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Contents

Assembly Business

Public Petition: End the Veto on Marriage Equality 1

Ministerial Statements

North/South Ministerial Council: Inland Waterways 1

North/South Ministerial Council: Language Body 4

Private Members' Business

Japanese Knotweed 8

Road Maintenance Budget Deficit 20

Oral Answers to Questions

Justice 27

Agriculture, Environment and Rural Affairs 36

Private Members' Business

Road Maintenance Budget Deficit (*Continued*) 45

Adjournment

Health Service Provision: North Antrim 55

Assembly Members

Agnew, Steven (North Down)
Aiken, Steve (South Antrim)
Allen, Andy (East Belfast)
Allister, Jim (North Antrim)
Anderson, Sydney (Upper Bann)
Archibald, Ms Caoimhe (East Londonderry)
Armstrong, Ms Kellie (Strangford)
Attwood, Alex (West Belfast)
Bailey, Ms Clare (South Belfast)
Barton, Mrs Rosemary (Fermanagh and South Tyrone)
Beattie, Doug (Upper Bann)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Maurice (East Londonderry)
Bradley, Ms Paula (North Belfast)
Bradley, Ms Sinéad (South Down)
Bradshaw, Ms Paula (South Belfast)
Buchanan, Keith (Mid Ulster)
Buchanan, Thomas (West Tyrone)
Bunting, Ms Joanne (East Belfast)
Butler, Robbie (Lagan Valley)
Cameron, Mrs Pam (South Antrim)
Carroll, Gerry (West Belfast)
Chambers, Alan (North Down)
Clarke, Trevor (South Antrim)
Dickson, Stewart (East Antrim)
Dillon, Ms Linda (Mid Ulster)
Dobson, Mrs Jo-Anne (Upper Bann)
Douglas, Sammy (East Belfast)
Dunne, Gordon (North Down)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Farry, Stephen (North Down)
Fearon, Ms Megan (Newry and Armagh)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gildernew, Ms Michelle (Fermanagh and South Tyrone)
Girvan, Paul (South Antrim)
Givan, Paul (Lagan Valley)
Hale, Mrs Brenda (Lagan Valley)
Hamilton, Simon (Strangford)
Hanna, Ms Claire (South Belfast)
Hazzard, Chris (South Down)
Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Hussey, Ross (West Tyrone)
Irwin, William (Newry and Armagh)
Kearney, Declan (South Antrim)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Little Pengelly, Mrs Emma (South Belfast)
Lockhart, Ms Carla (Upper Bann)
Logan, Phillip (North Antrim)
Long, Mrs Naomi (East Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyons, Gordon (East Antrim)
Lyttle, Chris (East Belfast)
McAleer, Declan (West Tyrone)
McCann, Eamonn (Foyle)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCartney, Raymond (Foyle)
McCausland, Nelson (North Belfast)
McCrossan, Daniel (West Tyrone)
McElduff, Barry (West Tyrone)
McGlone, Patsy (Mid Ulster)
McGrath, Colin (South Down)
McGuigan, Philip (North Antrim)
McGuinness, Martin (Foyle)
McIlveen, Miss Michelle (Strangford)
McKee, Harold (South Down)
McMullan, Oliver (East Antrim)
McNulty, Justin (Newry & Armagh)
McPhillips, Richie (Fermanagh and South Tyrone)
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Mallon, Ms Nichola (North Belfast)
Maskey, Alex (West Belfast)
Middleton, Gary (Foyle)
Milne, Ian (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Mullan, Gerry (East Londonderry)
Murphy, Conor (Newry and Armagh)
Nesbitt, Mike (Strangford)
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Ní Chuilín, Ms Carál (North Belfast)
Ó Muilleoir, Máirtín (South Belfast)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
Overend, Mrs Sandra (Mid Ulster)
Palmer, Mrs Jenny (Lagan Valley)
Poots, Edwin (Lagan Valley)
Robinson, George (East Londonderry)
Ross, Alastair (East Antrim)
Ruane, Ms Caitriona (South Down)
Seeley, Ms Catherine (Upper Bann)
Sheehan, Pat (West Belfast)
Smith, Philip (Strangford)
Stalford, Christopher (South Belfast)
Storey, Mervyn (North Antrim)
Sugden, Ms Claire (East Londonderry)
Swann, Robin (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)

Northern Ireland Assembly

Tuesday 20 September 2016

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

Members observed two minutes' silence.

Assembly Business

Public Petition: End the Veto on Marriage Equality

Mr Speaker: Mr Gerry Carroll has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak on the matter.

Mr Carroll: I am absolutely proud to present this petition to the Assembly on behalf of the 20,000 people who signed The Gay Say's online petition. The petition was a response to the DUP's move to veto marriage equality in November 2015, which was deeply upsetting for the thousands of people here whose rights are being denied. The signatures represent the feeling of the vast majority of people across society here that the DUP should end its veto on marriage equality, allow democracy to take its course and allow the Assembly to legislate for same-sex marriage.

While presenting the petition, I say this to the DUP: you are on the wrong side of history; you are on the wrong side of the fight for equality. History will not be kind to those who block progress and human rights. History will not be kind to those who block equality and deny rights to our LGBT brothers and sisters.

The petition is a small but significant token of the groundswell of support amongst ordinary people for equality in our society. I say to those people: do not lose hope, keep marching, keep protesting and keep up the fight. What Stormont does, the people can undo. If we keep doing what we are doing, the sun will one day set on the deniers of equality, and the rainbow will rise.

Mr Carroll moved forward and laid the petition on the Table.

Mr Speaker: I will send a copy of the petition to the Minister and to the Committee.

Ministerial Statements

North/South Ministerial Council: Inland Waterways

Mr Hazzard (The Minister for Infrastructure): With your permission, a Cheann Comhairle, and in compliance with section 52 of the Northern Ireland Act 1998, I want to make a statement about the North/South Ministerial Council (NSMC) inland waterways sectoral meeting, which was held in the North/South Ministerial Council's joint secretariat headquarters in Armagh on 24 June 2016.

The Irish Government were represented by Seán Kyne TD, Minister of State for Gaeltacht Affairs and Natural Resources. The Executive were represented by Paul Givan, Minister for Communities, and me as Minister for Infrastructure. After chairing the meeting, I agreed this statement with Minister Givan, and I am making it on behalf of us both.

At the meeting we dealt with inland waterways issues, mainly those that relate to Waterways Ireland. As it was the first inland waterways sectoral meeting for Minister Givan and me, the chief executive of Waterways Ireland, Dawn Livingstone, provided an overview of the operation of the organisation and a forward view, focusing on high-level issues.

She then provided a progress report, which included the following highlights. Over 90% of the waterways were open for navigation from April to May. Recreational amenities on the waterways continue to be developed, including the development and marketing of blueways. The Shannon-Erne blueway, which runs from Leitrim village to Belturbet, was launched in May 2016 and comprises 70 kilometres of water trail and over 17 kilometres of walking and cycling routes.

Work with the relevant stakeholders has started on plans to develop a greenway along the route of the Ulster canal from Castle Saunderson in County Cavan to Charlemont in County

Armagh. Support has been offered to 121 events under the 2016 sponsorship programme, 19 community groups have been awarded funding under the Waterways Ireland heritage in the community grants programme and three new businesses have been developed; namely, Erne Boat Hire, a new water taxi on the Erne and a new hire cruise provider on the Shannon.

We were also updated on Waterways Ireland's work to maximise the benefit of EU funding opportunities, which included examining with our partners the potential for funding under INTERREG Va, the rural development LEADER cooperation measure, the INTERREG Atlantic area transnational programme and ERASMUS+.

We were also informed that the Waterways Ireland annual report and draft accounts 2015 have been submitted to the Comptrollers and Auditors General. Following certification, the annual report and accounts will be laid before the Assembly and both Houses of the Oireachtas.

Ministers considered and consented to a number of property disposals proposed by Waterways Ireland. We agreed that the next sectoral meeting for Inland Waterways would be in autumn 2016.

Mrs Palmer: I thank the Minister for his statement. I am particularly interested in his comment that recreational amenities on the waterways continue to be developed. If that is the case, will he support the application by the Lagan Canal Trust to complete the full business case for the opening of the canal and the River Lagan from Lisburn to Belfast, as it is essential to the links with the Ulster canal and the Shannon?

Mr Hazzard: I thank the Member for her question and her interest in what may be a very viable and important project to develop in the future. It is, of course, not related to the North/South Ministerial Council sectoral meeting that I took part in. If the Member wishes to correspond with me on the issue, however, I am more than happy to look at it.

Mr Humphrey: I thank the Minister for his statement. As someone who uses the Lagan canal walkway and towpath, I ask what progress was made on funding mechanisms for the development of greenways along the Ulster canal.

Mr Hazzard: I thank the Member for his question. It is in an issue that has been in the media over the past few weeks. I am glad to report that there seems to be a lot of progress being made on that. Restoration works on the section of the Ulster canal from Lough Erne to Castle Saunderson are making good progress and should be completed by next year. There are further sections from County Monaghan and County Cavan and into Armagh, and, of course, there is great potential for greenway expansion.

Waterways Ireland and the relevant stakeholders have submitted an application for €6 million under INTERREG Va. The application has gone through to stage 2, and a more detailed submission has been made. I am aware of a press release made by Minister Humphreys in the past few days regarding the application, and I hope to be in a similar position to confirm the successful outcome in the very near future.

Mr Lynch: I thank the Minister for his statement. I think he will be visiting Waterways Ireland soon and will be welcomed to the county. Will he outline the main priorities of Waterways Ireland in 2017?

Mr Hazzard: I will indeed be visiting Waterways Ireland on Friday. I am very much looking forward to spending some time in Fermanagh and looking at the potential of Waterways Ireland and at some of the great things it has been doing.

Waterways Ireland has set the following key priorities in its 2017 business plan: implement a prioritised management and maintenance programme for the waterways, focusing on the areas and times of greatest use; deliver a prioritised programme of infrastructural repairs focused on structures considered to be in critical condition; build and support partnerships on each of the waterways with local communities, waterways user groups and various tourism and recreational bodies; develop projects that will increase the recreational use of canals for walking and cycling in partnership with key stakeholders; and invest in key waterway locations that have rich recreational environment and heritage assets, prioritising future developments on achieving sustainable economic and social benefits in partnership with key stakeholders.

Mr McNulty: I thank the Minister for his statement. The Newry canal is of obvious historical significance to our region of Newry and Armagh and has the potential to link Coleraine to Carlingford lough. What has been

done to exploit the commercial and tourism potential of our eastern seaboard canals? Will the Minister outline whether he has discussed this development and provide a time frame of when he expects the work to be completed?

Mr Hazzard: I thank the Member for his question. Again, this is not an issue that has any relevance to the meeting and the statement. However, given my knowledge of the local area, I know that work is ongoing to scope out the potential to develop blueways in the lower Bann. In the North, it is quite difficult to develop blueway and greenway infrastructure on Lough Erne and on the lower Bann given the dynamics and nature of the two river courses. There is great potential to develop the Newry canal to link Carlingford lough to Lough Neagh, as you mentioned. My Department continues to look at that, and I am aware that one of the INTERREG applications is for that particular area.

Mr Speaker: Before I call the next Member to speak, I remind Members that we are asking questions to the Minister on the statement he has made to the House this morning.

Ms Armstrong: Thank you very much for your statement, Minister. I will go directly to your statement. You said that you are examining possible funding with partners. What guarantee have the UK Government given that, if any of this funding is secured, they will continue to fund it post-Brexit?

Mr Hazzard: I thank the Member for her question. This is a very relevant issue. The Chancellor has made it clear that INTERREG applications that are in before the autumn statement will be underwritten. Given the transnational nature of a lot of these applications, we await to see concrete confirmation. It is something that we are continuing to work on. If the news coming from the SEUPB on these applications is positive, we need to do all we can, and I pledge to do all I can, to ensure that money is protected for the Ulster canal, the Newry canal and the development of greenways in the Derry area.

Mr Easton: Thank you for your statement, Minister. You mentioned the disposal of properties by Waterways Ireland. What are these properties and assets?

Mr Hazzard: I thank the Member for his question. We covered a number of properties. I do not have the list of properties with me here this morning, but I am more than happy to correspond with the Member on that.

Mr McAleer: I thank the Minister for his statement. As a member of the Infrastructure Committee, I am also, along with others, looking forward to visiting Waterways Ireland in the near future. Is it possible for the Minister to outline some of the capital works that have been undertaken in recent years in the North and those that are planned?

Mr Hazzard: I thank the Member for his question. Approximately £0.5 million was spent on capital works in the previous year, including £85,000 on urgent repairs as a result of the severe winter flooding.

Routine capital works carried out in 2015-16 included the installation of replacement lock gates and repairs to the lock chamber at Toome in County Antrim. Buoy mooring, which is a new product on Lough Erne, was developed and installed by the Erne operations team, and there were works to replace the moorings and enhance the slipway at Carrybridge.

I also made available £1 million to Waterways Ireland in June for spend in the North. That will be spent on the removal and replacement of public moorings; dredging at Kesh on Lough Erne and the removal and replacement of the moorings; and the lock chamber repair and lock gate replacement on the lower Bann.

10.45 am

Mr Robinson: I thank the Minister for his statement. Can he provide information on the 19 community groups funded under the heritage in the community grants programme? How many of the groups are based in Northern Ireland? What have the groups been funded to do?

Mr Hazzard: I thank the Member for his question. I do not have the information on how many of the groups are based in the North, but these local community groups will certainly be taking part in a wide range of activities based in and around the waterways. I am aware of one group that used funding to develop a brochure on the heritage assets in the local area. This is very important for developing tourism, both for those coming to the island and for local tourism. Developing a broad range of heritage activities and interests for the local population is central to a lot of the community grants.

Mr McCartney: I thank the Minister for his statement. In an earlier response to Seán Lynch, he talked about the priorities for 2017: given the recent announcements of a number of greenways in the north-west, should one of the

priorities going forward be trying to link greenways to waterways to ensure that we have a sort of connectivity?

Mr Hazzard: I thank the Member for his question. Indeed, the Member is correct: some people will view our canal systems as sleeping relics from the past, but they are great assets if they are harnessed well. We can do an awful lot, not just for the tourists who come to our island and avail themselves of the growing active tourism market but for local people who are very interested in an active life and practices. We see this. Derry is a great example: I believe that we have more active greenway in Derry than in other cities such as Paris. Derry is very much leading the way, and I will shortly publicise a strategy for greenways going forward. That will very much be at the centre of my programme of work.

North/South Ministerial Council: Language Body

Mr Givan (The Minister for Communities): I am glad that I got here in time. I was in your constituency, Mr Speaker, at Ashfield. Proceedings were efficiently taken forward by you. I got here in time.

With your permission and in compliance with section 52 of the Northern Ireland Act 1998, I wish to make a statement on the North/South Ministerial Council (NSMC) language body meeting that was held in the NSMC joint secretariat offices in Armagh on 24 June 2016. The Executive were represented by me, as Minister for Communities, and by Assembly Member Chris Hazzard, Minister for Infrastructure. The Irish Government were represented by Seán Kyne TD, Minister of State for Gaeltacht Affairs and Natural Resources. The statement has been agreed with Minister Hazzard, and I make it on behalf of us both. The meeting dealt with issues relating to the language body and its two constituent agencies, and the following topics were discussed and, where appropriate, decisions taken.

As part of their opening remarks, Ministers acknowledged the work of the late Joe McDonagh, former chief executive and chairman of Foras na Gaeilge, who, sadly, passed away on 20 May 2016, and expressed their condolences to his family and colleagues.

Following the opening remarks by Ministers, the chief executive officers provided a high-level overview of the operational activities of the agencies of the North/South Language Body.

Ministers noted progress reports from the chairperson of the Ulster-Scots Agency and the chief executive officers of the Ulster-Scots Agency and Foras na Gaeilge, which included the following achievements relating to the period from November 2015 to June 2016.

In respect of the Ulster-Scots Agency, there was a Burns Night concert in the Ulster Hall in January 2016, headlined by leading Scots traditional musicians, the Ulster Orchestra and a host of local talent. There was a primary school World War I drama project that involved 32 primary schools attending performances of Philip Orr's play, 'Wae a Hairt an a Hauf' — I am sure that that is wrong. If only we had Jim Shannon, who could speak fluent Ulster Scots when he was here and we all knew what he was saying. They performed at Fort Dunree in County Donegal, Cavan County Museum, the Somme Heritage Centre in County Down and Mossley Mill in County Antrim. Over 1,400 pupils were involved in the project. The inaugural Ulster-Scots science week took place between 23 May and 27 May 2016, with pupils from five primary schools participating in science workshops based around the Ulster-Scots innovators Harry Ferguson, Frank Pantridge and Lord Kelvin, and the Bruce medieval festival was held over the weekend of the 4 and 5 June 2016 and attracted more than 3,000 visitors to Carrickfergus.

With respect to Foras na Gaeilge, the online version of the new English-Irish dictionary is now 100% complete, with 130,000 sense units, and the number of people using Foras na Gaeilge's dictionary and terminology sites continues to grow. A portal website for the Irish language and Foras na Gaeilge's new corporate website have been developed and were launched on 29 June. Grants to the value of €158,000 were approved for 69 summer camps that will facilitate in excess of 3,000 children. Foras na Gaeilge has been awarded the National Standards Authority of Ireland's SWiFT 3000 award for the second time and the gold standard. Both awards acknowledge excellence in corporate governance. Foras na Gaeilge also presented the results of the all-island survey on attitudes to the Irish language.

Progress on collaboration between the Ulster-Scots Agency and Foras na Gaeilge was also reported. It included the fact that both agencies are examining the possibility of taking part in the United Youth programme, as laid out in OFMDFM's Together: Building a United Community strategy, to provide an outlet for 10,000 young people who are not in training, education or employment. The two agencies are engaged in year 3 of a programme

designed to inform pupils and raise their awareness of Irish language and linguistic heritage and Ulster-Scots heritage, culture and language. The feasibility of publishing a trilingual version of Philip Robinson's book on the flora and fauna of Northern Ireland is being explored, and consideration is being given to developing a poetry/singing project for primary-school children that will include the works of Robbie Burns and others.

The NSMC noted that previous sponsors and Finance Ministers had approved the business plans and budgets for Foras na Gaeilge and the Ulster-Scots Agency, which included the agreed efficiency savings to the 2016 budgets in accordance with the guidance issued by both Finance Departments. The Council approved the 2016 business plans, with budgets of €14,782,000 for Foras na Gaeilge and €3,347,000 for the Ulster-Scots Agency.

Ministers approved the appointments of Ms Rosie Ní Laoghaire and Mr Conor McGuinness to the board of the North/South Language Body until 12 December and agreed that existing board member Mr Marcas Mac Ruairí should be vice-chair of the North/South Language Body until his term of appointment ends on 12 December.

The Council noted that both agencies continue to engage in the identification of possible opportunities to maximise the benefits of EU funding. The Ulster-Scots Agency is in discussions with Monaghan County Council about participating in a bid to secure Peace programme resources to develop a peace campus at a site in Monaghan town. It is working with a range of partners to establish a network, which has a working title of 'Les Langues Mal Aimées', which is 'The Badly Loved Languages' — maybe that is apt, given how I am pronouncing it.

That will involve participation by a number of French minority language interests, and also by the Upper Silesian minority in Poland. Opportunities are also being progressed under the European Route of Industrial Heritage network (ERIH), which has over 200 members in 43 countries. It was established with funds from the EU culture programme and focuses on the promotion of industrial heritage. Finally, the agency is monitoring the progress of the development of the LEADER rural development programme for opportunities for Ulster Scots.

Foras na Gaeilge is implementing the literary project Other Words under the Creative Europe programme. This is a four-year programme to promote writing in minority languages. Foras

na Gaeilge is also considering a number of possible projects. The first relates to the Slí Cholmcille/St Columba heritage trail. This is a joint application between Derry City and Strabane District Council — the lead partner — Foras na Gaeilge, Argyll and Bute Council and other European partners under the EU's Atlantic area programme for a project entitled European Connected Cultural Caminos. At the same time, Foras na Gaeilge is working on a potential consortium bid under Horizon 2020 for a language-planning research project, involving partners in Scotland, Norway and Finland. Finally, the lead organisations EU funding working group is exploring funding opportunities for partnership projects. Collaboration between agencies and officials in both jurisdictions continues to maximise drawdown of EU funding and seek new opportunities for potential projects that can attract such EU funding.

The Council noted that the 2014 consolidated North/South Language Body annual report and accounts were laid in the Houses of the Oireachtas and in the Northern Ireland Assembly on 23 June 2016, and that the field audits for the 2015 accounts have commenced in both agencies.

Ministers noted the process for the recruitment of the chief executive officer for Foras na Gaeilge, subject to already established finance and NSMC procedures. Ministers approved the interim arrangements that would be put in place to manage the business of the agency in the event that a suitable candidate was not in post before 19 September.

Ministers noted that both Finance and sponsor Departments had already approved the InterTradelreland business plan and budget grant. The Council approved InterTradelreland's business plan for 2016 and the budget grant provision for 2016 at £2,426,160, with £41,000 to be drawn from Northern Ireland funding relating to 2015 accrued expenditure.

The NSMC approved the continuation of the framework designed to support the Loughs Agency in dealing with emergencies, such as a serious pollution incident, for a further period of one year, with effect from 20 July 2016. Ministers agreed to review the operation of this procedure, including its possible renewal, based on a report from the Loughs Agency and the sponsor Departments, before 20 July 2017.

The Council agreed to meet again in language body sectoral format in autumn 2016.

Mr Allen: I place on record my apologies to the Minister for missing his opening remarks. I thank the Minister for his statement. In particular, I welcome the reference to the inaugural Ulster-Scots science week. I urge the Minister to give this type of venture his full support, so that more children can learn the stories of positive role models such as Harry Ferguson, Frank Pantridge and Lord Kelvin, who came from Northern Ireland and gained world renown and recognition as innovators.

Mr Givan: I can assure the Member, especially given that Harry Ferguson was a native of Lagan Valley, residing in south Dromore. Frank Pantridge, who invented the defibrillator, was also a native of my constituency. I am particularly keen to promote their work. Indeed, the Council plans to have a specific celebration of Frank Pantridge in the not too distant future. They are examples of Ulster-Scots people who were fantastic inventors, despite, at times, the opposition they faced when taking forward some of their projects. If you look into Harry Ferguson's history, you see that he was quite a character. He was determined, as many Ulster-Scots people are, to see the end result of his work. They have left a legacy in agriculture and in the fact that many people owe their lives to the invention of Frank Pantridge. They are people whom we can be proud of. I am sure that the Ulster Scots will continue to take forward events, and I will be happy to support them.

11.00 am

Ms Lockhart: Will the Minister outline to the House any similar or equivalent initiatives to that of Líofa?

Mr Givan: The Líofa programme was taken forward by a previous Minister. Its targets, as I understand, have almost been met. The Ulster-Scots Agency wants to take forward a similar scheme, where you would have taster events and people would be able to come to understand their history, the culture and, of course, the language. Obviously, resource is involved in that, but I believe very much that we have a rich cultural heritage that people should be encouraged to explore. I hope that the Ulster-Scots Agency will take forward a programme that it wishes to get some support for.

Ms Ní Chuilín: I thank the Minister for his statement. I know from my experience that, at times, issues come up, such as the last question, that are not covered in the statement. Perhaps, at the next NSMC sectoral meeting for

languages, the Minister could get an update from Foras na Gaeilge on its arrangements for the groups that get smaller bits of funding under scéim phobail Gaeilge (SPG). There is growing concern that Foras, as a parent body, is not giving the support and finances needed for those groups to grow right across the country.

Mr Givan: I am happy to look into the issue that the Member has raised in respect of how smaller organisations are being supported. In any environment, a lot of the larger organisations often attract the significant levels of funding, but it is important that, where there is grass-roots engagement and organisations on a smaller scale are involved, they also are being supported. I am happy to raise the issue with Foras na Gaeilge.

Ms Mallon: It seems from the statement that Foras na Gaeilge has had its budget cut by 21% since 2014, compared with the 5.4% cut for the Ulster-Scots Agency. Will the Minister provide some insight into that disparity?

Mr Givan: That budget was established and signed off by previous Ministers. I point the Member to the disparity in the quantum that the Irish-language body gets compared with that of the Ulster-Scots body. It is not always the case that there is the same need and demand, so it is important that you resource according to the demand that exists. The Irish-language bodies were founded long before the Ulster-Scots Agency. Therefore, they had built up a lot of the work that they were doing, so the funding that they were receiving was significantly higher than what the Ulster-Scots Agency received when it came into being. As the Ulster-Scots Agency develops its work and seeks to have parity in demand, I anticipate that the significant resource gap that exists will start to close. Obviously, it is important to look at the demand and needs that exist rather than just funding, whether it is the Irish language or Ulster Scots, on the basis of things that are not there. We need to support projects that are valued and that have an end product. However, we live in a tightening budgetary framework. Obviously, those bodies have had to make efficiencies just like any other public-sector body has had to do, as we, as an Executive, seek to protect front-line health services, for example.

Mr Dickson: Thank you, Minister, for the statement that you have made today. There is a stark contrast in the achievements that you set out in your statement between those of the Ulster-Scots Agency, which focused on events, and Foras na Gaeilge, which facilitated

linguistic development through its online dictionary and summer camps etc.

Do you agree with me that, if languages are to succeed, short-termism will not work and that linguistic development is needed?

Mr Givan: I think that, in all these things, people have different interests when it comes to their cultural heritage. For some, it is going to be the language and, for others, it is going to be the music. I think people should be given the opportunity to explore the different aspects they enjoy within their cultural heritage. That does not necessarily mean that funding should be purely dedicated towards the linguistic side; it can also mean that funding goes towards the musical and cultural aspects.

Mr Stalford: Following the success of the Belfast Tattoo recently, we saw that bands form an essential part of the Ulster-Scots tradition, whether they be fife and drum bands, flute bands or pipe bands. Can the Minister detail what, if any, additional resources the Department for Communities has allocated or intends to allocate to that sector?

Mr Givan: I thank the Member for that question. I know the Arts Council has had reductions to its budget, again because of the pressures that exist. When I came into office, I was keen to see how we could support the arts, so some additional money was found to put into the scheme to buy musical instruments. That was £200,000. I know that, at the time, some within the arts fraternity felt that was not beneficial. However, when I met the chairman and chief executive of the Arts Council, they were delighted that we were able to provide that funding. The Ulster-Scots Agency has been very active in its network. I was in Upper Bann with Carla Lockhart, who had me at one of the programmes. You were able to see how the agency was advising groups on the process that needs to be followed so that they could access that type of funding. The Ulster-Scots Agency is also involved in tuition. I am keen to see how we can provide support for musical instruments and, potentially, tuition. I want to look at the criteria that currently exist for the musical instruments fund to see what we can do on the tuition side of it. The level of participation in bands numbers thousands and thousands of people. Therefore, it is only right that they also receive support from this Government.

Mr Speaker: Again, I remind Members that we are questioning the Minister on his statement, as opposed to what might be our own particular

interests in his bailiwick, if I can use the word "bailiwick" in this context.

Mr McCartney: Gabhaim buíochas leis an Aire as an ráiteas seo. I thank the Minister for his statement. It was indeed a very comprehensive statement. I am sure it is not every day in the week that Ministers are expected to come here and converse in four different languages, but the Minister did that quite well this morning, may I add?

I note the progress of the Slí Cholmcille project in Derry, but my question relates to the 69 summer camps. Can the Minister give us some detail of what the summer camps entailed and whether he thinks they feed into the wider process of Together: Building a United Community, which is at the core of the Executive Office?

Mr Givan: I will come back to the Member specifically on the summer camps when I have more detail about them. That is obviously something that is being taken forward. Let me write specifically to the Member on that question.

