere. My Department's research in 2021 found that there may be 38,000 households paying more than 30% of their income in rent, of which more than 22,000 are paying over 40%. By any measure, that is unaffordable. Those households are the ones that have been really struggling and the most impacted by the freeze at 2020 levels of local housing allowance. The best ways of relieving pressure on affordability for renters are to increase housing supply and ensure that the benefits system properly considers the cost of housing. I am relieved that the local housing allowance rates have been unfrozen and increased from this month. Some of those rates have increased by over 40%. That will go some way to helping many renters pay their rent and relieve the pressure on their household budgets.

Landlords here do not have to specify a reason for eviction. Security of tenure is a major concern for tenants. I am already taking forward work under phase 1 of my Department's reform of the private rented sector to introduce much longer notice to quit periods. The Assembly mandated that action in the Private Tenancies Act (Northern Ireland) 2022. The Act places a duty on me to put those measures in place. I am fully committed to fulfilling my duty to the Assembly. I recognise that those changes will improve security of tenure for individuals and families in the private rented sector.

My officials are drafting regulations on exceptions to those notice periods in legislation

in order to ensure that our action is compliant with the Human Rights Act 1998. The Private Tenancies Act included a deadline of 27 April 2024 for that work, but engagement with stakeholders has shown that that is not realistic. I apologise to the Assembly for that delay and for missing the deadline that the Assembly set for my Department. However, it is, obviously, important that we fully consider equality implications, such as where tenant behaviour that others might see as disruptive is linked to domestic violence. My officials are developing a robust equality impact assessment in order to inform the drafting of those regulations, with consultation planned for the coming months.

My future consideration for phase 2 of the reform programme will be focused on what further measures I can take to improve the safety, security and quality of the sector. My officials have already started to engage with key stakeholders, and they will review what is happening in other jurisdictions in order to inform that work. That is really the only area of controversy in the motion and where there is a bit of division in the House today. I am happy to support the amendment that my colleagues submitted. Many Members who are calling for change voted only two years ago for the legislation, which would make notices to quit much longer than before, including up to seven months for the longest tenancies. The Assembly also placed a duty in primary legislation on the Department to do the work to bring those into place. I have a legal duty to consider the exemptions to the longer notices for things such as antisocial behaviour and to put suitable regulations in place, which would then trigger the longer notices.

That work is not complete. I have set out that it is complex and has taken longer than expected. It would be odd for me to divert my officials from that work, which I am under a statutory duty to do, in order to proceed down the different route that the Assembly wants me to take today. I am not saying that I am opposed to that; in fact, I have said that, under phase 2, we are looking at the further measures that can be taken, but I have a duty in law to progress these matters further.

#### 4.15 pm

Ending no-fault evictions is complex. It would involve an entirely new approach and require a fundamental review of how our private tenancy system works. Scotland and some of the difficulties that have existed there were mentioned. In Scotland, there are 18 different reasons why a tenant can be asked to leave a

private rental. It is hard to read that long and comprehensive list and imagine that it brings much added security. Each ground has detailed guidance setting out evidence thresholds and so on. There is a tribunal to oversee the process as well. Of course, the length of notice is different, depending on the grounds. It is only 28 days for six of the grounds and never more than three months. It does not matter how long the house has been the tenant's home. What I am trying to address is better for the safety and security of tenants than what happens there. Needless to say, with all that complexity and scope for confusion, Scotland is continually having to review and amend its law due to its unintended consequences. For example, the new approach is considered to have greatly reduced the willingness of landlords to let to students in Scotland.

I support the amendment. It retains the approach to security of tenure that the previous Assembly chose only two years ago. Even at this last moment, I urge Members to support that, but I get the sense of the House, and I acknowledge that that will not be the case. I highlight the fact that I am under a duty to continue the work that I was mandated in law to do by the Assembly. That will not prevent me from looking at phase 2 of the future work that we might be able to do in this area. I hope that Members will understand that, regardless of what way the votes go today.

I make it clear to the Assembly that I recognise the concerns around housing pressures, especially as they affect private renters, who are most exposed to those pressures, but I am committed to addressing the issues before it becomes as deep a crisis as we see elsewhere in the UK or Ireland. I acknowledge the concern around growing pressures in the private rented sector. I have set out some of the work being taken forward by the Department to help people. However, addressing housing issues will require commitment from across the Executive. In response to what Sinéad McLaughlin said earlier, when I say that — I have said it a number of times over the last couple of days — it is not to kick the can down the road or pass it on to someone else; rather, it is because, if we want to see real progress in these areas, we will need cross-departmental working and Executive support. Therefore, I will seek the Executive's endorsement of the housing supply strategy.

I will continue to prioritise building more social homes. Most of the capital budget of the Department goes on social homes, and that will continue, because we need to ensure that supply meets demand. Of course, we also need

to address other issues, like water in particular, that prevent us from doing more. I will press for a positive way forward for the future of the Housing Executive as well, because it is incredibly important. I look forward to seeing thousands more affordable homes being built and lived in over the next three years.

**Mr Deputy Speaker (Mr Blair):** Will the Minister bring his remarks to a close?

**Mr Lyons:** I encourage Members to vote for the amendment, but my powers of persuasion may have reached an end.

**Mr Deputy Speaker (Mr Blair):** Thank you, Minister, for that response, which was the latest of a number of responses that you have made today.

I call on Brian Kingston to make a winding-up speech on the amendment. The Member has up to three minutes.

**Mr Kingston:** Our amendment proposes that, in the first place, the Minister bring forward regulations to put in place much longer notice to quit periods. That, we believe, would make a real and tangible difference to tenants as a first phase in enhancing their rights and protections. As my colleague Maurice Bradley said, there is a need for balance on the matter. Departmental statistics show that 13% of homes in Northern Ireland are in the private rented sector. In comparison, just 4% of homes are rented from housing associations and 10% are Housing Executive rentals. The number of private rentals is therefore virtually equivalent to what we call "social housing".

As we have heard in the debate, some just have an ideological objection to private rentals. That is of no help, though, to those who seek properties. It is a substantial sector and an option that many people choose to avail themselves of. There is a risk, through over-regulation, of causing a reduction in private rental properties. As anyone who talks to local estate agents will know, there is already a massive shortage of private rental properties. I am told that, once a property goes on the website, the agent gets hundreds of requests on the first day. The circumstances of recent years have caused a reduction in that supply through higher interest rates and higher house prices. Research from the Chartered Institute of Housing found that as many as 60% of private landlords could seek to exit the market, particularly where Airbnb and holiday lets may accrue higher rents.



Members rightly raised the issue of the quality of private rented sector properties: that needs to be enforced. We need suitable regulation through the environmental health departments in our councils, and they must have those powers.

In every action and in every decision that we take in the Assembly, we must be mindful of the risk and likelihood of unintended consequences. We believe that our amendment to increase the notice periods for tenants will, in the first place, increase protections for them without risking the reduction of supply as an unintended consequence.

**Mr Deputy Speaker (Mr Blair):** I call on Cara Hunter to conclude and wind up the debate on the motion. The Member has up to five minutes.

**Ms Hunter:** I sincerely thank the Minister, who has been here all day, since early this morning. We are really grateful that he is here and has been listening throughout. I also thank all the anti-poverty campaigners who have joined us here today in Stormont and online to listen to our debates as we talk about ending the pain of poverty that is inflicted on and endured by so many of our constituents across the North.

I could speak passionately all day about the housing crisis. I really am grateful that the Minister is here, because he will be familiar with the wider Coleraine area and the huge, significant challenges facing housing in that area. Across my constituency, thousands of people wait every day for a fit-for-purpose house. It genuinely makes me outraged that mothers, fathers, parents, guardians and families of all sizes are left in overcrowded houses with their children, who often have complex or special needs and physical disabilities, and are forced to live and eat in living rooms and sleep on sofas. It truly is shocking and absolutely unacceptable.

No-fault evictions have contributed to significant stress on families, who are suddenly left with just weeks to find an available new home when they are few and far between. Of the few houses that do exist, constituents cannot afford or are priced out of living in them. Even the Conservative MP Michael Gove has recognised the impact and is seeking to change the legislation.

Over 46,000 people are waiting for a home in Northern Ireland. We must immediately build and expand social housing in our communities. Every week in my constituency — from Limavady to Portrush and from Dungiven to Feeny, Claudy and beyond — it feels as though

we continue to lose private rentals for families in those areas who desperately need them and desperately need somewhere to live.

