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Suggested amendments or corrections will be considered by the Editor.

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Northern Ireland Assembly

Monday 20 September 2010

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Committee Business

Student Loans (Amendment) Bill: Extension of Committee Stage

**The Chairperson of the Committee for
Employment and Learning (Mrs D Kelly):** I beg
to move

*That, in accordance with Standing Order 33(4),
the period referred to in Standing Order 33(2)
be extended to 11 November 2010, in relation
to the Committee Stage of the Student Loans
(Amendment) Bill (NIA Bill 22/09).*

The Bill extends the Department for Employment and Learning's regulation-making powers to allow provisions to be made to exclude student loans from individual voluntary arrangements (IVAs), thus ensuring consistency of treatment of student loans, both under bankruptcy and IVAs. At its meeting on 8 September, the Committee agreed that it would be sensible to seek an extension of the Committee Stage of the Bill to allow for a thorough scrutiny of its provisions and to provide a time contingency, should that prove necessary. Members acknowledged that this is an important Bill, and the Committee will work closely with the Department for Employment and Learning and key stakeholders to ensure that it is scrutinised properly.

Question put and agreed to.

Resolved:

*That, in accordance with Standing Order 33(4),
the period referred to in Standing Order 33(2)
be extended to 11 November 2010, in relation
to the Committee Stage of the Student Loans
(Amendment) Bill (NIA Bill 22/09).*

Employment (No. 2) Bill: Extension of Committee Stage

**The Chairperson of the Committee for
Employment and Learning (Mrs D Kelly):** I beg
to move

*That, in accordance with Standing Order 33(4),
the period referred to in Standing Order 33(2) be
extended to 2 December 2010, in relation to the
Committee Stage of the Employment (No. 2) Bill
(NIA Bill 24/09).*

The Bill will reform the existing workplace dispute resolution process and introduce a right to request time to train. At its meeting on 8 September, the Committee agreed that it would be sensible to seek an extension of the Committee Stage of the Bill to allow for thorough scrutiny of its provisions and to provide a time contingency, should that prove necessary. Members acknowledged that it is an important Bill. The Committee has worked closely with the Department for Employment and Learning and key stakeholders over the past two years to bring the Bill to this point.

Question put and agreed to.

Resolved:

*That, in accordance with Standing Order 33(4),
the period referred to in Standing Order 33(2) be
extended to 2 December 2010, in relation to the
Committee Stage of the Employment (No. 2) Bill
(NIA Bill 24/09).*

Welfare of Animals Bill: Extension of Committee Stage

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray):

I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 December 2010, in relation to the Committee Stage of the Welfare of Animals Bill (NIA Bill 28/09).

I seek the approval of the House to extend to 13 December 2010 the Committee Stage of this very important Bill. The Committee has taken the Bill Office's advice on the matter and is content that this is an appropriate extension. Colleagues and I met the Minister to discuss the Bill as recently as last Thursday and have agreed that it is an appropriate extension. Obviously, if the Committee can complete its formal scrutiny of the Bill any sooner, it will. I am aware that our Committee and departmental officials have already met to discuss the logistics of progressing the Bill, and that contact will continue throughout the process. In addition, the Committee undertook formal consultation on the Bill during the summer recess to ensure that its scrutiny will be completed within the period requested and, hopefully, approved by the House.

This is a very important Bill, as it aligns the welfare of non-farmed animals with that of farmed animals. It contains some very contentious clauses that attracted a large number and range of opinions during the public consultation. It is imperative that the Committee and the Department confront those clauses early in the process so that the Committee Stage can be completed in a timely manner and the Bill can continue to progress through the House and receive Royal Assent before the end of the mandate.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 December 2010, in relation to the Committee Stage of the Welfare of Animals Bill (NIA Bill 28/09).

Housing (Amendment) (No. 2) Bill: Extension of Committee Stage

The Chairperson of the Committee for Social Development (Mr Hamilton): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2011, in relation to the Committee Stage of the Housing (Amendment) (No. 2) Bill (NIA Bill 32/09).

The Housing (Amendment) (No. 2) Bill had its Second Stage on 30 June 2010. The Committee for Social Development has sought written evidence and expects to hear from key stakeholder organisations as part of the Committee Stage. The Committee's other legislative commitments have introduced an unavoidable delay to the commencement of formal evidence taking for the Bill.

As a consequence of the Committee's legislative commitments, which currently amount to three simultaneous Committee Stages, a significant extension of the Committee Stage of the Housing (Amendment) (No. 2) Bill is sought. I assure the House that the Committee will endeavour to conclude its work well in advance of the proposed extended deadline of 28 January 2011. I ask the House to support the extension of the Committee Stage of the Housing (Amendment) (No. 2) Bill to that date.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 January 2011, in relation to the Committee Stage of the Housing (Amendment) (No. 2) Bill (NIA Bill 32/09).

Energy Bill: Extension of Committee Stage

The Deputy Chairperson of the Committee for Enterprise, Trade and Investment (Mr Butler): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2010, in relation to the Committee Stage of the Energy Bill [NIA Bill 23/09].

Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee for Enterprise, Trade and Investment, I propose an extension to the Committee Stage of the Energy Bill to 29 November 2010. The Committee is still scrutinising the Bill, and I hope that the Committee Stage will be finalised by that time.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2010, in relation to the Committee Stage of the Energy Bill [NIA Bill 23/09].

Safeguarding Board Bill: Extension of Committee Stage

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 December 2010, in relation to the Committee Stage of the Safeguarding Board Bill [NIA Bill 25/09].

The Safeguarding Board Bill passed its Second Stage on 22 June and, under the 30-day working rule, should complete its Committee Stage by 5 October 2010. However, the Committee has one other Bill at Committee Stage and is heavily involved in the scrutiny of the health budget. The Committee will, therefore, require an extension to the period allocated to consider the Bill.

The extension is requested to 17 December. We hope that we will not require all that time, but with two Bills now in Committee and the potential of a further private Member's Bill, it is prudent to ask for the additional time now.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 December 2010, in relation to the Committee Stage of the Safeguarding Board Bill [NIA Bill 25/09].

Assembly Scrutiny of the Executive's Budget and Expenditure

Mr Speaker: The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 15 minutes to propose and 15 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

The Deputy Chairperson of the Committee for Finance and Personnel (Mr McNarry): I beg to move

That this Assembly approves the second Report of the Committee for Finance and Personnel on its Inquiry into the Role of the Northern Ireland Assembly in Scrutinising the Executive's Budget and Expenditure; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.

The publication of the report and today's debate are timely, given the upcoming Budget 2010 process and the very tight public expenditure outlook that we are now facing.

I will give some background to the inquiry. I should explain that the Committee framed the terms of reference to complement a wider review of the Executive's Budget process. The first inquiry report was published in October 2008, and it contributed to the Department of Finance and Personnel's (DFP) review by identifying potential lessons from the Budget scrutiny process in other legislatures and by co-ordinating the views of the Assembly's Statutory Committees on the strengths and weaknesses of the 2007 Budget process.

The DFP review was initially due to be concluded in late 2008. However, the Committee was not briefed on the eventual review outcome until 12 May 2010, which only then enabled the Committee to proceed with the second inquiry report. Therefore, although the Committee welcomes the majority of the 14 review recommendations, it makes a number of additional and supplementary recommendations that it firmly believes will improve and enhance future Budget processes.

The Committee took evidence on the Department's response to its report at a meeting on 15 September. At the same meeting, the Budget process action plan, which was agreed by the Executive in July, was discussed with a senior departmental official. The departmental

response, together with the Budget process action plan, has since been copied to all Statutory Committees for information.

I will outline some key points from the DFP response and the Executive Budget process action plan and any issues on which the Committee considers further clarification is needed.

A major criticism from the Committee is that the Executive endorsed the action plan on 22 July without having been apprised of the views of the Assembly's Statutory Committees. The Department confirmed in writing that it received a transcript copy of the Committee's report on 2 July, while the Budget process action plan was subsequently issued to Ministers on 5 July. The Committee appreciates the fact that papers need to be issued to Ministers well in advance of Executive meetings. However, I ask the Minister to explain why he did not take steps to ensure that the Committee's recommendations were factored into the Executive's considerations before the action plan was signed off.

12.15 pm

The Committee has called for flexibility to be shown with regard to the deadline of late December for completion of the Budget 2010 process. I must stress that the Assembly needs to be given its place on that issue and that sufficient time must be made available for Committees to properly assess their respective Departments' positions. That is particularly important given that the Budget will cover a four-year period in which resources are likely to be severely constrained. It is imperative that the important role that is carried out by the Assembly, its Members and Committees is not compromised as a result of any delay by the Executive in agreeing the draft Budget for consultation. We need the Minister's commitment on that issue today.

The Minister will be aware that the weight of statutory Committees' opinion was firmly against recommendation 12 of the DFP review, which stated that:

"Assembly Committees should have the lead role in the consultation on the Executive's draft Budget proposals, with responses to the Executive co-ordinated by the Committee for Finance and Personnel."

The Committee agrees with the concerns of other statutory Committees that it is not

appropriate for Assembly Committees to take the lead role in consulting on the Executive's Budget, as they do not have the authority to act on the outcome of that consultation. Now the issue has been challenged and it appears that some confusion surrounds the interpretation of that recommendation.

The Department's response to the concerns that were raised in the Committee's report merely informed the Committee that the recommendation was endorsed by the Executive as part of the Budget process action plan. Additionally, in response to a question on the forthcoming process that was put to him in the House last Monday, the Minister stated that:

"The Committees can examine the particular Budget proposals for their Department and consult with various interested parties during the autumn."
— [Official Report, Vol 55, No 1, p50, col 2].

No reference was made to the Executive in that response. That appears to leave responsibility for consultation on the draft Budget firmly at the feet of statutory Committees.

However, in contrast, last Wednesday, during an evidence session, a senior departmental official told the Committee that the purpose of that recommendation was simply to ensure that the Minister received the views of all Assembly Committees and that there is no intention to circumvent the Executive's formal consultation process. In order to address the confusion, I call on the Minister to clearly and unambiguously set out the position in that regard and to confirm whether the Executive will undertake formal public consultation on the forthcoming draft 2010 Budget.

With regard to recommendation 13, on costings for alternative spending proposals, the Department has stated that there is an expectation that any spending proposal that is put forward by a Committee will already have been discussed in detail with, and costed by, the Department. Of course, the Minister is aware of concerns that have been raised by the Committee on a number of previous occasions with regard to access to information and the level of engagement between Departments and their respective Committees. He knows that the Finance and Personnel Committee does not have any powers to assess or adjudicate on spending proposals from other Committees. Therefore, implementation of that recommendation would require a reformed system of Assembly financial

scrutiny, which, clearly, is something for future consideration. On this issue, I urge the Minister to tidy up where we are at and state whether he is up for reforming the system of scrutiny as a priority.

I turn again to the Budget 2010 process. In its report, the Committee recommended that a regularised annual budgetary review process be established within the four-year period that is covered by the Budget to enable reappraisals of departmental allocations against progress in delivering Programme for Government priorities and savings. The DFP response was that such a review process exists in the form of in-year monitoring. However, that begs the question as to whether the in-year monitoring process is sufficient to enable strategic reappraisals of overall departmental baselines and provide for a sufficient level of Assembly and other stakeholder input.

The DFP response misses the point that in-year monitoring, by definition, is focused primarily on current year expenditure and not on future years' spend. Moreover, I draw attention to the fact that, despite the in-year monitoring process being in place, it was necessary for the Executive, in order to address emerging issues and pressures, to undertake the review of the 2010-11 spending plans, which was, in effect, a mini-Budget. Perhaps the Minister will think again and reflect on the Committee's view on that issue.

A further recommendation in the Committee's report called for the Executive to review the performance and accountability framework for Northern Ireland Departments with the aim of establishing a more transparent and robust system for measuring and monitoring the relationship between public sector inputs, outputs and outcomes. In its response, DFP acknowledged the lack of alignment between the Programme for Government, public service agreement (PSA) targets and Budget allocations, stating that any spending proposals submitted by Departments for Budget 2010 must demonstrate a linkage with one of the PSAs in the Programme for Government.

We ask the Minister to clarify why spending proposals for 2011-15 are being linked to PSAs that expire in the current financial year. Will he tell us what progress is being made in developing a new Programme for Government

and PSAs for 2011-15? Perhaps if he has any doubts about that he will explain them to us today.

I have mentioned that the Committee is supportive of many of the recommendations of the DFP review, and I am sure that the Minister will refer to those, but what cannot be misunderstood is that the Committee expects that the Executive Budget process action plan will be updated to reflect the views of the Assembly, so that an improved Budget process can be established. To us, that is an essential requirement for moving forward.

Speaking personally, I say that it is imperative that we collectively demonstrate leadership capable of connecting with the people, that we fully accept the responsibility for managing our financial affairs, and that we be open in explaining to the public the reasons for spending less where we wish to spend more, that revised priorities will be necessary priorities, and that money will not be wasted. In a nutshell, we cannot afford to be onlookers while our people reel from the full extent of London's austerity measures.

What lies ahead can only be met by our helping to guide people through what is going to hit us all, by essentially and effectively planning to ensure that, when recovery emerges, we here are fit for purpose and ready to facilitate, in both the public and private sectors, the new shoots of growth that we have worked hard, and will work hard, to encourage and produce. I know that that work has commenced, but we need to do it for real, with the accurate assumptions calculated — I believe what we are hearing are accurate assumptions — to face up to 20 October.

We must give all that we can to ensure that not only do we pull our weight in this House and on Committees, but, where we can, we punch above our weight. It is my pleasure to move the report on behalf of the Finance Committee.

Mr Hamilton: I have always believed that a Budget document is the most critical document that any legislature like ours can produce. Over the three-and-a-bit years that I have been here, we have probably spent more time debating Budgets than we have doing anything else. Those debates could be characterised as producing more heat than light at times. However, they indicate the importance that should be granted to Budget debates.

Just as we inherited our first Budget three-and-a-bit years ago, we inherited a Budget process. I think that we inherited some good points from the old process, such as in-year monitoring, although I acknowledge that that is far from perfect. However, on balance, it is worth holding on to a process that, in those three-and-a-bit years since devolution returned, has been able to reallocate over £1 billion from areas where money could not be spent to priority areas. Although it is not capable of doing everything that we want it to do, it is, nonetheless, a useful device to retain.

Just as there were some good points, it was obvious that there were some bad points that needed to be reformed. The report is a response to the Department's review of the Budget process, and I wish to make two points about it. First, I think that everybody welcomes the organisational and aesthetic points about having fewer documents and debates. We all wonder why we sometimes have documents raining down on us that say almost the same thing and why we have debates on successive days in which we are basically discussing the same issues. Secondly, the idea of timetabling the whole Budget process better is to be welcomed, as is that of having early engagement with key stakeholders. I think that everybody agrees with those sorts of organisational improvements.

In the time that I have left to speak, I wish to concentrate on two significant points. The first is a key point about better aligning the Budget with the Programme for Government and PSA targets, should those exist in the future. I echo what Mr McNarry said about that. If we are going into very stringent economic and financial times, it is even more imperative, although it was always important, that the decreasing amount of money and resources that we have to spend is targeted at priority areas. That may mean that money is not spent on weird and wonderful or even on worthy projects that do not align with PSA priorities. However, it is much better that we spend money where the Executive and the Assembly have collectively agreed that it is needed. As we all know, that may mean that not as much money, or no money at all, is spent on certain areas. However, it is much better that the Budget is aligned more directly with the PFG and the priorities that are in it.