Mr Lyons: I thank the Minister for his statement. I note the development of the English-Irish dictionary and that the online version is now complete. Does he agree with me that it would be good for him to look into the possibility of developing an Ulster-Scots dictionary? Would that have his support? Does he not agree that that would be a very useful development and something that many people in Northern Ireland would want to use?

Mr Givan: I suppose the Member does represent East Antrim, where maybe a little bit more of the Ulster-Scots language is spoken — in the north Antrim areas. Obviously, if the Ulster-Scots Agency has proposals it wants to take forward on a dictionary, I would be happy to look at them.

Mr Allister: At this meeting, the Council and the Minister approved the budget for 2016: a staggering figure of over £10 million for Foras na Gaeilge; less than a quarter of that for Ulster Scots. Does the Minister have any vision for, during his time in office, addressing this extravagance and that inbuilt disparity? If he has such a vision, how does he intend to deliver reducing this extravagance?

Mr Givan: I thank the Member for the question. It touches on a previous comment by Ms Mallon that, in her view, Foras na Gaeilge's budget has been — I am paraphrasing — savaged by 26%,

whereas Ulster Scots has not faced the same reduction. These are times of challenging finances, and it is difficult. As I said to Ms Mallon, however, I am keen to make sure that where there is a need, and that is presented and justified, and where we can support that within the priorities and pressures facing my Department and the Executive as a whole, our cultural heritage does, I believe, add value.

I was talking recently to Mr Jim Samples, president of a significant film company that operates in over 100 countries. He lives in Knoxville, Tennessee and has been to the Museum of Appalachia, as have I, which is very similar to the Ulster American Folk Park. When I had a conversation with him about that cultural heritage and linkage, he was very excited about wanting to come to Northern Ireland. Where you can engage with people because of the cultural assets that we have, that opens the door for other opportunities that Northern Ireland can benefit from. As the Minister responsible for culture, I would like to encourage and support that.

Would I like a greater equality of funding between the two bodies? Yes, I would, but the Ulster-Scots Agency needs to be able to develop programmes and schemes that demonstrate the need for funding. As that need comes forward, as, I have no doubt, Foras na Gaeilge will put its needs forward, there are issues that will be considered.

Mr Humphrey: I thank the Minister for his answers. Minister, these figures represent an improvement in the situation. Historically, the disparity between Ulster Scots and Irish was 8:1. However, the disparity still exists, and you addressed that in a number of answers. May I encourage the Minister to work with the chief executive of the Ulster-Scots Agency, Ian Crozier, and his chairman, Tom Scott, to try to eradicate this disparity, which is not acceptable, and deliver, as others have failed to do, cultural equality in Northern Ireland between Ulster Scots and Irish?

Mr Givan: Those are issues that I am happy to engage on. The support that Foras na Gaeilge gets from the Irish Government is because of the extent to which the Irish language prevails in the South, and that has been part of the rationale for the justification for the budget that exists there. I am repeating myself: I would like greater parity between the two bodies, and I am sure that the Ulster-Scots Agency will want to pursue that.

Ms Gildernew: I thank the Minister for his statement and apologise for missing the start of it. May I seek an assurance from the Minister that, following on from his participation in this NSMC meeting, he has a positive agenda for the promotion of the Irish language and Ulster Scots? Also, does he share my concerns that any future withdrawal from EU membership could have a negative impact on the promotion and protection of regional and minority languages, as referred to in the European charter?

Mr Givan: We touched briefly at the meeting on EU funding issues.

Obviously, the outworkings of the United Kingdom's decision to leave Europe are not a matter for any of the North/South bodies in the format in which they are constituted, but we need to be alert to the environment that exists, which could be changing, and how we react to that. We touched on it at the meeting to make sure that we were looking at what opportunities there are now, what potential opportunities there are and what consequences there may well be.

On the Member's first point about the positive approach that I want to take, I say, "Absolutely". The Irish language and Ulster Scots add to the cultural offering that we have in Northern Ireland, and I am happy to support that. When I think of the history of the Irish language, I believe that it was very much Scottish Presbyterians who came and kept the language alive. There are roots in that language that everybody can have some sort of affinity with. Making that point, I think that it is important that Irish language culture and Ulster-Scots language culture be given an opportunity to develop. At times, the languages are not always best pushed and promoted through what is, I think, their politicisation. We all need to be mindful of that.

11.15 am

Private Members' Business

Japanese Knotweed

Mr 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. All other Members who are called to speak will have five minutes.

Mrs Cameron: I beg to move

That this Assembly calls on the Minister of Agriculture, Environment and Rural Affairs to bring forward proposals for a regional programme to eradicate Japanese knotweed.

I welcome the opportunity to propose the motion, and I hope that, in highlighting the issue, we can bring forward a strategy to deal with the problem of Japanese knotweed.

By way of background, Japanese knotweed is an invasive alien plant species introduced to the United Kingdom in the 19th century as an ornamental shrub. Since its introduction, it has spread ferociously and without obstruction, particularly on waste ground and along watercourses. The plant is so well established that it is not included on the EU list of invasive species, and it is unlikely ever to be wiped out. It becomes rapidly established in tall thickets, preventing the growth of native species. In doing so, it chokes waterways and hedgerows and greatly reduces local biodiversity. The blight of invasive species is among the greatest threat to biodiversity and ecosystems globally and is viewed as a major hazard to the character of our heritage, the environment and, of course, the benefits that a diverse ecosystem provides.

The impact that it can have on the built environment is also of great concern. Japanese knotweed can penetrate concrete and tarmac and cause structural damage to buildings. That is particularly distressing for householders who have found themselves in a position in which their property becomes virtually worthless owing to the mortgage company's reluctance to lend on homes that have been affected by or are even in proximity to an infestation of Japanese knotweed.

The ability of the plant to spread is unparalleled. It can be spread from the very smallest amount of a cut stem, crown or rhizome, thus making removal and disposal incredibly difficult. Often, it can be dealt with only by specialists. The invasive species strategy for Northern Ireland estimates that Japanese knotweed costs the British economy £179 million a year, and I am sure that everyone here will agree that that is a phenomenal amount of money being spent to deal with what is essentially a biological pest and a nuisance.

Japanese knotweed is classed as an invasive species under schedule 9 to the Wildlife (Northern Ireland) Order 1985, which makes it an offence to plant or grow it. However, there is currently no legal requirement for landowners to

control or remove Japanese knotweed growing on their property. With the issue being classed as a civil matter, there is little protection to stop it spreading from one area to another. Although it is an offence to allow the spread of Japanese knotweed, it can become a costly and lengthy exercise for an individual to take a landowner to court to recover the costs of removal and disposal. The area is fraught with ambiguity, and identifying the responsibilities for containment, treatment and disposal is a massive grey area. Legislation brought forward in England in 2014 and 2015 and the Anti-social Behaviour, Crime and Policing Act 2014 have gone some way to addressing the spread of Japanese knotweed and have introduced the use of antisocial behaviour orders (ASBO) as a deterrent and an encouragement to deal with the problem. I believe that that approach could be looked at for Northern Ireland and that the threat of the antisocial behaviour order on a landowner may, in cases, be sufficient to ensure that action is taken to treat the problem and prevent the spread. Further powers in England have been introduced under the Infrastructure Act 2015, which allows environmental authorities to enter into species control agreements with landowners and impose species control orders as required.

Legislation in Northern Ireland provides for local councils to enforce antisocial behaviour orders and address statutory nuisances. To date, the powers have not been used to deal with Japanese knotweed, which I feel is an area that could be further explored. There is also scope for councils to intervene under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 by classifying Japanese knotweed as nuisance. Nuisance is classified as something that causes damage or unreasonable and substantial interference to a person's use or enjoyment of property. The potential for damage caused by Japanese knotweed must surely be recognised under that classification, and I urge that the Act be extended to include it and give councils greater powers of enforcement.

The need for a regional programme of eradication is evident. The recent case of Mr and Mrs Atkinson, whose north Belfast home is bordered by waste ground that is infested by Japanese knotweed, plainly highlights the need for action.

Mr Humphrey: Will the Member give way?

Mrs Cameron: I will indeed.

Mr Humphrey: I am grateful to the Member for raising Mr and Mrs Atkinson's situation. I have visited their home, and I know the Member has previously been in touch as Deputy Chairperson of the Committee for the Environment. This has caused considerable distress and anxiety to Mr and Mrs Atkinson, and I welcome the Member raising it in the House this morning.

Mrs Cameron: I thank the Member for his intervention, and I understand that it has caused great distress to that family. The ground next to the Atkinson's property is in private ownership and would require them to take costly and time-consuming civil action, whilst the plant is growing at a rate of up to eight inches every day. They cannot cut it or dig it up, as that causes an acceleration in growth. The only method to try to eradicate it is an expensive course of chemical treatment that could take up to seven years to completely clear the problem.

Japanese knotweed is on the rapid increase in Northern Ireland, and we must take steps to ensure that we prevent its spread. I am pragmatic enough to understand that it may be virtually impossible to completely eradicate the problem, but it is a problem that we cannot continue to ignore. A regional programme could clearly set out a plan to deal with the issue and how best to manage it, coupled with a more considered use of current legislation and clarification of some aspects of regulation. We can easily close the loopholes surrounding Japanese knotweed and assist councils in formulating a more strategic approach. The precedent has been set in our neighbouring jurisdictions. The legal framework is in place, and the will is there. We must work towards removing the grey areas and make the treatment of Japanese knotweed simpler, quicker and less ambiguous in order to protect our precious ecosystem and the built environment.

Ms Dillon: In my role as Chairperson of the Agriculture, Environment and Rural Affairs (AERA) Committee, I would like to take the opportunity to mention that the Committee has identified knotweed and, indeed, hogweed as potential problems. The issue was first raised at the Committee meeting on 16 June, when it became apparent that practically every member around the table had issues with knotweed and/or hogweed. When we questioned officials, it became clear that there was no consistent or coherent strategy to deal with it; in fact, the Department told us that, despite recognising that knotweed and hogweed are species that

"cause significant problems operationally", they are dealing with it on a case-by-case basis.

The Committee was told that the EU had legislated in the area with the invasive alien species regulation, but, in the same breath, we were told that the regulation did not apply to knotweed. We were later told that other jurisdictions had tried a different approach, such as the use of ASBOs, but, to the Committee and me, that is clearly not a satisfactory position. We wrote to the Department asking for more information and were subsequently informed that the Wildlife Order 1985 made it an offence to cause to grow in the wild or release or allow to escape in the wild any non-native plant listed under schedule 9 to the legislation. Japanese knotweed and giant hogweed are listed in Part II of schedule 9, but the Department's role is limited to the provision of advice and guidance on the management of invasive species. Again, I can state that the Committee was not satisfied with the answer, and we have now asked for further details, such as statistical information on the extent of the problem in the North, including the number of known cases, the geographical spread of the problem and the financial implications. I look forward to receiving that information in due course, and I am sure that we will be interested in its content.

I am the Sinn Féin spokesperson for Agriculture, Environment and Rural Affairs, and this issue came to Mid Ulster District Council in 2015. It could not be supported because there was nothing being put in place to protect those who may find themselves in the position of having this on their property and not being able to deal with it because they do not have the financial capacity to do so. Whatever we decide to do, we need to protect those who may not have the financial capacity to deal with the problem. However, I accept that that may be no good to those who live in neighbouring properties, whose finances are negatively impacted, their property reduced in value and their quality of life obviously impacted on as well.

It is a significant problem, and we need to find a proper strategy and a way to move forward. It is extremely important that we deal with the issue and come up with a strategy that protects all.

Mr Swann: I thank the Members for tabling the motion. This change to our business allows more than one Member to table the same motion, and this is similar to a motion that I had tabled and to a private Member's Bill that, as I have indicated to you, Mr Speaker, I intend to bring. I thank the Members for getting the

matter to the Floor a little more quickly than I was able to.

I heard the proposer and the Chair of the Committee indicate the threat that this invasive, non-native species has become. In my constituency, I am working on three cases concerning Japanese knotweed, but they do not afford the same actions as have been suggested by the proposer of the motion, the Chair of the Committee or possibly even by the Minister. The three cases are all in developments built by a private developer who brought in backfill from another site that had not been screened for either Japanese knotweed or giant hogweed, and so the two invasive species have developed around those properties. The developer has declared himself bankrupt and gone into liquidation, and the liquidator has declared non-interest in the properties because of the presence of Japanese knotweed. I think that the proposer, Ms Cameron, referred to banks refusing mortgages because of the presence of Japanese knotweed and its destructiveness. The problem then falls to the neighbours, who bought properties in the same area from the same developers a number of years back. These are significant developments, and the Japanese knotweed and giant hogweed that has become established on one property is spreading into neighbouring properties and gardens. As has been mentioned, once established, these species know no borders or boundaries, and they spread at a significant rate — eight inches per day. When I was there, it was up over my head. Once they become established, these species are a severe problem.

The research paper has been very deliberate about what can be done in different jurisdictions, but it all revolves around someone owning or having responsibility for the premises on which the Japanese knotweed is present. We do not have a mechanism with any of our legislative forms, should it be at Assembly level, at council level or through the Northern Ireland Environment Agency (NIEA), for a requirement for that invasive species to be eradicated because of the significant cost. I would like to see that being teased out in the Minister's response because, as the Chair of the Committee indicated, it is a problem throughout Northern Ireland. Even her officials at the Committee that day acknowledged the presence of it on their ground. They said that they treated it on a case-by-case basis if there was a threat that it would go on to a neighbour's premises, but only if and when there was a threat.

11.30 am

The problem with Japanese knotweed is the roots. The extensive root system can grow up to 7 metres so they have to be treated at deep-root level, and it is not a matter of just cutting them off and moving on.

Having interacted with the two councils that fall within my constituency — Causeway Coast and Glens and Mid and East Antrim — I know that they would both like the powers to do something about it, but their answer is, "It is an Assembly problem. We do not have the legislation to tackle it, but if we had we would". I ask the Minister to take an additional look at what can be done when it is present on premises that do not have an owner. When premises become vacant and the receiver declares non-interest, they move to the Crown as bona vacantia. The Crown now has responsibility for the premises causing the problems in my constituency.

I know that some of the Minister's colleagues have taken on Crown responsibilities, so I ask the Minister to look at what can be done with Japanese knotweed, especially when it is now prevalent in areas where it causes a real problem to neighbouring landowners.

Ms S Bradley: I also thank the Members who tabled the motion. As you are aware, Japanese knotweed is a problem that is peppered throughout Northern Ireland, but we do not really have a handle on where it is most prevalent and where it causes most problems. However, as a Member for South Down, I can confirm that the problem exists in the constituency. Thankfully, it is on a smaller scale than in other constituencies, but, nonetheless, there is a worry that it will spread, and preventative measures not being taken could make the problem much bigger than it is today.

I thank the Member for moving the motion and giving the backdrop. I will not repeat that because it was comprehensive. Other Members have indicated the strength and speed of growth in a way that I cannot match, so I will not attempt to do that either. Looking at the structure of the weed, as, I suppose, it should be called, I find it shocking just how strong and persistent it is. There is no doubt that any proposal to put forward any programme will have to be as robust because it will not go away overnight; it needs something that we will commit to in the longer term and not just the short term.

Members will know that work has already been done in the House when the previous Environment Minister put forward the Northern

Ireland invasive alien species strategy. The objective of that strategy, I understand, was to halt the impact on biodiversity and the economy of invasion by alien species. There is an economic impact, which is largely unmeasured at this time. There is also an impact when an invasive species — in this case, Japanese knotweed — reaches somebody's home.

People sign up to a mortgage of 20 to 25 years, and, I am sure that most Members will agree, it is probably the biggest financial investment of their life. Financial products these days are understandably very flexible and mobile and allow people to move as and when life situations change, but, when something like Japanese knotweed enters the equation, people's lives are literally put on hold. It has an impact on their family and their life choices and causes stress and worry.

We cannot shift the solution to this to the mortgage companies. Mortgage companies are in the business of measuring risk against their loan books, if you like. We need not look there for solutions, but we need to collectively look at what realistically can be done to resolve the problem.

The Environment Committee commissioned research into the existing legislation across these islands in relation to Japanese knotweed and the control of its spread into neighbouring properties. It was identified that there was no public assistance with redress for individual property owners — and that is a problem in itself. Someone who does not have the financial capacity to deal with the problem has the frustration of knowing it is there and watching the problem become bigger as the growth spreads.

The previous Environment Minister asked the Department to undertake an analysis of the extent of the problem here. That is perhaps one of the starting points we have to consider — the extent of the problem. I do not think it has really been measured yet, and perhaps that has to be our starting point: where is the problem, where is it most prevalent and where do our resources have to be targeted?

I will go on to talk about the commissioning of the official study. We cannot pretend. In the motion we talk about a regional strategy, and in the European context there has been that acceptance that the problem is so big that it cannot be eradicated totally. Perhaps because we are on an island, we can be more ambitious in looking at long-term eradication. That will, of course, include having to look at an all-island strategy on the problem. Transport lorries are, I

believe, one of the potential carriers of the seed for this problem, so it would be naive to have a robust strategy that did not consider the island of Ireland.

Mr Speaker: I ask the Member to conclude her remarks.

Ms S Bradley: Thank you, Mr Speaker; I will.

I thank the Members for bringing this forward. I look forward to supporting any robust eradication strategy.

Mr Ford: I congratulate Pam Cameron and her colleagues for bringing this forward. I do not think there is any need to rehearse the points that have already been made about the biology of Japanese knotweed, save to note that the research that is being done in England and Wales suggests that the only possible control is the psyllid, a Japanese insect that does not seem to thrive in the wetter climate of these islands, which presents a problem for us on an ongoing basis as to how we deal with it.

I would like to look at some of the legal options on how we can deal with the matter. I reference an answer by the previous Environment Minister, who has just been highlighted by Ms Bradley, to my colleague Chris Lyttle in June of last year on the difficulties and contradictions in our current law. As Ms Dillon has already said, it is an offence to plant or cause to grow in the wild any plant listed in Part II of schedule 9 to the Wildlife (Northern Ireland) Order 1985, which includes Japanese knotweed. However, there is no legal requirement on a landowner to control or remove existing established areas of Japanese knotweed from their land, and therefore there are no enforcement mechanisms in place to control plants that are already established. That is where we run into the difficulties that have been highlighted of individuals whose property ends up being affected by invasion from adjacent property. The question is what level of legal enforcement we should have in this jurisdiction. We have highlighted the massive blight on property owners when people are told the value of their house has dropped or someone is completely unable to sell or, as in at least one case highlighted in the media, they are unable to obtain a mortgage so they can let a property whilst buying another one.

Whilst it is undoubtedly correct that operations would need to be addressed on a North/South basis, given what we see of the transfer of waste, including contaminated soil, across the border, there is legal precedent that better

comes from England and Wales at this stage to look at how we might make progress. Is the Minister able to tell us whether she has considered the question of the introduction of ASBOs or the use of ASBOs on a wider basis to deal with problems like this and whether there should be discussions between her Department and DOJ on how that might be done? Clearly, the possibility that now exists in England and Wales under the Infrastructure Act 2015 of imposing species control orders is one way of addressing the threat from one piece of ground to another that perhaps needs to be considered for this area.

There is no doubt that there is a significant role that the Department or NIEA could play in raising awareness of the problem. In many cases, stands of knotweed get to a point where control becomes very expensive. If people were more aware at an earlier stage, control would be rather more easily carried through. Perhaps we need to raise awareness by doing more than having a debate in the Chamber and, at least, to ensure that the NIEA gets the opportunity to publicise it, perhaps even with pictures or television coverage to show what it actually looks like. I suspect that many people do not realise what knotweed looks like until they find out the hard way how it affects them.

It is clear that we need to find ways that will stop the spread. Whilst, legally, somebody may be allowed to grow knotweed on their property, there is a real challenge in how that is done in a way that, in urban areas, does not become a threat to neighbours. That is currently not covered by the issues that we have. In that sense, the potential for species control orders may be one way in which we could ensure that action is taken at an early stage to stop the threat to others.

There are problems because so much of this happens on what is described as waste ground. There is a real need for the Department to take responsibility and direct action, if a landowner is not doing so, because of the potential threat in many cases to more than one neighbour, given what we have heard about the dangers of spread. There are significant issues. There are ways in which those matters could be carried out and charges levied, using the English legislation or something similar, on those who own the land. There is also wasteland that needs to be addressed in a different way. A lot needs to be done, and both legislation and direct action could be used by the Department, given all the constraints that, I accept, exist. There is no doubt that, otherwise, small numbers of our people will continue to suffer from this invasive weed.

Mr Middleton: I welcome the opportunity to speak on the motion. The fact that we are discussing this in the Chamber shows the seriousness with which we take it and how serious an issue it is across the Province. Japanese knotweed has affected and continues to affect many areas and properties throughout Northern Ireland. Whilst the full extent of the problem is not known, many cases have been highlighted in the media and through Members' constituency offices. My colleague mentioned the well-known case of Mr and Mrs Atkinson in north Belfast. The distress and annoyance caused is clear.

This invasive species not only destroys native plants and reduces local plant biodiversity but seriously damages buildings, land surfaces and infrastructure. There have been cases where knotweed has damaged flood defences and waterways. The implication of that is that it runs into serious financial costs of millions of pounds. Homeowners have found that Japanese knotweed can reduce the value of their home, damage the structure of the building and create issues, as mentioned already, with mortgages when they are selling the property. Of course, the fact is that it takes years to eradicate.

A regional programme for the eradication of Japanese knotweed would be useful and could help to deal with the issue more effectively. I appreciate that such an initiative would require much attention from the Minister and much investigation of the exact cost of such a programme and the legal issues involved.

The concern for the landowners affected is that they are responsible for dealing with it. High-level, widespread control is currently not the responsibility of any of the statutory organisations. It is even more frustrating when the knotweed is coming from neighbouring, vacant premises. As MLAs, we know that trying to sort issues involving vacant private properties can be very difficult in normal everyday circumstances, never mind dealing with invasive species.

As a former member of the Environment Committee, I heard directly from those involved in the eradication of Japanese knotweed, an organisation called Knotweed NI. It was agreed that, to effectively tackle the issue, there should be cross-departmental cooperation and work with outside bodies and organisations.

11.45 am

As mentioned by my colleague as well, we need to look at other regions and areas of best

practice, be it England, Scotland or the Republic of Ireland. I am pleased to hear that there is ongoing work by the Committee for Agriculture, Environment and Rural Affairs to look at the issue. I encourage all Members here to support the motion.

Mr McMullan: The issue of Japanese knotweed has now reached epidemic heights. There needs to be clear law, responsibility and duty of care. At present, there are ASBOs and civil law to deal with the problem. Those are at a local level for people not controlling Japanese knotweed when they could reasonably be expected to do so. Whenever we talk about ASBOs, we are talking about antisocial behaviour, but I do not think people can be blamed for antisocial behaviour when dealing with this problem. The one thing missing here this morning when we talk about responsibility etc is the point that quite a lot of people cannot financially deal with it. That could be a problem in the way we deal with this.

The plant, which was introduced here in the 19th century, is ornamental. However, when it becomes very bad, it affects practically every part of life. Removing it involves considerable cost to the landowner, or else they face a fine. For example, it cost a reported £70 million to clear a 10-acre site for the London Olympics.

The motion calls on:

"the Minister of Agriculture, Environment and Rural Affairs to bring forward proposals for a regional programme to eradicate Japanese knotweed."

While I support the motion, I believe we must see regional authorities — councils — coming on board as well. Councillors are in a daily battle with knotweed, so their expertise will be invaluable in combating the plant. One thing we do not have is a regional map for where the plant is growing and spreading so that we can monitor its spread.

There is a difference of opinion on the best way to deal with it. Some authorities when asked by the public advise them to spray it with off-the-shelf weedkillers. Others will have a different method. We are still not being given proper advice because we are told that the off-the-shelf weedkillers we can buy ourselves are not strong enough to deal with it. We must have a clear method of treatment and, most importantly, clear advice on disposal. At present, we are failing to give proper advice to the public. That is why I ask the Minister to look into each council having a dedicated member of staff who is trained to give the correct advice to

the public. I do not think we have that. We have some members of staff in councils who try their best, but they are not dedicated or trained.

We know that, when knotweed grows along watercourses, it can damage flood defence structures, which can reduce the capacity of channels to carry water. This weed can grow through concrete, tarmac and other hard-core surfaces. During the recent construction of the A8 from Larne to Belfast, problems were encountered with the weed. If you are selling your home and your neighbour's property has the plant growing on it, your property will be devalued; worse still, the mortgage company may insist the plant be treated before the sale progresses. That could hold up the sale for anything up to two years, and the cost of treatment could run into thousands of pounds.

Minister, at present, it is estimated it will cost the economy here in the region of £40 million per year. Any regional programme for the eradication of knotweed that you bring forward must have the input of all Departments and regional authorities. Also, the cost of any programme of eradication must not be left to become the sole responsibility of the Assembly or its Departments. We must be clear on the law: who is responsible? I do not believe you can have a plan for eradication, because although it is quite clear that we may not be able to eradicate this plant, we must be able to treat it and have the knowledge of how to treat it. That knowledge is missing. It is missing from the local authorities, which are on the front line when the public ask for advice. I ask that councils take that on board because it could save a lot of money in the long run.

I support the motion and thank the Member for proposing it.

Mr Irwin: This is a very timely debate. Only last week, I was approached by two constituents who had concerns about outbreaks of Japanese knotweed close to their homes in rural areas. In those instances, the weed is only a matter of feet away from their homes, which is, of course, a huge source of concern for them. In both instances, the weed is not on land in their ownership, raising the important issue of who has responsibility for control and removal, given that, under current environmental law, it is not an offence to have Japanese knotweed growing on your land.

The very word "knotweed" strikes fear in homeowners across the Province, especially as the weed is extremely difficult to control. Homeowners themselves cannot effectively and ultimately eradicate the weed without there

being an evacuation of the root system. As an invasive species, knotweed, like hogweed and other species, once established, spreads easily in almost any type of soil. When you consider that it can be spread easily by an accidental movement of the plant stem or its root system, which can grow to a depth of 3 metres and 7 metres horizontally, it is easy to understand why it is so prevalent. Even the tiniest fragment of knotweed root can produce a plant, which can then grow by up to 2 centimetres a day regardless of soil type. It can penetrate existing cracks, blockwork or concrete walls and foundations.

People are most concerned about the weed growing in close proximity to homes. There are many reported instances of homeowners being hampered, as was said, in attaining mortgages and in reselling their properties if knotweed is close to those properties. A renewed focus is certainly required to work towards the effective eradication of knotweed. Reference has been made today in the Chamber to the fears of residents across the Province who have been unfortunate enough to have been affected by this weed. Those people certainly deserve assistance in the fight against this highly invasive species.

As many reports have indicated, and as private weed control companies with the experience of dealing with knotweed can attest, dealing with this species effectively requires a range of procedures, including evacuation and safe disposal of the soil, for the best results. That, of course, may prove to be a difficult and, no doubt, costly procedure, given various access issues, particularly in built-up areas, and the high probability of services running through affected ground. Soil containing the root system has to be carefully removed and then disposed of within the current waste disposal regulations, which has an added cost.

Regardless of these difficulties, I am of the view that, as a legislature, we should respond to public concerns and come up with a suitable plan and procedure for addressing the issues that this invasive species presents, especially for homeowners, and move to an effective eradication policy. I support the motion.

Mr Allen: I join others in welcoming the motion tabled by the Members. I also welcome my party colleague Robin Swann's impending private Member's Bill.

As was mentioned, the invasive non-native plants that cause most of the problems in Northern Ireland are Japanese knotweed, giant hogweed and Himalayan balsam. In the last

year, since becoming an MLA for East Belfast, I have dealt with numerous constituency enquiries about knotweed, like many Members around the House. Constituents find it virtually impossible to deal with the problems because they are not able to ascertain who owns the land from which the knotweed is growing. We are also restricted in tackling the plants because their prevalence and the location of breakouts are not recorded.

In conclusion, I will give the House an example of a recent difficulty encountered when trying to deal with Japanese knotweed.