**Mr Kingston:** Will the Member give way?

**Ms Hunter:** Not at this point, because I am stuck for time. Sorry.

The lack of available social housing and private rentals undeniably means that there is an increase in prices, and people have to compete just to have a roof over their head.

Real estate agents across the north coast have sent me emails of great concern. They have never seen pressure like it or such a challenging issue. Hardly any rentals are available on the north coast, and so many are competing for them. That has seen some landlords strive to profiteer. For some, the impact of that has been young mothers evicted with a short turnaround time. People are surviving, not thriving. As a Portrush resident, I see that so much. The people I grew up with have been priced out of returning to their childhood town. They cannot even aspire to live in Portrush, because houses to buy or rent simply do not exist, and the social housing lists last for years at a time. What does it mean when someone cannot access a home in the local community? It means a breakdown of community and support mechanisms. For example, young couples with one or two children have to move away from their families and do not get the support that they may need.

We need to be aware of why the housing crisis is happening and of the factors that worsen it. Second-home ownership, specifically on the north coast, is a massive issue that is only getting worse. It eats into the availability of local housing. It is crucial to raise that point today, and I am mindful that, in the Causeway Coast and Glens Borough Council area, Portrush has anywhere between 16% and 24% of its housing as second homes and Portstewart has up to 23%. That is not sustainable for locals, and I would love to hear more feedback from the Department about whether it is mindful of that and how it is seeking to address the matter. Our constituents are entitled to safe, affordable and good accommodation. How can one have a stable life without having a stable and happy home?

I will draw attention to some of the important points that Members made. Ms Ferguson touched on the importance of ending no-fault evictions, and I welcome her work on the all-party group (APG) on homelessness, which has been strong on tackling the issue. Ms

Armstrong and Mr Tennyson support the ban on no-fault evictions and praised Renter's Voice. Mr Nesbitt touched on landlords taking advantage of vulnerable tenants, and that is a very important point. He also said that tenants may avoid reporting repairs because they fear eviction. Mr Carroll ended with the important point that there is little protection if your landlord does not like you. Ultimately, it is important that that was raised during the debate, and that is why we tabled the motion.

We want to ban no-fault evictions entirely and with urgency, and, because of that, we will not support the DUP's amendment.

I am grateful that it looks as though two of our three motions will pass today, although I am saddened that some have been diluted by Executive parties, both today and yesterday. I will leave it to those parties to explain their position to their constituents. Again, I thank everyone for their contributions today. I appreciate it, and I hope that Members can support the motion.

**Mr Deputy Speaker (Mr Blair):** I thank the Member for concluding the debate.

*Question, That the amendment be made, put and negatived.*

*Main Question put and agreed to.*

*Resolved:*

*That this Assembly declares a housing crisis; expresses its concern that social housing waiting lists have almost doubled in the past 20 years, with a clear long-term trend towards longer waiting times; acknowledges the findings of the 2023 report by the Office for National Statistics (ONS) on private rental affordability that median rent in Northern Ireland's private rented sector accounts for 25% of household income; regrets that the loss of private rented accommodation continues to drive homelessness; and calls on the Minister for Communities to provide an immediate update on the housing supply strategy and bring forward legislation to ban no-fault evictions in Northern Ireland.*

**Mr Deputy Speaker (Mr Blair):** I ask Members to take their ease while we change the top Table.

*(Mr Speaker in the Chair)*

4.30 pm

## Executive Committee Business

### Hospital Parking Charges Bill: Accelerated Passage

**Mr Swann (The Minister of Health):** I beg to move

*That the Hospital Parking Charges Bill proceed under the accelerated passage procedure.*

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

**Mr Swann:** I am grateful for the opportunity to address Members on this critical issue. I seek agreement today to progress, by accelerated passage, the Hospital Parking Charges Bill, which will postpone the ban on charging money for parking vehicles in hospital car parks, as contained in the Hospital Parking Charges Act (Northern Ireland) 2022. I confirm that Executive approval was sought and gained for the process of accelerated passage.

I do not make this request lightly. When possible, primary legislation should be subject to full Assembly scrutiny. The Committee Stage of a Bill is clearly a significant element of that scrutiny process. However, for reasons that I will outline, there are, on this occasion, compelling grounds for the use of accelerated passage.

Before I do that, I want to say a few words about why legislative change is required. I will, of course, cover that in more detail at Second Stage, which will follow this debate, if successful. Briefly, health and social care trusts have been working to implement the legislative requirements of the Hospital Parking Charges Act by 12 May 2024. However, due to legal challenges beyond our control, the award of a contract for the traffic management system has been delayed by around four months. Following the resolution of those challenges, we anticipated awarding a contract later this week. However, due to the technical realities of implementation, which includes, for example, an assessment of the infrastructure required and its locations at each site, the ordering, delivery, installation and testing of the equipment and any necessary communication

to and engagement with members of the public and staff, the system will not come online until, at the earliest, later this year, which is after the new law is scheduled to come into effect on 12 May.

Advice from the health and social care trusts is that, once parking is made free, there will likely be a surge in demand, and, without a traffic management system, they will be unable to control parking, preserve blue-light routes and protect designated spaces. They are now significantly concerned about their ability to maintain safe access to their sites for patients, clients, visitors and staff. The resulting congestion on sites and at access and egress routes will contribute to delayed or missed hospital appointments, including emergency treatments.

I know that many Members are aware of the traffic issues at health and social care sites and, indeed, may have personal experience. You will therefore understand why I am very concerned that a delay in bringing any effective traffic management solution into operation will make the situation significantly worse for patients and staff by adding unmanageable demand for spaces and putting further pressure on trust staff who are already dealing with huge challenges. In particular, it would have a significant impact on the Belfast and South Eastern Health and Social Care Trusts that, regionally, have the highest number of charged parking spaces and offer many regional healthcare services.

If Members do not grant accelerated passage, the stark reality is that hospitals will have no means to control parking, preserve blue-light routes and protect designated spaces. I hope that it is clear to Members, from what I have already said, that, in our view, this creates an unacceptable risk of traffic chaos in and around critical hospitals, which will bring associated risks to staff, patients and the public for up to six months from May 2024.

I therefore commend the motion to the Assembly and ask that it agrees that the Hospital Parking Charges Bill proceed under the accelerated passage procedure.

**Ms Kimmins (The Chairperson of the Committee for Health):** I thank the Minister for his opening remarks and for the opportunity to outline the Committee's consideration of the Minister's request for accelerated passage on the Hospital Parking Charges Bill. The Deputy Chair and I met the Minister and senior officials last Monday, and the Minister outlined the

reasons for seeking accelerated passage for the Bill.

Following the briefing, officials came to the Committee last Thursday, where they outlined to members the reasons for accelerated passage and the consequences of accelerated passage not being granted. I thank the Minister and officials for that engagement and for the opportunity to further interrogate the reasons for accelerated passage being required for the Bill.

From the Committee's point of view, accelerated passage is not something that it actively encourages. We all understand the important role that Committees play in consulting the public on legislation and bringing forward amendments following consideration of the evidence provided. However, on occasions, accelerated passage is required if circumstances deem it necessary. The Committee was informed of a number of reasons why accelerated passage for the Bill was needed and of the consequences of its not being granted. We are all aware that provisions in the Hospital Parking Charges Act 2022 were due to come into effect on 12 May 2024. However, the Minister and officials made it clear that, should car parking charges be removed on 12 May, the trusts would not be in a position to implement a parking management solution that would prevent gridlock at many of our hospital sites. It was said that, at some of the sites, it would not be possible to preserve blue-light routes and protect designated spaces, as the Minister mentioned.

I am sure that many Members have received complaints from constituents about problems with parking at various sites, and the Committee was made aware that, without the necessary controls being put in place, the problem would be exacerbated. We were advised that, while trusts had been working towards 12 May this year, due to legal challenges in relation to the awarding of the contract for traffic management systems, the systems would not be in place by 12 May. The timeline for implementation of a new control system has been significantly delayed. Members were advised that the delay meant that the earliest a system could be in place is September 2024.