My second point is about the need for better interaction between Committees and

Departments. At the Finance Committee and other Committees on which I have sat, I have seen Departments, at times, show an unwillingness to share critical information with their Committees. That has frustrated me, and I know that it frustrates the Minister. It has been seen most starkly during the review of this year's Budget, when seven out of the then 11 Committees came back and said that they were appalled by the lack of the information that their Departments had given to them. We are seeing that again as we prepare for the imminent austerity that Mr McNarry talked about, with certain Ministers playing games with the Budget. When Departments and Ministers do not reveal information, they are not denying me, because it does not matter if I do not see it. However, the Committee, of which my colleagues and I are members, represents the people. We are, therefore, doing the people's work, so to deny the Committee of that information is to deny the people of it and of the Budget that they deserve.

In the long term, the Assembly needs to look at its structure and at the resources that it gives to Committees to analyse the budgets that come from Departments or from the Executive collectively. As our experience enhances and our maturity grows, the job will become much easier for us.

Mr Speaker: I ask the Member to draw his remarks to a close.

Mr Hamilton: I welcome the report.

Mr McLaughlin: Go raibh maith agat. I, too, welcome the debate. Since the restoration of devolution, the key issue for the Committee for Finance and Personnel has been to ensure that the Budget process is timely and transparent.

We have addressed that issue in our inquiry and have, on a number of occasions, pressed respective Finance Ministers on that question.

12.30 pm

We appreciate that the considerable economic pressures in the wider world have a direct impact on departmental projections and on Departments' ability to give up to date information. Nonetheless, the democratic processing of Budget proposals requires that the Assembly be given its place, a point that was made by Mr McNarry in his opening remarks and which I endorse very strongly. It is possible to improve the process if it is

introduced in a more timely fashion. As to whether there is game playing, as Simon Hamilton said, that is one of the inevitable consequences of people working in fairly pressurised circumstances and, perhaps, not being content in their own skin with how they have to deal with such matters.

The system has been operating throughout various periods: direct rule; the first attempt at establishing the Assembly; again under direct rule; and up until restoration. In this, the first full term, we have all been learning on our feet, which is fair enough, as far as it goes. However, the Department's response to the consultation on the Budget process reflects the continuing confusion and ambiguity around Committees taking the lead role. The Minister has made a careful note of Mr McNarry's remarks. However, I want to reiterate that there is a necessity to clarify what that role means, particularly in the context of the duty to carry out wider public consultation. There should be no room for ambiguity, and hopefully the Minister will take the opportunity to set the record straight on that.

There is also an issue around how much information Committees are given and how much ownership and responsibility they are invited to assume. Again, I think that we can improve on that process.

Reference has been made to the role of the quarterly monitoring process and its outcomes. Information on bids, failed bids and the money that is surrendered is made available retrospectively. However, is that a sufficient substitute for an annual Budget process? Such a process could be in the context of a four-year Budget period or could be a stand-alone annual process. That would be decided by the Assembly, and there are merits and demerits in each option. However, at this stage, there does not appear to be willingness from the Department. Perhaps the Minister will clarify whether he sees any opportunity or benefit in what I would describe as the process of giving the Assembly a sense of ownership and identification with the proposals.

The basic system is sound. It can be reformed and improved, and matching expenditure and performance to PSA projections is just common sense. The process has been a learning curve and, therefore, could definitely be improved. However, I do not detect that the Department is listening to the comments and advice that have

been offered in successive debates and in the Finance Committee's reports.

Mr Speaker: The Member's time is up.

Mr McLaughlin: I support the prudent management of the system. However, we can improve the democratic and participative process. I hope that the Minister will indicate today that he is listening.

Mr O'Loan: I apologise at the outset for missing part of the Deputy Chairperson's introduction to the debate.

This would be a very important issue at any time, because the Budget is critical to any section of government that spends £10 billion annually on resource and £1.5 billion on capital or has been doing so. That has huge consequences for the well-being of society. We need to do that right and, above all, in a strategic fashion.

In the present context, having a good system for how we manage our Budget is all the more important. We hear talk of potential Budget cuts of the order of 20%. Next year alone, departmental officials indicate that they are planning for reductions in resource of the order of £400 million and in capital of no less than £500 million. The consequences of that will be huge.

So, there is a huge challenge not just to make cuts but to have our eyes still on some goal that we are trying to achieve with this Budget, so that, when we look back on the next four-year period, we will say that it was very difficult indeed but we thought about how we would do it and we have something to show for it. That is the real challenge in front of the Assembly, and that will not be easy. I wonder how such an ambitious programme as the one that I am setting out can be done by December. I note the call for flexibility in recommendation 8 of the report.

Most of us would agree that something is not right about the present process. There is not much satisfaction in the political sector. Even if we discount some of the inevitable political rhetoric around Budget issues, there remains a substantial residue of genuine dissatisfaction among Assembly Members and, in the wider community, among stakeholders who feel that somehow their voice in all this is not being heard.

In the long run, we will need to go further than the report suggests. The report itself says that it is not the last word on the matter, and

its executive summary talks of reform of the Assembly financial scrutiny system, including the Committee structures. I refer to one point of detail there: this party, through its then leader Mark Durkan, proposed some time ago the creation of a revenue regulator. That did not meet with much interest or attention, yet we see an Office for Budget Responsibility created at Westminster. That is not quite identical, because the two situations are not identical, but the need for and value of an independent voice has certainly been recognised.

I want to comment on some of the recommendations and the difficulties and perhaps contradictions that I see in them. We talk about having clear, visible linkage between the Programme for Government PSA targets and Budget allocations: in simplistic terms, allocating pounds to every single PSA. Concerns are being expressed about the complexity of the current Programme for Government and the PSA framework. We note nowadays an increased need for priority-based budgeting, yet there has been an apparent move away from a PSA system in Whitehall.

The report calls for a more transparent and robust monitoring system to link inputs, outputs and outcomes. It talks about wanting a Programme for Government to be defined first. Common sense says that one would do that and allow time for meaningful discussion around that Programme for Government, yet we are told by officials that the two processes are working in tandem.

I see a lot of tensions around the recommendations that call for simplicity and, at the same time, for more information. Even for officials to present information that is, on the one hand, simple and accessible and, on the other hand, contains a large volume of information will not be easy. When we look at the myriad of linkages in government and the many contributions in Budget lines to PSAs, we can see that even the apparently simple task of attaching a pounds column to every single PSA is no small ask.

I want to refer briefly to recommendation 4: the request for a regularised annual budgetary process.

Mr Speaker: I ask the Member to bring his remarks to a close.

Mr O'Loan: That is something that this party has asked for but which, in itself, is not without complications.

Dr Farry: First, I welcome the publication of the report and pay tribute to the staff of the Committee for Finance and Personnel, who have a sterling record in producing large numbers of reports. The debate will, inevitably, focus on the process. The process is clearly important, but it will always be secondary to the decisions that we take on the competing priorities. We need to begin to see some clarity on those points from Ministers and the Executive.

The quality and nature of the process are important, and it is relevant in assisting good decision making. I want to make a couple of points about the long-term direction in which we are travelling and to talk about issues that we will hopefully visit in the future. It is important that we look at creating a dedicated Budget Committee. Whether that means turning the Finance and Personnel Committee into the Budget Committee or creating a new Committee, it would add significant value to the process. Such a Committee would work with DFP and the Executive and would provide a much more overarching perspective on how we approach financial scrutiny. That would be a useful thing to do, and it is the practice in many other legislatures.

It is also important that we aim to move towards zero-based budgeting, where we look at the outputs that we want and the resources that need to be allocated to achieve them. That is a much more efficient way of using our resources than simply inheriting baselines and making modifications — either upwards or downwards — to what has been a historical pattern. I accept that it is a big leap for us to do that, particularly in the current financial climate, but it is worth remembering that that should be the direction in which we should seek to travel.

In the interim, there is a large number of steps that we can take to improve the nature of the current process, whether that is with respect to the drafting of the Budget, the consultation process, how we debate it in the Chamber or the conclusions that are eventually drawn in the final documents. There is probably some degree of consensus on what can be done in the short-to-medium term.

The great paradox facing us is that, although we know what we should be doing, we are not doing

it. The theory does not meet the practice. Every time the Assembly has to take decisions on a Budget, we are faced with special circumstances that prohibit us from going through the proper processes. For example, the 2008-2011 Budget was rushed, given the timescales that were inherited. We have not learned our lessons. The revisions for the 2010-11 Budget happened after the commencement of the financial year. Again, that is not good practice.

I have real fears about what will happen with the four-year Budget that we are going to discuss over the coming months. At this stage, all we know for certain is that the comprehensive spending review will be announced by the UK Government on 20 October. However, there is a lack of clarity about and different versions of what is happening in the preparation within our Executive. Which Departments are prepared to co-operate? Which Ministers are co-operating and which are not? Are we even slipping behind the very difficult and tight timetable that was originally published? When are we going to see a draft Budget published? Are we going to wait until after 20 October before the preparation even begins? How long is the consultation process going to be? Those are all important questions that we need some clarity around. It goes without saying that the earlier we plan, the sounder the decisions we take will be.

An over-arching question will be over the relationship between this Budget, the Programme for Government and any new investment strategy for Northern Ireland. There is very little talk about a Programme for Government, but we are aware that one has to be developed. It is good practice to simultaneously develop the Programme for Government and the Budget. It would be even better to have the Programme for Government ahead of the Budget. I fear that we will scramble and produce a Budget to meet the legal timetables and that the Programme for Government will drift, which will mean that we do not have proper joined-up government.

There are also issues with regard to a four-year Budget. There is a democratic issue: should this Assembly be setting a Budget for the entire term of its successor? There is also an issue over the flexibility of a four-year Budget. The current Budget became out of date, and, in my view, the monitoring rounds were not sufficient to address the changed circumstances. Even

though a large amount of money was changed, we did not look at baselines.

12.45 pm

Mr Speaker: I ask the Member to bring his remarks to a close.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray):

I commend the Committee for Finance and Personnel for bringing this important report to the House. My Committee contributed written evidence on the matter, and it is pleasing to see that many of the concerns that it raised have been carried into the report and have resulted in strong and appropriate recommendations.

The Committee has consistently stated that it would welcome any improvement to the process that would enhance how it undertakes its statutory responsibilities in scrutinising budgets. The Committee believes that it is denied proper strategic scrutiny, because rather than accessing relevant and timely information, rather than being in a position to undertake the detailed analysis that is required to assimilate departmental budgets and rather than assessing the impact that those budgets will have and the contribution that they will make to the wider Budget process and Programme for Government, it is presented with little or no information. The Committee is also set deadlines by the Department that do not allow it to query the reasoning behind either the budgets or the bids. The Committee often receives papers only a few days before the infamous DFP deadline that is bandied about as an excuse for failing to present papers on a timely basis. Therefore, the Committee endorses the Committee for Education's recommendation that the Department of Finance and Personnel take a lead in developing guidance for the introduction of timely and relevant budgetary information to Committees. However, I suggest that that needs to go further. I firmly believe that there should be some form of punitive clause in this guidance. Let us be honest: the private sector has punitive penalties for late returns, so why should they not exist for Departments that are non-compliant with the current or proposed guidance?

No doubt we will hear my colleague the Minister of Finance and Personnel say that DFP does offer guidance and that he has continually stated in the House that Departments should engage Committees early. We know, for

example, that savings delivery plans were due to be returned to that Department by 26 August 2010, as per the DFP guidance. How many of those were made? It is the Departments that choose, for whatever reason, not to engage in a timely and relevant manner. They choose to ignore the deadline set by the Department of Finance and Personnel and the relevant Statutory Committees for the presentation of budgets and bids. It is the Departments that have left the community of Northern Ireland in the dark about the size of the potential cuts to be imposed, thereby leaving themselves open to rumour and speculation on a daily basis.

Come October and the announcement of the reduction in the Northern Ireland block, the Department will scramble to produce savings plans that will be insular, be aimed at protecting what belongs to it and follow the current process of being presented to a Committee a few days beforehand in the hope that they are rubber stamped. That process ignores the Committees' roles of scrutiny and advising Ministers. It removes their ability to take cognisance of stakeholders' opinions. Most importantly, it ignores the important linkages with the Programme for Government and the associated PSAs that are recommended in the report. In other words, we will find that budgets will have evolved from being a tool for strategic management to being an obstacle to it. That scenario needs to be resolved immediately and can be resolved only if a disincentive to ignore the guidelines is included.

In its response to the Committee for Finance and Personnel's consultation that was held prior to the publication of the report, my Committee stated that strategic direction should be a primary driver for the compilation of the Budget. It also said that early engagement with the Department is essential in the development of its strategic plans and, consequently, of its budgets for 2011-14. We stand by that. Although we have welcomed some overview discussions with the Minister of Agriculture lately, that is not in any way sufficient.

My Committee stated its concerns about the bidding process for the forthcoming Budget period. Equally, it stated that the Programme for Government and the Budget should be linked, along with the public service agreements, savings delivery plans and any other strategic documentation that impacts on the Budget

process, so that a fuller and more transparent overview can be provided.

Mr Speaker: I ask the Member to bring his remarks to a close.

The Chairperson of the Committee for Agriculture and Rural Development: The Committee for Agriculture and Rural Development commends the report to the House.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to outline the Environment Committee's views on the inquiry report. The Committee monitors the Department of the Environment's public service agreements on an ongoing basis and is keen to see improvement in their delivery.

At its meeting on 16 September, the Committee was presented with the latest quarterly update on the PSA targets. Members were disappointed to note that little progress had been made on the targets and agreed to write to the Department seeking an explanation for that lack of progress. The Committee believes that the Department's lack of progress on the targets shows that there must be greater linkages between PSAs and the Programme for Government, as there remains a concern that Departments are largely allowed to self-monitor their PSAs. Members also believe that linking PSA targets to the Programme for Government would introduce a more independent auditing process, thus ensuring greater monitoring of targets and encouraging better progress towards achieving them.

I now wish to touch on the Committee's concerns on the short time frame that members are given to scrutinise budgetary proposals and their implementation. I understand that Departments have recently been under great pressure to produce savings plans, but the time afforded to the Committee to scrutinise proposals properly is rarely sufficient. Members would also recommend that the Department engage in the budgetary process with stakeholder groups as early as possible. The Committee has recently received several letters from community groups about reductions to their grant. Although we recognise that we are living in austere times, members are of the view that the least that those groups deserve is early engagement and an explanation of the criteria used in deciding the extent of the reduction.

The Committee feels that linking each spending proposal that Departments put forward with specific outputs or outcomes would make a valuable contribution to the scrutiny process. It is easy for members to see what the spending proposals are, but we would appreciate more detail on the benefits and value for money that they represent. Further to that, the Committee would welcome greater clarity on the Department's prioritised spending proposals. Members are supportive of the report's recommendations for the Executive to provide clear information on their draft proposals.

The Committee agrees that Statutory Committees have a key role to play in scrutinising their respective Department's financial issues. However, as recent practice has borne out, most issues that the Environment Committee raises tend to be Department-specific and need to be addressed directly with the Department and/or separately during plenary sittings. There would, therefore, appear to be an additional co-ordinating role for the Committee for Finance and Personnel only if and when issues of more general or cross-cutting concern are raised.

Mr McQuillan: I speak to the motion as a member of the Committee for Finance and Personnel. A number of issues addressed in the report are complex and detailed. We should note that no system is perfect, and we in Northern Ireland are restricted owing to how we receive our money from Westminster, which comes in the form of a block grant.

The key point of the report is that we must look at better ways to allow for effective scrutiny of Departments' expenditure. In these difficult economic times, we all know that cuts are coming. Things will become clear on 20 October 2010 when the Chancellor of the Exchequer delivers his pre-Budget report. We will have less money to play with, and I feel it important that any future Budgets be undertaken through effective consultation with each Department's Committee and in conjunction with the general public.