After many hours speaking with DAERA, the council and other stakeholders, we were unable to ascertain the ownership of a piece of land with knotweed growing on it. The best advice that we were given was to place a notice on the fence at the wasteland in the hope that the landowner would see it and act. That simply is not good enough. We must do more to support those facing difficulties with non-native plants such as knotweed. I support the motion.

Ms Archibald: I, too, welcome the opportunity to contribute to the debate. Others have outlined the significant problems that Japanese knotweed causes. Its prevalence seems to be increasing, so clarity is certainly required on a strategy and measures that should be adopted to control it.

I support the motion. The problem must be tackled, and a targeted focus is required to do so. As an invasive species, as others have pointed out, Japanese knotweed poses not only a threat as a result of the damage that it does but a threat to our biodiversity. Protecting our biodiversity is a priority to mitigate climate change and the increasing threats from plant and animal diseases associated with that.

(Madam Principal Deputy Speaker [Ms Ruane] in the Chair)

The biodiversity strategy to 2020 was published last year, and protecting against adverse pressures from invasive alien species forms part of that strategy. Japanese knotweed is listed, however, as one among several invasive species. The invasive alien species strategy published in 2013 set out measures and actions that should be adopted to tackle invasive species in general. They include better awareness to identify the species; detection, prevention and control measures; management; and communication. In developing any strategy to control or eradicate Japanese knotweed, a first step should be to evaluate progress made

against that strategy. It is due for review this year.

As the Committee Chair said, the European Commission recently published a list of invasive species around which the Department is planning to legislate soon. Japanese knotweed is not included on that list, so it will not be subject to the measures contained in it. Explaining its absence, the European Commission indicated that the list was not exhaustive and that other species might be added. There is, however, a need to consider, as others mentioned, the legal framework for dealing with Japanese knotweed.

As has been said, the consequences of discovering Japanese knotweed on public or private land can be severe, and its eradication from property can prove very costly. It places a significant financial burden on individuals in particular, and consideration needs to be given to that, especially as the responsibility for dealing with Japanese knotweed falls to the landowner. Stopping it spreading to neighbouring properties is currently a matter of civil law under a duty of care to the neighbours. I acknowledge what Mr Swann said about developments. In that regard, an evaluation of the control measures, the legislative framework and financial considerations adopted in other states should be carried out to determine what is most effective. That would allow the strategy or measures put in place here to be informed by best practice elsewhere. Care must be taken to ensure that such measures do not place individuals in financial hardship when obligations are placed on them to deal with the problem.

This is a complex problem. As others have said, it involves multiple stakeholders, including local government and other agencies, all of which should be consulted and included in any strategy being developed.

Miss McIlveen (The Minister of Agriculture, Environment and Rural Affairs): I thank the Members who tabled the motion for doing so. I have listened carefully to the remarks made during the debate and with great interest. As a constituency MLA, I can cite similar cases and concerns. The problems caused by Japanese knotweed growing in the wrong place clearly cause distress to individuals and local communities and impact on our natural systems, including along our rivers. Evidence suggests that it is a growing problem, often triggered by changes in how properties are bought and sold.

Japanese knotweed is, as Members said, a bamboo-like hardy perennial that grows quickly and strongly. It was introduced in the 19th century and is invasive, spreading by its underground rhizomes or roots. It is widely established throughout Northern Ireland. The species is widespread and is especially prevalent on disused and unmanaged lands. In such locations, particularly when the ownership of the land in question is ambiguous or unknown, it is difficult for agencies or citizens to act quickly or at all. That has been highlighted throughout the debate. I recognise that this is frustrating for the individuals concerned.

12.00 noon

Japanese knotweed causes two principal problems: it impacts on our native biodiversity and on buildings and infrastructure. As Members know, my Department works with other agencies, including Transport NI, the Northern Ireland Housing Executive and councils, which are all involved in some way or other in trying to control Japanese knotweed, either on their own properties or in partnership with other organisations. That activity is often associated with rivers, roads, greenways and other infrastructure routes.

The call for a regional eradication programme has, no doubt, been triggered by the more recent changes to property sales and the impact of Japanese knotweed growing close to properties. I appreciate the concerns of individual citizens, and in the debate we need to balance what can be done in the strategic sense with what we can do to help individuals affected.

The legislative situation in Northern Ireland is that, under article 15 of the Wildlife (Northern Ireland) Order 1985, it is an offence to plant or otherwise cause to grow in the wild Japanese knotweed or any other invasive plant listed in Part II of schedule 9 to that Order. Anyone guilty of an offence under article 15 may be liable on summary conviction to up to six months' imprisonment or a fine of up to £5,000 or both. On conviction on indictment, they may be liable to two years' imprisonment or a fine or both. If a landowner is disposing of knotweed or any other controlled waste by cuttings or excavation, the Waste and Contaminated Land (Northern Ireland) Order 1997, as amended, is relevant. That legislation places a duty of care on anyone who produces, collects, carries, keeps, treats or disposes of controlled waste to take all the necessary steps to keep it safe and prevent it from causing harm, especially to the environment or human health.

At present, there is no statutory mechanism to compel an owner or an occupier of premises or land to control invasive alien species such as Japanese knotweed. Given the current legislative provision in Northern Ireland, the advice received from Departmental Solicitor's Office is that cases where species such as Japanese knotweed are spreading from one property to another are civil matters between landowners. I am aware of the issues surrounding that.

The effect of invasive alien species is internationally recognised as one of the main threats to the ecology of our natural environment; to that end, invasive alien species feature in the Northern Ireland biodiversity strategy. That strategy is a statutory requirement.

Some Members referred to the legislative situation in Great Britain and the Republic of Ireland. Each jurisdiction has taken a slightly different approach. In England and Wales, the Wildlife and Countryside Act 1981 is the principal legislation that deals with non-native species, and it is illegal to plant or otherwise cause to grow in the wild any plant listed in schedule 9 to that Act. Furthermore, the Infrastructure Act 2015 amended the Wildlife and Countryside Act 1981 to introduce new measures relating to species control legislation that have the potential to tackle invasive alien species. The species control agreements or orders are made by environmental authorities to ensure that landowners take action on invasive species or permit others to enter the land and carry out those operations to prevent their establishment and spread. The intent of the provisions is primarily to remove newly arrived invasive species or those of relatively restricted distribution; it is not envisaged that the powers will be used to control invasive species that have become widespread. Any action taken has to be demonstrated to be proportionate and cost-effective, and my Department is not aware of any cases having been taken to date.

There is also a discretionary power in England and Wales to require the landowner to clean up land that is adversely affecting the amenity of the neighbourhood. That is under section 215 of the Town and Country Planning Act 1990. Local authorities also have the power to undertake clean-up works and recover costs from the landowner. However, the decision on whether to take action in individual cases is a matter for the local authority concerned, which needs to take into account all the local circumstances. In addition, the Anti-social Behaviour, Crime and Policing Act 2014 enables community protection notices to be

served by local authorities or the police on individuals who act unreasonably or persistently or continually act in a way that has a detrimental effect on the quality of life of those in the locality.

The 2014 Act does not specifically or explicitly refer to Japanese knotweed or other similar, invasive, non-native species, as these powers are designed to be flexible and could be used to address specific problems caused by widespread invasive or non-native species. However, an information note has been produced on Japanese knotweed to accompany this legislation. Councils have used community protection notices to compel landowners to take action against invasive species. A report in a recent Royal Institute of Chartered Surveyors' 'Building Control Journal' stated that a community protection notice was issued in Peterborough on a whole street and on an individual homeowner in Coventry who initially refused access to their garden to allow treatment of knotweed affecting the adjacent owner.

In Scotland, the Wildlife and Countryside Act 1981 makes it an offence for any person to plant or otherwise cause to grow in the wild any non-native plant listed on schedule 9 of that legislation. Japanese knotweed is listed. The legislation is designed to prevent non-native species spreading into the wild but does not require people to control invasive species on their land. The Wildlife and Natural Environment (Scotland) Act 2011 amended the 1981 Act to include species control provisions to control or eradicate invasive alien species. These provisions make it possible, under certain circumstances, to compel landowners or occupiers to carry out control or eradication operations, or allow them to be carried out by the issuing authority. The orders are intended to be used when it has been impossible to reach a voluntary agreement with the owner or occupier or when action is urgently required. To date, we are not aware of these powers being used to tackle any plant species.

With regards to the Republic of Ireland —

Mr McMullan: Will the Minister give way?

Miss McIlveen: If you do not mind, I would like to move on quickly.

The Department of Arts, Heritage and the Gaeltacht is responsible for enforcing the European Communities (Birds and Natural Habitats) Regulations 2011, which contain provisions to address the problem of invasive

species. Regulation 49 of the 2011 regulations, relating to the prohibition on introduction and dispersal of certain species, places restrictions on the introduction of any plant species listed on part 1 of the third schedule. It is an offence for a person to plant, disperse, allow or cause to disperse, spread or cause to grow any listed plant species. Again, Japanese knotweed is listed in this schedule. The Department of Agriculture, Heritage and the Gaeltacht has indicated that it will continue to address the problem of Japanese knotweed on its own property but has no plans to tackle it in privately owned gardens.

The legislative position in Northern Ireland is arguably less robust than that in GB with respect to actual powers to intervene in problematic cases where Japanese knotweed is perceived to be a nuisance to individuals or communities. However, such legislative powers as applied in GB have not led, and are unlikely to lead, to eradication there. While it has been suggested that introduction of similar legislative intervention might be a sufficient deterrent, there is not a substantial list of enforcement case history to examine what could be applied in Northern Ireland and the relative costs and benefits. I have asked my officials to examine the options that may be available within my policy remit and the consequential financial and resource implications. That would include the potential to introduce powers similar to those available in section 215 of the England and Wales Town and Country Planning Act 1990.

The general concept of a regional eradication programme for Japanese knotweed does have merit. However, the practicalities of delivery, given the statutory basis, the likely resource costs and the possible societal expectation that government agencies will intervene with other similar or nuisance species, are something that we need to consider very carefully.

I will come to cost considerations in a moment, but, first, we need to acknowledge that an intervention programme could require significant levels of enforcement-type action given the individual rights that citizens have on their private property. There currently is no statutory basis for forcing action on individuals to remove Japanese knotweed, so any strategy would, initially at least, need to operate on a voluntary/partnership-type basis. The likely costs of a regional eradication programme are very difficult to estimate, not least because we have an incomplete picture of actual distribution of the species, as Mr McMullan highlighted. That is especially true in urban areas, where the problem is more acute. Costs would be associated not only with the actual removal of

the species — for example, herbicide spraying — but with land searches, legal costs, and restoration and reinstatement. Costs for eradication in individual cases will vary depending on the size of the infestation and the length of time the plant has been growing. One published source reported a cost of £2 million to eradicate Japanese knotweed in a 2-hectare development site in 2010. The European Environment Agency quotes a figure of €175 million being spent in the UK on control — not eradication — of the species.

Given that some treatment approaches for removal of Japanese knotweed require three to seven years, it would not be unreasonable to predict that costs of an eradication programme would increase year on year and would require ongoing budgets over a prolonged period. The question of whether there should be a regional eradication programme for Japanese knotweed raises interesting secondary questions about why we should do so for this species and not other plant species that can cause damage and whether that creates expectation and precedent that public resources be used in this way. Whilst the departmental invasive species policy has been generally focused on impacts of invasive species on natural habitats and systems, it is suggested in the building industry that Japanese knotweed is a special case where the issue is about people and property rather than just ecology. A range of other plant species can cause damage if growing near property, and some spread directly and grow on property. There is also an expectation in society that land- and property owners act responsibly with respect to neighbours, and given that there is a range of other species that readily spread or, if growing near property, can cause structural damage, there could be calls for further intervention by government agencies to resource the removal of such species.

This is an emotive and complex issue. A broad-scale eradication approach may appear desirable but would be very costly. Complete eradication would be practically difficult, if not impossible, to achieve and could raise expectations of future interventions. I believe that we should focus our attention on the worst cases, and, in looking at the policy options, my officials will certainly investigate that. Any potential change or action will not lead to an immediate solution for those directly impacted by this species right now, and so, in the meantime, I appeal to owners of land, particularly in urban areas, to take control of Japanese knotweed and, indeed, other potentially invasive or nuisance species. I also seek information from citizens and ask them to record their observations. Such information

could lead to much more informed action in the local community and, indeed, inform a regional map, as was suggested. Our response needs to be targeted, focused and joined up. I will encourage my officials to continue their partnership with other Departments and to engage with the Committee and others where appropriate.

Lord Morrow: At the outset, I thank everyone who took part in the debate. It has come across very clearly that there is an issue that needs to be tackled; that has been acknowledged right around the House today. I also want to thank the Minister for coming here today, taking part in the debate, listening to the comments of all the Members and, of course, speaking on the issue.

This is not the first time that this matter has been discussed. When I was a member of the Environment Committee, it was the subject of lengthy discussion and debate. One thing that comes out very clearly is that this is not a simple issue or an issue that will go away. Indeed, it may get worse as the years go by. Therefore, turning our heads and looking the other way is not the answer. It has to be tackled, and a strategy has to be put in place that will tackle the issue in some way. The Minister is right when she says that we should focus our attention on the worst cases. That is the proper approach. I commend the Minister for accepting that there is a big issue out there. We will not underestimate it; we will state that it will not be simple or straightforward to resolve. No one believes that it will be.

12.15 pm

I had a case in my town where a developer was doing a development of houses and, of course, the work had to come to a halt. That scheme was held up for two years because of the emergence or appearance of knotweed. That, of course, adds to costs and expenses, and all of us in the House can turn to situations where there is a housing need. We have a massive housing need across Northern Ireland, whether it is north, south, east or west. These issues do not help in any way and only serve to make a bad situation infinitely worse.

I have to say to Sinn Féin that its Members have been a bit more what I would call "constructive" today than they were when the issue came before Mid Ulster council. One of my colleagues tabled a motion, and Sinn Féin said that it could not support it because the council could not do anything about it. They were not being asked to do that; they were

being asked to lobby the Minister and the Department. I cannot for the life of me remember — my mind goes blank — who the Minister was at that time. It was about a year or so ago, and someone can tell me. What Sinn Féin was guilty of at that time was that it was looking at who was saying something, rather than what was being said. That seems to be a common fault in Northern Ireland: we seem to look at who is saying the thing rather than at what is being said. That was not their approach today. They have manned up and "womaned" up — yes — and said that there is an issue and we need to tackle it.

Mr Swann referred to the fact that he is tabling a private Member's Bill, and I wish him well on that. We look forward to that coming to the surface when that day comes. No doubt that will be a constructive piece of work, and, hopefully, it will go some distance towards tackling the real issue.

The challenge for the Minister and the Department is in whether our legislation is as robust as that of GB. My information — I do not say it in a critical way — is that it may not be. There comes a time when you have to grasp the nettle — or, in this case, the knotweed. We need to look at where we are behind GB and why our legislation is not as robust and fit for purpose as that in the rest of the United Kingdom. Somebody posed the idea — it was more of a distraction — that we should look at what the Irish Republic is doing and do a joint venture. Look, folks: what we need to do in this country is look after our own affairs first. That is where our responsibility lies and where the Minister's duties are. I exhort her and her Department to take a close, long, hard look at the present legislation, study it and see how we can come up to speed if we are behind.

The Minister said — I noted it — that there was a summary fine of something like £5,000 or two years' imprisonment or, worse still, both. I wonder how many fines there have been over the past five years or, indeed, if there have been any. Some say that, if we take further action, we will put more obstacles in the way of farmers; I do not think so. Whilst I have the greatest sympathy with landowners who discover that, through no action of theirs, they have a problem with knotweed, nevertheless, as I said, I do not think that turning a blind eye or turning our heads and looking the other way is the answer. It is not an issue that will go away.

I urge the Minister and her Department to do all that she can in her tenure to ensure that the problem is tackled to the best of her ability. It is

a complex one — no one ever said that it was anything different — and it will be very difficult for the Minister and her Department to really get into it. Who else can we look to? We cannot. Figures of millions of pounds are being put out as the amount of money that will be needed to tackle the issue. Let us deal with it and follow her lead. She has said that we will deal with the worst cases first and move from there. I think that the Assembly is quite happy to support that approach, but we need change, and it needs to come very soon.

I thank everyone who took part. I know that the Minister and her Department are not complacent — they are acutely aware of the issue — but more could have been done in the past, and I look now to more being done. No doubt the House will monitor the issue closely in the weeks and months ahead. It received a lengthy discussion in the old Environment Committee. I appreciate what the organisation calling itself Knotweed NI is doing, but there needs to be a new impetus. I believe that the Minister is the right person to give it.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister of Agriculture, Environment and Rural Affairs to bring forward proposals for a regional programme to eradicate Japanese knotweed.

Road Maintenance Budget Deficit

Madam Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to wind. One amendment has been selected and is published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to wind. All other Members will have five minutes.

Mr Mullan: I beg to move

That this Assembly is concerned that the road structural maintenance budget deficit is currently estimated to be £1 billion; notes the importance of road maintenance to road safety, especially in rural areas; further notes that it is estimated that over £137 million per annum is needed to adequately maintain, in its current state, the structural integrity of Northern Ireland's road network; and calls on the Minister for Infrastructure to include a ring-fenced allocation to his Department's baseline budget

for road maintenance repair that will facilitate a more strategic and, consequently, efficient approach to road maintenance.

I welcome the opportunity to present the motion to the Assembly on an issue that many constituents raised with me on the doorstep as I canvassed for the May election. I am pleased that the Minister is here to respond, and I look forward to hearing the contributions of other Members. I also welcome the Alliance Party amendment, which I will address later.

The SDLP has tabled the motion because, as we approach the winter months, there are serious concerns among the public and Transport NI officials about what might happen to the condition of our roads. Most importantly, people are concerned about the lack of maintenance and, as we have witnessed throughout my constituency in recent months, the possibility of even more road deaths.

It is widely accepted that the condition of Northern Ireland's roads is vital to the economic and social well-being of the North. Adequately maintaining our road infrastructure is essential to preserving and enhancing those benefits and attracting much-needed inward investment. It is therefore important that, in the new mandate, the Chamber recognises that and ensures that road maintenance receives the necessary funding allocation to bring our road network up to an acceptable standard.

For a number of years, the quality and frequency of maintenance provided to the roads network has suffered due to insignificant funding. A number of major reports and pieces of commentary highlight the detrimental impact of that. Perhaps most important, in my view, is Professor Snaith's report of 2009, which stated the need for significantly enhanced investment to carry out much-needed maintenance repair work across Northern Ireland. The Snaith report also states that historical levels of funding are unsustainable and underinvestment has created a vicious circle. As roads deteriorate through lack of planned maintenance, they require expensive patching to avoid public liability claims and maintain road safety. That draws funding away from good-value resurfacing and surface dressing. That is an important point as, over the years, we have seen a short-term patchwork approach to maintenance projects, especially with the temporary filling of potholes and other road surface defects, which does not deal with the issue and costs more further down the line.

We are now some seven years on from the publication of that report, and I have not seen

any concerted effort to address the funding shortfall. That is having severe ramifications for many road users across the North. In my constituency of East Derry, there is growing anger and frustration among local people about the decline in the state of the road network. They are angry that the issue does not get the attention it deserves from the Executive or the Minister. Each week, I have constituents contacting me from places like Kilrea, Glenullin and Ballerin concerning the condition of the roads and the crater-like potholes they have to avoid on a daily basis while travelling to work or leaving their children to school. Those unrepaired potholes can cause serious damage to many cars on our roads. Last year, 600 claims were made against the Department for Regional Development for damage to vehicles caused by the state of our roads. Almost 200 of those came from the north-west of the Province, which is testament to the state the roads are in. The Department is paying compensation and losing money due to the historical failure to take strategic action. There are also concerns in East Derry about road safety measures, especially on the Agivey Road, the Drumeil Road and roads around Feeny and Foreglen. After a number of road deaths, people are concerned that road safety measures may not be at an adequate standard. I welcome the Minister's view on that.

Turning to the motion, we have also learned over the past 12 months of the colossal backlog concerning the road maintenance programme, which is now estimated to be £1 billion. That backlog is having severe consequences across each and every constituency. It has limited flooding measures, gully cleaning, pothole repair and investment in road safety measures. We see many parts of our roads that have been marked for repair but have yet to be fixed. I ask the Minister this: how much does his Department spend on assessment versus physical repair? It has been independently assessed that the overall annual budgetary requirement for just maintaining our roads is between £137 million and £141 million. That money is to simply keep our roads in the condition they are in; it is not meant for any service improvement. That is a scary situation when you consider the state of many roads across the network.

It is easy to see that, in the past number of years, the budget allocation given to roads maintenance has fallen substantially below the figure required. The 2015-16 opening allocation was a mere £22 million. This year it is slightly better, at £46 million, but that is still £95 million short of what is required. I do not see any attempt in the draft Programme for

Government framework to address that. I welcome the new Minister's commitment to road maintenance since he came into post, which includes his announcement of a £10 million rural roads initiative fund. He also secured additional funding for road repair through the June monitoring round. Along with the progression of the A5 and A6, these are all positive developments with a focus on the west. However, with these additional funds in place, we are still tens of millions of pounds away from what is required.

12.30 pm

The motion is not about criticising the current Minister or the current funding shortfall in the road maintenance budget. It is simply calling for a ring-fenced allocation in the Department's budget that would allow for a more strategic approach to road maintenance than having a patchwork service that is almost wholly reliant on monitoring rounds to fund essential and critical road maintenance. There is an urgent need to reform how road maintenance is budgeted and planned.

I welcome the Alliance Party's amendment in calling for a costed strategic plan. I think that, under normal circumstances, that call is worth merit. However, it fails to appreciate that, until now, strategic planning has been limited due to an over-reliance on in-year monitoring, which has resulted in a haphazard approach to road maintenance. We cannot have another costed plan with no incentive for the Minister and Department to adhere strictly to it. The SDLP believes that the only way to implement a strategic plan is to ring-fence the Department's maintenance budget. We therefore cannot accept the Alliance amendment.

Any motion concerning infrastructure investment always comes down to how we pay for it. If we agree that there is a need to increase the road maintenance budget to £137 million, we need to forensically examine the Department's budget and the Executive Budget. Departmental responsibilities, for example, have transferred from the Executive Office, but money has not followed this. The Minister must also put the case to his Executive colleague the Minister of Finance to ensure that sufficient funding is provided. All revenue-raising options that do not penalise the poor must also be put on the table and thoroughly considered.

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr Mullan: In conclusion, I hope that this is a good debate, the main theme of which is to improve road maintenance programmes. The infrastructure of the North is much too important to neglect.

Madam Principal Deputy Speaker: The Member's time is up.

Mr Mullan: We do not want to exacerbate further the condition of our roads.

Ms Armstrong: I beg to move the following amendment:

Leave out all after "Infrastructure" and insert

"to develop and publish a costed strategic plan for road maintenance and repair that will be included as part of the Department for Infrastructure's ongoing work programme from 2017-18 until the end of the mandate."

On behalf of the Alliance Party, I welcome the SDLP motion, but, as my amendment confirms, I seek to make the intention more robust by asking the Minister and his Department to develop and, importantly, publish:

"a costed strategic plan for road maintenance and repair that will be included as part of the Department for Infrastructure's ongoing work programme",

for the next financial year, 2017-18, and to confirm the requirements that the Department will need to deliver the capital structural maintenance programme until the end of this mandate.

The amendment is important because the Department could decide to ring-fence any amount to include in the budget, which may or may not make a dent in the amount of money and work needed to make any significant difference to the deplorable state of our existing roads. Northern Ireland needs a systematic road maintenance strategy that lasts for at least 20 years. The amendment calls for the Minister and his Department to develop such a strategy and to provide a costed, target-based action plan to deliver results in this mandate. This approach will initiate the process of addressing the outrageous £1 billion backlog in road maintenance that was identified by the House of Commons Select Committee.

That backlog is evident to everyone in the Chamber. Every day, I see it when I commute along roads pitted with potholes. I see the crumbling road edges, the hedges overgrown

on to the road and the flooding caused by gullies not yet cleared. I see the footpaths that are so overgrown with weeds that people with limited mobility complain that they can no longer walk safely to their local shop because of the trip hazards. I see the damaged and missing road signs. I see the lack of or worn road markings. I listen to the radio and hear about road collapses in Belfast or another set of lights out at a busy junction.

I see the reports of the number of claims being paid out in compensation for vehicle damage. Last year, almost 2,000 claims were made, totalling £210,000. I wonder how high the figure will go this year.

Mr Dickson: I thank the Member for giving way. Will she agree with me that the lack of weed control on footpaths and roads is now leading to serious surface damage and that that in itself will place a greater burden on repairs? If the Minister had proceeded to deal with the spraying of weeds, he would not now be facing additional bills for weeds damaging road surfaces.

Ms Armstrong: I agree with the Member on that. Perhaps a strategy would help.

The backlog in road maintenance is affecting the everyday lives of citizens. It is affecting businesses and will reduce our attractiveness and competitiveness as a region aiming to grow its inward investment.

One billion pounds is a huge figure. That backlog will not be dealt with in this mandate. The strategic plan can, however, help create —

Mr F McCann: Will the Member give way?

Ms Armstrong: Yes, certainly.

Mr F McCann: The Minister announced, I think on 26 June, an additional £5 million for grass-cutting and weed-spraying to try to deal with the problem that the Member is speaking about.

Ms Armstrong: I will address that shortly.

The strategic plan can, however, help create opportunities to address the issue. I accept that there needs to be a sensible and balanced consideration as to how we achieve safer roads while faced with a reducing reactive maintenance budget. One way is to rebalance the amount of capital expenditure being used for new roads with the amount being used for structural maintenance. In this day and age,

when money is tight, we should look after what we already have.

The Finance Minister, Máirtín Ó Muilleoir, accused me of wanting to stop all the Executive's flagship projects because I questioned whether the time was right to build all of them at the same time. I have no problem with building new roads if we have the money for them. In the light of what will happen to our Budgets during this mandate, I do not believe that now is the right time to commit to spending money that we do not yet have.

If the Department ensures that capital money is invested in structural road maintenance, it will reduce the need for reactive maintenance and therefore reduce the ongoing pressure on the infrastructure resource budget, as well as delivering much-needed investment for the contracting industry, preventing job losses. That balanced approach cannot be achieved through sporadic and piecemeal funding obtained through monitoring rounds. The Executive need to address the ongoing issue of failing road maintenance by ensuring that infrastructure has the right investment, as identified in a costed strategic road maintenance plan.

If the Minister aims to improve transport connections for people, goods and services as outlined in the Programme for Government framework, the existing road network must be appropriately maintained. It is not appropriate to depend on monitoring round money. A better way is to have a fully costed business case confirming the actual investment needed to deliver a systematic programme of repair until at least the end of this mandate. Perhaps by 2020 we can see whether any real difference has been made to the safety and state of our roads. After all, as departmental officials have admitted, public liability claims rose by 88% in the first three months of 2016. Public safety is being jeopardised because many of our roads are not fit for purpose. Professional reports have already warned that unfit roads will mean an increase in compensation claims. I hope that unfit and unsafe roads will not lead to personal injury or worse for our citizens.

The Department should be capable of delivering this costed strategic plan. There are enough professionals employed in Transport NI who can identify and cost out road maintenance. The Department is adept at procuring contractors. Any contractor or grant recipient is expected to provide a costed business case. Therefore, it should not take an extraordinary amount of time or expenditure on external advice to deliver a costed strategic

plan in time for consideration for the 2017-18 Budget and the capital requirements for the rest of the mandate.

The capital investment will resurface stretches of road that, quite simply, have no surface. Believe me, I can take the Minister to several places in my constituency where roads have no surface, where multiple potholes have merged to create a moon-like surface, where there are roads that are ignored under the Minister's 1,000 rural roads programme, where there are roads that are increasingly dangerous yet remain excluded from the Minister's focus and where there are roads where patching over patches has not worked. There needs to be a systematic review of the criteria used to determine when roads are resurfaced rather than constantly patched. How many times does the same stretch of road need to be patched before someone will have the gumption to resurface it?