It was said that, without automatic number plate recognition systems, our hospital sites would be even more chaotic, which would result in people being late for or even missing their appointments. The Department provided the Committee with a timeline of the work that it and the trusts have taken forward in the two

years since the Hospital Parking Charges Bill was passed.

The Committee noted that the Executive had agreed to the Minister's request for accelerated passage. Following the briefing by officials and considering that no management system would be in place before 12 May, the Committee agreed that it was content that accelerated passage be approved. However, I note that Mr Colin McGrath placed on record his opposition to granting accelerated passage to the Bill.

I ask the Minister for clarity on what will happen if Royal Assent is not received by 12 May. Has there been any consideration of the arrangements and management of car parks that would be required if the 12 May target is not achieved? If accelerated passage is granted, I will outline the Committee's consideration of the Bill at Second Stage.

**Mr McGrath:** I will make a few brief remarks about the request for accelerated passage. I am not happy that we are having to use it. I worry when a Department gets a procurement process so wrong that it is left open to legal challenge and that that delays the roll-out of legislation that the House unanimously voted for. I remind Members that there was all-party, full-party support in the Chamber for the Bill over two years ago. Mind you, the fact that there was an election a few weeks later may have accelerated that support, but that full-party support was nonetheless there.

I am not a fan of the accelerated passage of Bills. We have normalised this place a little bit: we have an Opposition and Committees, and we have space for debate. My goodness, with the complete lack of legislation coming from the Executive, we certainly could not cite pressure on Assembly time as a reason for having to rush things through. I also note that we have been back since 3 February; we are two and a half months in. This could have been sent to the Committee a few weeks earlier to allow us a little more time to consider it than we got at one meeting. I fear that discussion of the delay that is being requested today is not in the Executive's favour. A quick, stick-it-through delay is what suits Executive parties best, and that is what we face. As the saying goes, we are where we are.

**Mr Carroll:** I am opposed to the Bill. I will go into detail on that later, but logic follows that, if you oppose the Bill, you should oppose the plan to fast-track it. If the accelerated passage motion is passed, Members will have until half past nine tomorrow morning to table an amendment, which does not allow time for

anybody to consider or engage or to speak to unions or anybody else about the problems with the Bill. From listening to the Minister and Members, I do not see a sound reason to bring forward the Bill or to fast-track it, and I will therefore try to vote against it.

I would like a clarification from the Minister. The Chair of the Committee mentioned September 2024 as the date for the technology to be available. Is that an exact date? When do the Minister and his officials expect the technology for parking to be available and its implementation completed?

**Mr Swann:** I thank Members for their contributions, and I thank the Chair of the Health Committee for her comments about the discussion at the Committee.

I can assure Members that every effort was made to explore the expedition of the traffic management contract. Given the ongoing work between my officials and the health and social care trusts, I am deeply frustrated and I deeply regret that this course of action needs to be taken at such a late stage.

The Chair asked what will happen should the Bill not be enacted by 12 May. With Members' support, I hope to achieve Royal Assent for the Bill as soon as possible after 12 May. There has already been engagement on the off-chance that we do get it through by then. Trusts are aware of the risk of an interim period in which no charging may apply, and, during the period of free parking without the required traffic management system in place, demand on car parking spaces is expected to increase. Trusts are already working to minimise the level of disruption by deploying additional parking attendants and putting in place manual interventions and cordons to try to protect spaces for legitimate users. Trusts have advised that the barriers in place will continue to be used but that the charges will not be applied when the ticket is presented at a pay station. The main impact will be that many staff who park off-site will choose to park on-site once parking becomes free. Without the automatic controls, visitor car parks and patient car parks may reach full capacity before 8.30 am from Monday to Friday, which will undoubtedly prevent patients and visitors from utilising the car parks during those times.

Mr Carroll made a comment about the appointment of the contractor. The contractor has indicated that, by the end of 2024 — September at the earliest — the facilities will be in place for the recognition of number plates, which may help as well. The Belfast Trust has

indicated that the roll-out of Encompass may enable people to receive a QR code on their appointment letters that they could use to access car parks.

I ask the Assembly to approve the motion.

**Mr Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put.*

**Some Members:** Aye.

**Mr Carroll:** No.

**Mr Speaker:** As there is only one dissenting voice, I will move ahead on the basis that we have cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Hospital Parking Charges Bill proceed under the accelerated passage procedure.*

**Mr Speaker:** The Assembly has agreed that the Hospital Parking Charges Bill may proceed under the accelerated passage procedure. The Second Stage may therefore be moved today.

## **Hospital Parking Charges Bill: Second Stage**

**Mr Swann (The Minister of Health):** I beg to move

*That the Second Stage of the Hospital Parking Charges Bill [NIA 02/22-27] be agreed.*

**Mr Speaker:** In accordance with convention, the Business Committee has not allocated a time limit for the debate. I call the Minister of Health to open the debate on the Bill.

**Mr Swann:** Thanks for the opportunity to open the debate on the Hospital Parking Charges Bill. First, I thank the Health Committee, which ceded Committee Stage so that the Bill can progress in a shorter time frame.

As Members will recall, the Hospital Parking Charges Act (Northern Ireland) 2022, which was passed by the Northern Ireland Assembly in March 2022, prohibits the imposition of charges for parking vehicles in hospital car parks and is due to come into operation on 12

May. Its main policy objective is to abolish hospital car parking charges across health and social care hospital sites in Northern Ireland for staff, patients and visitors. While I remain entirely sympathetic to the intentions behind the legislation, delays to the operational implementation of a traffic management system to control parking once charges are abolished means that there is a significant risk of detriment to patients and staff, and it is undoubtedly the case that the financial context for Health and other Departments has worsened considerably since the Act was passed.

The Hospital Parking Charges Bill proposes to modify the operation of the Hospital Parking Charges Act (Northern Ireland) 2022 so as to postpone the ban on charging money for parking vehicles in hospital car parks.

If the Bill comes into operation on or before 12 May 2024, section 1 of the 2022 Act will mean that:

*"No person may impose or recover a monetary charge with respect to the parking of a vehicle in a car park at a hospital by someone who is attending the hospital in a relevant capacity".*

That would take effect on 12 May 2026. If the Bill comes into operation after 12 May 2024, section 1 of the 2022 Act ceases to have effect when the Bill comes into operation and resumes having effect on 12 May 2026.

### **4.45 pm**

Advice from health and social care trusts is that, if parking is made free without a traffic management system, they will be unable to control parking, preserve blue-light routes and protect designated spaces. They are now significantly concerned about the ability to maintain safe access to their sites for, as I said, patients, clients, visitors and staff. The resultant congestion on-site and at access and egress routes will contribute to delayed or missed hospital appointments, possibly including emergency treatments. As I said, many of us are aware of the traffic issues at HSC hospital sites. I am concerned that, owing to the delay in being able to implement the parking management solution, the current legislation, though clearly well intended, will make things worse for patients and staff by adding to demand for spaces, which will add further pressure to trust staff who are already dealing with huge challenges.

Primarily, charging allows the car parks' capacity to be carefully managed and controlled to meet demand. Charging rates differ across health and social care trusts, so the rates applied are set at a level that is consistent with public car parks in the local environment to avoid an undesirable pull effect. Any changes to charging would change the dynamic of the local parking environment and impact on choices taken by non-permit-holding staff and commuters.

It is envisaged that, once parking becomes free, without traffic controls in place, visitor car parks may reach full capacity by 8.30 am, Monday to Friday, and remain full until 4.30 pm on each of those days. That will, undoubtedly, prevent patients and visitors utilising the car parks during those times. That is expected to have a significant impact in the Belfast Health and Social Care Trust, which regionally has the highest number of charged parking spaces. Belfast Trust has highlighted to me a number of risks and impacts associated with the introduction of the current parking legislation without the desired automatic number plate recognition (NPR) parking controls in place. They include the fact that a reduction in car parking charges in Belfast City Hospital would increase the demand for the car park, as the hospital is within easy walking distance of the city centre. If the pricing were reduced to a level to make it cheaper than public car parking and public transport, the parking at the hospital would be more attractive than the alternative options.

By charging at particular levels, trusts seek to dissuade inappropriate parking, ensuring that important capacity is available for those with a legitimate hospital-related need. Therefore, if the trusts reduced the tariff below the local commercial environment rates in the absence of the NPR parking solution being in place, they may find that they have introduced an equality issue, as legitimate users will struggle to access healthcare and hospital appointments and visits will be delayed or missed completely as a result of capacity pressures, with a significant increase in the number of complaints and negative media coverage. Without the parking controls in place, Belfast Health and Social Care Trust expects an increase in the number of staff using the car parks as well as other users from adjacent premises.