The budgetary process in Northern Ireland is complex and difficult to understand. It is unclear what money goes where, and the process must be made clearer, with more input from all involved in government, including our constituents. We must work to ensure that money is spent in line with the aims and objectives laid out in the Programme for

Government. We must ensure that we adhere to those aims and objectives and that they be met.

Things are not easy at the moment, and they will not be getting any better. Difficult decisions need to be made, but we must ensure that we make those decisions collectively. We are here to represent the people who elected us. We are responsible for delivering for them and for offering leadership. The Assembly is the property of every citizen of Northern Ireland, and, as the First Minister, Peter Robinson, said about the Budget some weeks ago, we must work as a team to work through the cuts that are coming to us. Those cuts are coming: there is no doubt about that.

The report refers to a recommendation from the Department of Finance and Personnel for early and more structured engagement between Departments and the Assembly Committees to set out the key issues and pressures that face us. That is vital in the current economic climate. We must club together for the benefit of the people of Northern Ireland. I support the recommendation that a clear timetable should be made available publicly at the start of each Budget process, setting key milestones and adhering to what is laid out in our Programme for Government. That is necessary to allow effective scrutiny of expenditure. We must work towards a more effective and efficient decision-making process and put in place those procedures as soon as possible. We must work as an effective, transparent and efficient body so that we and the people of Northern Ireland know what is being spent and where.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): I

thank the Committee for Finance and Personnel for undertaking this important inquiry. On behalf of the Committee for Employment and Learning, I welcome its findings and the opportunity to speak in today's debate.

The Committee for Employment and Learning noted that the timetable set by DFP for Ministers to submit their budget and savings proposals for the next CSR period has gone astray. The Committees and the Assembly face the prospect of uncertainty over the time that will be given to them to scrutinise those budget and saving plans properly. On behalf of the Committee for Employment and Learning and the other Committees, I make it crystal clear that Executive Ministers represent the interests

of their parties while the Committees represent the interests of the electorate and stakeholders. We are the guardians of the democratic process; we are the voice of the people in these matters. Without the Committee and Assembly scrutiny of proposals that are put forward by Ministers, a democratic deficit will exist.

The Finance Committee's report makes clear recommendations about the establishment of a regularised process for the passage of the Executive's Budget and expenditure and the scrutiny thereof. It is incumbent on every Committee Chairperson and member to support the inquiry's recommendations to ensure the integrity of the statutory scrutiny role of the Committees and Assembly.

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

I take this opportunity to make some personal comments about the report and its findings and about my experience as a Committee member, most notably on the Committee for the Office of the First Minister and deputy First Minister. Regularly and routinely, reports do not come to that Committee on time. The last monitoring rounds were presented in early September. Some general detail was given about the bids for the next Budget, but only officials were sent to the Committee to discuss some of them. As we learned later, the removing barriers to community prosperity programme bid was agreed by only two communities at an interface area. It did not benefit the wider interests of stakeholders who should have had an input into that process. Indeed, it was not discussed at all by the Executive. I ask officials to state whether other Ministers had an opportunity to discuss and provide input to the programme bids because those fall across the work of their portfolios.

Mr Hamilton said that the process must be agreed collectively by the Executive. However, we all know that the Executive's agenda and proposals have, over the past few years, been delivered on the day of Executive meetings. Adequate time has not been given to all Ministers to discuss and note what is on the agenda. Mitchel McLaughlin stated that this is our first full term as Assembly Members and that we are learning on our feet. As you know well, Mr Deputy Speaker, many of us come from a local government background. Therefore, we ought to have a very real sense of our mission here; holding Ministers and

Departments to account. I regret to say that far too many Members have a policy of protecting their Ministers and their party's Departments rather than holding to account the work of those Ministers with a collective voice and ensuring that every pound is spent on a needs basis and is objective in nature.

Mr Deputy Speaker, I hope that the debate results in Members stepping up to the mark and realising their full potential as the voice of the people in holding Ministers, Departments and the Executive to account.

1.00 pm

The Chairperson of the Committee for

Education (Mr Storey): I rise to highlight the Committee for Education's support for most of the recommendations in the Department of Finance and Personnel's review of the Northern Ireland Executive Budget 2008-2011 process, which is examined and commented on in the Committee for Finance and Personnel's report that is being considered by the House today.

In common with a number of other Statutory Committees, the Committee for Education has experienced a serious lack of information from the Department of Education that would allow proper scrutiny of its budgets and subsequent advice from the Committee to the Minister of Education. That was the Committee's experience in the early months of this year on the Department's review of spending plans for 2010-11, and it is very much the position with the Budget for 2010, for which we have no prioritisation of the Department of Education spending plans and no information on proposals for savings or efficiencies and their impact on schools. All Members should be seriously concerned that a Department cannot bring forward its spending plan priorities or its proposals for savings and efficiencies — and their impact on schools — to a Statutory Committee.

That is precisely why, in its submission to the Finance and Personnel Committee on the important subject of today's debate, the Committee for Education provided a detailed recommendation to address this issue. I am pleased that the Finance and Personnel Committee has adopted that recommendation in full. Paragraph 32 of the report makes the key point:

"DFP should take the lead in developing "standard guidance to NI departments on the timing and

provision of relevant information to Assembly statutory committees" and that this should be agreed at Executive level, with departmental compliance being monitored by DFP in consultation with the Assembly statutory committees."

I trust that the Finance and Personnel Minister and the Executive will action that recommendation as soon as possible. I ask the Chairperson of the Finance and Personnel Committee to ensure that that key recommendation for Assembly Committees is not lost in the mist or in any administrative process.

I also wish to highlight one other important issue that relates to the ability of Committees to fulfil their statutory role to scrutinise Ministers and advise them on their budgets, a fundamental role of the House. Paragraph 33 of the Finance and Personnel Committee's report deals with the critical issue of Statutory Committees being given sufficient time, which should be early in the Budget process, particularly the current Budget 2010 process, to engage with their Departments and key public stakeholders. I note that paragraph 33 states:

"unavoidable delays in initiating the Budget 2010 process means that there will be less scope"

between Departments and key stakeholders.

Does that mean that Assembly Committees and the House will be squeezed out of the all-important Budget 2010 process? For example, will no proper time be allowed for scrutiny of Departments' prioritised spending plans and saving delivery plans when they become available? Members, this process should not allow that to happen. From the Department of Education's point of view, it is regrettable that, despite DFP's requirement to have savings delivery plans submitted by 26 August, we find ourselves in the present situation that no such savings plan has been submitted.

Finally, the Committee for Education wishes to register its support for the Committee for Finance and Personnel's opposition to DFP's recommendation that Assembly Committees should have a lead role in the consultation on the Executive's draft Budget proposals. Clearly, the major responsibility for public consultation must remain with Ministers, who have a duty to act on the outcomes of public consultations. In addition, at this stage, Assembly Committees do not have access to the departmental financial information or specialist support that is

necessary to provide detailed proposals on how to fund increased spending.

Those are the views of the Committee for Education.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):

I support the motion. Overall, the report calls on Departments to provide timely, accurate and comprehensive information to their respective Committees to allow them to properly scrutinise budgetary proposals. Budget scrutiny is one of the key roles of Committees, and the flow of information is crucial if the process is to be effective.

I particularly welcome recommendations 14 and 15. Recommendation 14 calls on Departments to publish a full list of spending proposals along with the draft Budget, and recommendation 15 asks for Departments to publish a high-level impact assessment for each proposal. With regard to the Health Department, those recommendations, if implemented, would be most useful to the Committee, by enabling it to analyse and come to a view on the Department's budget. From past experience, it has been difficult for the Committee to obtain meaningful information from the Department to allow it to thoroughly assess budgetary matters.

Most recently, the Committee had severe problems in extracting any information from the Department about the revised expenditure proposals for 2010-11. The Committee originally asked for information in January 2010, and it took evidence from the Minister and his officials on 28 January 2010. On the same date, the Committee took evidence from various trade unions, with the intention of scrutinising the proposals to see how additional savings would be made. However, the Minister publicly took the position that the Department of Health, Social Services and Public Safety should be exempt from making any additional savings. The Committee did not support the Minister's position that no cuts should be imposed, because it was unable to judge the alternative, based on detailed information that it needed from the Department, which, of course, was not forthcoming. The Committee asked for that information in January 2010, and it wrote again and again to the Minister. However, for four months, he chose to keep the Committee in the dark about what was happening. Eventually, officials provided the Committee with a paper

and a briefing on 27 May 2010, by which time we were already two months into the new financial year. Even at that stage, the Committee still did not receive detailed figures from the Department. Instead, it gave us a one-page list of what it was doing and not doing.

When officials were asked for details about the £21 million of savings in the capital budget, they simply replied that work on those details was ongoing. The reality is that the Committee received basic information four months after the Minister of Finance and Personnel announced the Budget readjustment and many months after other Committees received information from their respective Departments. Therefore, for four months, the Health Committee was completely in the dark on budgetary changes, with major implications on some aspects of the Department's work.

If the report's recommendations are implemented and taken on board, the Committee hopes that all Departments will avoid that type of situation in the future. Not providing budgetary information to a Committee shows a lack of responsibility on behalf of the Department and a lack of respect for the Assembly and the wider public. Among groups involved in health and social care, there is a great deal of concern and worry about funding going forward. Clarity is required, and clarity is predicated on information being transparent and timely for those who require it.

With respect to Budget 2010, the Health Committee has not yet received the Health Department's spending plans for the next four years. I understand that the plans have been submitted to DFP. We have now written formally to the Minister requesting those plans. I sincerely hope that they will be forthcoming.

When departmental officials briefed the Health Committee on 9 September, they provided only high-level figures on how much money that they believed they would require going forward. No information was provided on areas in which potential cuts might be made or what impact those cuts would have on services.

I will conclude on behalf of the Committee. I reiterate the point that information flow is crucial. Departments cannot simply be allowed to continue to ignore Statutory Committees and provide little or no information on budgets. I hope that all Departments, including the Department of Health, Social Services and Public Safety, will

read the Finance Committee's report carefully. I commend the motion to the House.

The Minister of Finance and Personnel

(Mr S Wilson): I thank all Members who took part in the debate. As Mr Hamilton said, debating the Budget is one of the most important roles that the Assembly can play. We spend a large amount of our time on such debates. In fact, one proposal that we are considering concerns streamlining Budget debates so that at least, rather than simply repeating ourselves at the Estimates, Vote on Account or draft Budget stages — we often have more repeats than the BBC — we have a better scrutiny role for the Assembly.

I thank Members for their constructive remarks today and for the role that the Committee for Finance and Personnel played in examining the changes that might take place. It is timely that we examine the Budget process. We have been through two Budget cycles and have learned some lessons. The previous Budget cycle was, of course, undertaken after the process had been started by direct rule Ministers. We want a process that is adapted to the circumstances of devolution. We must also ensure that we have a process that will enhance links and improve transparency and the Budget consultation process.

I will deal with some of the points that were raised in the debate. The Deputy Chairperson of the Committee for Finance and Personnel, Mr McNarry, raised a number of issues, the first of which was the fact that there was some disagreement, albeit fairly minimal, between the Committee and the Executive as to how the Budget process could be enhanced. In particular, he was concerned that the Committee was not happy with the wording of the proposal for the role that Committees would play in consultation and that the Executive had endorsed it.

I will say two things to Mr McNarry on that issue. First, this is the first time that a Minister has been accused of moving too fast in responding to the views that were expressed by the Assembly and by a Committee on wanting a change in the Budget process. If the Committee and Mr McNarry would have preferred that I had proceeded at a more leisurely pace, perhaps that is a change. The Committee for Finance and Personnel asked for its views to be embargoed until this debate took place, which meant that I could not have discussed

those views with the Executive. I am not sure that waiting until this debate took place before having a response from the Executive would have been the best way forward.

Mr McNarry also talked about the lead role for Committees in consultation and the fact that that was the one area of disagreement. All Ministers from different parties in the Executive endorsed that unanimously.

1.15 pm

Secondly, I want to make it clear that this was not an attempt by the Executive to ignore the fact that there must be Executive consultation on the draft Budget. There will be Executive consultation. Very often, Committees can drill down in the budgets for their own Departments and bring along specific evidence in that consultation. Very often, the Executive consultation may be on the strategic approach, and we need that, but, equally, there must be consultation on the approaches made by individual Ministers and Departments on their application of the overall Budget decisions. That was the role that was seen for Committees. From today's debate, it is clear that Members want to have a greater role in the Budget process and in the interface with the public. A number of Members have made the point that the public should have a greater input into the impact of the Budget.

Mr McNarry also raised the issue of the review process for strategic reappraisal. That has been an issue, and Mr McNarry has raised time and time again the adequacy or otherwise of the in-year monitoring. I point out to him that in-year monitoring over the previous three years of the Budget saw around £800 million reallocated during that period in one way or another, although perhaps not so much this year because Departments have not given as much up so far in reduced requirements.

The Deputy Chairperson of the Committee for Finance and Personnel:

I am grateful to the Minister for giving way. In case he misunderstood, except for the last 45 seconds of what I said to the House, I was speaking for the Committee. It is the Committee's report and it is the interpretation that the Committee wished me, on its behalf, to put to him.

The Minister of Finance and Personnel: I accept what the Member has said. However, it does not matter whether it is a personal view or a

Committee view. The facts still remain that in-year monitoring does allow — or did allow — for substantial reallocation. I noted what the Member said. However, I want to make it clear that there needs to be a review of the Budget for strategic reappraisals. It would be nonsense to have a strategic reappraisal of the Budget on a year-to-year basis or, on a number of occasions, within the year. The whole point of a strategic review is to look to the longer term and see the direction of travel in which one wants to go and the spending that one needs to undertake.

The Member also raised the issue of linkages to PSAs. I accept that, and we have accepted in the report that there are far too many PSAs and there are linkages between them. Nevertheless, it is important. Hopefully, in the process of determining the new Programme for Government, we will find that we need fewer PSAs, and we should have fewer PSAs. I have expressed that view anyway, and it has been conveyed to the Office of the First Minister and deputy First Minister (OFMDFM). Nevertheless, there must be some linkage between the Budget and the targets that are set. However, we should make the targets simpler and easier for people to understand the direction in which we are going.

Mr O'Loan: Will the Minister give way?

The Minister of Finance and Personnel: I will give way, although I will not get through as many points.

Mr O'Loan: I thank the Minister for developing the points in the way that he is doing. However, this is an important issue. The Committee recommends at recommendation 4:

“that a regularised annual budgetary review process is established within this framework ... to enable the Executive and Assembly to make interim reappraisals of departmental allocations against progress in delivering PfG priorities and savings.”

It is clear that the Committee has more in mind than is provided for by the existing in-year monitoring process, which has its place, and I accept what the Minister said about that. Clearly, the Committee would not have made that recommendation unless it was seeking more. Is the Minister setting his face very determinedly against the Committee with regard to that point?

The Minister of Finance and Personnel: I have made it clear that I am always open to looking at alternatives and, if there are alternatives to the current reallocation process, let us hear them.

However, even taking into account what the Member said, the approach that should be taken is not clear. For example, how often should PSAs be examined? If a Department is not meeting its PSA targets, should we simply recommend that the money be taken from it? The Member will know that there may be situations in which PSA targets have not been met during the year, but there may be reasons for that and, as the year goes on, it may be possible for those targets to be met. The solution is not as easy as the Member suggested and, if there is to be an alternative to the current system, there must be more drilling down and looking at exactly how the system will work, rather than the vague suggestions made by the Member.