I believe that the system is being hampered by the budget, not just the lack of budget but the ability to move from revenue to capital expenditure, as and when required. In the departmental briefing to the Infrastructure Committee on 18 June, the Department confirmed that it has been independently established that over £100 million, that is £141 million per annum updated to 2016 prices, is needed to adequately maintain the structural integrity of the country's road network. The briefing went on to say that, if the bid is not met, the cost of reactive patching is likely to increase, drawing funding away from good value maintenance activities such as resurfacing and surface dressing. The Department knows that the current maintenance system is not value for money. Current investment is more akin to knee-jerk spending as and when the crumbs fall from monitoring-round tables. The dependence on monitoring round money to repair our roads is simply unacceptable.

The plan should include revenue commitments from 2017 to the end of this mandate to ensure that roads are in a safe, functional condition and not scarcely meeting safety standards. In 2016, Snaith reviewed the maintenance funding requirements. Seven years ago, he highlighted the need for a maintenance budget that should sustain and improve the road network to a proper standard so that it will provide safe and comfortable transportation in an economic manner. By ensuring that there is ongoing appropriate resource funding, the Minister will enable investment in Transport NI to ensure that small potholes are filled quickly and effectively; drains are cleared, reducing flooding

and increasing safety; appropriate hedge cutting and weeding will take place; and that grit is available this and every winter.

Northern Ireland has an international reputation as a place of opportunity and beauty. If we want to attract investment to encourage business and to provide connectivity for local people, we need infrastructure that works. Let us be honest: our roads are our biggest asset. We have the longest road network in the UK. We are highly dependent on roads, yet we lag behind all other regions because not enough investment is made into our infrastructure. Let us get a lot more clever about how we invest. The only way that we can do this is through better strategic planning and less dependence on monitoring rounds to provide appropriate investment in our roads.

Mr Humphrey (The Chairperson of the Committee for Infrastructure): I welcome the opportunity to speak as Chair of the Committee and to outline the Committee for Infrastructure's consideration of views on the financial issues relating to road maintenance. This is a matter that the Committee took up with the Minister on his first briefing to the Committee, on 8 June 2016, and again with the director of finance at his briefing to the Committee, on 15 June. During the briefing, the Committee sought clarification on the £1 billion estimate for the infrastructure deficit in road maintenance. The Minister and his officials explained that the £1 billion figure comes out of an estimate of the total that it would cost to invest in the current road infrastructure to bring it all up to the requisite standard. The officials said that the Department calculates this figure regularly so is well versed in how the figure should be brought forward so that the Department is constant in its workings and costings. The officials admitted that the backlog is getting longer and that the cost is increasing.

During the finance briefing on 15 June, the officials outlined that they were coping with a £21 million budget reduction. However, this had been offset by a £20 million addition to the budget, which was primarily for road maintenance. Officials acknowledged to the Committee that, in recent years, the Department had been spending less on road maintenance. The Minister and his officials advised the Committee:

"In recent years and certainly in the last couple of years, we have not been able to invest as much as we would ideally wish to maintain the road network to that standard".

The officials also pointed out that, in 2015-16, a roads overspend was only averted through an in-year monitoring round allocation of £16.5 million and that there is a continuing pressure on the Department's road maintenance budget. The officials pointed out that Transport NI will not be fully funded in the 2016-17 year to meet instant requirements for road maintenance, including a winter service. The Department said that it had been able to identify the funding of around £15.5 million in 2016-17 to help to fund that service, mainly through staff savings and reductions in the street lighting energy contract. However, a funding gap remains in Transport NI's ability to fund its maintenance service.

The Committee asked the Minister to ensure that rural roads have a fair allocation of the road maintenance budget. Members from rural constituencies pointed out that such are the delays in patch work that it is a false economy, costing the Department more to put it right in the long run. Indeed, one member quoted the House of Commons Select Committee that identified that reactive works cost as much as 10 times more than planned maintenance programmes.

The example was given of a C-class road that was checked every nine months. That means that, if a pothole is below the threshold today, it would not be checked again for another nine months and would then be a major pothole. The Minister pointed out that in rural areas such as south Down, Strangford and south Armagh the road infrastructure may not be what it is in other places. He also acknowledged that the sense of isolation in rural communities needs to be addressed and that he would do what he could within his budgetary constraints.

12.45 pm

During the briefing, the Committee asked the Minister if he would be going to the Executive for additional funds to deal with road maintenance. He advised that road safety is his Department's statutory obligation and that he was looking for further finance to go into the area. Officials pointed out that the Department had reduced the inspection frequency for potholes, that some of the lower categories of defects are not being repaired, simply because there is not enough money at present, and that, if further money comes through the system in monitoring rounds, the service will be ramped back up.

When the issue of programme repairs was raised with the Minister, he said that it was

ongoing but it was about prioritisation and utilising whatever money the Department had to get best value out of it. Officials were asked if they could give details of how much additional money is being distributed per constituency for road maintenance. They indicated that it was too early to come up with that detail but that money would be shared proportionately across the region, particularly to address areas where there is greatest need.

The Committee also raised road safety issues surrounding the failure to cut the grass at major junctions and the fact that, in some areas, local people have to cut the grass back themselves. The Minister said he would engage with officials on innovative and technical solutions to those problems and cited the use of the farming community during the snow in recent years. The Committee hopes that the Minister for Infrastructure will continue with that engagement.

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr Humphrey: We look forward to working with the Minister on a regular basis around it.

I would also make the point that Members need to remember that, regarding investment and infrastructure, over 40 years of a terrorist campaign money obviously had to go into providing security for the people of Northern Ireland.

Madam Principal Deputy Speaker: The Member's time is up.

Mr McAleer: I welcome the motion before the House today. This is a very serious motion, and it deserves in-depth consideration. We have had similar motions relating to the structural maintenance of our road network before. As one of the MLAs who represent a very rural constituency, I appreciate the importance of the issue. In rural parts of mid and west Tyrone, we can see the state of the roads. It is important that we recognise that we are dealing with a history of underinvestment in the west. The state of our road network at local level and at strategic level is indicative of the historical imbalance that we have west of the Bann. It is good that we have a motion today that shines a light on that and looks at this important issue.

Regarding funding, we had a motion in the House yesterday from the Ulster Unionist Party where we looked at our future beyond the EU. During that debate, I made the point that the

North had secured £100 million of investment in infrastructure and transport in the last 10 years. Obviously, the prospect of leaving the EU will have a serious impact on the funding that might be available for departmental projects. We also learned recently that we are looking at cuts from Westminster in the region of £3-5 billion, and that, no doubt, will be by 2019 or 2020. There is also no doubt that those cuts will be passed on here as well and will put extra pressures on the Department and all Departments in the North.

Last week, Fra and I and, I am sure, other parties had a meeting with Gordon Best, the chief of the Quarry Products Association (QPA). They recognise the fact that we had a starting point of £22 million for structural maintenance in last year's budget; this year, that was substantially increased to £46 million. In response to concerns from MLAs and the wider constituency, the Minister introduced an additional £10 million funding for the rural roads initiative, and parts of my constituency and other rural areas have greatly benefited from that and are seeing delivery on the ground of that important initiative taken by the Minister.

That raises the point that the SDLP has made previously that we are wholly reliant on in-year monitoring; however, that is not the case. We have a starting point this year that is substantially better than last year, and there will be opportunities in future monitoring rounds to bid for additional funding.

It is important to draw on comments made by the Alliance Party and the SDLP. Yes, there is a desire to reach for the £137 million per annum for our existing network, but it is also important to recognise where the money will come from. I note that reference was made to the funding that is allocated to strategic projects, so what is it? Which strategic projects do the SDLP and the Alliance Party want to halt? Do they want to halt the Ballynahinch bypass, the A5 or the A6? Where do they want to take the money from to maintain our existing road network? There is no magic money tree. There are cuts coming down the line from Westminster, and Brexit will give us additional challenges, so, rather than presenting wish lists of what they would like to see — what we would all like to see — it is important to come up with answers. Where in the Department should money be shuffled from to fund structural maintenance?

In conclusion, I welcome the motion, which shines a light on a very important subject, and we will be happy to support it.

Mrs Palmer: I thank those who tabled the motion for bringing it to the Chamber. It is, without doubt, a vital issue that is in danger of being obscured by the Department's focus on large prestige projects. Simply put, maintaining the roads is not the most exciting or interesting aspect of governance. It gives precious few opportunities for press conferences or photo opportunities; indeed, the idea of well-maintained roads might worry some representatives here who routinely appear in their local paper frowning over a pothole in a high-vis jacket.

In the past, every effort seems to have been made to deprive the old DRD of essential funding for road maintenance for purely political purposes. That was a shameful game of politics, and the current Executive have now found themselves a victim of the unreasonable budget constraints that they created in a manner similar to their treatment of the Health Department, I can only hope that the Executive's response to the road maintenance crisis is better than their management of the health service in the last mandate. As a result, it is of the utmost importance that that toxic legacy be addressed. Having a £1 billion deficit hanging over the head of the Department puts future projects and the safety of every person using our roads in jeopardy.

Mr Humphrey: Will the Member give way?

Mrs Palmer: I will, maybe, when I have finished.

The patchwork approach to maintenance, where it seems that the squeakiest wheels get the oil, rather than going about it in a more measured and planned fashion, cannot continue. The haphazard approach whereby the bare minimum is spent on holding things together must end.

The crucial point is that it takes an estimated £137 million per year simply to maintain what we have. In terms of the motion, the Assembly should be concerned that the road structural maintenance deficit is estimated to be £1 billion. Only last week, the Ulster Unionist Party launched the document 'A Vision for Northern Ireland outside the EU', in which we identified 10 key asks, one of which was the trebling of investment in infrastructure, including hard infrastructure, such as our airports, roads and railways. As part of the document, we urged the Executive to treble their investment in infrastructure. That will require making the case to Her Majesty's Government that some of the funding currently being directed to Brussels

should be used to increase Northern Ireland's competitiveness.

The issue is only set to become more acute in the future, given the imminent withdrawal of EU funding and our potential ineligibility to apply for future EU structural funding for large projects. An example of that is the TEN-T funding, of which we stand to lose £58 million. That money must be found if departmental plans are not revised. I am deeply concerned that the funding for basic road maintenance is seen as easy pickings for projects that extend beyond 2020 Treasury assurances.

The maintenance of our roads must be the number one priority of the Department for Infrastructure. Poorly maintained roads contribute to road accidents and deaths, and it is important that everything in the Department's power is done to ensure that every road is as safe as possible. The fundamental suggestion in the motion — to ring-fence an amount specifically for road maintenance — has real merit, although further analysis of the exact amount, as well as the mechanisms to ensure that it is regularly reviewed, would obviously be essential. The very nature of development means that, as Northern Ireland grows, those costs will grow.

The issue must be addressed sooner rather than later. The current approach of spreading the funding as wide and as shallow as possible is merely papering over the cracks. If a more intensive and systemic approach is not taken, the hidden stresses on Roads Service will continue to build until it simply cracks, like our poorly maintained roads.

Mr Humphrey: I am grateful to the Member for giving way. To be fair, I do not think that the huge deficit in the investment required in infrastructure across Northern Ireland and, in particular, in roads, the issue that we are dealing with, has been the responsibility of the Northern Ireland Executive since this place has been established. Surely it is because of years of lack of investment by Her Majesty's Government because money and valuable resource had to go into providing security in Northern Ireland. Will the Member accept that point?

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

Mrs Palmer: Yes, I accept that that was a major issue in Northern Ireland during the Troubles, but I do not accept that the balance between capital and revenue is correct to

deliver the infrastructure that we need to maintain.

Mrs Barton: I thank the Member for giving way. Does the Member not agree that many of the repairs that have been done in recent years just appear to be a sticking plaster to the solution because of the lack of strategic planning? Yes, potholes and edge failures are repaired, but, in many instances, this continues to be only a temporary solution as there appears to be little maintenance budget diverted towards investigating the real causes of such faults, such as drainage problems. We need to divert more money there.

Madam Principal Deputy Speaker: I remind Members that, when Members are good enough to take an intervention, the intervention should be brief.

Mrs Palmer: I support the motion and have no quarrel with the amendment. I hope that we can expect a more strategic and, consequently, efficient approach to road maintenance in the future.

Madam Principal Deputy Speaker: The Business Committee has arranged to meet at 1.00 pm. Therefore, I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.57 pm.

2.00 pm

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

Oral Answers to Questions

Justice

Prisoner Rehabilitation

1. **Ms Dillon** asked the Minister of Justice what her Department is doing to ensure that Prison Service staff possess the necessary skills to assist in prisoner rehabilitation. (AQO 265/16-21)

Ms Sugden (The Minister of Justice): A wide-ranging training programme has been put in place for all newly appointed custody prison officers. This nine-week programme has been

developed with rehabilitation as its focus, in line with my priorities as Minister, equipping new staff with the necessary knowledge to assist those in custody to positively change. During the training, staff are taught how to challenge appropriately, signpost to services and assist those committed into our care. They are taught how to engage with each individual prisoner, in terms of their risks, needs and strengths. Within one year, staff successfully completing the training requirements will receive a certificate of competence.

In August this year the Prison Service promoted 43 new senior officers across the three establishments. A new training programme has been developed for these staff which places rehabilitation at the centre of everything they do, and that will be delivered in November. This will equip these new managers with a rehabilitative approach and knowledge of the skills required both of them and their staff. For staff and prisoner development units, which deliver rehabilitation on a daily basis, a range of training such as risk assessment, desistance and interventions is provided to equip staff with the necessary skills to assist prisoner rehabilitation. Delivery of this training is in partnership with Probation Service, the public protection unit, the PSNI and other key agencies.

I am committed to having in place training arrangements for new and existing prison staff which empower and enable them to work positively with prisoners to assist in their rehabilitation, and thus contribute to making Northern Ireland safer.

Ms Dillon: I thank the Minister for her answer. The Minister will be aware that it is widely accepted that prison officer engagement with prisoners is the first stage in the rehabilitation process. However, in the past there was a policy in prisons here of non-engagement. Concerns have been raised that such a culture may still exist among some prison staff. Can the Minister give an assurance that she will raise this issue with the new director of the Prison Service when he or she is appointed?

Ms Sugden: I thank the Member for her supplementary question. The fact that we are putting rehabilitation at the focus of our training for new custody officers and senior officers should ensure that there is a real sense of engagement in order to rehabilitate. I have made a number of visits around our prison establishment and estate, and I do not see that sense of disengagement amongst prison staff and prisoners. However, I take the point. If you believe it to be an issue for the people that you

represent, I am quite happy to raise it with the new director-general when he or she is in post.

Mr Beattie: Given the challenging nature of supervision and delivery of rehabilitation, does the Minister believe that a staff level of 31 officers at Her Majesty's Prison Maghaberry for 870 inmates for overnight supervision, including the periodic monitoring of up to 25 prisoners at risk, is not only inadequate but is not appropriate given the recent Prisoner Ombudsman's report on Sean Lynch?

Ms Sugden: I thank the Member for his question. I do recognise that there are challenges within our Prison Service, some of which you have alluded to. I am keen to look at those challenges and see, first and foremost, how we can better support our prison officers. Working within a prison is a challenging environment — it really is like no other. I am certainly keen to look at how we can better support prison officers, and that might include some of his suggestions. When we get the new director-general in post we will look forward to having those discussions.

Mrs Cameron: I thank the Minister for her answers so far. Does the Minister recognise the exceptional needs of prisoners and, indeed, prison service staff — I hear her alluding to that already, and I welcome that — by way of mental health care? Does she agree that mental health issues need to be addressed in order to assist in prisoner rehabilitation?

Ms Sugden: I thank the Member for her supplementary question. By all means, yes. Mental health issues, right across all public services, are something we need to give focus to. There is a legacy with the fact that we are a post-conflict society. A lot of people who may have been either directly or indirectly affected by the trauma of the Troubles, are now realising that in their retirement years when they have more time to think because they do not have the distractions of a job.

Coming back to my area of interest, yes, by all means, we should consider prison officers and prisoners. It has been said to me that a quarter of my prisoners have mental health issues. That is something that we need to look at. Do we need to look at the prison estate? Is it fit for purpose? How are we interacting with prisoners on a day-to-day basis? However, I cannot do this alone. It is something that I am keen to work on with the Health Minister in the Executive. We have already had discussions around how we can tackle mental health issues,

particularly within prisons, and also to support staff.

Mr Attwood: The Minister and all Members will be very aware of the distressing Prisoner Ombudsman report that was published in the first week of September. Will the Minister confirm that she has called in prison management in respect of that report? What did you say to them, if you met them? How will you ensure that the 63 recommendations in the report will be fully, quickly and faithfully implemented?

Ms Sugden: I thank the Member for his question. I do not shy away from the fact that it was a damning report, and certainly there were a number of recommendations that, as an organisation, the Northern Ireland Prison Service, along with the South Eastern Trust, will be looking at. Those recommendations were put forward for both organisations working together. I have had a conversation about it, and I think that we need to look at staff training. This was an exceptional mental health case. To be honest, our officers were not equipped to deal with that exceptional case. We need to look at how we can better equip officers to deal with those sorts of cases. Severe lessons have been learned from that, and I will ensure that we do.

Mr Dickson: Thank you Minister. Will you tell us what your target is for the level of Prison Service resourcing for employment and skills and for health and well-being?

Ms Sugden: I thank the Member for his question. I am quite keen to look at how we can modernise the Prison Service so that we can look at the needs of prison officers. Thankfully, we have more women coming to work in the Prison Service. We will have to look at their needs and those of their families. We also need to look at how we can better support them, perhaps in the shift patterns. We are looking at a new modernisation programme. I am reluctant to state figures; I think that that is what the Member is trying to get at. I think that it needs to be a wider review of how we can better support prison officers.

Peace Walls

2. **Mr Allen** asked the Minister of Justice what progress her Department is making on the removal of peace walls. (AQO 266/16-21)

Ms Sugden: My Department leads on the delivery of the Executive commitment contained

in the Together: Building a United Community (T:BUC) strategy in respect of the removal of peace walls by 2023 and is seeking to bring about the conditions that can enable people to support their removal. I remind Executive colleagues of the importance of supporting delivery through the work of their Departments.

At the outset of this work, dating back to the last Programme for Government commitment, my Department was responsible for 59 structures situated in Belfast, Portadown, Lurgan and Londonderry. To date, nine structures have been removed completely, along with parts of four others. Within the T:BUC interface programme, we also incorporate structures belonging to the Northern Ireland Housing Executive.

The reduction in the number of structures has been possible only through effective partnership working between Departments, statutory agencies, the voluntary and community sector, and communities themselves. I must, however, note the difficulty in establishing effective partnership working whilst working within the current annual Budget cycles. I recognise that, in many respects, current financial planning cycles are outside our control; nevertheless, I echo the views of our key delivery partners that a long-term funding model is needed for good planning and effective delivery.

I fully recognise the challenges that remain around the removal of peace walls. They are multifaceted, and that is why we have established a programme board, comprising relevant Departments and agencies, which is responsible for providing advice at a strategic level with particular focus on four key areas: social, community, physical, and economic regeneration.

Mr Allen: I thank the Minister for her answer. Minister, can you advise what work your Department is undertaking, alongside your Executive colleagues, to support and assist those living on the peace lines?

Ms Sugden: I thank Mr Allen for his main and supplementary questions. We are working together to establish a solution to this problem. Ultimately, it will not be the Executive that will bring down peace walls; it will be the communities themselves. I think that it is important that they are part of the conversations in doing so. There are a lot of issues around the peace walls. Some people look at them almost as a safety blanket or a comfort, but I am keen to get out onto the ground and work with the various agencies, and I ask my Department officials to do that also. As I

alluded, the Northern Ireland Housing Executive has an interest, and local PCSPs also have an input.

First and foremost, however, it is about the communities living around these walls. To answer your question more specifically: we are working together and are going to try to do what we can to work towards our 2023 target.

Ms Mallon: Given that paramilitarism has often been the context and backdrop against which many of the peace walls have been built, can the Minister confirm how many times the cross-departmental board, chaired by Justice, has met since the Executive published an action plan on 19 July to address paramilitary activity?

Ms Sugden: Regrettably, I do not have that figure to hand, but I will say that this forms part of the wider work we are doing on ending paramilitary action. You referred to the very difficult challenge of trying to move this work forward. I see it; I have spoken to communities in these areas, and I know there is a sense of fear amongst them. It is about how we work through that. I am of the mind, though, that we have to speak to these individuals — they have to be part of the process — and, certainly, I am keen to do that as part of the wider work to tackle paramilitarism and meet the peace wall target for 2023.

Mr Douglas: On Sunday night, I spoke to a group of young students from John Brown University in Arkansas. The question they asked me was this: how do we take the peace walls down? My answer to them was that the most important people we need to talk to are those living in those areas. I live one mile from a peace line, but I may as well live in Arkansas. Does the Minister agree that the key people in all this are those living at the interface?

Ms Sugden: Certainly, and in my response to Mr Allen, I agreed that, ultimately, the people who will take the walls down are those living in the areas affected, but we need to provide them with support so that they feel supported to bring them down and do not have that fear. It is such an intractable issue, particularly in some areas. That is why I am keen, along with other Departments, to really engage within communities and with the various agencies, the community and voluntary groups and the people they represent. I put this challenge to the rest of the House: you have a responsibility as community and political representatives to play your part in trying to solve this; it is not my job alone.

Mr Deputy Speaker (Mr Kennedy): I advise Members that question 11 has been withdrawn.

HMP Magilligan: New Build

3. **Mr M Bradley** asked the Minister of Justice for an update on the new build for HMP Magilligan. (AQO 267/16-21)

Ms Sugden: An outline business case for the redevelopment of Magilligan prison was approved by the Department of Finance in January 2015. Project delivery is dependent on the provision of capital funding. That will be considered as part of the process of setting the next budget. I will not, unfortunately, be able to confirm when the rebuilding of Magilligan prison will commence until capital funding is secured. I am, though, fully committed to providing a redeveloped prison at Magilligan to enable the Northern Ireland Prison Service to deliver essential programmes to address reoffending behaviour, meet Disability Discrimination Act standards and replace the existing infrastructure, which has outlived its useful purpose and is expensive and inefficient to staff, maintain and operate.

Mr M Bradley: Thank you, Minister, for that response. You partly answered the next question. How soon will work on the new prison start? How long will it take you to build it? You have no idea, have you? How long is a piece of string?

Ms Sugden: It would be remiss of me to say that I have no idea. By all means, the building work will start when we can secure capital funding. If that were to happen soon, for example, I would expect a fully developed prison to be delivered by 2025-26.

Mr Mullan: Minister, you will be aware that there is a great need for a new build for Magilligan prison, which would benefit not only the prisoners and the staff but the local construction industry and would be a valuable asset to the local economy in general. Given that the business case has already been approved by the Department of Finance, do you agree that the project is shovel-ready? What assurances can you give that you will be knocking on the door of the Finance Minister's office to ensure that additional capital funding will be sought for this development?

Ms Sugden: I thank the Member for his questions. He can be assured that I, more than anyone, am quite keen to see this build go ahead. Indeed, you referred to the approved

business case that will go forward when capital funding is secured. I agree with the comments about the manufacturing industry; this is a very significant project. It is important to note that this is also an invest-to-save project. When we finally get a fully developed prison, we will see savings. It will also make it safer for prison staff to carry out the rehabilitation programmes that we talked about earlier. I am committed to ensuring that we move forward on the project when capital investment is secured.

2.15 pm

Ms Archibald: I thank the Minister for her answers. Will she outline what arrangements will be made through the project to accommodate the needs of prisoners with mental health issues, autism and ADHD?

Ms Sugden: I thank the Member for her question. Earlier in Question Time, we had a conversation around mental health. You also referred to ADHD and autism, which need to be considered for people coming into the criminal justice system. We are at the very early stages of trying to understand what that looks like for the Prison Service. If it forms part of our modernisation programme for prison officers and there are opportunities for them to develop and to understand prisoners' needs better in those areas, we will look at that. The opportunity that we have now is to look at how we move forward in understanding better the needs of prisoners and prison officers.

Mr Ford: A few years ago, the then Minister of Finance and Personnel praised the Prison Service for its work in planning capital build, not just for Magilligan but for Maghaberry and the women's facility at Hydebank. I congratulate the Minister on having cut the first sod for a new building at Maghaberry. Even if she has no news on Magilligan, does she have any news on the women's facility at Hydebank?

Ms Sugden: I thank the Member for his question. As he will be fully informed of, the new build at Magilligan is part of a wider redevelopment process, the first phase of which is the redevelopment at Magilligan. I look forward to cutting the first sod on that, which, hopefully, will be very soon, but it is subject to capital investment. After that, we can proceed with plans in other areas.

Domestic Violence: Court Listings

4. **Mr McAleer** asked the Minister of Justice whether her Department plans to extend the

implementation of the Magistrates' Court pilot scheme, launched in November 2011, which provided for special listing arrangements for domestic violence cases. (AQO 268/16-21)

Ms Sugden: Tackling domestic and sexual violence and abuse is a key priority for me as Justice Minister. I am committed to ensuring that victims who are encouraged to engage with the criminal justice system are provided with effective protection and support, and that perpetrators are held to account. I believe that there is a desire across the Executive to address the issue, as evidenced not only by the all-party group on domestic violence but by the support of the Justice Committee, and I look forward to working with colleagues as we move forward on that.

I commend the approach in Derry of delivering special listing arrangements for domestic violence cases. The arrangements, which were introduced by District Judge McElholm in 2011, ensure that domestic violence cases are clustered and heard by him on specifically designated days. Relevant agencies, including the support services, concentrate their efforts and resources into those days in order to provide moral and practical support to victims.

An evaluation of the scheme, undertaken in 2014, indicated that the arrangement makes a tangible difference to victims of domestic violence and abuse who have to face what is often a daunting and overwhelming journey through the criminal justice process. Some improvements to support services available to victims were identified, and, in March this year, my predecessor announced that the arrangements should be enhanced before further consideration is given to rolling out the model across other areas of Northern Ireland.

The Londonderry listing arrangement also formed part of the study undertaken by the Organisation for Economic Co-operation and Development in June 2015 as part of the public governance review. Its report heralds the success of the domestic violence listing arrangement and recommends the inclusion of a judicially supervised pilot programme for perpetrators. Rigorous monitoring and evaluation will provide insight into the added value of judicial oversight as part of the domestic violence listing arrangement and inform future decisions on the most effective model for dealing with domestic violence cases in the court system.

My Department is, therefore, taking the necessary steps to enhance the existing domestic violence listing arrangement through

the introduction of a pilot court-supervised perpetrator programme. In my role as Justice Minister, I have already met Lord Chief Justice Sir Declan Morgan, and I will continue to engage with him and other stakeholders as I look to the future of this specific arrangement and in seeking more widely to address domestic and sexual violence and abuse in Northern Ireland.

Mr Deputy Speaker (Mr Kennedy): I remind the Minister of the two-minute rule.

Mr McAleer: I thank the Minister for her extensive answer. Does she believe that domestic violence courts will encourage and empower more victims to take action? If the pilot is rolled out, will her Department be minded to engage in a public awareness campaign on this option being available?

Ms Sugden: I thank the Member for his question. The arrangement in Derry has been very successful. When we look at the new enhancements to that arrangement, we may be minded to see whether it would be appropriate to roll out the scheme across Northern Ireland. I take the Member's point about a wider public awareness programme. To be honest, before becoming Minister, I was not aware of the arrangement in Derry, probably thankfully.

You are right, however. People will be encouraged to come forward to report such offences if they are better supported. It is a challenging thing to stand up in court and give evidence, particularly if you are a victim. It has been seen that there is a reluctance to do so, whereas in a supportive environment we are seeing an increase in the number of people coming forward, and that can only be a good thing.