On the Royal Victoria Hospital site, which is already prone to serious gridlock, it is expected that, once parking is free, parking queues will increase in length and time. That would put blue-light routes under serious additional risk and may delay or prevent emergency service

vehicles reaching their emergency department. In addition, gridlock to the adjoining roads, especially the Donegall Road, Broadway roundabout and Grosvenor Road, will be negatively impacted, and, potentially, traffic congestion will increase in those areas. The community areas surrounding the parking sites will be impacted as staff, patients and visitors seek alternative parking options due to the car parks quickly reaching full capacity. That will have a negative impact on community relations and potentially lead to negative engagement.

My primary concern is to protect access to hospitals for patients and staff. I therefore seek agreement to a Bill to defer the removal of charges for two years. While that may seem long to some colleagues, you will all know that my Department also faces unprecedented funding challenges. The removal of car parking charges would result in the loss of £7 million of revenue that is currently used to partially fund the £9 million expenditure associated with the operational upkeep and management of car parks. No additional capital or revenue funding has been made available to my Department for the implementation of the legislation. If it is not forthcoming in the 2024-25 Budget exercise, the costs would need to be met by reductions in other expenditure areas. Therefore, I propose to use the deferral period to implement fully the infrastructure required to manage free car parking and to develop a funding plan for the implementation of free car parking after the deferral period.

The deferral will also allow trusts more time to explore whether car use can be reduced. That is a fundamental point, not just because of our responsibilities on climate change. At present, demand for car parking space already significantly exceeds capacity on some hospital sites. Increasing that demand by abolishing all charges is not without risk. Prior to the end of the two-year deferral period, my Department will bring to the Executive a paper that sets out how it intends to fund and manage the implementation of free parking going forward.

I know that many colleagues supported the legislation because of the benefits to Health and Social Care staff, patients and visitors. Consequently, I propose proceeding with the option of making staff car parking permits free of charge at the same quantum as they currently are. As fair recognition of the hard work and dedication of Health and Social Care staff, that would allow the Executive to deliver at least some of the intent of the legislation. Concerns have been expressed around equality if staff permits are made free. I asked officials to consider a percentage reduction to all car

parking costs as an alternative, but trusts advised that, when they conduct an equality impact screening assessment, they assess the impact on staff, patients and visitors separately, given the different capacity in which those groups visit the sites. Trusts advised that a blanket reduction of car parking charges is likely to have the unintended consequences of increasing demand for car parking spaces on hospital sites and incurring costs relating to the reconfiguration of equipment and signage. Charges across hospital sites are set in line with local car parks, so a reduction could increase demand for car parking spaces from the public, which, again, would be to the detriment of service users.

In addition, concerns have been expressed around equality if staff permits are made free, as, due to capacity, not all staff who meet the criteria for a parking permit will have access to one, with many placed on a waiting list. Current car parking policy outlines that health and social care trusts should ensure that a reasonable allocation of spaces is made available for staff, taking into consideration the overall availability of car parking on the site and balancing the needs of patients and visitors. Where demand for car parking spaces on hospital sites is greater than the available capacity, to ensure a fair and consistent award process, I am directing health and social care trusts to regionally implement an assessment of demonstrated need for staff parking permits. The assessment criteria will take into consideration individual circumstances, operational requirements and the individual's ability to access alternative and sustainable forms of transport. For example, recommended criteria may include the requirement to use a private vehicle daily to deliver direct patient or client care, the requirement to provide regular clinics or services on more than one site, the requirement to participate on a scheduled rota for on call or the requirement to manage service staff on more than one site. Other criteria may include holding a blue badge through disability or, as a parent, guardian or carer, using a private vehicle to transport children or provide caring responsibilities on the way to or from a base site where public transport is not available. On the basis of the information that is available, there is nothing to indicate that the proposal to provide free car parking to permitted pass-holders would create an adverse impact on the promotion of good relations.

Knowing the value that our Assembly colleague placed on the private Member's Bill, I do not make the proposal to postpone the operation date of the Act lightly. I do so to protect access

to hospital sites for service users and because Health and Social Care no longer has the resources to deliver its services.

**Mr Allister:** Will the Minister give way?

**Mr Swann:** Yes.

**Mr Allister:** Will the Minister explain to the House why he has chosen to put the fixed commencement date of May 2026 rather than having the quite regularly deployed clause stipulating commencement at the Department's discretion? Why is he not amending the Act to impose such a commencement clause?

**Mr Swann:** I wanted to bring in legislation that had a time-bound limit to reassure those, including us, who supported the Bill at the start that this is a time-bound extension rather than a never-ending one, for which I would be rightly criticised and which would put the legislation at risk. Acknowledging that I remain entirely sympathetic to the intentions behind the original legislation, we have a fundamental problem now to address. Once the legislation comes into effect, free parking will inevitably encourage more people to use car parks on hospital sites, including staff, visitors, patients and those without any legitimate reason.

I thank everyone for their patience while I provided the overview of the Bill. I hope that you will agree that the Bill is necessary to ensure safe access for staff, patients and visitors to our hospital services. I am conscious that I am asking the Assembly to make a difficult decision today. Unfortunately, given the budgetary challenges facing all Departments, there will be more difficult decisions to come, and we have to be honest with the public about that. Our collective financial position has deteriorated markedly since the free parking legislation was passed two years ago. I know that Members supported that measure for the best of motives, and I know that it reflected a genuine desire to show solidarity with health service staff, with patients and their families. However, the House will not be thanked if it allows a parking free-for-all to unfold from next month, with all the chaos and disruption that that would bring to traffic and vital services. Therefore, I ask Members to support the Bill.

**Ms Kimmins (The Chairperson of the Committee for Health):** I welcome the opportunity to contribute to the Second Stage debate on the principles of the Hospital Parking Charges Bill. In the last mandate, the previous Health Committee undertook the Committee Stage of the Hospital Parking Charges Act

2022. That Committee undertook a public consultation on the Bill and heard from a number of organisations in relation to it. Some of the issues that were raised during the evidence sessions are still as relevant today as they were over two years ago, such as the lack of capacity, inequity in charging within and across trusts, financial issues for staff having to pay for parking and inconsistencies in the approach to providing free parking for patients and their families.

In March 2022, the Assembly agreed that the Hospital Parking Charges Bill be enacted. Therefore, it is disappointing that, over two years later, we are in a position where we are having to introduce new legislation to further delay the introduction of free parking on our hospital sites. The previous debate on accelerated passage of the Bill outlined the reasons why action needs to be taken quickly on the issue. I will outline the Committee's consideration of the Bill and some of the issues that were raised with the Minister and officials in relation to its implementation.

The Bill is a short, two-clause Bill that provides for a postponement of the implementation of the 2022 Act for a period of two years. As I mentioned in the previous debate, the Deputy Chairperson and I were briefed by the Minister on the Bill last Monday and the Committee was briefed by officials last Thursday. The officials outlined that a delay in implementation was required as the automatic number plate recognition system that would be needed to manage the car parks would not be in place until September at the earliest. The officials said that, without that system in place, free parking would result in gridlock at many of our hospital sites and that blue-light routes could not be preserved. The officials also said that the reason for the delay was a legal challenge in the procurement process and it was hoped that that would be resolved in the coming weeks. The officials told us that traffic impact assessments were completed and highlighted some of the issues that would occur if charging were to be removed. The Committee requested a copy of those traffic impact assessments.

Committee members also highlighted to the officials that the two-year postponement should not act as a target date and, if possible, charges should be removed once the system is up and running and had sufficient time to be tested. The officials said that it was not their intention to use the full two years. The issue of staff permits was raised during the briefing with the Minister, who outlined, as he has done today, that it is his intention to make staff car parking permits free of charge, which is, indeed,

welcomed. The Minister and the officials outlined the criteria for providing parking permits, including the need for access to multiple sites, for home visits, for delivering equipment and for staff who work shift patterns where public transport is not available. I outlined the need for additional criteria in relation to those on low incomes. I hope that the Minister and the Department will consider that.