The one thing that we cannot have is the chopping and changing of the Budget three or four times in one year without recognition that, sometimes, there are different speeds of progress towards the long-term and strategic goals that we have set out. However, the point about PSAs has been accepted and it should be taken up when looking at the Programme for Government.

Mr McLaughlin and a number of other Members raised the issue of the information that is given to Committees. The Budget process is one thing, but the information on which the discussions are based is another. We are undertaking the review of the Northern Ireland financial process, which will give Members an opportunity to make it clear to my officials and the Department what additional information they need and how they wish to see it presented. It is fine for Members to say that they want more information and to have it presented in a more transparent and timely manner, but it would be useful if they made it clear how that information could be more usefully presented and how the debates and discussions throughout the process might best be conducted. I hope that that is one of the things that will emerge from the discussions on the financial process.

I have put it on record in the Assembly that if Committees are to look at the Budget process and departmental budgets, they must at least have the information conveyed to them in a way that is understandable and useful, and that enables them to ask the right questions. That may be unpleasant for Departments and Ministers, but it will lead to a better Budget process. Members have spoken about the need for better guidance from the Department.

However, there is an onus on Members who deal with that process monthly through their membership of Committees to make it quite clear what information they require and how they want it presented. The Department is committed to facilitate that.

Dr Farry and Mr O'Loan raised the timing of the current Budget process, and Mr O'Loan indicated that the period between now and the end of the year seemed extremely short for such important changes to be made. Dr Farry made my point for me, but I emphasise that we cannot delay the process. Time may be tight and that may mean that Committees will have to work intensely. However, given the fact that we must make strategic decisions and offer certainty to Departments, we cannot end up with the process that we had last year, when the Budget was still not approved at the start of the financial year. That is particularly important at a time when there will be massive constraints and when those who will be affected by Budget changes will need the necessary information to plan ahead.

Mr Moutray and a number of other Members spoke about some Ministers and Departments having not yet provided savings plans, etc. They also made the point that those plans were not received until late last year and asked what the situation will be this year.

To date, only four Departments have delivered their savings plans to DFP. The wording used is that only four Departments have been allowed by their Ministers to provide savings plans to DFP. That comes back to the political resistance that appears to exist in some cases.

Members asked what sanctions can be imposed on Departments. All that I can say is that here is the sanction of criticism in the Assembly. Lack of information will make it difficult for DFP to know what is in the mind of Ministers and what their priorities are. It will be much more difficult to make financial allocations if we do not know the thinking behind bids. Moreover, the general public will be critical of Ministers who do not make that thinking known. Dolores Kelly said that it does not help when Ministers who behave in that way are protected by their parties. I must say that Mrs Kelly has been very valiant in her support for the Department for Social Development (DSD) when I have sometimes been a bit critical of it. Therefore, words such as "kettle", "black" and "calling" spring to mind when we hear that kind of criticism.

The Chairperson of the Committee for Employment and Learning: Will the Minister give way?

The Minister of Finance and Personnel: I think that I will be called to finish soon.

Mr Deputy Speaker: You have 20 minutes.

The Minister of Finance and Personnel: I have time. Given that I referred to the Member, I will give way.

The Chairperson of the Committee for Employment and Learning: I thank the Minister for giving way. I have never been a member of the Committee for Social Development, but does the Minister agree that it is the duty of Committee members to scrutinise the work and contribution of the Minister and his or her Department?

The Minister of Finance and Personnel: The Member's admission that she has never been part of that Committee makes it even worse. She defends, sometimes very vigorously, some of the initiatives that come forward from DSD even though it is transparent that its actions have not been as they should have.

The Committee for Finance and Personnel asked what to do if Ministers refuse to co-operate with the Budget process. That has become a constant theme. I want to emphasise that, first, Committees have a role to call their Ministers to account. They should do that, and Mrs Kelly is correct. It does not really matter from what party the Minister comes. If Committees, and Ministers' own party members on those Committees, cannot do their job properly, there should be no protection for Ministers. We are dealing with public money, so there should be proper scrutiny.

DFP cannot compel Ministers to submit savings plans. However, I want to make it clear — I made it clear to Ministers in discussions over the summer — that if information is not available on Ministers' high and low priorities, inescapable expenditure in their Department and on how initiatives fit into the Programme for Government, it is more difficult for an assessment to be made as to whether money should be allocated for any purpose. Given that we are committed not simply to top-slicing off budgets but to looking at priorities, the more information that Ministers give and the stronger the case they make, the more chance there is of that case being listened to. Therefore, they disadvantage themselves.

Mr McLaughlin: I thank the Minister for giving way; I have a brief point to make. Would it be a useful reform or initiative to suggest to other Ministers that we simply abandon the generic heading of "inescapable" and look at the detail underneath it? That term is a catch-all, and I wonder if, at times, those expenditure items are, in every circumstance, genuinely inescapable.

The Minister of Finance and Personnel: I have tried to tease that out during the Budget process. If a Minister tells me that a certain item is inescapable, I ask why it is inescapable. If it is something that they really want to do, that is not inescapable. I ask whether they have a statutory responsibility or a contractual obligation to meet.

1.30 pm

The other suggestion in our response is that the Assembly might wish to consider examining Standing Orders to determine how they might be able to compel Ministers to provide the kind of information that, so far, some have refused to provide.

In conclusion, the debate has raised important issues. It might seem a bit esoteric to the general public. Nevertheless, behind all the verbiage, it is important. We have sums of money to spend, and we live in constrained economic circumstances. That money must be spent in the best possible way, which requires the greatest possible input into the decisions. Ministers must justify their decisions, and it must be possible to examine that justification. Final decisions on the Budget can then be made on the basis of sound knowledge.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a LeasCheann Comhairle. I thank Members and the Minister for their contributions to today's useful debate. I also thank the Committee staff for producing the report. As the Deputy Chairperson said, the Committee supported many of the recommendations in the DFP review and put forward additional recommendations that were aimed at enhancing the Budget process. The Committee's report reiterated its concerns about access to information and the level of engagement between Departments and Committees. Indeed, Chairpersons and Members raised that issue today.

The Committee agreed with the Committee for Education's recommendation that DFP take the lead in developing:

"standard guidance to NI departments on the timing and provision of relevant information to Assembly Statutory Committees."

In response, the Department advised that, although DFP will urge Departments to engage early and fully with their Committee, they cannot be compelled to do so. Although I accept that point, leadership is required. If we are to move forward decisively, that leadership must be focused. In particular, DFP should be proactive in bringing forward specific guidance and protocols on engagement with the Assembly and its Committees for Executive agreement and ministerial commitment. In the absence of such protocols, there is no mechanism by which Committees can hold their respective Department to account on the timing and level of detail of the information that is provided to them on financial matters.

The Department suggested that the Assembly could also consider addressing the issue of engagement through Standing Orders. In its report on the review of the 2010-11 spending plans for Departments, the Committee for Finance and Personnel undertook to consider, with the Committee on Procedures, how Assembly scrutiny of the Budget might be underpinned by having a stronger procedural basis in Standing Orders. The Committee intends to pursue that in the near future.

I will address some of the comments that were made during the debate. I will not do so Member by Member but under specific headings to cover the contributions. A main theme was Departments' engagement with their Committee. Some Members highlighted their concern about the lack of such engagement. DFP has issued guidance, which I mentioned earlier, to Departments on consulting their Committee as part of the Budget process. However, it has tended to be framed only in broad terms, as emerged in today's debate. A highly detailed guidance on good practice is needed, and minimum standards to be met by Departments in the provision of information to Committees must be set. In recognising that the relationship is one between individual Departments and their Committees, such good practice would provide the necessary benchmark against which departmental

performance could be measured. Members highlighted that important point.

The lack of linkage between the Programme for Government and the Budget was also discussed. A further theme to emerge from the report and the debate is the lack of a clear, visible linkage between the Programme for Government, PSA targets and budget allocations. In its response to the Committee's report, DFP stated that it shares the Committee's objective of having a transparent and robust framework against which budget allocations, efficient outputs and clear outcomes may be measured. However, although the Department has pointed out that changes to the Programme for Government's structures and those of departmental budgets would be necessary to align the two, the Department has not allocated how and when this will be achieved, including its role in working with OFMDFM on the matter. Therefore, action is needed on the issue, especially in the context of tightening public finances.

I turn to the Minister's comments. He referred to the fact that the Committee's report was embargoed until today's debate. That is in line with normal convention, so that is fair enough. However, the embargo did not apply to Executive Ministers as Members of the Assembly, and, therefore, the Department could have and should have informed the Executive of the Committee's recommendations before the action plan was signed off.

The Minister talked about the in-year monitoring process. Many Members asked whether that is enough, and we always talk about being more strategic, open and transparent. We could not have foreseen the economic crisis that we were thrown into, and we could not have foreseen that Westminster would bite lumps out of the Budget. We need to look at the in-year monitoring process and ask whether it is enough. Members have argued that point in the debate, and it is a valid point to consider.

The Minister of Finance and Personnel: I accept that our Budget has been reduced by £127.8 million this year, and, as I said in my statement to the Assembly last week, we are already starting to address that through in-year monitoring. When the Chairperson refers to having a strategic look at the Budget in-year, how does she, in practical terms, see the direction of travel of the Budget being changed around in the last six months of a financial year

and in the last six months of the current Budget allocation? Is it really possible to make such a strategic change, and how does she envisage that happening?

The Chairperson of the Committee for Finance and Personnel: In the report, the Committee recommends that a regularised annual budgetary review process be established within the four-year period. In-year monitoring focuses primarily on the current year's expenditure and not on future spend, so there is room to do that. I hope that that answers the Minister's question.

A number of issues that were raised in the Committee's report and in the debate highlight the need for the Executive's Budget process action plan to be updated. The Committee believes that it is important that DFP takes a strong lead in ensuring that, once updated, the Budget process action plan is driven forward and that the necessary protocols and timetables, to which all Departments will be expected to adhere, are put in place.

In this time of financial constraint, it is vital that the Assembly, its Members and its Committees are allowed to fulfil their important oversight and scrutiny role despite the imperfect financial scrutiny processes that exist. We have seen evidence of what this locally elected institution can achieve in ending the culture of departmental underspend, which was a feature of direct rule. However, the Executive need to help the Assembly to reach its full potential with its oversight function. With the necessary processes and protocols in place and full engagement by Departments, the Assembly can play an enhanced role in ensuring that public money is spent more effectively and efficiently and that Departments achieve the maximum input from the limited resources in delivering key public services. That is the strategic aim behind the Committee inquiry's recommendations. I commend the report to the House and ask it to support the Committee's motion.

Question put and agreed to.

Resolved:

That this Assembly approves the second report of the Committee for Finance and Personnel (NIA 66/09/10R) on its inquiry into the role of the Northern Ireland Assembly in scrutinising the Executive's Budget and expenditure; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.

Private Members' Business

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

Carbon Monoxide Awareness and Strategy

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

Mr McQuillan: I beg to move

That this Assembly calls on the Executive to introduce legislation to compel builders to fit carbon monoxide alarms to all new homes; and further calls on the Executive to bring forward a strategy to raise awareness of this silent killer and to encourage people to fit carbon monoxide alarms.

First and foremost, on behalf of the people of Castlerock and further afield, I want to put on the record of the Assembly my heartfelt sympathies and condolences to the families of Aaron Davidson and Neil McFerran, who tragically lost their lives in Castlerock at the beginning of August. The two boys were on the north coast enjoying themselves while they awaited their A-level results. They were only 18 years of age, and we owe it to them and to their families to ensure that this never happens again. My heart also goes out to the other young man who was with them: Matthew Gaw. He survived, but he lost two of his friends, and I am sure that the incident will be with him for the rest of his life. My thoughts and prayers are with him and all the families affected.

Carbon monoxide poisoning is known as the silent killer; its victims simply fall into a sleep-induced coma unaware of what is going on. People can suffer mild symptoms from carbon monoxide poisoning and make a full recovery; however, between 10% and 15% of people with serious poisoning suffer long-term problems. As we saw in Castlerock, others are not so lucky. A headache is the most common symptom of carbon monoxide poisoning. Other symptoms include feeling sick and dizzy; feeling tired and confused; vomiting and stomach pain; and shortness of breath and difficulty breathing. The longer people breathe in the gas, the worse their symptoms. They eventually lose consciousness, which can happen within two

hours when there is a great deal of carbon monoxide in the air. Certain people are more at risk of carbon monoxide poisoning than others, including those with heart or breathing problems, babies, young children and pregnant women. Pets can be the first to show signs of carbon monoxide poisoning.

A main cause of carbon monoxide poisoning is poorly installed or maintained appliances, such as cookers, heaters and heating devices. Blocked flues and chimneys are also a cause of carbon monoxide poisoning; therefore, it is vital that they be cleaned and maintained properly and regularly. Enclosed or unventilated spaces, where there are no air vents, windows or doors, increase the risk of poisoning. For example, a lethal level of carbon monoxide can build up in 10 minutes from a car in a garage that is switched on and left on. Paint fumes and fumes from cleaning fluids that contain chemicals can also cause carbon monoxide poisoning. It is important that people take precautions to reduce the risk of poisoning.

The motion calls on the Executive to legislate to compel builders and developers to fit carbon monoxide alarms in all newly built homes in the same way as they are obliged to fit smoke alarms. At present, no conditions are placed on developers or landlords to compel them to fit carbon monoxide alarms. There is, however, a legal requirement to fit a smoke alarm and to ensure that it is in working order.

Gas has become popular as an effective and efficient way of heating our homes. However, it carries a severe risk if the system is not maintained properly. Every year in the United Kingdom, about 50 people die and 200 people are left seriously injured as a result of carbon monoxide appliances that have not been installed or maintained correctly.

People who sleep in rooms containing open-flue gas appliances that are left burning at night are most at risk. I urge anyone who is thinking of getting gas installed to ensure that the fitter is registered. In September 2006, an all-party parliamentary gas safety group in the Mother of Parliaments published a report into the issue and called for more to be done. Its focus was to raise awareness of the issue and to call on people who work in the industry to do more to raise awareness of the threat of carbon monoxide. The group also called on the Health

and Safety Executive to introduce a zero-fatality target for carbon monoxide poisoning.

1.45 pm

The all-party group also urged the Government and those in the industry to work to ensure that people had access to detection equipment and that homes were fitted with reliable detectors and mechanisms. The report touched on the availability and communication of information. There is information, but it is not being communicated properly, particularly compared to information on smoke alarms. I for one was not aware of the serious risk that carbon monoxide posed until the tragic deaths in my constituency. Smoke alarms and carbon monoxide alarms are equally important, and the importance of their use should be communicated equally. Responsibility for that lies with the Minister of Health, Social Services and Public Safety. We need to see a publicity strategy to encourage homeowners to purchase carbon monoxide alarms, as well as smoke alarms, in order to prevent further deaths from this silent killer.

We must work to ensure that no one else dies as a result of carbon monoxide poisoning. I therefore urge Members to support the motion and join me and my colleagues in ensuring that legislation is brought forward that compels builders and developers to install carbon monoxide alarms in all new homes and that the Department of Health, Social Services and Public Safety produces a strategy to raise awareness of this silent killer.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): On behalf of the Committee for Finance and Personnel, I welcome the opportunity to participate in the debate. We were all shocked to hear of the carbon monoxide poisoning tragedy during the summer. On behalf of the Committee, our sympathies go to the families of the two young men who died and to the other young man who was with them at the time. I commend the Members who brought this important issue to the attention of the Assembly.

The Department of Finance and Personnel has responsibility for regulations relating to the building of new homes, and, at its meeting on 8 September, the Committee for Finance and Personnel agreed to write to the Department requesting information on whether consideration has been given to including regulations on gas installation and carbon monoxide alarms in

current building regulations. The Committee will carefully consider the Department's response and the outcome of today's debate before deciding on a way forward. Go raibh maith agat.