Lord Morrow: I have been asking questions on the issue as far back as June 2011, when I asked the then Minister two questions. In 2015, I asked him a similar question to the previous ones. I am tempted to ask the Minister the same question again, because the then Minister said then that he noted:

"a positive evaluation of these arrangements has recently been completed which recommends that these measures and initiatives are introduced in other courts. Officials from the Department and the Northern Ireland Courts and Tribunals Service —" — [Official Report (Hansard), 23 January 2015, pWA71].

Mr Deputy Speaker (Mr Kennedy): I ask the Member to get to his question.

Lord Morrow: Yes. I thought that you would say that. How long will an evaluation of this take? We are now at nearly six years. Do we have to wait another six?

Ms Sugden: I thank the Member for his inference. No, I hope that you do not have to wait another six years. I would like to get the work done a little bit quicker than that.

To be fair to my predecessor, with the pilot arrangement in Derry, there were issues around how we could better support victims that came out of the OECD report. He recommended that we could perhaps further enhance the arrangements under the pilot scheme so that we can see whether it is appropriate to roll it out across Northern Ireland. We are looking at that. As I said, this is my overarching priority for the next five years. If I can go some way towards tackling the issue, we can solve a lot of social and economic problems across Northern Ireland. Therefore, yes, I hope that it will be a lot sooner than six years.

Mrs Palmer: Given the particular effects and coercive nature of domestic violence, can I confirm with the Minister that there are no instances of individuals convicted of domestic violence taking part in the enhanced combination order pilot that was started last October?

Ms Sugden: I thank the Member for her question, in which she mentioned coercive control. My Department recently undertook a public consultation that sought views on whether a specific domestic abuse offence to capture patterns of coercive and controlling behaviour should be introduced in law. Although I will want to consult the Justice Committee and enter into wider engagement with the community and voluntary sector, I am minded to move forward on the issue.

Ms Bailey: A recent briefing paper given to me by the Assembly's research team shows that, although the total number of homicides in Northern Ireland has fallen over the past few years, those with a domestic abuse motivation have remained relatively constant, to the point that, whereas in 2008 16.7% of homicide cases were female victims, in 2014 that proportion had risen to just over 41%. It is good to hear the plans to take the issue seriously and to extend the implementation of the courts —

Mr Deputy Speaker (Mr Kennedy): Can we move to a question, please?

Ms Bailey: — but what other initiatives will she be addressing as a matter of absolute urgency for domestic violence victims?

Ms Sugden: I thank the Member for her question. She mentions domestic homicides. My Department previously explored the issue of domestic homicide reviews by setting up a working group to scope serious case reviews already in place across relevant Departments and agencies and to consider initial options for delivery. It was agreed that further work was required to ensure that a proposed model would be suitable for Northern Ireland and link into a complex context of reviews identified. The DOJ has therefore committed, under the action plan for the new stopping domestic and sexual violence and abuse strategy, to developing an appropriate model to identify lessons learned and improve responses to cases of domestic homicide in Northern Ireland. Work has commenced, and additional resources have been secured to progress the initiative.

To come back to what else we can do, I am very much at the beginning of a five-year mandate, and it is an area that I really do have quite a passion for and am keen to address. A lot of the work that has been done up until now was perhaps already ongoing under my predecessor. However, over the next five years, I will be really keen to engage with the community and voluntary sector on the matter and try to get suggestions from other jurisdictions to see what we can do. I am open to those suggestions. I know that the Member has a specific interest in this, so if she has any ideas I would be keen to meet and discuss them.

Fatal Foetal Abnormality Working Group

5. **Mr Logan** asked the Minister of Justice how many times the working group on fatal foetal abnormality has met to discuss and produce proposals. (AQO 269/16-21)

Ms Sugden: I understand that the working group on fatal foetal abnormality has met on three occasions and has carried out additional engagement work. The group aims to report to the Health Minister and me by the end of September.

Mr Logan: Does the Minister agree that it is important to have this discussion in an

atmosphere of respect and that people do not have their viewpoints misrepresented, as we have seen in the past?

Ms Sugden: Yes, I entirely agree with that point. This is an emotive issue. The Member will not be familiar with this, but we had a very long and quite respectful debate on the issue before the election.

Of course, people need to be heard on the wider issue. The fatal foetal abnormality working group was set up to hear the viewpoint of practitioners and experts in that particular medical field. So, whilst I would not want to presume the recommendations that might come out of that working group next week, I will wait, along with the Health Minister, to see how we can move forward.

Mr Kearney: Minister, have you had any discussions with the Minister of Health in relation to the ongoing promotion of equality and human rights for women, specifically with regard to ensuring that women are not being denied timely and suitable prenatal testing in relation to fatal foetal abnormalities?

Ms Sugden: I thank the Member for his question. I am sure that he is fully aware that prenatal care for women in these situations would be fully a matter for the Health Minister. I have worked with the Health Minister on the issue to see how we can progress it, because, whilst the legal aspects of this will fall within my jurisdiction, there is a concern from a health perspective that she should be involved as well.

Mr Aiken: Given the recent resignation of the paediatric pathologist Dr Gannon over the interventions by Northern Ireland's Attorney General on issues surrounding fatal foetal abnormality, does the Justice Minister believe that the Attorney General's beliefs may have interfered with his professional impartiality on the issue, thus rendering his position, based on this judgement, untenable?

Ms Sugden: I thank the Member for his question. My understanding is that the role of the Attorney General is to provide legal advice to the Northern Ireland Executive, but I imagine that any Minister worth their salt would take a range of views when considering this type of issue. The Attorney General, as the Member knows, is entirely independent, and the decisions he takes are within his gift and his gift only. When I am balancing an issue that affects the people of Northern Ireland, I will consider a wide range of the views that have been put to

me, so there will not be an opportunity for one person to influence me.

Ms Bradshaw: Minister, thank you for your answers to date. Can you guarantee that the report from the working group will be published promptly, once the review has concluded, to ensure full transparency?

Ms Sugden: I thank the Member for her question. The working group will report to the Health Minister and me and will provide a number of recommendations in that area. It will then be up to us to find a way of moving forward, because this will not be a decision for me or the Health Minister alone. Any legislative change, if that is what is recommended, will have to go through the wider Executive.

Mr Deputy Speaker (Mr Kennedy): A quick question from Mr Allister.

Mr Allister: Can the Minister tell us something about the composition of the working party, and can she assure the House that it is not made up solely of clinicians and other personnel with a predisposed preference for termination as the answer?

Ms Sugden: I thank the Member for his question. The purpose of the working group is to take an expert view on this particular area. So, it is made up of public medical professionals. I do not think that anyone is predisposed on this. The purpose of the exercise is to be entirely informed on the issue in the most appropriate way.

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

2.30 pm

Lord Chief Justice's Proposals

T1. **Mr Beattie** asked the Minister of Justice for her opinion of the Lord Chief Justice's proposal for the judicial system to become a non-ministerial department, which she heard earlier this month when she attended his speech to open the new legal year. (AQT 196/16-21)

Ms Sugden: I thank the Member for his question. Yes, I am familiar with the Lord Chief Justice's wishes around the non-ministerial department. We are working quite closely with the Lord Chief Justice to try to understand the advantages and disadvantages of what he is asking for. I respect entirely the independence

of the judiciary, but sometimes you need to be careful what you wish for. By all means, if the Lord Chief Justice is keen to take this off my hands and he knows the repercussions of doing so, I am quite happy to look at that. It is not something that I am particularly against.

Mr Beattie: I thank the Minister for her answer. Have you actually engaged with the judicial executive group that the Lord Chief Justice has set up to promote the idea of a non-ministerial department and which he sees as a conduit for work between the various different justice departments?

Ms Sugden: I have not engaged specifically with that group, but I have regular meetings with the Lord Chief Justice, and it is an issue that he has raised with me. The thinking around it seems to be very much at the early stages. I am quite happy to have discussions with the Lord Chief Justice and the group, if that is how he wishes us to move forward and if that is the most appropriate thing to do.

Online Sexual Abuse: Legislation

T2. **Mr Bell** asked the Minister of Justice for her assessment of the adequacy of our legislation to deal with online sexual abuse. (AQT 197/16-21)

Ms Sugden: I thank the Member for his question. This is a very topical issue, particularly given recent news reports. Widely, we do not seem to have an entire focus on the pitfalls of the Internet and what it can be used to do, from an abuse point of view most critically but also through cybercrime against businesses and all of that. I recently met an Organised Crime Task Force group, and the pitfalls of the Internet and how it can be used to exploit children, and also people generally through financial fraud and various issues, was raised with me. I am keen to put a focus on that, because I think that we in Northern Ireland are behind in our thinking on the dangers of the Internet. When we get to a point where we feel comfortable, we will probably be behind again. It is something that we need to have a keen eye on as soon as possible.

Mr Bell: I thank the Minister for that level of focus and attention. Does she agree with me that the trends are very worrying indeed? According to the NSPCC, across the UK, there has been a 21% rise in calls to Childline concerning online sexual abuse, and, in Northern Ireland, there were 160 such calls last year. Does she agree that that indicates that we need to keep a watching brief on this?

Ms Sugden: Yes, of course, I agree entirely. This is a very worrying trend. It seems that people are using the Internet to commit crime in a very different way than before and so that it is almost hidden. It is completely worrying that they are using it to manipulate our children, and, again, we need to be entirely mindful of that. Parents need to be mindful of it, but there needs to be wider education around how young people use the Internet. It not just young people. Older people of all ages are targeted by these types of perpetrators online. The Member raises a very important point, and it is something that we will be looking at in the Department.

Prison Service: Welfare Issues

T3. **Mrs Dobson** asked the Minister of Justice to outline her proposals to deal with the many welfare issues affecting the Northern Ireland Prison Service, including the serious increase in mental health issues amongst officers. (AQT 198/16-21)

Ms Sugden: We are at the very early stages of our thinking on how we deal with welfare issues, particularly mental health, relating to prison officers. Earlier in Question Time, the focus was on the mental health issues of prisoners, but the Member rightly points to the mental health issues of prison officers. As I said earlier, working in the prison environment is like no other. It is isolated and challenging. We need to pay due regard to the impact of that on officers. We are looking at a modernisation programme, as I mentioned earlier, that will look at how we can better support officers. I am mindful that, if we are to look after prisoners in these establishments, that starts with looking after our prison officers. I appreciate the question, and it is something that we are keen to do. Again, however, I am happy to take Members' thoughts and perhaps hear about their interactions with various people to inform me on this.

Mrs Dobson: I thank the Minister for her answer. She confirmed, in reply to an earlier question, that she will work with the Health Minister on the issue of prisoners. Has she worked with the Health Minister on the issue of prison officers? What practical steps are in the pipeline to help prison officers?

Ms Sugden: It is very early stages, but I am minded to look at the patterns that officers are working — we have an awful lot more female prison officers — and how that impacts on their family life and also at their general conversations and engagement with hierarchy

in the Prison Service. There is now an opportunity with the new director general, whoever he or she may be, to implement that change and shift in mindset and think about how we can better support our prison officers.

Prisoner Ombudsman's Recommendations

T4. **Mr Kelly** asked the Minister of Justice to assure the Assembly that she will, without delay, implement the 63 recommendations made by the Prisoner Ombudsman in the aftermath of the life-changing injuries to Sean Lynch. (AQT 199/16-21)

Ms Sugden: I thank the Member for his question. As I said to Mr Attwood during Question Time, the report makes for very difficult reading, and I am very sorry that this happened to this young man. He has been left with life-changing injuries, as you said, and we need to look at the processes. From our perspective, the Prisoner Ombudsman's report has put forward 63 recommendations, which fall not only within my remit but within that of the South Eastern Trust. We need to see how we can best utilise them so that we do not have a circumstance like this again.

Mr Kelly: Gabhaim buíochas leis an Aire go dtí seo. I thank the Minister for the answer up to now. If I may persist, if a number of those recommendations affect the Justice Department, will she come back to the Assembly and tell us about them? Has she spoken to the family? Have the authorities apologised to the young man for injuries that took place over a full hour in view of watching prison officers?

Ms Sugden: No, I have not met the family of the man, but I am quite happy to do so if they wish to get in touch with the Department. Indeed, my director general said that she was happy to meet the family as well. For me, what is concerning about this, Mr Kelly, is the fact that I do not believe that my officers were equipped to deal with this very serious case that involved mental health problems, and we need to look at that. Thankfully, this will not present itself very often, but the fact that it did is an issue for me and something that I am keen to look at.

Dissident Republicans: Judicial Leniency

T5. **Mr Frew** asked the Minister of Justice whether she is aware that, although we all

recognise the judiciary as an independent body, free from political interference, a belief exists in the unionist community that leniency has been shown to dissident republicans, and, if she is aware, to state what she can do to reassure the unionist community. (AQT 200/16-21)

Ms Sugden: I thank the Member for his question. The public perception of this is quite worrying. Indeed, knowing a lot of information about this issue, I do not believe that it is as biased as some suggest. You highlighted the independence of the judiciary, and I am keen always to respect that. I have a good close working relationship with the Lord Chief Justice, and, if this is a public perception issue, I am happy to share those concerns with him on behalf of the Assembly.

Mr Frew: I thank the Minister for her answer. Nearly every week in the press we see stories about changes to bail conditions, lenient bail conditions and suspended sentencing compared to others in the unionist community.

Has the Minister conducted any sort of survey or investigation of sentencing of late? Would that be something that she could take on in order to reassure the public?

Ms Sugden: I thank the Member for his supplementary question. Again, I will be careful not to step on the toes of the judiciary in this area. We announced a sentencing review just before the summer recess that will hopefully address some of those issues. Taking on board the comments from Members in the House, I am keen to raise this as an issue with the Lord Chief Justice and see how he can best take it forward.

Mr Deputy Speaker (Mr Kennedy): Mr Storey is not in his place.

Bangor Courthouse: Future Use

T7. **Mr Chambers** asked the Minister of Justice for an update on the future use of the now redundant courthouse in Bangor. (AQT 202/16-21)

Ms Sugden: As the Member will be aware, the courthouses are pending court decisions. On that basis, it would be inappropriate for me to make a remark at this stage.

Mr Chambers: Is the Minister able to share with me whether she has been approached by any local groups about its future use and

whether she is sympathetic to those approaches?

Ms Sugden: Stakeholders concerned about all the courthouses across Northern Ireland have approached me with their concerns about the court estate. Pending the outcome of the court case, it is difficult for me to say anything at this stage. What I will say is that I encourage everyone to have an input into this. These are buildings in towns in your constituencies. By all means, if there is an input or a better way to utilise them, I am keen to hear that — after the outcome of the court case, of course.

Prisoners: Mental Health Needs

T8. **Mr McAleer** asked the Minister of Justice whether she is satisfied that suitable care policies and procedures are in place to support prisoners with special mental health needs. (AQT 203/16-21)

Ms Sugden: Coming back to the area of mental health, I am not sure, to be honest, that there are. I refer the comments that I made to Mr Kelly earlier and, equally, I do not think that prison officers are equipped to deal with certain issues of mental health cases that present themselves in prisons. They do, of course, have training in the area, but, as mental health cases in prisons become more prevalent, we need to review that and look at the training and the care needs. That is certainly something that I am minded to do within the next five years.

Mr McAleer: Is the Minister saying that she is minded to look at the training for prison staff to deal with the complex needs of many prisoners?

Ms Sugden: Yes, of course. There are kind of two strands to it. It is about better supporting prison officers so that they are able to do the job and feel equipped to deal with situations as they arise, but it is also about coming back to look at the needs of people in custody and whether we are best serving them.

Mental health is a shared responsibility between me and the Health Minister, and we have already had conversations about how we can move forward on this. Our working relationship has been positive, because there is a keenness to address this, not just within prison institutions but across the wider criminal justice system. It concerns me that a lot of people who come into the criminal justice system seem to present with some sort of mental health issue. That can derive from other

traumas or impacts that they have had in their life, including domestic violence, which is one of the reasons why I am keen to address it particularly. Everything goes hand in hand, and I think that we can make really effective progress if we can have a cross-departmental approach on it. The work has already begun.

Mr Deputy Speaker (Mr Kennedy): Mr Andy Allen is not in his place.

Paramilitary Activity Action Plan

T10. **Mr Ford** asked the Minister of Justice for an update on what is happening in her Department in relation to the action plan mentioned earlier by Nichola Mallon, which was produced by the Executive in response to the panel report on paramilitary activity that was published at the end of May, albeit that some of us felt that the so-called action plan fell some way short of an action plan in its targets, detailing of responsibilities and finance. (AQT 205/16-21)

Mr Deputy Speaker (Mr Kennedy): I ask the Minister to provide a brief answer.

Ms Sugden: Sure. As I said at the time when the criticism came, to expect any more or to expect a fully costed and detailed plan at that stage in the limited period that we had would have been irresponsible. We are moving ahead with it, and we have a design day to see how we can get into the detail. Work is ongoing, and I am sure that we will have outcomes from that in the very near future.

2.45 pm

Agriculture, Environment and Rural Affairs

Mr Deputy Speaker (Mr Kennedy): Question 11 has been withdrawn.

Environmental Legislation

1. **Mr Butler** asked the Minister of Agriculture, Environment and Rural Affairs what proportion of environmental legislation in Northern Ireland derives from the European Union. (AQO 280/16-21)

Miss McIlveen (The Minister of Agriculture, Environment and Rural Affairs): It is difficult to give a precise answer on the proportion of environmental legislation that is derived from the European Union, given that it varies

significantly in both scale and scope. Therefore, simple numeric figures are not necessarily helpful in this case.

Most of our key environmental legislation is EU-derived, in that it comes from far-reaching directives such as the waste framework directive and the water framework directive. However, some of our environmental legislation is UK Government-derived; for example, the Climate Change Act 2008. In addition, Northern Ireland has itself led the way — *[Interruption.]*

Mr Deputy Speaker (Mr Kennedy): Order. Please continue, Minister.

Miss McIlveen: In addition, Northern Ireland has itself led the way with its own environmental legislation through initiatives such as the carrier bag levy in advance of developments elsewhere in the United Kingdom. The position is further complicated by the fact that environmental requirements are also contained in other legislation, such as that relating to agriculture and fisheries.

Whatever the post-Brexit scenario, I remain committed to environmental protection. However, I am also sure that I want to consider whether there are opportunities for Northern Ireland to do this in different ways that are not burdensome on society and the business community, particularly the agrifood sector.

Mr Butler: I thank the Minister for her answer. I am somewhat disappointed that there was no numerical data in the answer, given that it was used in the Brexit debate. Can the Minister confirm that the environmental protection currently provided by the birds and habitats directives will either remain the same or be improved on following Brexit?

Miss McIlveen: I thank the Member for his question. As I said, I am committed to environmental protection regardless of where we are coming out of the debate. It is a priority for me, whether in the environment, agriculture and fishery sectors or in rural communities. I will look for the best deal for Northern Ireland and apply whatever legislation we feel is appropriate.

Mr Poots: Does the Minister recognise that over 2,700 regulations have been imposed on the agricultural community in carrying out its duties by the European Union? That is around one for every week that we have been in the European Union. Post-Brexit, can we look at having an enablement culture for the production

of food, as opposed to the regulatory one that currently exists?

Miss McIlveen: I thank the Member for his question. None of us yet knows the outcome of the exit negotiations or the necessary standards that will be applied to trade. It is vital that any future trade agreements allow us to retain our current export markets and to develop additional agreements with countries outside the EU, while applying the necessary regulation. There will be opportunities as we move forward, and we need to be mindful of those and take advantage of them as they present themselves.

Ms Archibald: Will the Minister outline any discussions that she has had with stakeholders about the potential impact on environmental legislation in the North following the referendum result?

Miss McIlveen: I thank the Member for her question. As I said, I am focused on getting a good deal for Northern Ireland, be that for our rural communities, farmers, fishermen or the environment. As the Member will be aware, I have established, alongside my colleague Minister Hamilton, a consultative committee, and the Northern Ireland Environment Link is a member. I have also met a number of groups individually and will continue to do so as we move through the process. She may also be aware that I met environmental NGOs on 7 September. We had a positive discussion. Obviously, there are opportunities and challenges ahead, and I gave them a commitment that my officials and I would engage with them as we move through this.

Farm Business Improvement Scheme

2. **Mr McKee** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the business investment scheme. (AQO 281/16-21)

5. **Mr Irwin** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the farm business improvement scheme. (AQO 284/16-21)

Miss McIlveen: With your permission, Mr Deputy Speaker, I will answer questions 2 and 5 together.

The farm business improvement scheme is a package of measures aimed at improving the competitiveness and sustainability of our

farming sector. This package of measures is being rolled out in a phased way. The first phase of the farm business improvement scheme is under way, with the business development groups and farm family key skills training providing advice and support to help farmers to clearly identify their needs and make the right decisions about developing their business.

The next phase will be the capital scheme, which will offer tiered grant support linked to the needs in the farmer's business plan. I am pleased to have launched the preparation stage for the capital scheme earlier today. Its purpose is to provide information to farmers to allow potential applicants to start to prepare in advance of the scheme opening formally next month.

Mr McKee: The Minister will probably be aware that frustration has been building amongst the farming community because of what it sees as typically excessive delays in bringing forward the scheme. Instead of having farmers rely on rumour and speculation, will the Minister publish without delay the list of eligible items for both tranches of the scheme?

Miss McIlveen: I thank the Member for his question. I understand and, indeed, share his frustration about that scheme and others that I felt should have been opened much earlier than they were. As I said, I launched the preparation stage today. It provides some basic information about the capital scheme to help farmers to start thinking about what they need to do if they are interested in applying for the grant scheme. It will also allow time for farmers to ensure they have a category 1 farm business identification number before the scheme opens. If you have seen the press release, you will notice I am also encouraging farmers to consider using the Making it Safer health and safety tool that is available.

Farmers have been aware that this has been coming. There have been lengthy discussions with the industry about what the scheme would look like. There have also been discussions with banks in advance of that. The business discussion groups have been meeting and making farmers who are interested ready in advance of this happening. I am not taking away from the fact that there was frustration about the length of time it has taken, but we are now at the stage of it being opened.

Mr Deputy Speaker (Mr Kennedy): I call Mr William Irwin.

Mr Irwin: Question number 5.

Mr Deputy Speaker (Mr Kennedy): The Minister grouped questions 2 and 5. This is for a supplementary.

Mr Irwin: I am sorry. Will the Minister explain whether the recent Treasury statement will have any impact on the scheme?

Miss McIlveen: Not on this scheme. We are working through the funding of it. The scheme is opening for applications in October, so there is no issue with that.

Mr Kearney: I thank the Minister for the detail she provided to date. Will you, Minister, provide an update on the agri-food processing investment scheme?

Miss McIlveen: I thank the Member for his question. There is a considerable amount of interest in the successor to the processing and marketing grant scheme. The proposed scheme will help to promote the economic performance and competitiveness of the agrifood sector through capital investment and the processing, marketing and/or development of agricultural products. I am working very closely with my colleague Minister Hamilton in the Department for the Economy, along with Invest NI, to develop what will be the best scheme to fit the needs of our local processing sector. That will be very much subject to approvals and funding. If all goes to plan, I hope to be able to launch the scheme towards the end of the year.

Ms Armstrong: What is being done to identify and proactively promote the business investment scheme to farms that could be in need of diversification but have so far not engaged?

Miss McIlveen: I thank the Member for her question. Obviously, this has been trailed for quite a considerable length of time. Work has been done through the College of Agriculture, Food and Rural Enterprise and the advisers to encourage maximum uptake of the scheme. Of course, the scheme will not work for everyone, but I want to encourage as many people as possible. This will be the first phase of the scheme. At the end of this first phase, we will review how well the scheme has been taken up and perhaps look at further opportunities to encourage others to get involved in the next phase, subject to finance for a further scheme.

Brexit: Rural Economy

3. **Ms Mallon** asked the Minister of Agriculture, Environment and Rural Affairs for her assessment of the impact of leaving the European Union on the rural economy. (AQO 282/16-21)

Miss McIlveen: A full assessment will depend on the new arrangements that will be put in place and on how well we can exploit the opportunities that leaving the European Union will present. Certainly, the early impacts of Brexit have been beneficial. The fall in exchange rates has increased the expected value of the basic payment for this year. Farm-gate prices have also improved, partly as a result of exchange rate movements. Sheep prices, for example, have improved by 28% since this time last year. This is encouraging. We can say that the early impact of the vote to leave has been positive for agriculture.

The longer-term impacts remain to be seen. I intend to do all that I can to protect and promote the interests of the Northern Ireland agrifood sector in the forthcoming negotiations. I have already held a series of meetings with Ministers from the United Kingdom Government and the devolved Administrations, as well as with rural stakeholders, to consider the potential implications of Brexit. The meetings included discussions on the need to ensure that future trade and policy frameworks take account of the importance of Northern Ireland's agrifood and fishing industries, rural communities and the environment sector.

I intend to be closely and directly involved in the domestic agriculture, environmental, fisheries and trade policy agendas as they unfold in order to maximise the opportunities that will come from leaving the European Union.

Ms Mallon: I thank the Minister for her response. In addition to the meetings and discussions that she outlined, what engagement is she having with people in rural communities who will be directly affected by the impact of any potential Brexit?

Miss McIlveen: I thank the Member for her question. Throughout the summer months, I was very busy, even though we were in recess. I went around the rural shows, and I met and spoke to farmers. I went to each of the ports and harbours — to Ardglass, Kilkeel and Portavogie — and met processors and producers. I feel that I had quite productive conversations throughout and used my time productively. I have a sense of where they are. Some are very positive about where we are as a result of the vote — of course, many voted to

leave the European Union. We are aware that there are challenges ahead, but they also see the opportunities. As you will have heard in previous answers, I have also met stakeholders from the environment sector and other rural community representative groups.

Mrs Barton: Minister, before the referendum, you suggested that farmers would not be left financially worse off in the event of a Brexit vote. Do you still believe this, especially for the years after 2020?

Miss McIlveen: I thank the Member for her question. She will be aware that we did not know what the situation would be post-2020 in the European Union, and that in itself was causing anxiety. There was a considerable vote by farmers, fishermen and others to leave the European Union, despite what you perhaps perceive to be the comfort of the money that was coming to the industry. There are opportunities to be had. Very difficult discussions also have to be had, and we will be in a much clearer place as we move through those.

Mr Allister: Does the Minister agree that one of the greatest opportunities for growth after Brexit lies in the fishing sector, which has been mercilessly destroyed under the common fisheries policy? In preparation for our liberation from that, is there active work in hand to plot out a way forward for the growth of the fishing industry and its re-establishment as one of the key cornerstones of our economy?

3.00 pm

Miss McIlveen: I thank the Member for his question. I agree that there are great opportunities. When you speak to the fishermen, they are clear about what those are, but they are also mindful of the complexities around fishing and how fishing waters are going to be mapped out in negotiations. I had conversations with Minister Eustice in advance of the AGRIFISH Council meeting in July, and I hope to continue those. There are ongoing conversations between my Department and DEFRA. I have given my commitment to those in the producers' organisations to meet them regularly in order to get a real sense of where they feel we need to go as we move forward with the process of exiting the European Union.

Ms Dillon: The Minister's engagement with stakeholders was very different from mine when it comes to how they feel about Brexit, and I think that we met many of the same stakeholders, including farmers' organisations.

What assurances can the Minister give about the future funding of the rural development programme?

Miss McIlveen: I thank the Member for her question. We continue to move forward with our plans for the rural development programme. Those include opening the capital element of the farm business improvement scheme, which I already outlined; operation of the business discussion groups; farm family key skills; and the roll-out of the LEADER programme. The multimillion-pound environmental farming scheme is an important part of our agriculture agenda. I am working hard to ensure that it is opened up for applications in February.