### 5.00 pm

The Committee is aware that there are currently circumstances in which patients and families can avail themselves of free parking, and I encourage the Department and the trusts to ensure that they are proactive in providing those patients and their families with free parking where they qualify for it rather than continue with the inconsistent approach that is taken across sites at present. We are all too aware of the problems at some of our hospital sites, and the Minister and the Department need to ensure that they use this next period to improve access and capacity at those sites, for staff and patients. Provided that the Bill passes the necessary stages and is granted Royal Assent, the Committee will undertake its scrutiny of the implementation of the new system and the work that will be done to increase capacity and improve access to our hospital sites.

I will now make some remarks in my role as Sinn Féin health spokesperson. As outlined, Sinn Féin is extremely disappointed that the Hospital Parking Charges Act 2022 has not been implemented within the time frame agreed with the Department. There is no doubt that patients, staff and service users would all benefit greatly from the removal of charges, and, although we are disappointed, we do understand that the Minister has identified a preferred contractor, and we therefore hope to see rapid progress made on the matter in the coming weeks and months, not at the end of another two years.

During the legislative process, support for the previous Hospital Parking Charges Bill was expressed by many different organisations, such as Macmillan Cancer Support, Marie Curie, the Rural Community Network (RCN), the Royal College of Nursing (RCN), NI Committee, Irish Congress of Trade Unions (NIC-ICTU)-affiliated trade unions and the BMA. Free parking at public hospital sites would help address health inequalities by reducing the burden on patients and visitors who are already physically, psychologically and financially impacted on by the experience of their own or a loved one's ill health. According to Macmillan



Cancer Support's views on the provisions of the previous Hospital Parking Charges Bill, submitted to the Health Committee, Macmillan benefits advisers have reported that car parking charges are a cost frequently mentioned by people living with cancer and that they often need to refer people to the Macmillan grants team so that those people are able to access financial support for parking and travel costs. No one should have to deal with an additional financial burden while accessing treatment or attending hospital with a family member, particularly those who have long stays or frequent attendances at hospital. Just today, I met the Children's Health Coalition. It has outlined its key asks, which include a relatively small amount of ring-fenced funding to support families with the hidden costs of caring for a sick child as they face significant reduction in their family income during that time. Anything that we can do to try to alleviate what is already a very difficult time for families and patients, we should do.

We are acutely aware of the existing challenges with parking at hospital sites, and it is important that those be addressed. Those challenges must not, however, be used as a reason to continue this unfair and unjust cost to staff and patients, who have no choice but to travel by car to hospital for work or to receive healthcare. Although I welcome some of the criteria that the Minister outlined for ensuring that interim measures are put in place for free parking permits for staff, it is something that we have to have as a short-term measure. Every week at the Health Committee, we hear from departmental officials and representatives from right across the health and social care sector about the huge workforce crisis in our health service. How do we really expect to address that crisis when it is costing staff to come to their work? To put it into context, a band 5 nurse on a starting salary of around £27,000 a year, who is potentially already paying the equivalent of a mortgage payment every month for childcare, is then expected to fork out £11 or £12 a day for parking, in some cases five days a week. How can we justify that? If we really want to stabilise our health service and recruit and retain staff properly so that they can deliver vital healthcare, we must make it worth their while to do so.

**Mr McGrath:** We are here today to discuss the Second Stage of the Bill, and I have to say that that is a shame. It is a shame that we are discussing the delaying of the implementation of the 2022 Act, and it is a shame that, on a day on which we in this place have been focusing on how to break the cycle of poverty, we are debating a delay to removing unfair charges.

The then Hospital Parking Charges Bill was lauded by Sinn Féin in April 2022 as saving patients and hard-working staff the money that they would have to pay and as saving folk money when visiting their sick and dying relatives, yet, two years later, here we are. The difficulties with that legislation mean the Sinn Féin/DUP-led coalition Executive have agreed to delay its implementation by another two full years.

It seems that it will take the Executive four years to put up a few cameras at a number of hospital sites to read car registrations and to get a computer program to analyse them. In our constituency offices, how many of us have been dealing with, if not been swamped by, people who get car parking tickets from supermarket and shopping centre car parks? Those organisations got their infrastructure in place, and I wager that it did not take them four years to put it up.

So many reasons — others might call them excuses — have been given for the delay in getting the infrastructure in place and for requesting the two-year extension. Some of them are so weak in places that the bottom of the barrel has been not just scraped clean but scraped through. When you hear terms such as "creating inequality of access to service" and then hear people asking for a two-year delay that, itself, creates an inequality of access to service, you wonder whether the situation has been handled properly at all.

The inevitability of the Bill's passing by the four-party Executive means that the most important thing that we, as an Opposition, can do is ensure transparency and make sure that the full facts of the matter are known. On that basis, I make the following points and seek the Minister's clarification.

The now junior Minister's Bill passed just before the Assembly elections in May 2022. We have heard that a legal challenge was concluded around November last year. How soon after the Bill received Royal Assent did the procurement process commence?

We are told that a new infrastructure system is needed. What is wrong with the current one? Could the current infrastructure, where people have to use cards to get in and out and to pay for car parking, not have been adapted in the short term to deliver some solutions rather than having to seek a delay for two years?

I will go slightly easy on Committee consultation. The Committee has had one presentation, lasting 45 to 50 minutes. That is

all that the Committee has had, so I do not want to imply that it has had proper engagement. We would like, I am sure, to have brought in other organisations, including staff organisations and, potentially, other organisations involved in the delivery of car parking services. We could have asked for clarification and sought some more information, but all that we got was a briefing. It was a Committee briefing rather than a Committee engagement. Numerous remarks were made that, if hospitals were to implement free car parking, that could cause problems such as blocking blue-light routes. However, people also highlighted that that is an issue as things stand, so perhaps it is an issue not of car parking but of how ambulances get to the hospital. To suggest that it is an argument for holding up free car parking for another two years seems a bit weak.

Furthermore, the issues are very site-specific. Issues of congestion are specific to the Royal, and the issue of other people using the car parking facilities is specific and was mentioned in relation to the City Hospital. However, free parking at every site across the whole of the North now has to be delayed for a further two years, and we are heavily citing those two sites as reasons for doing so.

Part of the rationale for the 2022 Bill was to help to address the imbalance faced by people in rural communities who have no choice but to take their car to make hospital visits. How has the deferral been screened for its impact on rural communities that will have to wait for another two years for free car parking to arrive?

The Committee was told that the procurement process had caused a legal challenge and that that would mean that the system would not be ready for another three or four months. That brings us to August or September. An obvious question has to be this: why are we looking for a delay of two years if the system can be brought online in a few months?

I would really like the Minister to answer one specific question in his remarks. I would like a crystal-clear response. Can we have a date on which staff will get access to their free parking? When can they expect the system to be in place? It is referenced in the letter that was sent to the Committee, it was mentioned in the Committee's discussions and it has been referenced here today, but we have not been given a date. If there is a two-year delay —.

**Mr Butler:** I thank the Member for giving way. I declare an interest: my daughter is a nurse in Lagan Valley Hospital. We have had multiple issues on the Lagan Valley site for a number of

years now. In fact, a multi-agency group has been trying to work out what to do about the overspill of parking in the area, which is causing public safety issues way outside the Lagan Valley Hospital site. One of the problems with the original Bill was the fact that it did not seek in any way to alleviate the public safety issues where illegal parking happens. Is it not better that we buy time and ensure that public safety is also measured in the introduction of free car parking for our health and social care staff?

**Mr McGrath:** I thank the Member for his intervention. He gets a free pass on his birthday. That is not a problem that has just arrived today. We have known about it from the very beginning of the conversations about introducing free car parking. Somebody in the Department did not suddenly scratch their head last week or the week before and say, "Hey, we've got three weeks to introduce this. We need to get something sorted out". There was plenty of time to plan. We did not need to wait until the supplier of the car registration identification system was chosen before specific planning was done and some of the issues were dealt with. Those issues could have been addressed alongside the introduction of the Act, and we would have been two years into the provision.