Mr McClarty: I thank the Members who tabled the motion. However, everyone in the Chamber agrees that it is regrettable that it has taken this tragedy to bring the issue before the House. Castlerock is a close-knit community that benefits significantly from tourism. That is why it was particularly devastating when I heard that two young teenagers who were enjoying a few days' break in the area had been killed by carbon monoxide. I again extend my condolences to the families of Aaron Davidson and Neil McFerran. If any hope is to come out of the tragic deaths of those two young men, it is that many homes across Northern Ireland will now have been fitted with carbon monoxide alarms, and public awareness of the poisonous gas is now significantly higher than it was.

The whole north coast community was affected by the tragedy, and, unsurprisingly, the deaths received significant media attention. In the days and weeks that followed, shops in the area could not cope with the demand for carbon monoxide alarms. Therefore, the risk of such a tragedy occurring again has been greatly reduced but not yet eliminated. Alarms can be purchased for £15 in many hardware shops as well as many larger supermarkets. However, the case remains that many homes are occupied without any sort of detection system in place. The fact that the killer gas often originates from faulty gas appliances or defective flues means that rather than be reactive, the Executive should focus on being preventive. A proper system needs to be put in place so that any work that is carried out on gas appliances, including those in domestic premises, is undertaken by an engineer who is on the Gas Safe Register.

The motion is particularly noteworthy at present because, this week, students returned to university, and, subsequently, many young people moved into new accommodation. Students who move into rented accommodation have every right to request to see the landlord's gas safety record. Although it is reassuring to note that landlords have a legal duty to carry out annual checks on their appliances, we must not forget that many new flats are occupied by private homeowners. Subsequently, appliances will rarely, if ever, be inspected.

Even if installation of carbon monoxide alarms is to become compulsory, which a number of Ministers suggested quickly after the tragedy in Castlerock, I still urge homeowners to install them sooner rather than later. The legislative process is such that it will be a considerable period before that becomes mandatory.

I will conclude by remarking that simply to install alarms and hope for the best is still not good enough. Although alarms can act as a life-saving first line of defence against gas, I share Northern Ireland's Health and Safety Executive's opinion, which is that alarms should not be regarded as a replacement for regular maintenance and safety checks by an engineer who is on the Gas Safe Register. We must ensure that the tragedy that occurred in Castlerock prompts action by the Executive. I am, therefore, grateful to the Members for tabling this motion. I look forward to the Minister's response and an update on the progress that he has made in that area.

Mr Dallat: I, too, welcome the motion before the House. The tragic deaths of Aaron Davidson and Neil McFerran, both of whom were 18 years old and from Newtownabbey, should never have happened. However, they did happen. We all share their families' grief.

Unfortunately, Aaron and Neil were not the first people to lose their life as a result of gas poisoning. Indeed, many others have survived but suffer from the horrific side effects of inhalation of that deadly poison, which rob them of a decent quality of life. According to statistics, every year, 50 people in the United Kingdom die and hundreds more suffer serious health problems as a result of accidental overexposure to carbon monoxide. Campaigners believe that the number of people who are affected is far higher but doctors are not clued up about the symptoms, which are often mistaken for those of some other illness.

Carbon monoxide is, as we have been told, a colourless, odourless gas that is produced in small quantities when fossil fuels are burned. If an appliance is poorly installed or maintained, far more carbon monoxide is produced than normal. Any appliance that produces a flame, from a gas fire to a grill, could start to pump out gas. If a room is not well ventilated or a chimney is blocked, the consequences can be devastating.

Members may recall that in October 2006, in Corfu, seven-year-old Christianne Shepherd and her six-year-old brother Bobby died as a result of carbon monoxide poisoning from fumes from a faulty boiler. That was yet another tragedy for parents whose children were on holiday, like Aaron and Neil in Castlerock.

Since the Castlerock incident, which shocked the entire community, there has been brief discussion about the need for gas alarms. However, that discussion has already faded away as other priorities take over. Although detection is vital, I want to focus on the escape of gas in the first place. We have been used to gas for a very long time. By and large, it is perfectly safe. However, when something goes wrong, the consequences are, unfortunately, deadly.

Given that carbon monoxide gas is a colourless, odourless poison, the most stringent regulations must be put in place to ensure that those who install gas appliances in their many forms are trained and skilled to the highest level and that there is constant inspection and oversight to ensure that the events of the past do not become the norm in the future.

I am conscious that there is an inquiry going on into the deaths of Aaron Davidson and Neil McFerran, and I do not intend to get into that. However, I feel that it is imperative that there is an immediate review of the regulations involving the installation and maintenance of gas appliances, and I believe that we, as an Assembly, are in a position to ensure that that happens.

We should examine the regulations obtaining in the Republic of Ireland, where, I know, this issue is taken very seriously and where appliances must be fitted with devices that cut off the gas if, for example, the light goes out or there is a leak. I have looked at the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004, which appear to cover the concerns that I have expressed. However, the question is: are they enforced? Are appliances inspected or checked? Has the Health and Safety Executive the resources and manpower to ensure that existing regulations are complied with? I doubt it, and that is the area that we should focus on.

The Gas Safe Register replaced the Council for Registered Gas Installers in Northern Ireland on 1 April 2010, just before the tragedy. To carry out work on gas installations and appliances

safely and legally in Northern Ireland after 31 March 2010, gas engineers must be on the Gas Safe Register. The installer of the gas appliances in Castlerock and other affected areas was a member of that organisation.

In summary, although the existing regulations are clear and specific, there is a need to ensure that they are complied with. I also believe that voluntary registration for a fee stops short of preventing such tragedies in the future, and I urge the Minister to use the opportunity to review and strengthen the law in relation to gas and its use in our everyday lives.

Mr McCarthy: On behalf of the Alliance Party, I support the motion. As has been said, it is a pity that we have had to wait until the recent tragedy, in which two young men lost their life. I offer our party's sympathy to the families on their dreadful loss. It never should have happened, and I sincerely hope that it never happens again. I also thank Assembly Research Services for providing Members with an excellent information pack on this subject. I also welcome the statements made last month by Ministers Wilson and Foster, acknowledging the risks that became apparent following the tragic loss of the boys in Castlerock last month.

It was not that long ago that the fitting of smoke alarms in all homes was thought to be a sensible idea. I am not sure whether the demand that all homes be fitted with smoke alarms came about because of a disaster to some family or other, but it has certainly saved lives. Now we have a similar call for carbon monoxide detectors to be fitted. It makes sense for all homes and properties to be fitted with those alarms.

Like all Members who have spoken this afternoon, it is my contention that, if those detectors can save one life, we should ensure that every precaution is taken. We have an opportunity in the Assembly to do something, before something more serious happens. I fully support the motion and thank the Members who brought it to the Floor.

Mr G Robinson: First and foremost, I express my profound sympathies to the Davidson and McFerran families, and to Matthew Gaw, the young man who was caught up in the tragedy, and compliment them on the dignified way in which they dealt with such tragic events in the public eye.

The events in Castlerock this August have made many of us aware in the most dreadful way of the lethal nature of carbon monoxide. What happened in Castlerock is something that every Member of the Assembly will not wish to see happen again. To ensure that that is the case, new legislation should be brought before the House at the earliest possible opportunity.

This legislation must, however, be enforceable and practical, otherwise it is pointless. The obvious starting point for any new legislation is to ensure that all newbuilds have detectors installed, as should all rented properties, be they in the public or private sector. Smoke detectors are compulsory and have undoubtedly saved lives, so let us ensure that the same applies to carbon monoxide detectors.

2.00 pm

The events in Castlerock have shown that this is a life and death debate; let us not forget that. The Minister of Finance and Personnel and the Minister of Enterprise, Trade and Investment have made clear their support for new, carefully considered, workable legislation in their statement of 10 August. Minister Foster was and is right to urge people to acquire detectors now and not to wait for another tragedy. It is essential that people are made aware of how carbon monoxide manifests itself. The Health Minister must play the leading role in doing that, and other Departments, such as the Department of Education, also have a role to play. A joint education campaign on smoke and carbon monoxide detectors could perhaps be a way forward.

I am convinced that the Assembly must be proactive in response to that tragedy. Never again should we have to deal with loss of life knowing that we could have put in place legislation to minimise the possibility of another tragic event. It is, therefore, with sincerity that I ask all Members to support this worthwhile motion.

Mr F McCann: A Cheann Comhairle agus a chairde. I support the motion and commend the three Members who brought it to the House. The recent tragic deaths of two young people on the north coast highlight, once again, the dangers that lurk in our homes. It is only when tragedy strikes that that issue is brought to the fore once again. I hope that positive action will result from the intervention taken by those Members.

Over many years, we have heard about the serious problems caused by the use of fossil fuels and about how they can create deadly carbon monoxide. In fact, appliances that burn gas, oil, wood, coal and other combustible items found in households can all produce that silent killer if not serviced properly. For that reason, it is crucial that people have their appliances checked regularly, and it is equally important that chimneys are swept regularly. I recently read a report that stated that over 600 people are admitted to hospitals across these islands each year suffering from carbon monoxide poisoning and that around 50 of those people die. That could be avoided if people followed a simple code: get appliances checked by an expert and install alarms that can detect the odourless gas. The alarms are not expensive to install and should, as the motion states, be mandatory for all newbuilds. However, we should look at how the matter can be taken further.

Today, some 3,000 Housing Executive homes still have solid-fuel room heaters, which are better known as glass-fronted fires. Those have been a major source of concern for many years, and there have been many calls for the total removal of that type of fire. I continually deal with constituents, young and old, who are terrified of the various appliances in their homes. The providers of those appliances, particularly gas appliances, do not spend enough time explaining how they work. People are given a booklet explaining how the system works, but, much of the time, it is gobbledegook to them. A simpler method needs to be adopted to explain how a system works. However, we also require a commitment to remove all glass-fronted fires from Housing Executive homes as a matter of urgency. Many of my constituents who have glass-fronted fires continually tell of the smell emanating from their fires. Many of them have been told that they are imagining it, but that does not reassure them, and they are left terrified.

I believe in the spirit that underpins the motion. However, the Minister for Social Development should lead by example and ensure that all Housing Executive homes are fitted with a carbon monoxide alarm system. Housing associations should follow suit if they have properties containing those types of room heaters. An investment of £20 a household could result in many lives being saved. A total investment of £60,000 could bring about real peace of mind for people and protect them from that silent killer.

A strategy is required to ensure that developers install those alarms as an essential part of the house-building process. That really is a no-brainer. Alarms can save lives, and developers should not wait until the Assembly makes the process mandatory but install them now. There are examples of various types of strategies in other jurisdictions that publicise and highlight the dangers of faulty appliances, and we need to draw on those. This should not be a long, drawn-out process. If we act swiftly, we can hopefully avoid a repetition of the terrible tragedy that occurred in Castlerock just six short weeks ago.

Mr Wells: I enthusiastically support the motion and do so from very unfortunate personal circumstances. My brother's girlfriend and her sister died as a result of inhaling carbon monoxide in holiday accommodation in Portugal. It was one of the most difficult times in my family's life. Two very talented young ladies who had all of life ahead of them — one of them was hoping to get married — had their lives wiped out simply because of the absence of a carbon monoxide detector. I have absolutely no doubt that had the holiday accommodation had a detector both those people would be alive today. For the sake of £10 or £15, two lives were wiped out. Unfortunately, it has taken the more recent tragedy in Castlerock to highlight the issue.

I have become a bit of an anorak on the issue of carbon monoxide detectors because of the tragedy that affected my family. When my daughters go off on holiday, I pack a carbon monoxide detector in their bags and ring them to make certain that they have put it up in the appropriate place in their accommodation. When they go down to university, I make certain that at least two carbon monoxide detectors are fitted in their houses, particularly if there is fossil fuel heating, just in case.

We need to take action to ensure that such tragedies do not occur again. One immediate step that we can take is to do what we did in 1993, whereby, in response to many people dying in their sleep as a result of fires, building regulations were amended to make it compulsory to fit hard-wired smoke detectors in every house. I accept the fact that fitting carbon monoxide detectors would not have a huge impact initially, because, particularly in the present market conditions, perhaps only 6,000 or 7,000 houses are being built each year — at

times, I wonder whether it is even that many — in Northern Ireland. However, we have to start somewhere. There is no doubt that the 1993 decision to fit smoke detectors certainly saved lives in Northern Ireland: very, very few people in Northern Ireland are killed at night by fires in houses in which there is a working smoke detector. The lesson to be learned is that smoke detectors alert people to the fact that there is a fire, and they can then get out. The same principle applies to carbon monoxide.

An amendment to building regulations would send a clear signal to society and to builders, particularly those who are perhaps renovating houses, that it is the accepted norm to fit a carbon monoxide detector. However, there is a view that, if detectors were fitted, people would not service their boilers or make certain that their heating appliances were properly looked after. Therefore, we need to combine the compulsory fitting of detectors with a campaign to ensure that people who have any form of fossil fuel heating have their boilers and heating appliances regularly serviced to ensure that there is no possibility of a leakage of carbon monoxide into the home. We need to combine both. We also need a campaign to encourage everyone, not just those building new houses, to fit carbon monoxide detectors in their homes. The cost of a detector is minimal. A battery-operated detector can be purchased for anything between £8 and £15. Indeed, people can buy a combined carbon monoxide and smoke detector, which can be fitted as one unit. It takes only a few seconds to put a detector up, but the number of lives that it could save is quite large.

The stats from Northern Ireland and the rest of the United Kingdom show that many people are being affected by carbon monoxide poisoning, some of whom are lucky and are discovered before the gas takes effect and they are killed; others, unfortunately, are not so lucky. That is an absolutely needless waste of life. The one thing that we, the Assembly, the elected people of Northern Ireland can do for society — the one good thing that can come out of the terrible tragedy in Castlerock — is to take action to ensure that such terrible tragedies do not happen again. The Assembly has the ability to move fast when matters of urgency arise. The Departments involved must take the opportunity to review the situation immediately. Let us make certain that this is the start of a step in the right direction towards ensuring that such awful tragedies never happen again.

Mr Kinahan: I also welcome, from the bottom of my heart, the chance to support the motion. We must never again find ourselves in the position that we are in today of reacting after an incident.

As members have heard, in my constituency two Newtownabbey families are devastated by the loss of their sons. My heart, as I know do all your hearts, go out to all those involved. It is our duty in the Assembly, as it is of those at Westminster and in Europe, to pass legislation to save lives, increase safety and make life better. Today, we know that we have failed, and failed badly.

We are involved in many Departments, Committees and areas in which we should be doing things to ensure that we do not make the same mistakes in other areas. I plead with all Members to have a big think in the Departments and Committees about what else we could be missing, and where action taken today, either through legislation or just good publicity, will prevent this from happening again.

Just over 20 years ago, a good friend of mine lost her life due to a faulty flue and died from carbon monoxide poisoning. If we accept the figures that we were given today, some 1,000 devastated families needlessly lost someone in that 20-year period. We must never see that happening again, and we all know what we have to do.

I support the motion. I support the fact that we must have compulsory CO2 alarms in every house and building as soon as possible. We must make sure that all gas appliances in domestic and commercial premises, indeed in every building, are checked, and not in just rental properties. Those checks should be undertaken by a Gas Safe engineer.

We must ensure that all gas appliances and flues in all buildings, whether through publicity or legal action, are serviced annually by a Gas Safe engineer. We must also ensure that a legal duty is placed on all rented and public buildings to have a regular safety check, and that anyone using those buildings can see the certificate that shows that the laws are being followed.