Mr Stalford: Does the Minister recall this policy document, endorsed by the people, which is the DUP manifesto? In it, we stated that we wanted a Department of Agriculture and Rural Development, not an EU police force. Does she agree that it will be a source of great joy for farmers, fishermen and the agrifood sector that they will no longer be subjected to the burdensome and cumbersome regulations emanating from the European Union bureaucracy?

Miss McIlveen: I thank the Member for his question. Who am I to disagree with him?

Spartina Cordgrass

4. **Mr Wells** asked the Minister of Agriculture, Environment and Rural Affairs to outline the powers her Department has to control spartina cordgrass in the coastal areas of County Down. (AQO 283/16-21)

Miss McIlveen: Common cordgrass — *Spartina anglica* — is a highly invasive species that causes extensive ecological damage to intertidal habitats, outcompeting and replacing native eelgrass, on which the light-bellied brent goose, a high-priority species for conservation action here, depends.

The Wildlife (Northern Ireland) Order 1985, as amended by the Wildlife and Natural Environment Act (Northern Ireland) 2011, contains powers for controlling the introduction of invasive alien species in the wider environment. It is an offence to cause to grow in the wild any non-native plant listed under schedule 9 to the order, and spartina is listed in Part II of schedule 9. The Department does not, however, have any statutory powers to compel an owner or occupier of premises or land to control invasive alien species introduced prior to the 1985 order, nor does it have the

power to take control measures without the consent of an owner or occupier, but, in the context of our national responsibility to manage our specially protected sites, the Department has worked with a range of stakeholders and landowners in coastal areas to control spartina.

Mr Wells: I note that the Minister is quoting from legislation that was drafted before she was born, but I was in the Assembly in 1985 when that article on spartina was drafted and implemented. She outlined why it is illegal to import spartina, but can her Department give grant aid to landowners who wish to take their own action — for instance, the National Trust in the case of Strangford lough or the Commissioners of Irish Lights in the case of Carlingford lough — in order to encourage private landowners to eradicate this invasive and damaging species?

Miss McIlveen: I thank the Member for his question. Obviously, flattery will get you everywhere: I wish I had been born after 1985.

I am happy to come back to the Member on the issues that he has raised. My Department has undertaken work on several coastal sites, including Strangford lough and others in County Down. There is a spartina control group, which comprises members from the Department, NGOs, stakeholders and landowners. It was set up in 2010 to implement a spartina management strategy. The aim of the strategy is to manage spartina by preventing its spread and, where feasible, significantly reducing the areas of common cordgrass. Various programmes are being carried out by that group, with spraying on the areas targeted. There is a planning meeting every April to discuss this. The Department coordinates the functions of the group, and I am certainly content to speak to the Member if he feels that we can do anything further with regard to this.

Mr Swann: I thank the Minister for her briefing on what the Department is doing on spartina; I admit that I had never heard tell of it before. Will she put the same effort into and emphasis on the eradication and tackling of giant hogweed?

Miss McIlveen: I thank the Member for his question. Obviously, we had a debate earlier today on Japanese knotweed, and giant hogweed invaded that discussion as well. I am happy to look at all of the issues. I gave a commitment in the Chamber earlier that we would look again at invasive species, and, as I said to the Member after that debate, I am

content to meet him to discuss what he sees to be the issues and the possible remedy.

Farmers: Cash Flow Difficulties

6. **Mr Bell** asked the Minister of Agriculture, Environment and Rural Affairs how she plans to alleviate cash flow difficulties for farmers. (AQO 285/16-21)

Miss McIlveen: I am committed to supporting Northern Ireland farmers and to helping build a strong, sustainable and resilient local agrifood industry. I recently announced that, this year, Northern Ireland will be the first region in the United Kingdom to make advance payments from mid-October. I have had one-to-one engagement with banks, and I have met feed merchants to encourage them to be flexible and supportive in dealing with farmers. I have pressed both DEFRA and the European Commission for meaningful support for our farmers, including at the EU Agriculture and Fisheries Council (AGRIFISH) on 18 July. Members will be aware of the €500 million farm support package that was announced at that meeting.

Our dairy farmers can now apply for compensation to voluntarily reduce their milk supply under the €150 million EU aid scheme, should that suit their particular business needs. I have successfully made the case for a significant share of the €30 million UK envelope of EU exceptional adjustment aid, and indications are that Northern Ireland will receive €4.8 million. I am considering the options for how best to use that funding and will announce details of that at the earliest opportunity.

Looking to the future, my Department will continue to help strengthen the sector through a range of support, including the rural development programme. In particular, the farm business improvement scheme will help ensure that farmers are better equipped to meet challenges and take advantage of future market opportunities. I am delighted that the preparation stage for the capital scheme began today, and the scheme will open for applications in October.

Mr Bell: I thank the Minister. I am sure that I am not alone in thanking her for what is a very impressive and comprehensive range of work undertaken to date. Can the Minister give us her assessment of any signs of improvement in market conditions? Indeed, can we agree today in the House to send a message that we call on the processors to ensure the maximum return in value to the farmers?

Miss McIlveen: I thank the Member for his question, and I agree with him on his latter comment. I am aware of the challenging market conditions that farmers face and have faced over the last 18 to 24 months, particularly with the severe and prolonged fall in milk prices. While the factors contributing to the low prices are essentially outside DAERA's control, my Department will continue to do what it can to assist farmers at this time and help them cope with future market volatility. I am pleased that we are beginning to see signs of improvement in prices. Farmers in a number of sectors appear to be benefiting from recent changes in the sterling/euro exchange rates and the recent results from the Fonterra auction are also encouraging. As I said in a previous answer, there have been increases in beef, sheep, pig and dairy prices over the last three months, and that is positive and to be welcomed. We will continue to make the most of the measures to build the resilience, efficiency and competitiveness of the industry through the new rural development programme.

Mr Milne: I thank the Minister for her answers thus far. Will she tell us if she has any plans to meet the banks regarding concerns raised by the farming organisations about banks taking their share of payments from farmers with no regard or consideration that they have other bills to pay to merchants etc?

Miss McIlveen: As I said earlier, I have had a busy summer and I met, individually, with representatives from the Danske Bank, Ulster Bank, Bank of Ireland, First Trust, Barclays and HSBC. I am assured by the work they are doing to support the industry, but I will keep in regular contact with them.

I also had the opportunity to meet feed merchants to get a better understanding of the issues for them. The priority has to be assisting with cash flow for farmers, and I have tried to put in as many measures as I can in the short time that I have been in office. I am conscious of the challenges and have pledged to have an open-door policy regarding all these things, and I will continue to have conversations as we move forward.

Ms S Bradley: What conversations has the Minister had around the Executive table on the issue of farmers accessing funds with, in particular, the Economy and Finance Ministers?

Miss McIlveen: I thank the Member for her question. Obviously, the Executive take all this very seriously. As you would expect, I have met the Economy Minister on a number of

occasions. I share a constituency office with him, so it is not terribly difficult to have those conversations. We had an initial meeting with the agrifood sector a couple of days following the referendum result, and that has now been formalised with our consultative group, which met last week. Around that table there are representatives of all sectors in agrifood, fisheries and the environment. I also had the opportunity to meet the Finance Minister, and there are obviously concerns around finance moving forward. All those conversations will continue, and I will maximise whatever influence I have, where I can do so.

Mr Deputy Speaker (Mr Kennedy): I call Mr Declan McAleer, although I warn him that there may not be time for a supplementary question.

Environmental Farming Scheme

7. **Mr McAleer** asked the Minister of Agriculture, Environment and Rural Affairs when the environmental farming scheme will commence. (AQO 286/16-21)

Miss McIlveen: A number of schemes, including the environmental farming scheme (EFS), are being developed in parallel by my Department. The aim is to implement them in line with business priorities as soon as possible. I plan to open the EFS in February 2017. However, two key steps that are needed to achieve that are business case approval and clarity on funding post-Brexit. A well-funded and targeted EFS has to be an important part of our domestic agricultural agenda. Therefore, I will work hard to secure that outcome.

The EFS will be targeted to deliver maximum environmental benefit and has been designed to be straightforward for farmers, taking account of experience with previous schemes. The EFS has three levels. The higher level is primarily for environmentally designated sites. The wider level will deliver benefits across the wider countryside, and the group level is to support cooperative action by farmers in specific areas such as a river catchment. The EFS will offer participants a five-year agreement to deliver a range of environmental measures primarily relating to biodiversity and water quality. A programme of awareness-raising sessions will take place prior to the scheme opening to provide farmers with full details of the EFS.

Last month, the Treasury announced that it would underwrite EU funding, provided that it is committed before the Chancellor's autumn statement. Whilst funding for the EFS is not covered by that recent Treasury

announcement, we are very focused on securing funding and implementing the scheme.

Mr Deputy Speaker (Mr Kennedy): Thank you. That ends the period for listed questions. We now move on to topical questions.

3.15 pm

Animal Cruelty: Sentencing

T1. **Mr Nesbitt** asked the Minister of Agriculture, Environment and Rural Affairs whether she agrees that some sentences handed down for barbaric acts of animal cruelty not only fall far short of the maximum available but represent a failure to make the progress that might reasonably have been expected under the 2011 Welfare of Animals Act. (AQT 206/16-21)

Miss McIlveen: I thank the Member for his question. As an animal lover and someone who was brought up with animals, I am very conscious of and sensitive to animal welfare. Where there are opportunities to strengthen or review legislation, I am open to having those conversations.

Mr Nesbitt: I thank the Minister for her answer. It is not a question of strengthening or changing legislation; it is the application of the legislation by the courts. I hope to meet the public prosecutor soon to reflect the animal-loving public's displeasure at scenes such as those found guilty of barbaric acts walking free from court, laughing and jeering at the police and the public. Will the Minister commit to meeting her colleague, the Minister of Justice, to see what more could be done to make sure that sentencing reflects the animal-loving public's sense of justice?

Miss McIlveen: I thank the Member for his question. I absolutely would be up for a meeting with the Minister of Justice about the issue.

Independent Environmental Protection Agency

T2. **Mr E McCann** asked the Minister of Agriculture, Environment and Rural Affairs whether, in view of the recent disastrous fish kill in the River Faughan, apparently caused by toxic discharge from agricultural land, and the emergence of the fact that the notorious Mobuoy Road dump is but one of a number of large, illegal dumps in the Maydown/Campsie area of County Derry, she will take steps to

establish an independent environmental protection agency that would bring together all the environment-related functions of the various Departments and be equipped with powers to enforce the highest environmental standards and efficient regulatory processes to defend and extend the environmental rights of all the people of Northern Ireland. (AQT 207/16-21)

Mr Deputy Speaker (Mr Kennedy): Minister, did you get that? *[Laughter.]*

Miss McIlveen: I thank the Member for his question. He referred to the fish kill at Faughan, and I have had a discussion with the Loughs Agency about it. It is currently going through the courts or is in the process of going to court.

On Mobuoy, the Member will be aware that there is an ongoing legal case, so it will be difficult to comment without prejudicing the outcome of it. For the Member's information, I visited the Mobuoy site last week to see the scale of the problem for myself. On general waste offences, I assure the House and the Member that I take environmental crime very seriously. If the Member or any other Member is aware of any type of waste offence, they should notify me, and I will ensure that I look into it.

On the wider point about an independent environment protection agency, I am the Minister for the Environment, and I am determined to make a positive impact on the environment in Northern Ireland. I have no plans to hand those powers to an independent body. However, I was somewhat surprised that a previous Environment Minister, who is now in the Opposition, removed independent board members from the NIEA. The former Minister, who is not in the House, can perhaps explain why he thought it best to do that. I have asked my officials to look at a number of boards with the possibility of adding independent people to them.

Mr E McCann: I thank the Minister for that. The concern that prompted my question arose not simply from Mobuoy Road and the fish kill in the Faughan, which are events that happened in the Foyle constituency.

I was also encouraged to raise the question by the shenanigans at Woodburn forest, where environmental campaigners did not want to see drilling in that splendid area of natural beauty —

Mr Deputy Speaker (Mr Kennedy): I encourage the Member to come to the question.

Mr E McCann: Yes, I am, sorry. They were confronted, they believe, not only with a large company able to employ vast resources compared to their own, but with a thicket of environmental and planning regulations and with a number of agencies spread over a number of Departments, so that they found it impossible to process their complaint. We want a bit of fairness here so that the environment can be defended against people whose only concern is profit.

Miss McIlveen: I appreciate the Member's concern around all those particular instances. He will be aware that the Department for Infrastructure is looking at how these schemes are taken forward in the future. I want to give the Member some reassurance that I will take all this very seriously, particularly with regard to pollution and environmental waste crime as we move forward.

Mr Deputy Speaker (Mr Kennedy): I remind all Members that these are topical questions, not topical statements.

LEADER Programme

T3. **Mrs Cameron** asked the Minister of Agriculture, Environment and Rural Affairs for an update on the LEADER programme and to state how it can help to create jobs in rural areas of Northern Ireland. (AQT 208/16-21)

Miss McIlveen: I thank the Member for her question. Good progress has been made. All the local action groups (LAGs) have now signed and returned their legal contracts to enable them to start delivering LEADER on the ground. The rural business investment scheme has now completed its first call across nine of the 10 LAGs from successful attendees at the funding workshops. Some 229 applications have been received, which is worth around £8 million of grant aid. The first assessment panels have now commenced, and the first four letters of offer have issued, with more due to issue in early September.

Job creation is a major theme under the rural business development investment scheme, and indications from the applications received in the first funding call are good, showing that there is great potential to create significant numbers of rural jobs. Indeed, I had the pleasure of being able to present letters of offer, which amounted to approximately £180,000 of grant, to three

companies in the Causeway coast and glens area to help develop their businesses. I look forward to projects similar to those right across Northern Ireland.

Mrs Cameron: I thank the Minister for her answer and for the information contained in it. Will the Minister ensure that bureaucracy is kept to an absolute minimum with the local action groups, such as GROW South Antrim, so that they can get their letters of offer out to rural groups and businesses?

Miss McIlveen: I assure the Member that everything is being done to ensure that there is an efficient process in place in order to handle the applications that are received. The use of funding workshops and expressions of interest has meant that LAG admin staff are dealing with fewer applications, but they are of a much higher quality. There is now a 90-day turnaround for applications from the date of the close of call until the applicant receives a funding decision. This will help to ensure that businesses receive a decision as quickly as possible. I hope that her local LAG has found this to be beneficial.

Milk Production: EU Bureaucracy

T4. Mr Girvan asked the Minister of Agriculture, Environment and Rural Affairs what she thinks about the production of milk being reduced by the wonderful bureaucratic monster of the European Union. (AQT 209/16-21)

Miss McIlveen: I thank the Member for his question. The £150 million milk production reduction aid is part of the broader €500 million farming support package. It is to encourage farmers to reduce milk production in order to counter the oversupply situation and help restore prices. Obviously this is a voluntary scheme, and I encourage those who feel that they need to take up the opportunity that it is there to do that. The applications close tomorrow, so there is an opportunity for them to take advantage of the scheme. Milk prices are starting to increase slightly, so that is a decision that each individual farmer will make.

Mr Girvan: I thank the Minister for her answer. A package of €350 million is available. What cut will Northern Ireland receive of the package for the exit programme?

Miss McIlveen: I thank the Member for his question. The early indications are that we will be receiving €4.8 million of that package. This is an enhanced allocation in recognition of the

extreme difficulties faced by farmers here. I am currently considering the options for how to spend this money effectively. We are required to select at least one activity from a menu of options given to us by the Commission. This will include production reduction beyond that covered by the EU production reduction scheme or not increasing production. On small-scale farming, we could be looking at the application of extensive reduction methods; we could look at the application of environmental and climate friendly production methods; or, finally, the implementation of cooperation projects.

At this time, there is no united view as to how this money should be spent, but I have met a number of stakeholders, as have my officials, and we are trying to maximise the impact of that money right across the livestock industry. I want to ensure that we get the best value from that money and that it will make a meaningful difference to our industry.

AFBI: DAERA Support

T5. Mrs Hale asked the Minister of Agriculture, Environment and Rural Affairs to give her commitment that her Department will support AFBI, which is a large employer in the Lagan Valley constituency, particularly the research institute at Hillsborough, to ensure that it continues to deliver for the Northern Ireland agrifood sector. (AQT 210/16-21)

Miss McIlveen: I thank the Member for her question. For AFBI to be successful is extremely important to my Department. It will bring immeasurable benefits to our local agrifood industry and underpin its sustainable development. Research undertaken by AFBI, including that carried out at Hillsborough, is vital for good policymaking and for driving the technological advances that will underpin the future competitiveness of our industry. In view of this, I am committed to supporting the development of the organisation, as it seeks to consolidate its efforts around a number of core scientific pillars, where it is seeking to establish a critical mass of world-class expertise and form a stable platform from which to exploit external opportunities and grow.

To help AFBI in this new phase of its development, we are currently considering some exciting plans for the AFBI estate, which would see AFBI consolidating onto a much smaller footprint with modern, efficient, leading-edge facilities. I am also supporting the organisation through the creation of an AFBI-directed research fund to encourage AFBI to

achieve excellence in science and seize opportunities for longer-term developments in frontier research that enhance scientific capability within DAERA's area of policy interest and support the local agrifood sector.

In summary, I am fully committed to the work of AFBI and the future delivery of science, which is so important to the agrifood sector in Northern Ireland.

Mrs Hale: I am absolutely delighted that the Minister is committed to the site at Hillsborough and to AFBI. Can she outline any plans that there may be to increase the number of people employed at the Hillsborough site?

Miss McIlveen: I thank the Member for her question. There is a master plan for the farm buildings at the AFBI Hillsborough site. It is envisaged that a consolidation and replacement modernisation programme will be taken forward out to 2020. This will be undertaken in conjunction with the College of Agriculture, Food and Rural Enterprise (CAFRE) to ensure that there is a holistic approach to the development of DAERA's farming platform. Such an investment recognises that research is vital for good policymaking and for driving forward the advances that we need.

With regards to AFBI's headquarter location, it is recognised that the current premises at Newforge Lane are excessively large and are inefficient and expensive to operate. There is potential for AFBI to move off-site onto a smaller purpose-built facility elsewhere on the estate. Work is ongoing, to the point that the best way forward is to include the option of moving to the Hillsborough site. I am happy to provide further information and updates on the AFBI estate strategy as we move forward on it.

3.30 pm

Mr Deputy Speaker (Mr Kennedy): I call Mr Paul Frew for a quick question, but there will probably not be time for a supplementary.

Going for Growth: Update

T6. **Mr Frew** asked the Minister of Agriculture, Environment and Rural Affairs for an update on Going for Growth. (AQT 211/16-21)

Miss McIlveen: I thank the Member for his question. Obviously, Going for Growth is central to the achievement of my vision and that of others for a thriving and sustainable economy. Going for Growth outlined a number

of recommendations. Good progress has been made to date. We have secured access to 49 new markets and funding approval for the first phase of the farm business improvement scheme. The knowledge transfer element is well under way, with almost 3,000 farmers enrolled in over 150 business development groups, and farm family key skills programmes are now open. I launched the preparatory stage of the FBIS capital scheme today, and the scheme will again open for applications — I said this earlier on a number of occasions — in October. Work on a sustainable land management strategy is also well advanced, and I hope to receive a report from the expert working group in the very near future.

Mr Deputy Speaker (Mr Kennedy): Order. That completes Question Time. I ask Members to take their ease while we make changes at the Table.

(Madam Principal Deputy Speaker [Ms Ruane] in the Chair)

Private Members' Business

Road Maintenance Budget Deficit

Debate resumed on amendment to motion:

That this Assembly is concerned that the road structural maintenance budget deficit is currently estimated to be £1 billion; notes the importance of road maintenance to road safety, especially in rural areas; further notes that it is estimated that over £137 million per annum is needed to adequately maintain, in its current state, the structural integrity of Northern Ireland's road network; and calls on the Minister for Infrastructure to include a ring-fenced allocation to his Department's baseline budget for road maintenance repair that will facilitate a more strategic and, consequently, efficient approach to road maintenance. — [Mr Mullan.]

Which amendment was:

Leave out all after "Infrastructure" and insert

"to develop and publish a costed strategic plan for road maintenance and repair that will be included as part of the Department for Infrastructure's ongoing work programme from 2017-18 until the end of the mandate." — [Ms Armstrong.]

Mr Robinson: There is no question that Northern Ireland's roads could do with

additional funding. Many roads require updating or repairs, and there are some that need to be upgraded or made into a dual carriageway. The major difficulty faced in achieving all that is required is finance. I welcome the motion's call for the ring-fencing and allocation of our budget for road maintenance, but I must point out that that is already the case. The amendment calls for the development and publishing of a costed plan, and we already do that, so I have no problem accepting those two items.

In achieving road maintenance and new-build roads, there is the common problem of finance. I hope the SDLP and Alliance Party appreciate that there is not a bottomless pot of money for any Department. That creates a huge problem with reaching the aims stated in the motion and the amendment. I ask both parties what Departments' budgets they wish to see cut to achieve their aims. Is it Health, Education or Agriculture? Both parties appreciate fully that the Executive have to live within the block grant settlement. All of us wish to see more money for Northern Ireland, but I think it would be difficult to convince the Chancellor, Mr Hammond, to part with additional funding.

I welcome the rural roads initiative and the £10 million that is allocated to it. Rural roads are essential links for farmers, rural dwellers and others for going to work or delivering their produce to market or buyers. They have a pivotal role to play in Northern Ireland's economy, and it is only right that specific attention is paid to maintaining them. We must remember that a properly maintained road network helps to reduce potential fatalities or serious injuries on our roads. The backlog is reportedly £1 billion, and maybe the Finance Minister could request additional targeted funding from the Chancellor to help address that. Extra money would be welcome for road maintenance.

In conclusion, there is much to be done. It is a difficult balancing act to deliver maintenance and new road projects, and the key is finance. However, until more money is available, we must, unfortunately, live within budget.

Mr F McCann: I support the motion as amended. Whilst I understand the thrust and sentiment of the motion — it is obviously something we all see as essential — the fact remains that there have been serious reductions in the budget that are outside the control of the Minister and that lie at the door of the British Government and their policy of austerity. I do not think that there is anyone in the House who is not concerned about the

year-on-year reduction in budgets. As the motion says, the Department requires an estimated £137 million per annum to adequately maintain the road network in its current state. I agree that the structural integrity of roads across the North is essential for the economy and for the communities that use the roads and streets. I believe that we need to prioritise how that is done. Parties do not have to agree on how the Department's budget is allocated, but we can agree that there are key priorities in the Department, and road maintenance is way up there.

I do not think that there is anyone in the House who does not agree that, if the resources were available to the Executive and the Minister, investment in our roads would be prioritised. The Minister's statement on 28 June recognised that by allocating an additional £10 million package that will target 1,000 roads. He said:

"The improvements will target around 1,000 rural roads".

This, he said, would help:

"stop deterioration and repair severe defects on the local road network."

The Minister also showed his intent by saying that, during this period of financial constraint, we need to prioritise meagre resources, and that it is essential that we keep on top of urgent repairs. He went on to say:

"for too long rural communities have dropped down the priority list. Today will go some way to addressing that imbalance and giving rural communities across the region roads that are fit for purpose and that will stand the test of time".

On 27 June, he announced that he had secured an additional £5 million from the June monitoring round to enhance routine maintenance services, whereby the allocation was passed to Transport NI to ensure a second grass cut across all areas and tackle the serious problem of potholes. Also on the list was an additional gully clean for urban communities, as well as the repair of street lighting outages. All of those are a major source of complaint for our constituents. The former Minister for Regional Development, Michelle McIlveen, and now Chris Hazzard have recognised the importance of investing in that aspect of maintenance by allocating additional resources.

I have recently been dealing with a number of complaints in my constituency about an issue that falls just outside the remit of the Department but for which it has an overseeing role: the role of utility companies and the impact of their work on the roads and streets that they dig up without consulting local people. They might dig a trench in a street one week, causing major upheaval, leave and then come back the next week and dig just yards away. They leave a patchwork-quilt effect on our roads, streets and footpaths that, in the end, adds to the belief that the Department is responsible for the cost of dealing with that mess.

Another major problem is sinking manholes on roads. These are dangerous to road users and a nightmare for the residents who have to put up with the constant noise, which makes life difficult. Many think that the Department is also responsible for that, but it is the responsibility of outside arm's-length bodies.

A Cheann Comhairle, I am sorry if I drifted slightly off the motion, but this is all part of what people see as road maintenance and, therefore, as our responsibility. It would be great if we did not have the financial constraints faced by the Executive and it would be great if the Minister had the resources to cure all our ills, but those are not the times we are in. I know, however, that the Minister will continue to argue the case for a better deal on budget allocation to ensure that our roads are safe places on which to walk and drive. I support the motion and the amendment.

Mr Girvan: I, too, am in favour of the motion and the amendment. We have a deficit in the road maintenance budget, as identified in the motion. I appreciate that this is an ongoing problem that is becoming worse, year-on-year. However, there seems to be very little tie-up — I have difficulty with this — with those making claims for damage to a vehicle or whatever, with the result that quite a substantial amount of money is spent on paying out for claims. One example given to us was about what was deemed to be a pothole on a road. A few hundred pounds would have repaired that pothole, but, by the time it all came through, the Department had paid out not just hundreds but thousands of pounds in claims.

I am not sure of the exact figure, but quite a few thousand pounds were paid out in claims to motorists who had had wheel and suspension damage. We should look at that area to try to offset what we spend on claims.

We are in a very bad position as a result of the condition of our roads, and simply because of underinvestment. We are coming at it on the back of 40 years in which we were not able to spend much of our money on infrastructure. We were spending our money elsewhere because of a campaign of terrorism that was taking money from other areas.

Contractors add to problems on our roads. There is a lack of a joined-up approach among the service being put in, be it roads, street lighting, telecommunications, gas or water. You invariably hear about a lovely new surface being put down on a road and, three weeks later, somebody digging a track to put in a water main. Contractors had been told that the road was being resurfaced, and, as a consequence, they reinstate it. However, contractors do not always bring a road back to the original condition that they got it in. We need to focus on reinstatement to ensure that the contractors involved in the works reinstate the roads. Those contractors must not be allowed to leave a road in a certain condition and let Roads Service deal with it when it is resurfacing the road. We have to make sure that reinstatement is done correctly. Service providers who do not do it prior to a scheme coming forward should be made to foot the bill for proper reinstatement. In their work programmes, they are well aware that they will be upgrading the gas network or the water mains, and there is a lack of forward planning. There should be total joined-up government. It is all dealt with in one Department so it should be totally joined up. One person should not be saying, "That is to deal with claims. As long as we have money for claims, it will keep our legal team going". On many occasions, that is what we are doing: keeping people in the legal profession employed fighting claims. We are not necessarily diverting our resource.

I appreciate what was said earlier about budget flexibility. The budget is constrained, and we have difficulty in tying up everything that we have to do in government in Northern Ireland, never mind additional work. We should ensure that the cake is shared accordingly and prioritise what we spend our money on. It is great to add some new network, but we should not always focus on that. Sometimes, maintaining and keeping our current infrastructure in a good condition is better than adding additional miles of motorway.

People will say that they really want to see their dual carriageway or motorway built. We had a major investment in the A8, and a new dual carriageway was built linking Belfast to Larne. To be honest, the volume of traffic on that road

today is probably less than it was 20 years ago because of the reduction in the number of boats coming into Larne. The case for that road was made 20 years ago —

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr Girvan: — which does not necessarily mean that it stands today. We should focus on maintaining and upgrading our existing road network —

Madam Principal Deputy Speaker: The Member's time is up.

Mr Girvan: — and prioritising where we spend on new roads.

Mr Kennedy: I am pleased to contribute to this important debate, not least because of a more than passing interest in the matter when I spent time in the former Department for Regional Development. I still have the marks to prove it.

On my behalf and that of my party, I am happy to indicate broad support for the motion and the amendment. I want to assure the Minister that, although my party no longer takes its place on the Executive, we want, as members of the Opposition, to contribute positively on important issues. I hope that, in today's debate, he will find something useful in the contributions of non-Executive parties, especially contributions from the Ulster Unionist Benches.