**Mr Butler:** Will the Member give way?

**Mr McGrath:** I will move on.

Those are reasonable questions that any MLA should be asking the Minister and the Department, but there are also questions that must be asked of the Executive and the parties that are represented here this afternoon. The tasks of the Executive Office are detailed on its website and include promoting and monitoring the implementation of equality of opportunity and good relations, and tackling poverty and social exclusion. However, the First Minister said that the Executive had no choice but to accept the Health Minister's proposal for the deferral. The deputy First Minister said that the Executive unanimously agreed to the Health Minister's proposal to bring forward a new Bill through accelerated passage. The Executive have made much noise about what they will do to tackle poverty, yet the deferral will only intensify poverty. We all agreed that poverty exists, and that we needed a Bill to address it, but, now, we are simply holding off for another two years. What are the Executive doing to mitigate the intensification of poverty if they are agreeing to defer the implementation of the Act?

When the initial Bill was brought forward, its sponsor, who is now a junior Minister and has agreed to defer what was in her own Bill, said:

*"The charges are, quite simply, an unfair additional tax." — [Official Report (Hansard), 22 November 2021, p50, col 1].*

The deputy First Minister's party said:

*"the disparities in car parking fees between trusts have created regional inequalities for those who face a trip to the hospital." — [Official Report (Hansard), 22 November 2021, p52, col 2].*

The Alliance Party said that, because staff often work shift work, public transport does not always align with that, hence charges are an unfair tax. It has to sit very uncomfortably with those Members that they have asked for the deferral of an Act, the provisions of which they so vigorously supported just over two years ago. Some might ask whether they would support the deferral if it were being brought forward a few weeks before an election. Those are important questions that I hope can be answered before the new Bill progresses any further.

**Mrs Dodds:** The Member who spoke previously stated that all the parties in the Assembly supported the original Bill. I reiterate our support for it; we do not resile from it. I say to the Minister that we are disappointed that we are having to defer the provisions of the Act. There are genuine questions to answer about how much work has been done in the interim period to get the systems into operation. As the Member who spoke previously said earlier today, we are where we are, but it would be good to hear some of the explanations for the delay in getting the provisions to proceed.

**5.15 pm**

We have always said that accessible spaces should be available for those who require them the most, such as those who are under stress, those who have received a difficult diagnosis and those who are visiting an ill relative. The Chair of the Health Committee referred to meeting the Children's Health Coalition, which I too have met. Something needs to be done about the hidden costs of long-term hospitalisation for families who have children who are ill over a long period. Many children with a cancer diagnosis are in hospital for a very long period, and their families require support. I hope, Minister, that when you are looking at measures to alleviate the pressure in

the interim, you will look at that particular issue. It is very important that that happens.

They say that all politics is local, and you referred at length to the City Hospital and the Royal Victoria Hospital. However, I assure you, Minister, that car parking at Craigavon Area Hospital is in just as serious a position. Even at times of day that are not busy periods, it is almost impossible to get a space at Craigavon Area Hospital. There is life outside Belfast, and we need to stress that those of us in other parts of Northern Ireland experience these issues as well.

Minister, you very kindly answered a question from me in the Chamber yesterday on the reconfiguration of hospitals. In implementing the Act — hopefully, as soon as possible — will you take that into consideration and let us know how that will work?

We could also look at the Scottish and Welsh Governments. When they looked at abolishing fees, they put down some markers on what they would do to achieve that. Those were to make sure that hospital car parks are not misused by commuters or shoppers, that you balance the needs of different groups and that you are encouraging the use of public transport, where possible, to get to hospital. As a Member for Upper Bann, I am aware that that is not always possible in rural areas. They were, of course, careful to protect spaces for the disabled and those who are very sick.

I do not think that we have an insurmountable task in front of us. I hope that it will not take two years to get the 2022 Act into operation. I accept, as I said to you earlier at a meeting, that you are operating in a really difficult budgetary situation and that it is difficult, at a time of extreme pressure, to ensure that every need across the health service is met. Nevertheless, this is an important issue and I look forward to hearing your responses.

**Mr Donnelly:** On behalf of the Alliance Party, I support the Bill at its Second Stage. I thank the Minister for bringing it forward and for the previous engagement of his officials with us at the Health Committee, which was very helpful. Like Members who have spoken previously, I share the disappointment that the Bill has been required.

We supported the Hospital Parking Charges Act and welcomed its passage through the Assembly in the previous mandate. It was one of many private Member's Bills that passed in the final stages of the mandate, just before I joined this House, and it highlights how

important private Members' legislation is to ensuring positive change. As we all know, that mandate was compressed to just two years instead of five, due to the absence of an Executive, and here we are again, having lost two years out of this mandate already.

As the Minister said, this is a short Bill with two clauses and only one policy effect: to delay the coming into operation of the 2022 Act, from 12 May 2024 to 12 May 2026. That is necessary due to ongoing challenges, such as the awarding of the contract for traffic management systems, which is likely to take several more months. For that reason, we did not object to the use of accelerated passage on this occasion. I encourage the Minister to take that time to ensure that the Act can be fully delivered by the new deadline.

The intention of the 2022 Act is important, and it is to ensure that those who work at a hospital, provide services at a hospital or who are a patient of or visitor to a hospital are not charged for parking there. As section 1(2)(a) of the Act states, a person is not regarded as attending a hospital simply by parking in a hospital car park. There is a risk that that could be abused, particularly in hospitals that are near city or town centres, and we have, rightly, pointed out particular areas where that might happen. If the right mechanisms are in place, that should not be an issue. It is important that the Department ensures that that is not the case, because, as the Minister highlighted, there is the potential for occlusions in blue-light areas.

It should also be said that, given our climate change commitments and our commitment to reduce carbon emissions ahead of our 2050 net zero target, we should encourage methods of transport that are alternatives to the private car. It is understandable that, in many rural areas, that is not always possible. Equally, it is not always possible for people to travel on public transport, such as those with disabilities, people who require hospital services in a timely manner or, as mentioned, workers who work unsociable hours in the health service. In Belfast, the City Hospital is next to a railway line with its own station, and the Royal Victoria Hospital and the Ulster Hospital are both on the Glider route, although it is noted that public transport is not a 24-hour service.

The Bill presents two scenarios, one of which is straightforward. Clause 1(2) ensures that, if Royal Assent is granted by 12 May, section 1 of the 2022 Act takes effect on 12 May 2026. The second scenario is more complicated, as the Chair of the Health Committee noted. It provides that, if the Bill does not receive Royal

Assent by 12 May, the initial deadline of 12 May 2024 stands until the Bill receives Royal Assent. That means that we could have a short period during which hospital parking charges would not be legal following 12 May 2024. I know that the Minister mentioned that. I seek a bit more clarity on his contingency plans for how he would deal with that period of uncertainty.

Beyond that, we are happy to support the Bill and its accelerated passage through the Assembly. It does not alter the intentions of the 2022 Act, but it can be used to ensure its faithful delivery, in line with the intent of the previous Assembly. It is important for our health and social care workers and those who need access to hospitals during difficult times — I noted the Minister's criteria for staff permits — that the Act is implemented in a way that honours its good intentions while ensuring that it is workable and efficient. I urge the Minister to use the new deadline to ensure that the 2022 Act can be delivered by 12 May 2026.

**Mr Chambers:** The issue has been discussed at length by the current and the previous Health Committee. Indeed, I recall many lengthy discussions in the previous mandate during which, although the broader good intent of the Act was noted, some genuine warnings and concerns were raised about what would happen if the necessary steps and measures, such as number plate recognition equipment, were not in place. I am sure that all in the House agree that a free-for-all, open-to-abuse system was never an option.

As we know, due to various key reasons, including the threat of legal action, which has only just been removed, even if we were all in agreement, the current infrastructure simply is not there to roll out the previous legislation as intended by 12 May this year. As such, the Bill is necessary, although it may be difficult. The Minister's decision to seek a deferral of the existing legislation for up to two years is sensible and pragmatic. His decision will avoid the cliff edge scenario where, one day, parking is controlled and, the next day, it is a literal free-for-all, with all the associated chaos and disruption that would be quickly witnessed in several of our main hospital car parks.

Whilst I appreciate that some people will be genuinely disappointed at the temporary delay, we need to consider the alternative, which is staff being unable to park their car anywhere; patients missing appointments; and, perhaps most worrying of all, some of our hospital sites becoming so congested that key vehicle routes, especially blue-light routes, become blocked,

which could mean life or death for a patient in an ambulance.