At the same time, we must make sure that publicity ensures that everyone knows that those sorts of buildings must have windows and doors that can open, in order to get fresh air into them. We must also encourage everyone to get their chimneys swept regularly. There are

many more things that we should do, but we need to carry on educating the public about the dangers and symptoms of carbon monoxide poisoning. We need to work closely with the industry, because it is not their fault: they have been trying to sort this out for years. However, it is in our hands today to make the changes.

So, let us ensure that this does not fall between two stools or two Departments, or four or five Departments, and that this Assembly, and the next Assembly, pass the necessary legislation to deal with it. Until then, it falls on us, and on all forms of Government, to make sure that the publicity ensures that everyone understands the dangers of CO₂, so that we never again see ourselves being negligent. I support the motion.

Mr Burns: I support the motion. Members are calling on the Executive to introduce legislation to make builders install carbon monoxide alarms in all new homes. Judging from the content of the contributions already made, and comments placed on record by Members in the recent past, I am sure that that call will receive full cross-community support.

Members are also calling on the Minister of Health, Social Services and Public Safety to bring forward a strategy to raise awareness and for the people to take personal responsibility for fitting carbon monoxide alarms in their homes, whether newbuilds or not. We heard from so many people of their personal circumstances, when they took that responsibility on themselves, and know the great need for those carbon monoxide alarms. I wholeheartedly support that call, because such action will save lives.

2.15 pm

Carbon monoxide is a silent killer. As others said, it is highly poisonous and has no taste, smell or colour. People need to be aware of its lethal effects and how to protect themselves from it. They need to know that gas boilers that have been badly fitted, and those that have been badly repaired or maintained, produce carbon monoxide. People also need to know that fuels such as oil, coal, wood and petrol also produce carbon monoxide.

Members have spoken about the recent tragedy in Castlerock, where two individuals, Aaron Davidson and Neil McFerran, lost their lives. Their families have my deepest sympathy. I wish their friend, Matthew Gaw, a speedy recovery. It was a terrible incident that could have been

avoided; and had there been a carbon monoxide detector in the dwelling, their lives would have been saved.

From a practical point of view, I can see no reason why anyone would object to the installation of a carbon monoxide detector in his or her home. They look similar to smoke alarms, they are easy to fit and they cost only a few pounds. I recommend that everyone fits one immediately.

People should not wait for a change in the law. They should do it as soon as possible, because, as we are all well aware, changing laws and introducing new legislation can take a lot of time. Given that people die from carbon monoxide poisoning every year, that is time that we do not have to waste.

I strongly support the call to make it compulsory to install carbon monoxide detectors in all new homes. I also support the plans by the Health and Safety Executive to launch a major awareness campaign in the near future. I hope that the Minister of Health, Social Services and Public Safety will actively participate in the campaign, because he is one of the key stakeholders.

I also remind householders to get their gas appliances checked regularly by a professional. The fact that there are no compulsory regulations to install a carbon monoxide detector in new homes is a mistake that should be corrected. That is a situation that must change.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I also support the motion. Along with other colleagues, I convey my sympathies to Aaron and Neil's families. It is very proper that we remember Matthew, as various Members have said. That young gentleman is going to have to live with the feeling of having survived a situation in which he lost two mates, which is an awful burden for such a young person to carry into his mature years. That was reflected by the poignancy of Jim Wells' contribution, in which he remembered his relative and friend, and Danny Kinahan's contribution, in which he remembered his friend. That shows that people have to live with such memories for a long time. My sympathies go out to everybody concerned and every member of the affected family circles.

Casting our minds back just a few weeks, as well as the tragedy, there were people who feared other potential tragedies. I dealt with a small business in Portstewart where members of staff were taken to hospital. They

were worried about a gas installation and the sickness of a couple of workers. I spoke to the owners — I know them very well — because there was worry about sickness and nausea. As people went to hospital for their check-ups, their personal worries and those of their relatives were very strong. Thankfully, it turned out to be a false alarm.

There was also a situation at a business in Rasharkin. Daithí McKay and I had dealings with the owner of that business, whose family feared for his staff and his customers. The whole worry was about whether it would be another carbon monoxide case.

In debating the motion, we have actual tragedies, which are horrible, and the potential and fear of tragedies. Obviously, there are two aspects of the motion. One refers to legislation about new homes, and the other refers to an awareness campaign. Those measures are common sense and practical and should be put in place.

Today's debate is also an opportunity to raise some ideas that go further than the motion, although nothing negative about the motion is being said.

The point was adequately made that it will affect x number of properties per annum over the next few years. That is obviously a limitation. Newbuilds in the area will be fewer for the foreseeable future. Bigger and more practical issues ride on the intent of the motion. There are issues about registration, annual checks and implementation of the highest standards for the equipment itself. The legislation must be preventative, as well as being able to react to disastrous occurrences. There is an awareness campaign to help with the ordinary domestic market, but I reflect the views that have been expressed. Let us not wait for an awareness campaign, let us do it.

Then we have landlord provision. Reference was made to the university students who return, this week in the main, to various styles of accommodation, including university accommodation. Are there carbon monoxide detectors in those premises, which are provided by responsible organisations? Many public buildings use gas installations: the local swimming pool, the dentist's surgery and whatever. There is an area there as well. Should we ask mortgage and insurance brokers, or others responsible for the lending of money and having insurance responsibilities related to

accommodation, to take action? Should there be a provision that insists on carbon monoxide detectors? Some of those issues may be outside our control, but surely there is the will to use the influence of the Assembly to motivate other bodies.

As to the Housing Executive and housing associations, I strongly agree with my colleague Fra McCann that major house providers in the North should lead by example. At a practical level, if it were phased in as repairs were being made, perhaps to buildings with tenants who are more in danger than others, if there were a programme of implementation, it would at least show that the Housing Executive and the housing associations are going to lead by example.

Therefore, there are positive aspects to the motion and I support them totally. There are also other issues on which we can continue and work.

The Deputy Speaker: Bring your remarks to a close, please.

Mr Leonard: This Assembly will play its role in minimising risk and, hopefully, avoiding further death and injury.

Mr Ross: This debate, as has been said, has been brought about because of the tragic and sad deaths of two young men from Newtownabbey, Aaron Davidson and Neil McFerran, due to carbon monoxide poisoning in Castlerock at the beginning of the summer. Incidents such as that are still rare, but as has been proven, they can be fatal. The poisoning, as has already been stated, is known as the silent killer because it is colourless and odourless. Sadly, it often takes tragedies of this nature to draw attention to issues such as this. In sharing with the pain of the families, the public rightly demands that we do all we can to ensure that that sort of event does not happen again.

My colleagues councillors Robert Hill and Billy Ball have been active on Newtownabbey Borough Council on the issue. They reflect the view of the public, who want to see something done and who look to Stormont when there are incidents such as this. They certainly look toward the legislative route. The general view from this debate is that there is merit in changing the legislation. People want to see a legislative change. They want new homes built in the Province to have not only smoke detectors but also carbon monoxide detectors in them. There is not yet a European standard for carbon

monoxide detectors, but there is a British standard. We hope that, in the coming months, there will be a standard European version that can be used.

If that is the route that the Assembly takes, then, as has been said by a number of Members already, it will not address the immediate issue, which is that before we would get anywhere near having the majority of homes in Northern Ireland fitted with these devices, there is a gap there and we need to take immediate action. Fra McCann suggested that the Housing Executive and housing associations could start by putting them into their properties. That is a good idea and it is something that they should look at.

The motion identifies the most immediate needs. That is important. Things must be done in parallel with change in legislation or in advance of it. I agree with that. Families and individuals across the Province can take steps immediately, rather than wait on legislation to pass through the House.

Three things need to be said. First, people having new appliances or boilers fitted should use qualified, registered installers. Those fitters should be recognised by the Gas Safe Register, for example. It is important to say that it is not only homes using gas that may be impacted by carbon monoxide poisoning; home heating oil, natural gas, Calor gas, Flogas, coal or turf can also have an impact. I heard some confusion over that on the radio; some people thought that siting an oil-fired boiler system in their garage left them less at risk. That sort of complacency can be dangerous. It is important that people recognise that it is not just gas that can lead to danger. Around 70% of homes use some form of home heating oil or solid fuel, so it is not the case that if one does not use gas one will be OK.

Secondly, people need to be cognisant of the need to have their key appliances tested and get a proper service done each year. I heard on the radio the example of cars. We have to get our cars serviced every year. We would not think of not getting that done; it is a safety thing. The same should be done for boilers and other appliances in the home; people should get them regularly checked and serviced.

Thirdly, and again this has been mentioned, there must be awareness. The tragic events in Castlerock have undoubtedly led to an increase in awareness among the general public and

representatives. I understand that the Executive will launch an awareness campaign towards the end of the year. That is important, and I look forward to seeing it. Hopefully, it will reinforce the message. I know that other organisations such as Phoenix Natural Gas have taken the step of sending out leaflets to their customer base to raise awareness and allay some concerns that people may have. I know that organisations such as that would work with some of the various installers to ensure that the public is well aware of the dangers and of what help there is out there.

However, I have one warning: having a carbon monoxide device is not enough to totally calm someone and stop them from worrying about the danger. Everybody knows the danger of fire in the home and most homes now have smoke detectors, but, startlingly, many people do not regularly test their smoke detectors. We should also be aware of that.

It is most important that people should not wait for legislation; they should take action now. We have heard that devices are available for as little as £20 to £40. That is money well spent. Many shops sold out of them immediately after the sad circumstances in Castlerock. I hope that people take action now rather than wait for legislation from this House. I commend the motion.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I ask Members to take their ease for a couple of minutes. Afterwards, the next Member to speak will be Mr Mickey Brady.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Environment

Mr Deputy Speaker: Question 11 has been withdrawn.

Planning Policy Statement 5

1. **Mr Kinahan** asked the Minister of the Environment what progress has been made in finalising PPS 5. (AQO 60/11)

The Minister of the Environment (Mr Poots): Draft planning policy statement 5 (PPS 5) was published originally by the Department for Regional Development in July 2006 for a four-month consultation period. My Department assumed responsibility for PPS 5 in January 2008. Work was ongoing to update and revise that planning policy statement. A judicial challenge to draft PPS 5 was heard in the High Court in January 2009, and the judgement was handed down by Lord Chief Justice Morgan on 14 June 2010. On 5 July 2010, the judgement was appealed. Therefore, it is difficult at present to provide detail of the final content of the planning policy statement or a definitive date for its adoption pending the outcome of the aforementioned appeal, which may have implications for its timing and content.

Mr Kinahan: I thank the Minister for his answer. His predecessor in Parliament indicated that delays and poor handling by Ministers often made planning seem ineffective. Does he agree that draft PPS 5 seems to have been very ineffective in protecting town centres? When will we see a more effective and final PPS 5?

The Minister of the Environment: That is out of my hands. The Executive and the Department have done the work to bring forward a PPS 5 that will be effective and a useful tool for Planning Service. However, Central Craigavon Limited has appealed the decision of the judge. Government is being usurped by legal forces on a continual basis. It is one of the circumstances in which Northern Ireland plc would have a better planning document with which to move forward, but it is being held back by the legal system and by people who abuse that system for financial gain.

Mr Givan: The Minister highlighted how Central Craigavon Limited is abusing the legal process by challenging that document. He will know that PPS 5 recognises Sprucefield as a regionally significant site for out-of-town retail development and that —

Mr Deputy Speaker: The Member should come to a question.

Mr Givan: — another judicial review has been launched by companies from Belfast that are anticompetitive and anti-consumer choice. Does he feel that, once again, the legal process is being abused to try to frustrate the government and planning processes?

The Minister of the Environment: I have complete clarity as regards this issue. A considerable number of the legal cases would not be accepted in England due to the motive involved. If the Government's work is to be usurped on a regular basis by those with financial vested interests, that will be to the detriment of the people of Northern Ireland. I will not kowtow to the wishes of big business on this issue; I seek to resist them. I urge the courts to stand with us in seeking to resist individuals who use and abuse the legal system and technicalities in many of the European directives to hold back the prospect of jobs, job creation and new investment in Northern Ireland.

Mr O'Loan: The purpose of PPS 5 is to ensure viable and sustainable town centres. The Minister has wider responsibilities beyond PPS 5 in that regard. Has he done any cross-departmental work to sustain our rural town centres, which find it very hard in these economic times?

The Minister of the Environment: The Department of Agriculture and Rural Development has responsibility for rural centres. The Department for Social Development deals with urban regeneration, so perhaps the Member should have a conversation with Minister Attwood about that issue.

We apply planning legislation with existing policies. Draft PPS 5, which is a better document, was dealt with by the Department for Regional Development before it came to the Department of the Environment, and it has Executive support to go forward. The fact that it is not being allowed to be produced by individuals with financial vested interests is damaging other town centres and the economy

in Northern Ireland. Let it go on the record that there are individuals who are prepared to damage Northern Ireland's economy for their own vested financial interests.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. In the absence of the implementation of the policy, will the Minister advise Members what policy Planning Service is using to drive economic development?

The Minister of the Environment: In driving economic development, we must operate within existing policies. My predecessor, Sammy Wilson, issued ministerial statements on two separate issues: one was on prematurity, and the other was on taking into account economic considerations when arriving at a planning decision. In both cases, responding to the financial downturn, Minister Wilson identified how planning could be helpful within existing policy. Unfortunately, that has also been challenged through the legal process, again by Central Craigavon Ltd, which, for some reason, does not want economic considerations to be taken into account when it comes to making planning decisions.

I welcome the proposals that Minister Wilson put forward. They were clearly not a change in policy but highlighted what planners could do within existing policy and asked for greater emphasis to be put on those issues. I hope that those matters will very soon be dealt with by the court and will be thrown out, allowing us to proceed.

Planning Policy Statement 7: Addendum

2. **Ms Lo** asked the Minister of the Environment for his assessment of the impact of the PPS 7 addendum. (AQO 61/11)

9. **Mr Spratt** asked the Minister of the Environment for his assessment of the practice of demolishing existing family homes to build apartments. (AQO 68/11)

The Minister of the Environment: With your permission, Mr Deputy Speaker, I will answer questions 2 and 9 together.

To better manage the practice of demolishing existing family homes to build apartments, on 10 August 2010, I published an addendum to Planning Policy Statement 7, titled 'Safeguarding

the Character of Established Residential Areas', which I am confident will have a positive impact.

Ms Lo: I thank the Minister for his response and particularly for coming to my constituency to meet residents of Piney Hill. Will he reassure South Belfast residents that he will take swift enforcement action against those who breach planning conditions?

The Minister of the Environment: Enforcement is a slightly different issue that is applied to individuals who engage in development without having planning permission. People engage in such activities at their own risk. Enforcement action has been taken in a number of cases over recent months, including one in which a £30,000 fine was imposed and another in which there was a fine of £5,000, both for a breach of planning policy. Therefore, people who engage in development without planning approval are doing so at their own risk. I accept that, in the past, enforcement was perhaps not as rigorous as it could have been, but I believe that enforcement officers are much more active at the moment than previously.

Mr Spratt: Bus routes appear to be among the exclusions in the addendum to PPS 7. It appears that the Minister's Department is using all bus routes as a reason to exclude applications. Given that some such applications are in areas on main arterial routes, is that what that exclusion means? If not, will the Minister instruct his Department to look at the matter more carefully?

The Minister of the Environment: The exclusion is for main traffic routes, which are identified in area plans. The fact that a bus operates in a particular area does not make it a main traffic route, and that should not be the means by which a planning officer identifies a main traffic route. My Department will clarify that, but, lest any Member be in any doubt, the addendum to PPS 7 refers to routes identified in area plans.

Mr McClarty: In my East Londonderry constituency, we still see out-of-character, intensive developments being passed by the local planning office. Will the Minister give examples of how the new addendum is making a difference?