3.45 pm

Structural maintenance and road maintenance generally have been amongst the Cinderella issues kept fairly low down the list of priorities of past Executives, certainly in proper financial planning. The situation that I inherited in my time at DRD, which had evolved over previous mandates, was one in which the funding of structural and routine maintenance was largely dependent on allocations made through the monitoring rounds in June, October and January annually, with most available in the final monitoring round. Clearly, that left the Department at a huge disadvantage. Not only was it poor logic economically, it made it virtually impossible for any of the contractors involved to properly plan the work involved in winter months, having been forced to lay off experienced staff and workers earlier in the year because of the lack of contracts.

It is also worth stating that financial allocations made at the earliest point available, at the start of any financial year, would allow those in

charge to properly plan the structural maintenance required in a managed way, leading to better value for the hard-pressed and long-suffering taxpayers as well as properly supporting the important road construction industry and the associated businesses, many of them small, indigenous firms providing employment opportunities to our constituents. Unfortunately, I was never able to win that argument around the Executive table. Indeed, it is a matter of regret to me that during my final period as Regional Development Minister, my Department was effectively starved of the financial resources it needed to provide a proper service for purely, in my view, cheap and sordid party political reasons.

Given that it is estimated that £130 million is required on an annual basis to simply maintain the existing road network in Northern Ireland, I was never in a position in my latter years in the Department to meet the needs not only of the road construction industry but the population of the country, who could not understand why such a basic demand was unmet by the then Executive. I genuinely hope that this issue can be fully and finally sorted out by this new Executive. I assume that, because of the fact that the Minister for Infrastructure is a party colleague of the Finance Minister, party politics will no longer have any place in the allocation of funds. I hope that the system of funding to the Department for Infrastructure can be urgently addressed and I look forward to hearing the Minister's comments on that issue.

The constituents who send us here from every part of Northern Ireland to make a positive difference on basic issues want to see the roads and carriageways properly maintained in a planned and sensible way. It is time to take the politics out of road maintenance and put the money in instead. I support the motion.

Mr Lynch: I, too, welcome the opportunity to speak on the motion. The condition of rural roads is a huge issue for those of us who come from rural communities. During the election campaign in the spring, I witnessed the severe state of rural roads across County Fermanagh. It was clear that local communities had dropped off the priority list regarding roads. Many sections of these roads were not fit for purpose and were a danger to the public. For some constituents, rural roads are an even greater priority than health and jobs.

On the day that Chris Hazzard was made Minister of the new Department for Infrastructure, I was sitting beside him. I sought and had a meeting with him that day and stressed the need for him to address the gap in

the road maintenance budget. I described the state of the roads that I had witnessed and told him that the rural communities felt that they were being ignored and that many rural roads were dangerous and had suffered from a number of years of bad winters. He understood that, because he had been on many similar roads in South Down during the campaign.

I commend the Minister for moving quickly to announce additional funding measures in the rural initiative scheme.

I have spoken to the local transport officials, and they are very pleased with that extra funding. That programme of work has already started in rural areas of Fermanagh, and I have a list of the 66 roads that are to be done in the near future. That is not the panacea to all our rural roads ills. However, it starts to tackle the worst sections, and it is very much welcomed by rural dwellers on the roads on which work has been completed.

In the debate today, I have not heard where the extra millions are going to come from. People talked about money trees, but nobody outlined the solutions or where the money will come from. I support the motion and the amendment.

Mr Easton: I support the motion and the amendment. The total resource budget for the Department for Infrastructure for the 2016-17 period was £372.8 million. That was a 5.7% budget reduction and a £21 million shortfall on previous budgets. That has added to the accelerating backlog — now at £1 billion — of maintenance issues that need resolved.

On the capital side, the total allocation to the Department was £384 million. That budget incorporated a ring-fenced allocation of £46 million for roads structural maintenance. We also see from the June monitoring round that the Department received additional resource funding of £5.3 million and additional capital funding of £22.9 million; a total of £28.2 million. The extra £5.3 million in resource funding allowed for two grass cuts, at a cost of £300,000; gully emptying, at £600,000; pothole repairs and patching, at £3.1 million; road markings, at £500,000; fixing of street lighting, at £500,000; and some repairs to flooding hotspot areas, at a cost of £300,000.

I agree that there has been a problem over several years with not enough resources being set aside for road maintenance. That has meant potholes not being repaired, street lights not being repaired, limited weed spraying and grass verges not being cut. All those things are important to the public, yet Transport NI is

failing to get them done due to budget constraints. We can ask ourselves why maintenance is not being done, and the reasons are simple: our block grant has been cut and money is a lot tighter. Despite that, it is up to the Minister to decide how he gives the money to his Department to spend. However, that does not mean that I am not sympathetic to the shortfall in funding and do not recognise the need for more money. I recognise that many of the complaints that many of us are getting have been about potholes, grass not getting cut, street lights being out and, especially, a lack of weed spraying. Only one weed spray has been done by Transport NI this year, and that does not cut the mustard.

We can see from the evidence that failure to do the basic maintenance leads to major problems. For example, it has been revealed that £1 million has been paid out in compensation to drivers whose cars have been damaged by road defects over the last five years. There have been 7,500 claims lodged with Transport NI since 2011, with an average annual payout of £200,000. It has been revealed that there are more than 20,000 potholes across Northern Ireland. Had we had more resources for our maintenance budgets, many of those claims would simply not have happened, as the repairs to the footpaths and potholes would have helped prevent many accidents and tripping incidents. The result would have been that more money would have been saved and could have gone back into the maintenance budget.

There is not enough money, and we need to look at that if we are to address the problem. I have no doubt that there will be moneys coming through in future monitoring rounds. However, should the Department be relying on those monitoring rounds? While they are helpful, they do not resolve the budget shortfall.

To the party that tabled the motion, I say that it is all well and good to highlight the problems. However, can they tell us where they would get the money to fix these problems? What budgets would they cut from other Departments, and how would they pay for any extra funding?

Madam Principal Deputy Speaker: Our next Member to speak will be Patsy McGlone, but I want to make him aware that I will be calling the Minister at 3.55 pm, so he will have two minutes if he wishes to avail himself of them.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ní raibh a fhios agam faoi sin, ach cibé. Thank you, Madam Principal

Deputy Speaker, for welcoming me to speak on the motion.

As mentioned by my SDLP colleagues, we brought the motion to the House because, as we approach the winter months, there are serious concerns around future deterioration of our roads. We have already had much publicity about the amounts of expenditure on compensation. I am sure that all of us have witnessed rims buckled and car tyres ruined as a result of serious potholes. Influence has to be brought to bear as regards the frequency of monitoring rural roads. Monitoring and checking those rural roads could save the Department an awful lot of money on compensation and indeed the admin that goes with it.

We have had a serious lack of maintenance on our roads in the North, not just rural roads but those in our cities, towns and suburbs. Of around 25,000 kilometres of roads in the North, more than 18,000 kilometres are rural roads, which means that this issue is more likely to affect rural roads. They are vital to our economy. Without adequately maintained roads, it is highly unlikely that we will be able to attract and support the infrastructural investment that is necessary across the North.

I am conscious of the time constraints, but one other vital point is the implications of Brexit on the maintenance and building of roads, given the amounts of money that were available to draw down in complementary schemes. I would like to hear from the Minister about whether any assessment is being made of —

Madam Principal Deputy Speaker: Will the Member bring his remarks to a close?

Mr McGlone: — the amounts of money and matching funds that were drawn down by the Government.

Mr Hazzard (The Minister for Infrastructure): I welcome the opportunity to debate the issues of roads structural maintenance with the Assembly and have listened with great interest to the issues and concerns that Members have raised. I recognise and share the concern expressed by Members about the gap between what we can spend on structural maintenance and what we need to spend. However, before addressing that issue, it is important to outline what exactly is meant by structural maintenance, as it is a phrase used to cover a variety of maintenance activities provided by my Department.

Structural maintenance is the collective term for activities that maintain the integrity of the road and footway structure. The main activities include resurfacing and reconstruction, surface dressing, patching and structural drainage, and they comprise both capital and resource funding. For example, capital funding is used to provide improved drainage and running surfaces, which have a positive effect on road safety by improving skid resistance. Resource funding is used to deliver the patching and repair of defect elements of structural maintenance.

As was pointed out by the proposer of the motion, a significant amount of funding is required annually to adequately maintain the integrity of our road network. In fact, in relation to the proposed amendment, I point out that my Department has prepared a structural maintenance funding plan that sets out a strategic view of the funding required to maintain the structural integrity of the network. The funding required is reviewed annually to reflect changes in the unit costs of materials and inflationary pressures. This independently established funding plan recommends that investment of some £141 million is needed annually to maintain the road network in its current condition and to avoid deterioration and wasteful expenditure on reactive patching.

The opening position for investment in structural maintenance was some £56 million of capital and resource in 2016-17, some £38 million of which was made available directly to external contractors. However, additional capital was prioritised by the Executive as part of June monitoring. As a result, and in recognition of the particular deterioration in rural roads, in June, I announced a £10 million rural roads initiative to target maintenance measures at some 1,000 locations on our rural roads. I am pleased to say that work on those schemes is now well under way. The current levels of investment, some £66 million of capital and resource, have to be seen in the light of significant levels of funding in previous years.

Ideally, funding for structural maintenance should be planned and consistent. I recognise the difficulties when that is not the case, particularly for our partners in the construction industry, an industry that has invested in plant and equipment to build the capacity to deliver. I met representatives of the Quarry Products Association (QPA) on 25 July. They raised that very point with me and, in particular, the difficulties that they face with the lack of funding certainty in-year and from year to year. Of course, I also recognise that underinvestment leads to network deterioration and the build-up

of backlogs. As the motion points out, the current maintenance backlog is some £1 billion. That is the sum of money required to bring the whole network up to the industry-accepted level. From discussions with the QPA and my own officials, I appreciate that greater funding certainty early in the financial year would be very beneficial in order to get best value from the resources allocated, in terms of planning and undertaking the work in the most favourable weather conditions.

The ring-fencing of this budget provides further assurance to the industry.

4.00 pm

My Department is a capital-intensive Department with a budget of some £387 million, which is the largest of all the Departments. Although there is a significant case for increased structural maintenance funding, in addition to roads, I have responsibility for a wide range of functions including water, waste water, public transport, flood alleviation and waterways, and I must prioritise finite funding across all the Department's functions, many of which require additional funding from what is available.

Our internal, regional and global connections are essential to the economic recovery of the North and to the spread of this recovery across the region as a whole. For example, the A6 and A5 schemes are vital to the economic development of the west and north-west and vital to our efforts to support the development of a more efficient supply chain across the North of Ireland. Unfortunately, there are not sufficient resources to fund all these activities together with other Executive priorities. Therefore, a balance must be struck in the allocation of capital between maintaining existing assets and investing in the new.

In recent years, as a consequence of how structural maintenance funding can be utilised at relatively short notice, the Executive have adopted a policy of using the in-year monitoring process to reallocate capital funding to ensure that it benefits the region and is not lost to the block. Although not ideal, such in-year additions are still of obvious benefit, and I will continue to press for such funding should it become available to me.

The future capital funding envelope for the region is currently unclear, particularly with the outcome of the EU referendum. As you all will be aware, the North has benefited greatly from EU funding, and the Executive will be working

with the British Government to ensure that the impact of Brexit on our capital funding is not detrimental. I am also working with my Executive colleague the Finance Minister to explore new and innovative ways to cover any EU funding gaps and attract additional investment. Looking forward to Budget 2016, I will, of course, be working with Executive colleagues to achieve the best outcome for my Department and putting forward the points raised today to support my case.

I will now turn to Members' comments. Apart from in speeches from Alex Easton and Fra McCann, there was absolutely no mention of the wider political and economic climate in which the Executive are now operating. I find it hugely surprising and disappointing that we are discussing the Department's ability to invest adequately in our roads infrastructure without a single reference to Tory austerity and to the tens of millions of pounds that have been stripped out of our block grant. Moreover, our ability to ever tackle the £1 billion backlog in roads maintenance has been dealt a serious blow once again by Tories seeking to drag us out of Europe and cutting the cord to vital European infrastructure funding.

Jenny Palmer mentioned the figure of £50-odd million. In fact, Ms Palmer will no doubt be shocked to know that the figure from early scoping is anywhere between £300 million and £400 million of infrastructure funding alone. That is what we are set to lose. To discuss today's motion without any reference to this sort of environment is folly and short-sighted. I did not hear any answers on where we will go, and the proposers of the motion and, indeed, the amendment have to consider that.

Gerry Mullan attempted to draw a line between road deaths and road maintenance. That is unfortunate. Ninety-five per cent or more of all road deaths are due to human error, not roads maintenance. I do not think that it is helpful to blur the line in that regard.

Kellie Armstrong said that we should consider not building all our new roads. Perhaps you mean the Ballynahinch bypass in your constituency, Kellie, or any of the new roads that we are looking set to build in Strangford, or do you mean just those in the west of the region? We have to talk about this. Transparency was needed today, and we did not get it.

The SDLP also talked about revenue-raising issues and said that we need to look at revenue raising. Any ideas would be gratefully received,

and I am happy to discuss them but, as usual, none came forward.

Jenny Palmer also raised, as did Danny himself, how Danny Kennedy, as a former Minister, was starved of funds. One only has to look at Danny's budgets during the year to see that this simply is not the case. In 2013-14 alone, £130 million was spent on structural maintenance, £61 million of which came through in-year monitoring. You were either starved of funds in-year or you were not. Sixty-one million pounds is more than what we started off this year with, so it does not sound to me as if Danny was starved of funds. It is time to dispel that myth once and for all. Political choices were made. We heard today about the A8. Perhaps the A8 was a vanity project. I do not know, but maybe that money could have been better spent elsewhere.

The last Member's comment that I want to speak about is that of Paul Girvan. I agree with Paul entirely about the reinstatement of roads and their priority and the need for joined-up government. I am delighted to announce that that is the case in our rural roads initiative; some of our rural roads projects have been held back until NI Water completes various projects. That is the case in my constituency of South Down, and that is what I want to see in all our roads projects going forward.

In conclusion, I trust that the House will be assured of my commitment to supporting the funding of roads structural maintenance and that it is certainly high on my priorities, both this year and looking forward to Budget 2016. Although, at this stage, I cannot provide assurances as to the amount of funding that will be available, I certainly support the provision of a substantial allocation from my Department's baseline that could be ring-fenced to provide greater assurance of provision in the future.

Madam Principal Deputy Speaker: I remind the House that loud conversations should not be taking place on the Benches. We do not expect total silence, but, if exchanges with colleagues cannot be brief and quiet, they should be conducted outside the Chamber.

Ms Armstrong: I thank everyone who spoke on the amendment and the motion. I think that, around the House, there is widespread agreement that we need more infrastructure investment. That should be good news for the Minister to hear, because we all recognise that there is an issue with infrastructure that has been going on for many years. As the Chair of the Infrastructure Committee highlighted, that is a legacy of the Troubles.

This year, we have a £21 million budget reduction, which puts more pressure on departmental budgets. As we know, reactive expenditure is ten times more expensive than planned maintenance. Declan McAleer highlighted that this is an important debate — one of the most important debates that we have — that affects most of our constituents across Northern Ireland. Jenny Palmer talked about the underinvestment. George Robinson also talked about the underinvestment and asked us where we would get the money from. I provided a suggestion and asked whether we should spend money on new things now when we should be looking after what we have, because —

Mr Hazzard: Will the Member give way?

Ms Armstrong: I will, yes.

Mr Hazzard: I accept the Member's point, but, for transparency, would she like to name some of the projects that she thinks we should not move forward with?

Ms Armstrong: I stated —

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

Ms Armstrong: Thank you. During my presentation earlier, I stated that I would like to see everything being bought and that I would like to see new roads. I just do not think, as a mother and a housekeeper, that this is the right time to be spending money that we do not have. I do think that our roads need to be repaired and be put forward in a safe way so that our constituents and people in Northern Ireland can drive about safely.

An important point was made by Paul Girvan when he talked about the reinstatement of roads. I have seen so many roads across Northern Ireland that have a line up the middle, where a utility company has been, and that have not been repaired. The more driving that happens, the more the road disintegrates, and those roads are not being repaired. We need to think about vehicle claims and reinstatement costs.

A strategic maintenance plan would consider all those types of innovations. It would allow the Department to look, as the Minister said, at what else is potentially out there, at who else we can work with and where else we can get money from to deal with the backlog. As I said, the backlog will not be dealt with in this

mandate, but over many years, and we need a strategic plan in place. I can understand when people talk about ring-fencing an amount of money. I worked with the former Department for Regional Development, many years before, when ring-fencing was talked about on many occasions. On many occasions, when the Budget came forward, the ring fence was done away with and whatever was left was available. Unless they are absolutely guaranteed, ring-fenced moneys will not be there. However, as someone who is used to presenting business cases, I know that if you have a presented argument that has been costed out and you have really thought about and rationalised why it is there, you have a stronger case. Rather than us just ring-fencing, a strategic plan that considers all the opportunities and innovations that we need is something that Northern Ireland would appreciate. In the amendment, I asked for that to be published so that our constituents can see for themselves where the priorities will be, when their roads will potentially be fixed and when we can have a better Northern Ireland for travelling around.

Mr McPhillips: I thank each and every Member who has contributed to the debate. As the SDLP MLA for Fermanagh and South Tyrone, I welcome the opportunity to discuss the state of roads and the roads network in my constituency and across the North, which has been the subject of decades of neglect with little service improvement.

Before dealing specifically with Fermanagh and South Tyrone, I acknowledge that the road maintenance budget deficit sits at around £1 billion. That is astronomical. That £1 billion would bring our roads only up to the requisite standard; it is not what it would cost to have excellent roads.

In the past month, we have learned that the Department for Infrastructure's budget going forward will be cut by 9%. I can only imagine that rural constituencies such as mine will be the first to fall foul of the budgetary decrease. I call on the Minister — I am glad to see he is here to respond to the debate — to outline the nature of the cuts and how they will impact on the road maintenance budget, especially in the west.

As my colleague Mr Mullan highlighted, the road maintenance budget has faced years of underfunding. It has been estimated that it would take in the region of £137 million to £141 million a year to maintain the current state of our roads network. Last year, we all felt the brunt of this as a budget cut of £22 million

resulted in grass verges not being cut, street lamps not being repaired and cutbacks to essential road repair programmes. That has all had a devastating impact across the North. It does not inspire much confidence, and that is why the SDLP brought the motion to the House.

When you look across my constituency, you see that public transport is not at a level that is required. We have no railway service, and buses do not serve many of our rural communities — at least not on a consistent enough basis. The people of Fermanagh and South Tyrone are heavily reliant on their personal transport for getting to work and for accessing health and hospital services, education facilities, banks and post offices. Access to those services can be a big challenge, and it is vital that these communities, many of which are rural, have a properly maintained road infrastructure.

The reality is that the people in Fermanagh are sick and tired of the state of our roads and the road network. They simply do not believe that they get a fair slice of the cake from Stormont and that Fermanagh, especially rural areas, gets the attention and funding it truly deserves. If we look across the whole western division, which includes Fermanagh and goes right up to Derry and mid-Ulster, we see that the road maintenance budget has depreciated from £35 million in 2011-12 to £18 million in the last financial year. That severely impacts not only the current state of the roads but any road improvement initiatives.

Every single week, I receive complaints from constituents about cars hitting potholes and other road defects from places like Belcoo, Garrison, Derrygonnelly, Lisnaskea, Rosslea and Newtownbutler. We have to ask ourselves this: why have the Fermanagh roads got into such a terrible state? In January this year, following extensive flooding in the area, £600,000 was promised for road improvement schemes in Wattlebridge, Newtownbutler —

Mr Lynch: Will the Member give way?

Mr McPhillips: No, I have too much to say, Mr Lynch. I do not have time at this point.

Improvements were also promised for Derrylin Road, Lisnaskea, Smith's Strand, Lisnaskea and Inishmore Road, Lisbellaw. We are now almost nine months on, and I have yet to see any improvement in those roads for the people who are dependent on them and use them daily. Many families in and around the Boho area were marooned last winter for weeks on

end and had to make detours of up to 20 miles to get children to school.

As I said, flooding is a major concern in Fermanagh and has cut off roads, which are the lifeline to many of these rural communities. What assurances can the Minister give those families and the many others around Lisnaskea and Newtownbutler and in townlands like Inishroosk, Kilmore Quay, Derrylin, Derrylea and Newtownbutler that his Department will have prevention measures in place sooner rather than later? In 2016, families should not have to endure such problems in everyday life.

To conclude my remarks on this section, I think it is important that the Assembly invests properly in road maintenance, as it impacts on the everyday life of the people who elect us, none more than the people of Fermanagh. A ring-fenced allocation will allow for more strategic planning and a more managed approach, which will hopefully see our roads brought to an excellent standard.

Turning now to a summary of some of the points Members made, Kellie Armstrong moved the amendment, made the case for a long-term strategic investment plan and highlighted the need for more capital funding to undertake it. She questioned whether all the flagship projects should be completed at the same time.

William Humphrey mentioned the security threat due to terrorism over the years as a contributing factor.

Declan McAleer mentioned —

4.15 pm

Ms Dillon: Will the Member give way?

Mr McPhillips: I have too much to say; I do not have time.

— his constituency of West Tyrone. He stated that the west had been neglected for years in the road maintenance budget. I certainly agree with him and support everything that he said.

Paul Girvan mentioned joined-up thinking and forward planning between the utility companies. Nobody could disagree with that either.

Throughout the debate, the one question that seemed to be asked time and again — it was asked by Declan McAleer to begin with — was where the money would come from. It was curious that he said that, essentially, with Brexit and further budget cuts, there was a lot less

money, not more. His comments showed a paucity of ambition, a failure of imagination and an inability to think outside the box or to make a paradigm shift. That is what is needed: ambition, imagination and a paradigm shift.

Here are some of the big answers for Mr McAleer and others who asked where the money is to be found. First, we suggest that the First Minister and deputy First Minister do not employ a spin doctor. However, given Mr McAleer's utter failure to think boldly, Sinn Féin and the DUP will need a lot of spin. Secondly, do not spend £80 million through the social investment fund when there are better, more effective and better value-for-money neighbourhood renewal schemes that the money could be spent on. Thirdly, do not allow the DUP to continue to strangle North/South work. The scale of what could be done on infrastructure planning, health, procurement and so much more is enormous. It would not only make money go further on the island but deliver better public services for the people of Ireland. Fourthly, the motion is about the Assembly creating a position of strength on the issue of spend on roads around the Programme for Government and Budget negotiations. However, Mr McAleer and others are already saying that there is no money, selling the pass before the negotiations have ended. What a weak place to be, but it was ever thus. All the big new roads — Carrick to Jordanstown, Ballymoney to Ballymena and Larne to Ballynure — are in the east, while not a foot of the A5 or the A6 has been started or even opened. Talk about getting your eye wiped.

I ask the House to support our motion.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly is concerned that the road structural maintenance budget deficit is currently estimated to be £1 billion; notes the importance of road maintenance to road safety, especially in rural areas; further notes that it is estimated that over £137 million per annum is needed to adequately maintain, in its current state, the structural integrity of Northern Ireland's road network; and calls on the Minister for Infrastructure to develop and publish a costed strategic plan for road maintenance and repair that will be included as part of the Department for Infrastructure's ongoing work

programme from 2017-18 until the end of the mandate.

Madam Principal Deputy Speaker: I invite Members to take their ease while we change the top Table.

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

Motion made:

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

Adjournment

Health Service Provision: North Antrim

Mr Deputy Speaker (Mr McGlone): In conjunction with the Business Committee, I have given leave to Mr Mervyn Storey to raise the matter of the future of the health service in North Antrim. The proposer of the topic will have 15 minutes. All other Members who wish to speak will have four minutes.

Mr Storey: First, I apologise to the House and the Minister for not being present for question 13 to the Justice Minister.

I welcome the opportunity early in the mandate to raise issues of concern and also to place on record my appreciation for the provision of health services in my North Antrim constituency.

I am well aware of the timing of this particular debate. We may soon have a public debate and discussion around the findings and recommendations of the Bengoa panel, so I recognise that that may limit what I had hoped the Minister would say, but I see that she is not present. We will therefore have to talk to ourselves and hope that the Minister finds time to read the Hansard report of the comments that we make.

I am also aware of the comments that were made by Professor Bengoa when he was appointed earlier this year. He said:

"Over the last 40 years, there had been a focus in health on planning around structures instead of planning around patient needs and outcomes."

Members will therefore not be surprised that I want to refer to structures in the provision of

healthcare in North Antrim. Some are pivotal to and some essential for the continued delivery of health provision in North Antrim.

At the outset, I pay tribute to those who work in the health service and provide for us, day and daily, a service that we ought to be proud of. We see how well the Opposition parties are arrayed this evening. I have lost count of how many of them there are here. It is always easy for them to be critical. It is always easy to find the point at which you will criticise something, but it is a lot more difficult to give credit when things go well. I say to the almost 12,000 staff who work in the Northern Trust area a word of thanks and appreciation. The trust provides services to a population of some 436,000 from a budget of some £600 million.

I welcome the Minister to the House. She will now not have to read in Hansard my earlier comments. She will not be surprised to hear that, in the time that I have, I want to concentrate on the Causeway locality in particular. Members will know that there are now four localities in the Northern Trust area since its reorganisation. Again, I pay tribute to those who have helped in the turnaround of the Northern Trust. Some time ago, there were concerns about its future existence. Indeed, there was talk about it maybe being merged with or taken over by the Western Trust. However, I believe that we now have a degree of stability. I pay tribute to those who have worked hard over the past number of months on that particular issue. I will concentrate on a number of elements key to the delivery of healthcare. My constituency colleagues will refer to other elements of the provision in North Antrim when they make their contributions.

Let me turn to the Causeway Hospital. North Antrim is unique in many ways. It is unique in the fact that it does not have an acute hospital within its parliamentary boundary. We are served by two acute hospitals: one in East Londonderry and the other in South Antrim. I well remember having had opportunity in my previous job and as a patient and parent to access what was the Route Hospital. Of course, it, along with the Mary Ranken Maternity Hospital in Coleraine, became the new Causeway Hospital. In our area, we have bought into the provision at the Causeway Hospital. I welcomed the fact that, back in 2011, there was a commitment from the then Health Minister to ensure that the Causeway Hospital: "is here to stay." I trust that that will continue to be the case. Of course, we had all the naysayers who spread, I have to say, very dangerous comments that it would close.

We have to be cautious when people use a platform only for political purposes when there is no substance to what is being said. That causes fear, concern and anxiety, first, to the patients who are served by the hospital, and, secondly, to the staff who work there.

I want to pay tribute to the Causeway support group, which I have worked with on many occasions over the last number of months. People like Dr Owen Finnegan and others in that group make an invaluable and informed contribution to the future of the service at the Causeway Hospital.

I want to drill down into some details in relation to the Causeway Hospital. The over-65s account for 30% of our population, the highest of any of the trusts. We need to recognise that that is a particular challenge. As someone who is now heading towards that age, I am always careful to ensure that I declare an interest. The trust does acknowledge that there is a challenge in the age profile of its area.

The other important figure is that 70% of inpatient beds at the Causeway Hospital are from the over-65s category. That focuses on and creates a challenge for the delivery of services. The over-75 population is expected to grow by 32% between 2012 and 2021. The Causeway Coast and Glens has the highest projected rise in over-75s in the health service area, and the Causeway will have the fastest-growing elderly population in the region over the next 10 years.

As someone whose father spent most of last year in the Causeway Hospital, apart from a few months in the Royal Victoria, I know all too well the care and attention that is given by the staff in that hospital. I have no doubt that but for their care and attention my father's health today would be severely limited.