The scheme was introduced some years ago in Scotland and Wales, and an official at the Committee briefing last week said that, in conversation, colleagues in Scotland had said that they were reasonably happy with the way in which the system was working and that they had overcome many of the initial teething problems. However, it should be noted that some of the hospitals in Scotland and Wales have been deploying the system for over 12 years.

No legislation, no matter how well meaning, should act as a barrier to people receiving emergency access to hospitals when they need it. I applaud the Minister, however, for using what levers he had. Whilst the removal of all charges will be deferred under the new Bill, importantly, staff car parking permits will be provided free of charge across the two years for eligible staff. The Minister also referred to the budgetary implications of the scheme, and the two-year delay will also allow some time for the development of a sustainable funding plan. That, hopefully, may not require the full two years to implement universally.

Whilst there is disappointment at the delay, we can all agree — I am sure that Mr McGrath will also agree — that it is much better to have a system that works without any unintended consequences. The Ulster Unionist Party welcomes and fully supports the Bill.

In conclusion, I will say that my colleague Mrs Dodds may wish to reflect on the possibility that the two-year suspension of the House, when there was no Minister in place, may well have contributed in some way to the delay.

**Miss Reilly:** Like many other Members today, I express my disappointment that the Department is seeking a further extension. As the sponsor of the original Bill, which has been pointed out, I did a lot of work in the lead-up to the introduction of the Bill on the Floor of the Assembly. I am therefore acutely aware of the additional strain that patients, healthcare workers and families have to deal with due to car parking charges at hospital sites.

The Minister outlined all the reasons why an extension is required. However, I have to point out that there already has been an 18-month extension to the original Bill, making this the second extension required by the Department, which is, as I said, extremely disappointing. I urge the Department to do all that it can to implement the legislation before the end of the

two-year period that the Minister seeks. Two years should be the absolute maximum time frame. The original legislation was important to my party colleagues and me because the charges are an unfair stealth tax that is imposed on ordinary workers and families.

As the Member who brought the original Bill through, I listened to the unions, which told me that the charges put staff in a situation where they sometimes pay over £150 a month to go to work. For many families, that is simply unsustainable. Our job is to make people's lives better, and, where possible, we should seek to remove barriers to healthcare access and put the money back in their pockets. I also listened to users who travel from urban and rural areas. I listened to people who must attend hospital day after day. In some circumstances, that is to receive special treatment, or it may be to visit a family member who is extremely ill or receiving treatment.

The Minister said that he is fully committed to the Act, given that he and all the parties voted for it back in 2022. After a brief conversation with the Minister, I also acknowledge that while a small step is being taken, one that should already be best practice, the Department will launch an interim advertising campaign to alert people who may be entitled to free or concessionary charges while attending hospital. It is vital that the advertising campaign reaches people in all communities and informs them that, where applicable, they can avail themselves of those concessions.

Finally, I hope that the Act is fully implemented long before the new deadline. Let us learn from other jurisdictions and do this well. Let us scrap this unfair tax once and for all, because, at the end of the day, it is not up to staff, patients or family members to foot the bill.

**Mr Robinson:** Like others, I express disappointment at the delay in disposing of what many would deem a sickness tax.

My disappointment pales into insignificance when one considers the disappointment of those who require frequent visits to our hospitals, such as parents with chronically sick children, visitors with gravely ill relatives and dedicated staff working shifts. They will, quite rightly, point to Wales, where hospital car parking charges were eventually dropped, and to Scotland, where charges were dropped approximately 15 years ago.

**5.30 pm**

At a recent Health Committee meeting, we had a letter tabled from the Health Minister informing us that, at the Executive meeting on 21 March, he had sought and received agreement to defer the Hospital Parking Charges Act for two years. At the Health Committee meeting on 11 April, I was very disappointed that not one of the officials from the Department of Health could give a guarantee that car parking charges would be disposed of, as is being proposed here today. Therefore, I ask the Minister to provide that guarantee that he will not be standing in this House in two years seeking a further extension to the Hospital Parking Charges Act.

I read through some of the previous debates from when the original Bill travelled through the House. I have sympathy for some of the concerns that were expressed at the time, including the delicate balance between providing essential services, including the maintenance of health service car parks, and managing Health budgets. I do not envy the Minister in having to balance financial realities against the demands of the public, but today is not about the rehashing of previous debates, as the case has already been made. I will, however, encourage the Minister today to provide more detail on the permits that will be issued, how advanced this is and when it will begin. I also ask the Minister, with regard to the implementation timeline of the Hospital Parking Charges Act, at what point was it recognised that a parking solution was required? Was an opportunity missed to begin the tendering works earlier to provide that solution, given that tendering processes can be prone to legal challenges? I look forward to your comments on the matter, Minister.

**Mr Carroll:** Hospital parking charges are attacks on health workers' wages and on the sick. There is no other way to describe it, and that is what the Health Minister wants to revert back to. Wages are down, bills are up across the board and this Executive are once again telling health workers and patients to suck it up. We have heard all sorts of excuses, from the Minister and colleagues, as they have tried to justify this regressive measure. We have heard points about technological issues and so-called practical obstacles, but they cannot hide the fact that this is yet another cut aimed at working people and people who are unwell.

The explanatory memorandum to the Bill, received by MLAs, spells it out in black and white. The delay comes in the context of a wider austerity Budget, which will be paid for by our communities, and the Minister referred to that in his comments. The £6.4 million taken in

hospital car parking charges last year is small change to the Department of Health, but it is a huge amount to expect health workers and patients to make up during a cost-of-living crisis, particularly when health workers have had their pay cut in real terms by the Executive year-on-year. The Health Minister and others might repeat the charge that there is no magic money tree and that the Executive have no choice but to penalise health workers for parking at their place of work. Unfortunately for the Minister, the socialist opposition is keeping receipts. Last month, we revealed the fact, from an answer from the Minister and the Department, that the health service agency staff bill has doubled in five years to almost £400 million — an astronomical figure of £400 million. While the Executive take from health workers and employ many more agency workers on precarious contracts, they continue to hand eye-watering sums to private agencies that are profiting from the crisis in our health service. Compare that £400 million to the paltry £6.4 million or so that it will cost to give health workers and patients free parking at hospitals.

We will not support the Bill today. The Executive need to get on with the business of providing free hospital parking to health workers and patients. It was promised to people. It was voted on in this Building and it should be implemented. In the not-too-distant future, the Executive need to subsidise public transport to provide free travel for health workers and others, as was done during the pandemic. The law to abolish car parking charges has already been on the books for two years — two years — and there should not be any excuse to delay its implementation any further. To row back on that at this stage flies in the face of the existing legislation and the views of workers, patients, trade unions and the vast majority who want the charges scrapped. We will not support the penalisation of health workers and patients. Shame on the Minister and the Executive for doing so. I get free parking at this Building. Other MLAs get free parking at this Building. The Minister gets free parking at this Building. There should not be one law for people in this Building and another for health workers, patients and people who need to use the health service and its facilities.

**Mr Speaker:** I call the Minister of Health to make a winding-up speech on the Bill's Second Stage.

**Mr Swann:** Thank you very much, Mr Speaker. I thank Members for their comments, and I will refer to some of the queries and issues that a number of Members raised rather than name specific Members. I thank the Chair and

members of the Health Committee for taking forward the Bill at pace. The Opposition spokesperson indicated that the engagement in Committee lasted for only 45 minutes. Mr Speaker, I assure you that the staff in my Department made themselves available for whatever the duration would be of that briefing on the detail of the Bill.

Specifics of the Bill that have been raised include the application of free car parking. Aisling Reilly, the sponsor of the original Bill, asked about the promotion of its availability to family members of those who are receiving treatment, by means of an advertising campaign to ensure that those who can apply for free car parking do so. I will highlight how that can be sought. Any patients in the care pathway for radiotherapy or chemotherapy and their next of kin, partner or a relative, if transporting the patient, can apply for free car parking. Similarly, for renal dialysis, free car parking is available for patients and their next of kin, partner or a relative, if transporting the patient. For critical or high dependency care, free car parking is available for the patient's next of kin or partner while the patient is receiving that care, and there is discretion for a further relative or other visitor. We will do what we need to do to advertise applications for free car parking.