The Minister of the Environment: The addendum is clear. For example, it is unacceptable for someone to knock down a large house in a cul-de-sac in order to build 12

apartments in its place. A planning officer who cannot understand that that is what is being said is not carrying out their duties properly, and I would expect public representatives to challenge them on the issue. The addendum offers a significant change to the previous planning policy, moves away from the densification policy in the previous regional development strategy and deals effectively with garden grabbing. If the Planning Service does not implement it as written, we will investigate.

Mrs M Bradley: How will the Department encourage proposals that incorporate features intended to maximise sustainability and energy efficiency?

The Minister of the Environment: Although sustainability is not wholly enforceable, PPS 7 encourages people to install sustainable drainage systems, which, by absorbing much more rainfall and releasing it slowly, as opposed to tarmac and hard surfaces that release rainfall very quickly, are particularly important in cities and built-up areas and will ensure that we do not add to the flash flooding problem. That provision is contained in PPS 7.

Seals

3. **Mr Gibson** asked the Minister of the Environment what steps he is taking to investigate the deaths of seals at Strangford Lough and other coastal areas. (AQO 62/11)

The Minister of the Environment: In view of the unnatural seal deaths that have occurred off the County Down coast, the Northern Ireland Environment Agency issued a press release to highlight the issue and to encourage the public to report any suspicious activity involving seals to their local PSNI. NIEA continues to assume responsibility for the collection of seal carcasses in the Strangford Lough, Cloughy and Minerstown areas of County Down. The arrangement was linked originally to monitoring associated with the marine current turbine in the Strangford Narrows. As a result of the unnatural seal deaths in those areas, my Department issued the press release that I mentioned. NIEA liaises with the PSNI on those matters, and it will continue to do so in the investigation of any further seal deaths.

Mr Gibson: I thank the Minister for his response. Although animal welfare is the overriding concern, the Minister will be aware

that seals in Strangford Lough and along the County Down coast are very much part of the tourist package that the area has to offer. What is the Minister's assessment of seal numbers in our coastal waters? There is a view that they are declining. Furthermore, will he comment on whether the electricity generator between Strangford and Portaferry might be responsible for any seal deaths?

The Minister of the Environment: In the past number of years, the grey seal population has, in fact, risen while the harbour seal population has fallen. There are different types of seal, and while one type has increased the other has decreased. It is as a result of the marine turbine that seal populations have been monitored and the problem has been identified. The marine current turbine has in-built, automatic cut-off facilities to reduce the risk to seals of being struck by the blades. The turbine also has a device that emits an ultrasonic warning, which allows marine animals to detect the structure from a distance. Those safety devices are designed to reduce collisions, and the inspection of injuries to carcasses that have been collected to date are not consistent with blows from what are relatively blunt blades on the turbines.

Mr McCarthy: Will the Minister join me in thanking the staff of Exploris in Portaferry who, day in and day out, attend to the needs of sick and injured seals from around Strangford Lough? Those dedicated staff need assurance from the highest office in the land — the Minister's — that those found guilty of this horrendous crime will be caught and punished appropriately and as soon as possible.

2.45 pm

The Minister of the Environment: Yes. It is as a result of monitoring that such activity is being detected. It is not a recent activity but has been going on for a number of years. I welcome the support of the Exploris centre, which also cares for young seals that do not get the care that they need from their mother and have been abandoned. The people from Exploris intervene in such cases, and we appreciate the work that they do.

Mr McNarry: The barbarity involved has horrified the people of Strangford and beyond. Will the Minister outline the severity of the punishment that could be applied to those responsible if

apprehended? What can be done about illegal netting along our coastline?

The Minister of the Environment: It is believed that the problem is related to illegal netting. Therefore, we have to seek to monitor such activities and, as far as is possible, given the nature of such activities, eliminate them. If people are brought to court, the punishment could involve a prison sentence. The message may need to go out that people who engage in such activities could end up in jail for their crimes.

Electricity Interconnector

4. **Mrs O'Neill** asked the Minister of the Environment when he expects the public inquiry to be completed on the NIE planning application for the North/South electricity interconnector. (AQO 63/11)

The Minister of the Environment: My officials have written to the Planning Appeals Commission to advise it of my decision to proceed by way of a public inquiry. My officials have also indicated to the Planning Appeals Commission that further information will be sought from the applicant so that proper consideration may be given to the likely environmental effects of the proposed development. My officials will not be in a position to formally request the Planning Appeals Commission to hold a public local inquiry until the Planning Service has received and considered the further environmental information.

The Planning Appeals Commission has been made aware that that process of considering the further environmental information will delay the formal request to hold an inquiry. Following consideration of the further environmental information, the matter will pass to the Planning Appeals Commission, which will determine an appropriate timetable. I have no information as yet regarding a likely completion date for the public inquiry.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. Is the Minister aware of any similar appraisal being taken forward by his counterpart in Dublin over the EirGrid application?

The Minister of the Environment: A public hearing was commenced in the Republic of Ireland. The information that had been supplied to that inquiry was challenged, and, as a consequence, the inquiry has been

stopped until further information is gathered. We are seeking to ensure that all the relevant information is brought together before the planning application is sent to the Planning Appeals Commission.

Mr I McCrea: The Minister referred to further environmental information. Can he assure the House that objectors and other interested parties will have an opportunity to comment on that information?

The Minister of the Environment: The purpose of having a public inquiry is to allow people to make their case on the issues and on issues that remain untested. That is why we are proceeding to a public inquiry. The public's voice will be heard through the public inquiry process.

Mr Cree: In the wider scheme of things, can the Minister advise how delays in the planning system are affecting the growth of renewable energies as a whole?

The Minister of the Environment: A considerable number of renewable energy applications are being approved. We could almost double the amount of renewable energy that is produced if all the planning applications that have been approved were enacted. In that respect, renewable energy targets can be met sufficiently by the rate of Planning Service approvals. Nonetheless, some of those will not be developed, while others will run into problems with connections to the grid and so forth. I will continue to press for those applications to be dealt with as expeditiously as possible. I want to ensure that as many opportunities as possible for the development of renewable energy are in the system.

Planning Service Staff

5. **Mr McQuillan** asked the Minister of the Environment what progress has been made on the redeployment of Planning Service staff. (AQO 64/11)

The Minister of the Environment: My Department faces in-year pressures of £16 million, which is 12.4% of our opening baseline position. That scale of financial pressure in one year is unprecedented in either my Department or any other Northern Ireland Department. It follows a difficult position last year, when we had to absorb financial pressures of £9 million. The shortfall in the Planning Service, which is mainly due to reduced fee income in 2010-11,

is estimated to be at least £6.4 million and is not something that we could have avoided.

I am pleased that my Department received £2 million in the June monitoring round and that it will bid for additional in-year funding in subsequent monitoring rounds. However, the final decision on that rests with the Executive. Pending Executive decisions, I have drawn up contingency plans to manage the position. As most of my Department's budget is staff-related, reductions in workforce levels across the Department, including the Planning Service, have become unavoidable. The contingency plans include a redeployment scheme for administrative staff and a regrading scheme to enable professional and technical staff in the Planning Service to transfer voluntarily to the general service discipline.

To date, over 44 administrative staff from the Planning Service have been deployed, and dates have been agreed to release a further nine over the next few weeks. Work is ongoing with the Department of Finance and Personnel and other Northern Ireland Civil Service Departments to identify posts for professional and technical staff, together with opportunities to loan or second staff to other organisations for limited periods. For example, by 28 September, 60 PTO staff will have transferred on loan to Land and Property Services for two years. All those measures are aimed at retaining valuable planning expertise in the Northern Ireland Civil Service to be utilised when the economy starts to improve.

Mr McQuillan: I thank the Minister for his detailed answer. Does he have any plans to introduce a redundancy package for those staff either now or in the future?

The Minister of the Environment: I have no plans to introduce redundancy packages. We moved when we did to ensure that we could transfer as many staff as possible without having to contemplate redundancies. We are having success, and the transfer of 60 staff to DFP has relieved us considerably. We will continue to work on the process, but I will need people to co-operate with me. At this moment in time, the unions are being co-operative, and I thank them for that. It is in everybody's best interests that we work together to resolve the problem. If we start to work against each other, the potential for redundancies will be greater.

Mr Gallagher: Will the Minister look at the redeployment initiatives in tandem with reasonable and fair travelling times? Is he aware that, when the process was carried out in Enniskillen, two individuals with young families living there had their names pulled out of the hat and were asked to redeploy to Belfast? That is giving people absolutely no choice, and it is something that workers in Fermanagh cannot do.

Mr Deputy Speaker: Will the Member come to his question?

Mr Gallagher: In view of such circumstances, will the Minister review the redeployment process?

The Minister of the Environment: It is not my intention to get involved in individual cases. The professional staff could have been transferred to four offices. One of those is the Omagh office, which is considerably closer to Enniskillen than Belfast. The process will not happen without pain, and I recognise that. I also recognise that the situation that we find ourselves in means that the morale of individuals working in the Planning Service may not be as good as it otherwise might be. However, the Member should compare the situation with that of those who were employed in the private sector by Quinn Insurance and were made redundant. We are seeking to ensure that nobody is made redundant and everyone has the opportunity of remaining in the Civil Service and retaining their employment in as reasonable a way as possible. I encourage the Member to take up individual issues with the local officers to see whether they can be resolved satisfactorily for his constituents.

Mr Beggs: The Minister indicated that he has surplus planners, yet another Department, which runs the Planning Appeals Commission, has a considerable backlog. Has the Minister lobbied the Planning Appeals Commission, OFMDFM and DFP to allow planners to transfer to that agency? They could use their skills to remove the planning backlog, which has resulted in undue delays, concern for local residents and a delay in capital expenditure programmes.

The Minister of the Environment: I am unsure whether the Member has been paying attention to the issue, but the Planning Appeals Commission had its resources doubled over recent years to allow it to deal with the backlog. The commission may be an independent body, but the House comes up with the resources

for that organisation and should expect results from the extra investment. On the basis of that increase in funding, perhaps the backlog should be dealt with more quickly.

Local Government: Environmental Protection

6. **Mr P Ramsey** asked the Minister of the Environment what monitoring processes are in place to ensure that the 26 local district councils deliver on their responsibilities to protect the environment, raise awareness and enforce any laws relating to infringements. (AQO 65/11)

The Minister of the Environment: My Department has a range of procedures in place that help it to establish how well district councils are delivering on their environmental responsibilities. In order to minimise the environmental impact of waste and meet statutory and non-statutory targets, district councils undertake awareness-raising programmes on recycling and are required to provide information on waste arisings, recycling levels and the amount of waste that is sent to landfill. That information is collected through the national WasteDataFlow system and is audited by the NIEA. My Department also monitors district council progress towards achieving air quality objectives by appraising their statutory air quality reviews, assessment reports and action plans. District councils also have responsibility for part of the pollution prevention and control regulations for inspections and the permitting and enforcing of activities such as the dispensing of petrol, dry cleaning and the chemical treatment of wood. My Department issued guidance on the level of inspection required, which is risk-based and monitors the inspection and enforcement activity undertaken by councils.

I am keen to help councils to demonstrate how well they are delivering against their environmental objectives. Therefore, as part of the proposals for a local government reorganisation Bill, I am proposing that a new service delivery and performance improvement framework be introduced for district councils. That will enable councils to demonstrate continuous improvement in the exercise of their functions and compliance with their responsibilities.

Mr P Ramsey: I thank the Minister for such a detailed reply. Given that the review of public administration will not be going ahead, will

the Minister outline what performance levels for effectiveness and efficiency he will bring in across the 26 councils?

The Minister of the Environment: It is not that the review of local government will not be going ahead. Indeed, we will be presenting the way forward on that to the Executive in the not too distant future for their approval. However, the local government reorganisation Bill can go ahead well in advance of the amalgamation of the councils. That legislation has been sitting in the office of the deputy First Minister for almost two years. It deals with minority rights and ensures that minorities are protected, and I ask the House to challenge that office on why it has held back that legislation and on the blocking mechanism it placed on the review of public administration advancing as fast as it should have done.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. *[Interruption.]*

Mr Deputy Speaker: Order.

Mr McElduff: In the absence of the transfer of powers, which is costing millions of pounds in efficiencies not realised, will the Minister tell the House whether local councils will be in a position to fulfil their environmental and waste management obligations?

The Minister of the Environment: One of the transfers of powers that we wanted to address related to the amalgamation of the current waste organisations. That was identified as an area in which real savings could be made, yet it was resisted by Members opposite, including the Member who has just spoken. Therefore, when it comes to giving lectures about the savings that are to be made — *[Interruption.]*

Mr Deputy Speaker: Order.

The Minister of the Environment: The real savings that were identified in the PricewaterhouseCoopers report that related to a business services organisation and a single waste authority were rejected by the party opposite. We could have made savings, but the party opposite ensured that it did not happen.

3.00 pm

Mr Deputy Speaker: Order. The Minister has the Floor. I ask Members to respect that when Ministers are responding to questions.

The Minister of the Environment: The party opposite may not like the fact that savings could and should have been made and that it was the blocking mechanism to those savings being made and passed on to the public.

Finance and Personnel

Mr Deputy Speaker: Questions 1, 3 and 5 have been withdrawn.

Public Expenditure

2. **Mrs D Kelly** asked the Minister of Finance and Personnel for his assessment of the First Minister's assertion that there may be a better way to deal with the forthcoming Budget reduction than implementing pro rata cuts across Departments; and whether he is considering any alternative options. (AQO 75/11)

The Minister of Finance and Personnel

(Mr S Wilson): The First Minister is correct to say that pro rata cuts are not the best way forward for the Budget process. That does not reflect the Executive's strategic priorities, and it cannot be right to assume that the pressures and demands of each Department are of equal merit. In constructing the draft Budget position, I will look at the priorities that are set out by the Programme for Government. Other factors will be brought into play, such as the ability of Departments to spend the money allocated to them and the impact that that will have on front line services. I cannot emphasise enough — I have done it time and time again — the importance of real engagement by Ministers so that we can discuss how their proposals fit into the Programme for Government and where exactly the priorities lie in their Departments.

Mrs D Kelly: I thank the Minister for his response and for his commitment to having clearly stated priorities and not advocating the salami-slicing approach. What principles will the Minister give to his Executive colleagues as a basis for their departmental savings plans and expenditure proposals?

The Minister of Finance and Personnel:

First, there are unavoidable costs in every Department, and those must be a high priority. The meaning of "unavoidable cost" is, of course, a matter of debate. Therefore, engagement with Ministers is important to establish that. Some Ministers tell me that everything is unavoidable;

I do not believe that. It is essential to find out unavoidable costs and tease out why they are unavoidable. Those inescapables must be met.

Secondly, we will look at what contractual commitments have already been entered into because, if we do not meet those contractual commitments, there will be costs to the public purse. That is wasteful.

Thirdly, we will look at Departments' lists of bids. From that list of unavoidable items and items where there are no contractual commitments, we will find out what Ministers regard as the priorities for their Department, why those are priorities and how their assessment of those priorities fits into the Programme for Government and its strategic view. It is important to build up that kind of picture, and I suspect that those are the questions that Committees will want Ministers to answer.

Miss McIlveen: Will the Minister confirm whether he will make representation to the Treasury to highlight Northern Ireland as a unique case that needs favourable treatment?

The Minister of Finance and Personnel: I should maybe dispel a couple of myths about the Budget process. The Budget process and the final amount of money that we get from Westminster is not all about negotiation with the Treasury. The amount of money that is devolved to Northern Ireland, which represents about 90% of our Budget, is calculated through the Barnett formula. There is no negotiation about that. In some cases, there will be interpretation about which items fall under the Barnett formula and how much consequence they should have. I have those meetings with the Treasury.