A&E is pivotal to the delivery of the service at the Causeway. Year on year, we have seen a rise of 2% to 4% in A&E attendance. However, attendance by the over-75s has grown by 4% to 6%. Again, that is an issue that needs to be taken into account. Elective admissions grew by 3% in 2014-15 and by 7% in 2015-16. That clearly demonstrates the need for the retention of services, particularly those focused on delivering for our senior citizens and A&E.

We need to tie that in with a comment by the Causeway support group in one of its publications recently:

"Causeway has an excellent, internationally recognised chronic pain clinic, which

remains under resourced, but has the potential to become a regional Centre of Excellence".

With an increasingly elderly population, there are the associated challenges that that brings.

That brings us to ensuring that the Causeway Hospital is given its place in regional services. I said just prior to the Minister coming into the Chamber that she will shortly be in receipt, if she is not already, of the Bengoa report. There will be talk of regional services. What we want to see at the Causeway, and what I want to see, is building upon the expertise that we do have, particularly around chronic pain and other services.

In recent days we had negative comment.

It would be remiss of me if I did not say this, and I say it with all my sympathy to those families who, unfortunately, could not concur with my comments on the service that they believe was not provided when there were particular problems and issues that led to very sad circumstances, which have been highlighted recently in the media. I am referring, of course, to obstetrics. There are some 1,500 deliveries per annum in the Causeway, and there is a continual need for a consultant-led unit. Obviously, in view of the geographic isolation, it is a concern that that will be replaced by a midwife-based service. There is also a reasonable argument for the Causeway to be a major obstetric centre for the trust in view of the proximity of the Antrim Area Hospital to Belfast. I say that in recognition also of the concerns that have been raised even recently. I want to place on record the issue in regard to the continuance of the hospital. I think that the services that underpin it are vital. I want to ensure that we make progress in providing for our over-65s, our over-75s and the ever-increasing population in that part of the world.

4.30 pm

Let me turn to Dalriada Hospital in the northern part of the Northern Trust area and of the North Antrim constituency. The previous Minister and others are well aware of the campaign that took place when there was a proposal to close Dalriada. The people in Ballycastle and the glens do feel a particular challenge in relation to isolation and distance, given that they gravitate towards Antrim Area Hospital or the Causeway Hospital. I lay on record our appreciation of the trust's commitment to the Dalriada pathfinder model. I believe that that is giving us an

example of what can be done in terms of provision. I will leave that point there because I am well aware that my time is fast moving on.

I want to move to the Robinson Hospital in Ballymoney, which is a unique jewel in the Northern Trust's crown, given its history and the contribution that Samuel Robinson made, and which his trust continues to make, to health provision. I would appreciate it if the Minister could give us an update on where we are at with the proposed capital build at the Robinson Hospital. It plays a very important part. I pay tribute to the GPs in the health centre who work in conjunction with the Robinson Hospital. I believe that that particular community provision is an example of how community hospitals should be at the centre of our community and could help to alleviate the pressures at the Causeway, which they do.

Obviously, health is very multifaceted and there are many elements to it, not least the fact that the issue of residential care is a particular challenge for the trusts. I want to make reference to the Roddens residential home. There has been a concern for some considerable time that there have been no admissions from the Robinson Hospital, despite requests having been made and despite circumstances where I believe people could have been admitted to the Roddens but were not. I ask the Minister to look at this issue, because it is unacceptable that people and families in my constituency have to travel long distances to get residential care.

I would appreciate it if the Minister could give us an update on the renal dialysis unit, which I have been campaigning for since I was elected to the House in 2003. We believe that the business case has now been completed and that progress is being made. Maybe the Minister will be able to tell us when that can be delivered in the Causeway Hospital.

I conclude by saying that these are only a small element of the provision of health in the North Antrim area, but they are key component parts, which I trust will continue to be delivered and built upon in the future.

Mr McGuigan: Ar an chéad dul síos, is féidir liom a rá gur onóir dom bheith ag labhairt den chéad uair sa Tionól ar an ábhar seo agus is pribhléid dom bheith ag obair ar son na ndaoine in Aontroim Thuaidh. It has been a while — 10 years in fact — since I last spoke in the Chamber. So, at the beginning of my contribution today I want to reiterate that it is a great honour and privilege to be allowed to represent the citizens of North Antrim and,

along with my Sinn Féin team, I hope to do it well. Whether you live in Carey glen or Glenravel glen, Ballintoy or Ballybogy, Dunloy or Dervock, Cloney or Clogh, Ballycastle or Broughshane and everywhere in between, my office door will be open.

I want to thank my old sparring partner from our days in Ballymoney Borough Council, Mervyn Storey, for bringing this debate to the House. I am delighted to be reunited with Mervyn and look forward to working constructively with him and all the North Antrim Members on behalf of the people we serve.

The future of healthcare provision in North Antrim is one of the important issues for citizens there, probably the most important issue. Nobody could underestimate the challenges that this brings for the Minister, the Northern Health and Social Care Trust and all healthcare providers, and I am delighted that the Minister is here for this contribution.

Before continuing, I also want to thank those who work in the healthcare profession for their selfless service and excellent care. In my new role, I hope to work positively with the management of the Northern Health and Social Care Trust and staff to ensure that the health and well-being needs of all my constituents are met.

In my three short weeks in this role, I have already received representations from a number of constituents covering waiting times for referrals and other specific treatment issues. I am acutely aware of the current pressures facing citizens requiring treatment and, in turn, the onus that this puts on the health service and on health service staff.

I welcomed the words of the Minister in the Chamber last week during another health related debate when she said:

"I wish to reiterate that tackling excessive waiting times is high on my agenda for delivering improvements in the health service. I want to assure patients and their families again that long waiting times are completely unacceptable to me and I that understand the worry and stress that people feel when they are waiting to hear when they will be seen." - [Official Report (Hansard), 13 September 2016, p42, col 1]

Who could not agree with that?

North Antrim is a largely rural constituency covering a large geographical area, including Rathlin Island. This, in itself, throws up

challenges including travelling time, access to services, emergency response times and much more. Ambulance response times are a genuine concern in life-threatening situations for people living in the glens and in other remote geographical locations in North Antrim and need careful consideration in any future plans for the health service.

As has been said already, constituents in North Antrim, are served by two acute hospitals — the Causeway in Coleraine and Antrim Area Hospital. They are also served by two community hospitals — the Robinson in Ballymoney and the Dalriada in Ballycastle.

My colleague had twice as long to speak, so he could afford to go into twice as much detail. I support, and have been on record as supporting, the efforts to protect and build on all these local facilities and I will continue to make the case for equality and access for the people of North Antrim.

I know that the Health Minister is studying the report on the future of health services, led by Professor Bengoa, and I look forward to hearing the Minister's views on how we, as a society, can secure and improve health service delivery across the full spectrum of health provision. That approach will require careful nourishment by her securing and building on the strengths in her current provision.

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

Mr McGuigan: OK. We can deliver better outcomes for the people and ensure that our health service works for the people and makes our lives better. This is a difficult task given the finite budget and will require parties across the House to continue to achieve this.

Mr Deputy Speaker (Mr McGlone): The Member's time is up. I remind Members that they have four minutes.

Mr Swann: I thank and congratulate my constituency colleague Mervyn Storey in bringing this debate to the House. It is unfortunate that the timing means that we are on the wrong side of the publication of the Bengoa report. It was actually meant to be in front of the Health Committee last week. Possibly, if the report had been published, this debate might have been slightly more —

Mr Storey: Will the Member give way?

Mr Swann: Certainly.

Mr Storey: The Member may be aware that the panel, particularly Professor Bengoa, visited the Causeway and I believe that was a very valuable visit. I trust that that, at least, gave some input to his thinking and on what the recommendations may or may not say.

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

Mr Swann: Thank you very much. I know that the Member started off with a detailed brief on the Causeway, but one of the things we have seen from every health review that has come about, or has been proposed, is actually on the provision of facilities.

When Mr Storey was finishing up, he touched on the Roddens and Pinewood, the two statutory care homes that are still left in the constituency. I think every Member who has represented North Antrim has made representation and presentation about the continuation and support of those two facilities and also about allowing a permanent admissions policy — not just the security and certainty of those homes as facilities, but security and provision for the people who are trying to get into them and who are currently in them, and also the staff who are working in them. There have been proposals in the past by the trust to facilitate Pinewood or move it in a different direction, so it is really about getting an update from the Minister on how that ties in with the trust's thinking, if it is there in Bengoa and if it is something that we should still be looking at.

With regard to Dalriada, an excellent campaign was raised and fought by the community there to retain it, and not just as a facility or the provision of the step-down beds, which were essential and are still crucial for the Robinson and the Causeway to continue. It is also about the MS respite provision that is present in Dalriada. The former Sinn Féin Member for North Antrim, like all of us, was very vocal about Dalriada, the Roddens and Pinewood, to make sure that that permanent provision was still there, especially when it covers the north coast area. It is not just about the glens, because the MS respite provision goes across into East Londonderry as well. I would like reassurance from the Minister that Bengoa is not going to start and raise the heads of the problems that the potential closure of Pinewood, the potential closure of the Roddens or the potential closure of Dalriada or some of its provision may bring about.

When we talked at that stage about the future of Dalriada as a step-down facility, one of the

things that became apparent when it was debated a number of times in the House was care provision, home support and home care packages. From the level of work going through my constituency office, there seems to be a greater demand for care packages and a difficulty in providing them, whether that is through the statutory service or private providers. I am working with a number of families who would like to get a loved one home, but the care package is not there. It is that family's pride and dignity, I suppose, because they do not want their relative to be referred to as, or considered to be, a bed-blocker. While that facility is not there to bring them to their own home where they can look after them with additional support, it puts the pressure on them and on the facilities themselves.

I know that I only have four minutes, but Rathlin was mentioned. With regard to Bengoa and the increased pressures that are falling on the Northern Trust and the health service, I want reassurance from the Minister that the full-time nursing provision is going to be maintained on Rathlin, and that there is no threat to it either through Bengoa or any reduction in the health service.

I will finish by asking the Minister to have a word with the chief executive of the Northern Trust, Tony Stevens, to see whether he might actually respond to some of my correspondence — that would be quite helpful, as well.

Mr Frew: I support my colleague Mervyn Storey in bringing this to the Assembly. Mervyn has been campaigning for many years for a decent and better health service for the people of North Antrim, and I commend him for that and for bringing this debate to highlight the issue to the Minister. Also, I am glad that the Minister is able to make it here for this Adjournment debate.

Looking back on the history of the constituency of North Antrim and its health service, all of us will recognise that, when we meet with the hierarchs of the service and quiz them about the historical linkage and hospital sites, every one of them will mention that they now feel that the Antrim Area Hospital was built in the wrong place. That is nothing against Antrim — certainly not — but it could well have saved an acute hospital. It may well have saved money, better provisions and fewer buildings in North Antrim and, in fact, in the whole of Northern Ireland. So, decisions that are taken now will echo for decades in any given area of Northern Ireland. That is why it is very important that,

when we make decisions, we make the right ones. We have a real duty of care to worry not just about the here and now but about the next generation coming along and the generation after that, because they will be impacted by the decisions that Ministers in the House today make.

4.45 pm

Mr Lyons: I thank the Member for giving way. He talks about long-term planning. Is it not also important that the Minister continues to invest in preventative measures that can help to save money now and in the future? A number of constituents have contacted me, and I have been in contact with the Minister, on one specific example, which is diabetes education. Diabetes has the potential to be a massive cost to the health service in the future. Is it not important that we educate people and take as many preventative steps as we can to help people now and in the future?

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

Mr Frew: I thank the Member for that contribution. That is a very important point. Whilst the burden will be on the health service and the Health Minister, it will be a burden for us all, because, ultimately, we will all pay for it through our pockets or our health. We will all be burdened and will rely on the health service to get us out of the mess if we can. It is a very important point, but it is very hard.

Civil Service land talks about preventative spend. It is a great phrase, but nobody knows what it means, what it costs or how much we pay now to get results in the future. It is very hard to justify that on a balance sheet or in a budget line. That is where any Minister has to be brave and say, "Here is what we feel. If we have preventative spend now and educate the public in it, this is what we will save long term". It is not only in pennies and pounds; it is in health. If there is anywhere that that can be done, it is in the health service. Our health and the health service have the potential to bust us and to bankrupt any nation state, especially in the civilised world. So, it is something that needs to be looked at.

As someone who goes through North Antrim hospitals and meets nurses and doctors who work there, I see the real value in all the hospitals. There are nearly too many to mention. I am nearly scared to mention them in case the Minister thinks that there are too many and we should start to close some. They all

provide specific services for needs. The pathfinder programme in Dalriada typifies what the community can add to all this. There you had a facility under threat; the community got together with all the elected representatives, and we worked through plans and progress as to what could happen. I believe that that is something that the Minister can look at, pick up on and run with. That could be a pilot scheme that could be washed out throughout the whole of Northern Ireland. It would not be specific, but you could change it and use it in general right across the country. That is something that people will really value. People want a piece of the health service. They want to feel valued by it, so that when they need it, it will be there and they will be reassured by it.

One thing that I will raise in my short time is the need for intermediate beds in Ballymena. We do not have any, and it is something that we should look towards. It is not easy, and we do not want to work in patchworks, but the fact that the major town of Ballymena has no intermediate beds really needs to be looked at.

Mr Logan: I thank my colleague Mr Storey for bringing the debate to the House today. Leaving Northern Ireland aside, we are very fortunate in North Antrim to have an excellent health and care system. Mr McGuigan picked up on some of the issues coming through his constituency office, and, even at this early stage, I have the same. So, we are well aware. I welcome the fact that the Minister said last week at Question Time that waiting lists are not defensible. I welcome that, but, leaving that aside because that is an issue all over, when people get to the other end of that waiting list, the service that they receive is first class. The service that they receive from our GPs and front-line service people is first class.

We have been very fortunate in the past year in North Antrim, and particularly in Ballymena, to have had significant investment in healthcare facilities — needful but significant. Ballymena has gained a state-of-the-art centre, which was officially opened by the then Health Minister, Simon Hamilton, on 18 February. Ballymena Health and Care Centre is the largest healthcare facility of its kind to date in Northern Ireland.

Mr Wells said it was something he would have loved to see created 20 times more over Northern Ireland in his time as Health Minister. We are, of course, leading the way on that. I pay tribute to some of our councillors for lobbying for that healthcare centre for many years. We are delighted to see that it boasts six GP practices, locally accessible acute,

primary and community care services, a mental health consultation wing, a separate children's wing and dental services. The building provides a hub for healthcare in the local area. It allows primary care, mental health and other teams to be co-located, which makes healthcare as a whole more efficient.

There is also a new ambulance station in Ballymena. That is the new north sector division headquarters, consolidating the activities from Coleraine into Ballymena. That was done to streamline administration, provide training and make it all more efficient. It provides accommodation for around 58 staff, and up to 12 vehicles can be garaged there to make sure they are viable for the long-term.

I was very pleased to see in July this year that at a meeting of Mid and East Antrim Borough Council's planning committee it was decided that the First Presbyterian church in Ahoghill, my home village, is to be transformed into a new medical centre catering for around 5,000 patients. There will be minimal change to the historic building, which dates back to 1858 — I think maybe Mr Storey remembers it being built — but it will be a very useful, modern healthcare facility that will serve the local community.

These moves forward for healthcare in North Antrim are great, but we cannot be complacent. There is still much to do and, like a good Presbyterian, I have a three-point sermon prepared that I will get on to very quickly. We need to invest in people, invest in the system and invest in the future.

We need the Assembly to invest in our people employed in the healthcare centres. I recognise that the contribution made by staff in the NHS is invaluable to the functioning of Northern Ireland's health service. I also know of the pressures facing the profession, especially around staff numbers.

We need the Assembly to invest in the system of our healthcare. By investing in health infrastructure — something the DUP would like to achieve — we have already seen some of those benefits within Ballymena. A digitalised system would be fantastic for the rest of Northern Ireland. We also have to have a continued strategy across all Departments to tackle health inequalities, which is one of the indicators in the Programme for Government.

Finally, we need the Assembly to invest in the future of our healthcare by investing in a health service that is fit for the 21st century. That

means more innovation. We need to move towards —

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

Mr Logan: — a digitalised healthcare system with electronic healthcare records for Northern Ireland. E-health has already helped to revolutionise the delivery of health and social care for patients. To finish —

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

Mr Logan: Thanks for the opportunity to bring this.

Mr Allister: To distil the health needs and issues of North Antrim into four minutes is probably impossible. I think if there is one core issue of concern as we go forward, particularly as we await the Bengoa panel, it is to underwrite and underscore the necessity of maintaining the acute facilities of the Causeway Hospital. Without them, there is such a gap in provision for the whole northern part of North Antrim that it is unthinkable. The Minister's predecessor made this commitment in the House. He committed to retaining Causeway Hospital as a small acute hospital and said that:

"The model for services ... will be based around an acute hospital in Coleraine, with an emergency Department, supporting clinical services". — [Official Report (Hansard), 21 April 2015, p82, col 1].

My first question to the Minister is this: can she reaffirm that commitment? With or without the Bengoa panel report, is there a commitment to maintain that? It is vital to the services afforded to the people in North Antrim.

Equally, we need to maintain the maternity unit there on a consultant-led basis. That is the ideal, and it must be maintained. Mr Storey refers to people raising rumours and attacks. Of course, the primary individual with profile who raised a rumour 18 months ago about the future of the Causeway was his MP, so I am a little surprised that, in this debate, he has been attacking him in that regard. However, there is concern in the context of the Bengoa report, in which the whole ethos, we are told, is about moving towards more community care, yet many of us cannot see it in our communities. We do not see the advance of community care. What we hear about from many of our constituents is a contraction, not an expansion,

of community care. There is less time, not more, for individuals in their own homes.

We have the dichotomy of a protestation that everything looks rosy: by moving forward and intensifying community care, we can have fewer acute hospitals; but the reality that we see in our constituency is very different. Hence the necessity to underscore and commit irreversibly to the retention of the Causeway Hospital and the other facilities.

We saw the attempts — the crass attempts — to undo the provision in Ballycastle's in the Dal. Thankfully, that was derailed, but the mentality that induced that situation still, I fear, exists in many of the management structures of the Northern Trust and elsewhere.

We have seen successive Ministers, not just this one but her DUP predecessors, refuse to take the fundamental liberating step for the statutory nursing homes of removing the shackles and allowing admissions, underscoring for many of us again the agenda to try to run down those homes. You cannot say, "I am committed to a statutory home and see a future for it", if, at the same time, you deny it the lifeblood of admissions. By failing to take that fundamental step, Ministers from both parties have failed in that fundamental task of securing the future of those homes

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

Mr Allister: I hope that this debate will be timely. I hope that it will not be overcome by disappointing news when the Bengoa panel reports.

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

Mr Allister: In this debate, we are laying down markers for what is needed.

Mr Durkan: The debate takes place in the context that we still await the publication of the Bengoa report. Mr Swann lamented the fact that we had not seen it yet. He thought that the debate might have been secured in anticipation that we would have seen it. I take a contrary view: I think that this might be a case of Mr Storey and, subsequently, the rest of the MLAs from the constituency getting their retaliation in first.

The debate underlines the importance of the Minister releasing the Bengoa report as quickly as possible. I do not ask the Minister to rush it,

and I do not think that anyone could accuse her of doing so at this stage. There is a lot to deliberate on, but it is important to get the report out and for the Minister, subsequently or in tandem with that, to reveal her vision for its implementation.

As long as the report is not out in the public domain — as long as we do not know what is in the Bengoa report or what the Minister's reading of it is — there will be a cloud over every element of healthcare, certainly hospital provision, right across the North.

A lot of Members touched on the Bengoa report. Mr Allister's final point about the move to community care and the need to resource it was very important. Transforming Your Care was the road map to a better healthcare system, and I think that everyone in the Chamber agreed with its direction of travel and indeed probably its destination. The sad reality is that no one put petrol into the car, and we never got out of the forecourt to move towards reaching that destination. I do not expect the destination outlined in the Bengoa report to be drastically different.

I think what we have learnt, however, is that it is of vast importance to resource that journey.

5.00 pm

It is imperative that we as an Assembly do all that we can to support the Minister in any bids that she makes for her Department to receive additional funding to ease the transition to the system of healthcare that we need in order to be sustainable. That does not mean, "Close all hospitals". Mr Storey made some very good points about what care or types of specialist care can be provided in specific areas. That should be explored, and it is something that will give heart and some solace to the people working in those areas as well. Like I said, I urge the Minister — I do not mean for her to get a move on — to release the report as soon as possible. Otherwise, she could be back here next week answering MLAs from another constituency, and that could go on and on.

Mrs O'Neill (The Minister of Health): I thank the Member for proposing the topic for the Adjournment debate. I have been very impressed by the considered and valuable contributions that everybody made throughout the discussion. I will attempt to address all the points raised, but, if I do not pick up on something, I will be very happy to write to Members to provide confirmation.

Everybody can agree on where we need to go with healthcare, particularly when it comes to the points raised about early intervention, prevention, tackling health inequalities and making sure that we have fit-for-purpose care packages in place. We need to look seriously at social care and at what we are doing on that end of health and social care. We can all agree that we need to invest in people, in our workforce and in the future, and, over the next number of weeks, in response to the Bengoa piece, I will articulate the way in which we do that. I will pick up on some of the particular issues raised about care homes and the renal unit, as well as other points.

I will start, however, by recognising, like others did, the work of the trust and its staff for their service and commitment to the delivery of high-quality health services. Like Mr Storey, who secured today's debate, I pay tribute to the hard-working staff in the hospitals and those delivering health and social care services in the community for their service to the local community and their commitment to delivering high-quality health services.

It is important to set the context for what care the Northern Trust delivers on a day-to-day basis and the environment in which it operates. The Northern Trust area has a population of just under 440,000, which is the largest resident population in the North. In common with the rest of the North, the demand for health and social care in the trust area grows annually by approximately 6%. That includes demographic growth, resulting in a higher number of older people with complex health needs and co-morbidities and in increased referrals.

In 2015-16, the trust had 44,944 people admitted to hospital care and 46,752 day cases. Every year, the trust and partners in the independent sector provide millions of hours of domiciliary care. Despite the scale of the challenges that it faces, the trust is working hard and is focused on the task in hand, which is to deliver high-quality, safe and effective care in the most efficient manner possible. However, we need to accept and acknowledge the very real pressures facing health and social care services right across the North in general terms, although those are obviously also relevant to the Northern Trust. They include a rise in chronic conditions, driven by our ageing population and unhealthy lifestyle habits; an increased demand and over-reliance on hospital services; growing expectations of our population and fast-moving opportunities in technology and medical interventions; workforce challenges; and the ongoing financial challenges.

The Northern Trust has certainly not been immune to the challenges facing the wider system, and it would be foolish to think that there are any simple solutions. However, the trust is already engaged and working with communities to develop and improve the services that it provides for patients. I welcome the positive commentary that some Members made about that ongoing piece of work. The trust used the turnaround and support team to provide a strong foundation for the five-year reform and modernisation programme, which is under way.

The model for services in the Causeway locality has a strong emphasis on integrated, locality-based community services delivered in partnership. It is a model that supports people to live independently, with home as a first choice, and outside the home being in accessible, locality-based facilities.

That model avoids hospitalisation and institutional care, and supports prompt discharge when acute intervention is needed. We should be clear that these are the services that patients need.

The trust has no plans to move away from the two acute hospital site model currently in place. Acute services are delivered from Causeway and Antrim. Those hospitals work collaboratively and network with other acute services, particularly in Belfast and the west.

Local hospitals will continue to play an important role in that network, but, at the same time, we must work to deliver services through a modern efficient network that is well placed to take advantage of the advances in medical science and patient care, which will no doubt continue to be made through the 21st century. Our people deserve no less than that.

Many Members referred to Professor Bengoa's work and the expert panel that set out to look at the current configuration of services regionally and to provide advice on a new delivery model for HSC services. In the immediate future, I intend to bring that work to the Executive, the Health Committee and the House. As part of that work, Professor Bengoa and his colleagues engaged with all the main parties represented here, all of which contributed today, and the case for change and agreeing a vision and set of principles that would underpin reform was set out and agreed.

For us in the Chamber, it is about all of us recognising the need to transform the way in which we deliver health and social care services right across the North. We cannot

keep doing things in the same way and expecting different outcomes. Ultimately, if we continue to do that, it is patients who will suffer. For me, that goes beyond trusts and hospitals: it is about the radical transformation of health and social care. We should be under no illusion whatsoever that it is absolutely necessary to safeguard our HSC for this and future generations.

I received the expert panel's report earlier in the summer and am taking my time to consider fully all its recommendations and implications. As I said, I will publish, in the immediate future, not only the panel's report but my plans for reforming the HSC.

Members mentioned a number of issues. As I said, if I have not picked up on all of them, I will read Hansard and am happy to respond in writing. The renal unit was mentioned and where we are with that. In September 2015, the Department approved the strategic outline case for the expansion of renal services. The proposal is to establish a medical-led satellite unit in the Causeway Hospital, which will provide renal services for up to 50 patients. The estimated capital cost of the project is around £3 million. The Northern Trust is developing the associated outline business case, and, following submission for approval by the Department, the project will be considered alongside other capital projects in the HSC trust's capital priorities.

In relation to the Roddens and residential care homes in North Antrim — Members will be aware of this — following confirmation that Four Seasons Health Care was proposing to close seven of its care homes, my predecessor asked the Health and Social Care Board to halt the review and the current process examining the future role and functions of residential care homes as a precautionary measure. I have now received information from the board on the outcome of the review, and I am considering it along with advice from my officials. I have yet to make a final decision on the future of statutory residential care homes, but I will ensure that the right care services are available for patients. You can be assured that that will remain a priority for me.

Mr Swann: Will the Minister give way?

Mrs O'Neill: Let me just run through the issues.

You raised the issue of Rathlin. As far as I am aware, there is 24-hour, seven days a week nursing cover on Rathlin. If there are particular concerns about Rathlin, I encourage you to

contact me after the debate has concluded, and I am happy to pick that up.

It is so important that we review how we support older people. In the immediate future, I intend to look at a review of social care services and how we support older people. It is not good enough that trusts do not have enough people in-house to provide domiciliary care packages. Trusts are also having real difficulties in recruiting people from the independent sector. During Question Time last week, I talked about some of those challenges. Domiciliary care workers are the lowest paid people in the health service. In the independent sector, they often do not get transport costs, which causes problems and takes their take-home pay even further down. We need to focus on those areas.

I will give way to the Member.

Mr Swann: With the Roddens and Pinewood, the Minister referred to the review of care homes that was started by her predecessor, and she is looking at the recommendations from that review. Is that a stand-alone review that is separate from the Bengoa report, or will it be incorporated into the Bengoa report?

Mrs O'Neill: I wonder about the expectations around the Bengoa report. He is looking at the whole system. You will remember the principles that your party also signed up to. It is about reform and the fact that we have major systems challenges in health and social care. Professor Bengoa is not looking at every individual care home or hospital site, nor is he looking at what should be done in every GP practice. He will be looking at the holistic picture of health and social care and how we need to transform it.

Professor Bengoa is not involved in where we are going with residential care homes. A big body of work has already been done in relation to that. I am considering that report from the board alongside talking to my officials. It is important that we provide clarity as soon as possible to give residents and the people who work in care homes the information that they need.

As I said, I welcome the debate, and I will pick up on any issues that Members feel I have not responded to. The one thing I would say is that transformation and reconfiguration will not be easy. It is going to require difficult decisions, and it is going to require us all to be really serious about delivering better outcomes for individuals. That is what it has to be about. It cannot be about being wedded to buildings. It

has to be about how we, as an Executive, can deliver the best possible outcomes for individuals.

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

Mrs O'Neill: That is what I look forward to debating time and time again, I am quite sure, with all Members. I encourage Members to contact me and talk to me about how they feel we should be transforming health and social care. We have a really good opportunity to get it right, and it is so important that we do so.

Adjourned at 5.11 pm.

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[839]