On hospital travel costs, there is a recovery scheme for patients who fulfil specified low-income criteria. They may be able to reclaim car parking charges via that scheme. Information on the scheme is widely available to patients, carers, families and friends, and it can be found on trust websites. If an adult or a dependent child has to travel for treatment for medical reasons, the travel costs can be claimed back. People can claim back hospital travel costs if they or those on whom they depend get at least one of the following supports: income support; jobseeker's allowance; employment and support allowance (ESA); guarantee pension credit; universal credit; or child tax credit, with or without a working tax credit. Schemes are therefore available, and we will make sure that we advertise them to those who are eligible.

I highlighted the concerns that trusts raised with me about access to blue-light routes at facilities where queues for car parks will have an adverse effect on ambulances' ability to gain access to hospital emergency departments. Additional queues, and the length of those queues, have caused the trusts additional concern.

On issuing permits and doing assessments, when I asked officials to engage on whether there was a way of making sure that staff receive a reduced charge or free car parking permit in the same numbers as are currently provided for, the point was highlighted to me that unequal criteria are applied across trusts in Northern Ireland. I have therefore directed that there be consistency across all trusts for those who apply for the parking permits that will be free of charge from the date of implementation. We will make sure that we have done an equality impact assessment of people who obtain those free car parking permits. I mentioned that in my speech earlier.

There was mention of access for rural stakeholders. Again, the concern has been raised that, if people — rural dwellers — who are travelling quite a distance for regional services, specifically in Belfast, arrive there and there is no available car parking space, they will have to turn and go home and will not be able to access their treatment or their procedure. That is the concern about access for rural dwellers if car parks become overfull due to this system.

Delays in the procurement process and the timeline for the traffic management system procurement has been mentioned by a number of Members. I can say that health and social care trusts have been working to implement the legislative requirements of the Hospital Car Parking Charges Act by 12 May 2024, because that was their legal duty. At the time, there was an available route to procurement for car park management and infrastructure, and that was through NHS England's shared business services (SBS) framework. The framework was valid up until 29 November 2022, and renewal was planned to follow on from that date and shortly after. That was the direction that my Department's officials had been taking in the absence of Ministers.

By September 2023, a series of delays to the national framework being available led trusts in Northern Ireland to collectively establish a contract adjudication group to write a specific Northern Ireland tender for car parking solutions due to the uncertainty with the SBS framework in order to minimise the risk of not meeting the implementation deadline of 12 May. A regional tender to introduce automatic number plate recognition closed in November 2023, but, unfortunately, due to legal challenges beyond our control, the contract adjudication group was not able to award a contract. No matter what the Member from the Opposition said about procurement processes being so foolproof that they would not be open to legal challenges, I do

not think that any Department in Northern Ireland, or across government anywhere, has been able to do that.

Following resolution of those challenges, we anticipated awarding a contract this month. However, due to the technical realities of implementation, the system will not come online until, at the earliest — I emphasise at the earliest — September this year. That is after the new law is scheduled to come into effect on 12 May. During the Committee Chair's comments and queries earlier, she asked what are the implications of that not happening at that point. I covered that after her query in the previous debate.

In regard to the implementation by September 2024, an initial high-level implementation plan has been set out by trusts but will need to be refined with the contractor, once a contractor is appointed. In the period to September 2024, it is envisaged that site surveys will be completed by the contractor to look at appropriate locations for equipment, to assess ground conditions and signage requirements and to order the equipment. It is also expected that installation of priority items and equipment will take place by that date. A further eight to 12 weeks is required for installation, such as set-down locations, smaller parking areas, bus routes and delivery yards, and to make sure that there is no potential congestion. Over the following eight weeks, there will be checks to assess whether the system is working as planned, finalised management reports and adding data in relation to permitted staff registration details. Contractor vehicles will be put in place as that stage as well.

Diane Dodds referred to access for parents whose children are receiving care. As I said earlier, there are specific times when family members can receive car parking passes. I engaged with the Access to Childcare group myself. I actually sponsored its launch because, as a parent who had a child in a Belfast hospital for 13 months, I know exactly what that means, and that is why I am keen to make sure that this legislation does not have unintended consequences for others.

A Member made reference to access to public transport. That issue was raised by the Minister of Agriculture, Environment and Rural Affairs in regard to wider commitments on climate change, reducing the number of car journeys and the wider utilisation of public transport. I have been working with Minister O'Dowd in Infrastructure, and we have had a conversation about how we look at pooling not just public transport but all those other transport services,

should that be school buses or hospital buses, to make sure that we are utilising the full extent of that.

I have had the conversations with Aisling Reilly, the sponsor of the previous Bill, and she knows my intended consequences of moving this legislation.

They are genuine — she knows that — and I received the support of the Executive for introducing the Bill and for accelerated passage.

#### 5.45 pm

Alan Robinson referred to looking towards the definition of those permits. As I said in the earlier debate, I have directed trusts to make sure that there is a consistent approach across all trusts. I give him a guarantee that I will not be standing here as Health Minister in two years' time to see a further extension of this legislation.

I move to Mr Carroll's contribution. My intention to support our health workers through the Bill is genuine. He said that £6.4 million is small beer to the Department of Health: I assure him that, in view of what I am looking at in the budget for 2024-25, £6.4 million is not small beer, considering the challenges that we will face in the delivery of services. He referred to agency spend: I direct him to correspondence that has been circulated and which was part of the answer that he received. Due to actions that I took when I was previously in office, the spend on off-contract agency has reduced by £20 million. Therefore, where he refers to the increase over a period, he has not acknowledged that work has been done to start to address agency spend in Northern Ireland.

If I have missed any points that Members have raised, my officials or I will —

**Mr McGrath:** Will the Minister give way?

**Mr Swann:** Yes.

**Mr McGrath:** I know that the Minister gave different timescales in his response, but can we get a date at which staff will get access to free car parking? It was mentioned in the correspondence and in several contributions today that it will happen. It was expected on 12 May. When can they expect that from the Department?

**Mr Swann:** I do not have an exact date, because I want to ensure that the criteria are



equal across all trusts and areas and that it is not simply a first come, first served continuation of the permits that are there currently. That is one of the issues that we brought forward with the sponsor of the original Bill and members of the Executive. The number of permits that we have on each trust and each site remains the same, but there is an equality of access. That was the point that the Chair of the Health Committee raised as Sinn Féin spokesperson. There are people who need the permits. That is why I listed the criteria as to who will be able to access one. There is work on that that is, again, dependent on this legislation going through.

Proper consideration needs to be given to how we manage and control the limited capacity in hospital car parks and how provision and maintenance will be funded when parking charges are abolished. I commend the Bill to the House.

*Question put.*

*The Assembly divided:*

*Ayes 57; Noes 7.*

#### **AYES**

*Mr Allister, Dr Archibald, Ms Armstrong, Mr Baker, Mr Beattie, Mr Blair, Ms Bradshaw, Mr Brett, Miss Brogan, Mr Brooks, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mr Dickson, Mrs Dillon, Mrs Dodds, Mr Donnelly, Mr Dunne, Ms Egan, Mr Elliott, Ms Ennis, Mrs Erskine, Ms Flynn, Ms Forsythe, Mr Frew, Miss Hargey, Mr Harvey, Mr Kearney, Mr Kelly, Ms Kimmins, Mr Kingston, Mrs Little-Pengelly, Mr Lyons, Mr McAleer, Miss McAllister, Mr McGuigan, Miss McIlveen, Mr McReynolds, Mrs Mason, Mr Middleton, Mr Muir, Ms Á Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr O'Dowd, Miss Reilly, Mr Robinson, Mr Sheehan, Ms Sheerin, Mr Stewart, Mr Swann, Mr Tennyson.*

*Tellers for the Ayes: Mr Chambers and Mr Nesbitt*

#### **NOES**

*Mr Carroll, Mr Easton, Ms Hunter, Mr McGlone, Mr McGrath, Mr McNulty, Mr O'Toole.*

*Tellers for the Noes: Mr Carroll and Mr Easton*

*Question accordingly agreed to.*

*Resolved:*

*That the Second Stage of the Hospital Parking Charges Bill [NIA 02/22-27] be agreed.*

**Mr Speaker:** That concludes the Second Stage of the Hospital Parking Charges Bill. As the Bill is proceeding by accelerated passage, there will be no Committee Stage. The Bill stands referred to the Speaker. I should advise Members that, as Consideration Stage of the Bill is in the Order Paper for next week, the amendment deadline is 9.30 am tomorrow.

*Adjourned at 6.04 pm.*