Secondly, I, along with other Finance Ministers, have been meeting Treasury Ministers. I had one such meeting last week. At those meetings, we highlighted our unique circumstances, although I must say that the response to our pleading for special cases was not that favourable. Nevertheless, I highlighted to the Treasury Ministers that we have a higher dependence on the public sector, we are at a different stage of the economic cycle, and we have particular problems with the amount of finance from the banking sector because of the structure of banking in Northern Ireland. Collectively, the three Administrations pointed out that the increase in tax receipts should be regarded in the spending review as one of the factors that will determine how deeply the cuts

bite. We will benefit from any general reduction in cuts across the United Kingdom.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. Given that upwards of a quarter of the Executive's overall Budget across all Departments is spent on public procurement, has the Minister or any of his Executive colleagues discussed adopting a more strategic approach? That would help to sustain current employment and create new jobs, and I hope that it would, therefore, grow the economy in general.

The Minister of Finance and Personnel: Of course, we look at the amount of public procurement not only on the capital side but on the current side. As the Member will know, through public procurement, its rules and the kind of public procurement that we undertake, we have sought to take into account the needs of particular sectors. In some cases, we have realigned and reprofiled our capital spend to do so.

We have also examined how public procurement can be used to encourage the employment of the long-term unemployed and to encourage apprenticeships through including social clauses in some contracts etc. Attempts have been made to meet other objectives by virtue of the fact that we spend billions of pounds on procuring goods and services in Northern Ireland and beyond.

Budget 2010

4. **Mr S Anderson** asked the Minister of Finance and Personnel to outline the importance of a timely resolution to the Budget 2010 process and the potential consequences if this is not achieved. (AQO 77/11)

The Minister of Finance and Personnel: Ideally, the Executive will publish their draft Budget as soon as possible after the announcement of the UK spending review on 20 October. That would allow the Executive to sign off on the draft Budget. It would also enable the Committees to start their examination of the draft Budget, with a view to having a revised Budget by the end of the year. We would then progress to Assembly endorsement through a debate on the Floor early in the new year. That is the timetable that I would like to follow. It is important that we meet that timetable, because doing so would allow allocations to be decided for all the various bodies, trusts, boards, voluntary groups

etc. That would give them the opportunity to undertake some orderly planning for the financial year.

As I have pointed out time and again, we can, perhaps, live with a slack Budget process when there is plenty of money available, but we cannot afford to have a Budget process that maintains uncertainty until the beginning of the financial year, when there are likely to be fairly large cuts in budgets.

Mr S Anderson: I thank the Minister for his response. Could any Minister decide that his or her Department will simply go ahead and spend on the presumption of their budget being agreed?

The Minister of Finance and Personnel: Departments cannot go ahead and spend without the specific approval of the Executive and the Assembly. The implication of that is there can be no unilateral declaration of independence and no "go it alone" or Sinn Féin "ourselves alone" attitude to the spending of money by Departments. It is important to have a process whereby the Budget is agreed to provide to Departments the statutory basis on which to spend in the next financial year.

Mr McDevitt: Is the Minister concerned that his party and Sinn Féin appear to be taking an entirely divergent approach to the Budget? What specific direction has he received jointly from the First Minister and deputy First Minister in respect of his approach to the formulation of the forthcoming Budget?

The Minister of Finance and Personnel: Before the Member gets too self-congratulatory, perhaps he should ask what the response has been from the Minister for Social Development to discussions on the Budget. No one has covered themselves in glory, and the important thing is, as I have emphasised, that we start to concentrate on how we get a draft Budget proposal out for discussion and consultation. Of course, it is not only the First Minister and deputy First Minister who have to drive that. We may not like it, but we have to operate a system in which Ministers have to work together to get a Budget. It is not a case of the Finance Minister cracking the whip and saying that the Ministers must all do as I say, although I wish it was. Not only do the First Minister and deputy First Minister have a role to play — all Ministers have a role.

Mr Elliott: Has the Minister had any discussions with the Minister of Justice and the Treasury on spending cuts in light of the deteriorating security situation in Northern Ireland?

The Minister of Finance and Personnel: I have had some discussions. The Member will well know that, as a result of the application of the Barnett formula to Northern Ireland for this year, we have been subject to cuts of £127.8 million. Off the top of my head, I think that around £23 million of those cuts are attributable to the Department of Justice. That is one of the cases in which the application of the Barnett formula has not been correct. Last week, I met the Chief Secretary to the Treasury, Danny Alexander, in England, and I hope to have a one-to-one meeting with him on that. It has implications for further years; if the baseline were cut this year, that cut would continue throughout the spending review period. I will report back on the result of those talks.

Long before I took office as Finance Minister, in negotiations with the Treasury over the devolution of policing and justice, the First Minister's far-sightedness on the need to ensure that we did not find that a deteriorating security situation impacted on other budgets meant that we had access to an emergency fund. It has been confirmed that that access would still be available if the Justice Minister were to make a case to draw on it.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. We know now that the Finance Minister got that portfolio as a result of praising the First Minister.

The Minister of Finance and Personnel: Ask a question.

Mr McElduff: Does the Minister agree that, rather than having a meek anticipation of the scale of the cuts that are to be imposed and almost volunteering to the British Treasury for it to pick us off and to come and get us, a far more collective Executive position would have been achieved if he had tried to negotiate greater flexibility and resource to promote recovery in the private sector?

The Minister of Finance and Personnel: It always does one's career good to keep on the right side of the First Minister, and I intend to do that as often as I can. On occasions, I might get on his wrong side, and I will have to live with the consequences of that.

I do not know whether the Member listened to my response to an earlier question, but it is not a case of our rolling over to the Treasury. Indeed, during the election campaign, when it was suggested or implied that Northern Ireland would receive a higher proportion of cuts than other parts of the United Kingdom, we made it an election issue. The now Prime Minister pulled back from the indication that he had given in his interview on 'Newsnight' on that issue.

3.15 pm

As far as the Barnett formula is concerned, I must make it clear that one does not negotiate on the basis of a fixed formula; the formula is there, and we have to live with it. There may be flexibility in some areas, and, as I say, the interpretation of the formula can be debated. Indeed, there were three or four conversations with the Treasury over the summer about opportunities for flexibility through access to the funds that are held in the end-year flexibility. The Minister of Enterprise, Trade and Investment, the First Minister and I also spoke to the Treasury about the content of the economic package that it intends to announce in the autumn.

Mr Deputy Speaker: Question 5 has been withdrawn.

Construction: Employment

6. **Mr McNarry** asked the Minister of Finance and Personnel for his assessment of the impact on unemployment levels in the construction sector as a result of any anticipated cutbacks in government spending on capital projects. (AQO 79/11)

The Minister of Finance and Personnel: The economic downturn has had a severe impact on the Northern Ireland construction industry, with many individuals and firms having been affected. In August 2010, 13,000 people from the construction industry were claiming benefit. Given the amount of self-employment, I suspect that that is probably an underestimation of the number of people in the construction industry who have lost their job. It represents an increase of 28% since January 2009, so there are real concerns about employment in that sector. However, the construction industry has benefited greatly from the Executive's decisions to reprofile capital expenditure and the amount of capital expenditure that is undertaken. The

last Construction Employers Federation survey that I saw indicated that about 56% of those who are employed in the construction industry are now employed in public sector projects. In one way, we could boast about that; however, in another way, we should be very disappointed, because it shows that yet another sector of the economy relies on the public sector. I am not sure that that is healthy in the long run.

Mr McNarry: We can, of course, argue over figures. The figures that I have show that we have already lost 21,000 jobs and that further losses are expected. We need to talk about opportunities. Will the Minister indicate what opportunities may be presented to restructure budgets to prioritise capital projects that will involve and benefit the construction industry?

The Minister of Finance and Personnel: I do not want to quibble with the Member about the figures. I said that 13,000 might be an underestimation, given the number of people who are self-employed.

As regards looking strategically at budgets, I must make it clear that, although I am sympathetic to spending capital money to support the construction industry, we should only consider projects that are seen to be beneficial to the growth of the economy's infrastructure; I am sure that Members will agree. I must put that caveat down. We should not take a decision simply because it might bail out some of the construction industry and create a few jobs. There must be a vision as to what a project will do.

A number of things might be done, and the construction industry has been very helpful about them. I hope to meet representatives of the industry this week or next week to discuss their views on how we might draw in private finance. However, it will be difficult to do that because even some of the existing private finance initiatives will depend on banks being prepared to lend money. Another hard decision that the Assembly and individual Ministers might have to make is whether to switch some money from current spending — even at a time when current spending is being reduced — into capital spending. If there are projects that are regarded as really worthwhile, are Departments prepared to sacrifice some current expenditure to have more capital projects?

We also have to make decisions about whether we can increase receipts by selling off assets,

although we may take flak about that. Indeed, I have no doubt that the chattering classes in the press will point out that something was worth £10 million three years ago and is being sold for £5 million now. If opportunities arise, do we go down that route to enable us to release resources to undertake vital capital projects?

Mr Campbell: The construction industry would benefit from a number of urban regeneration projects that the Minister may be aware of, including two in Coleraine. Will the Minister confirm that, when discussion is taking place around the Executive table, consideration will be given to the economic effect of such projects on revitalising the local economy?

The Minister of Finance and Personnel:

Absolutely. In answer to other questions earlier, I said that one of the points of engaging with Ministers is to get them to tell me the things they want to spend money on and what benefits those will have on the wider community and on infrastructure, whether it is for Northern Ireland as a whole or for a particular town, which is the instance to which the Member is referring. That is the value of that detailed engagement. I have to say that the way in which Ministers have responded so far has not been encouraging.

We cannot ignore the fact that the Minister for Social Development spoke to me about urban regeneration projects. He explained the problems that he was having, and, in the June monitoring round, he obtained £10 million for urban regeneration projects. Therefore, I am a listening Finance Minister. Where a case is made and resources are available, I will do my best to facilitate Ministers.

Mr O'Loan: The Minister confirmed that the construction sector has taken the brunt of the recession. Officials have told us that there could be a cut in capital spend next year of £500 million and more in future years. Does the Minister agree that that cut would be calamitous for the construction sector? Therefore, there is a real onus on the Executive to come up with the original thinking that he has already started to indicate and ensure that it is carried through to real results.

The Minister of Finance and Personnel: We all have worries about the impact that potential capital cuts will have on the construction industry and about delivering the kind of infrastructure that we know is required to meet the wider economic objective of the Executive,

which is to grow the economy. However, some things that I have suggested to the Assembly require not only Executive agreement but Assembly agreement. When it comes to the production of any new thinking, I have to say that the Member is sometimes one of the greatest naysayers, but he does it very articulately. His allegation is always that, if we do one thing, we will not be doing something else and that will hurt people. However, it requires innovative thinking on the part of the Executive and innovative thinking and tolerance on the part of the Assembly.

Senior Civil Service: Pay

7. **Mr A Maskey** asked the Minister of Finance and Personnel for his assessment of whether a local body would be better equipped to carry out an annual review of Senior Civil Service pay, given the recommendation in the review of Senior Civil Service pay that local pay policy should be tailored to local economic and labour market conditions. (AQO 80/11)

The Minister of Finance and Personnel: I have received the Senior Salaries Review Body's report on Senior Civil Service pay and have invited views on its recommendations from the Committee for Finance and Personnel and the relevant trade unions. Before taking any decisions on future pay arrangements for senior civil servants, I would like to hear from those groups.

Mr A Maskey: I thank the Minister for that response and appreciate the efforts that he will take to have that report well considered. In view of some recent reports, does the Minister agree that it is unacceptable that some senior civil servants are getting paid more than Ministers or, indeed, more than the Prime Minister?

The Minister of Finance and Personnel: I do not want to go into all the recommendations of the Senior Salaries Review Body, but, last year, Northern Ireland was the only region of the United Kingdom that did not pay the bonuses that were recommended.

The review body recommended a pay freeze for 2010, the removal of some bonus payments and, more importantly, the possibility of removing pay increases and the normal pay uplift for underperforming Departments. Therefore, the Senior Salaries Review Body's report made recommendations that would address some issues. At the end of the day,

we must be cognisant of the fact that it is important to have balance and to get the right people into jobs while ensuring that we do not pay over the odds.

Lord Morrow: I would like the Minister to comment on the Civil Service equal pay settlement. Will he outline how former Civil Service staff were informed of their rights to qualify for equal pay?

The Minister of Finance and Personnel:

There was a massive debate on the equal pay issue. The process was initiated by the former Minister of Finance and Personnel, who is now the First Minister. All stages of the process have now been completed. We dealt with the Civil Service's representatives, namely the trade unions. Obviously, we looked at the Department's legal position and the financial implications, and we negotiated with trade unions. Apart from the role that they played, which, I understand, was to notify their members regularly through newsletters, information was also conveyed to civil servants through the Department.

Dr Farry: Will the Minister confirm that he intends to discuss and put in place recommendations by 1 April 2011 and that he is, in fact, open to the regionalisation of Senior Civil Service pay?

The Minister of Finance and Personnel: The fact that we have already unilaterally made a decision on bonuses is an indication that there has been some regionalisation. Some pay review recommendations already have implications for spending for next year. Such recommendations include those that state that there should be no increase in Senior Civil Service pay in 2010 and that there should be assimilation of new pay scales in 2011 and so forth. Therefore, it is clear that some point to the fact that they have to be implemented by the end of the current financial year.

Budget 2010: Statutory Committees

8. **Mr Beggs** asked the Minister of Finance and Personnel what role he expects departmental Committees to play in the Budget 2010 process. (AQO 81/11)

The Minister of Finance and Personnel:

Departmental Committees should play a pivotal and proactive role in co-ordinating responses to departmental budget allocations. I have

stressed to my ministerial colleagues that it is imperative that they engage as early as possible with their Committees in a transparent manner. As I said earlier in answer to a previous question, full and frank engagement is beneficial both to Committees and Ministers. Of course, a Minister who gets a Committee on board has allies when it comes to making the argument. Some Ministers, through their unwillingness to engage either with the Department of Finance and Personnel or, even worse, their respective Committee, find themselves isolated with no friends or supporters when it comes to making departmental bids.

Mr Beggs: I thank the Minister for his answer. Is he surprised to learn that, when departmental officials came to the Committee for the Environment recently to discuss the Budget 2010, rather than discuss the difficult options that are in front of the Assembly, they presented the Committee with a range of additional expenditure? When will there be constructive discussion between departmental officials and Committees so that we can share the difficult decisions that we face and live within our means?

The Minister of Finance and Personnel: There was a requirement on all Departments to provide savings plans that were to come to the Department of Finance and Personnel by the end of August 2010. Of course, those savings plans should then be explained to Committees. The Member is correct. It is important that, throughout the Budget process, Ministers are scrutinised on the things that they include in their savings plans and are rigorously questioned on why they choose those particular savings over others.

I have to say that one of the Ministers from the Member's own party has been notorious for that and is well known publicly for it. He brings the most emotive savings and puts them into the public domain in an attempt to protect his budget.

The Member has absolutely hit on the point. Ministers should have scrutiny of their savings plans so that we know whether it is a public exercise to try to protect their budget or a real attempt to manage their budget in the best possible way in times of economic constraints.

3.30 pm

Private Members' Business

Carbon Monoxide Awareness and Strategy

Debate resumed on motion:

That this Assembly calls on the Executive to introduce legislation to compel builders to fit carbon monoxide alarms to all new homes; and further calls on the Executive to bring forward a strategy to raise awareness of this silent killer and to encourage people to fit carbon monoxide alarms.
— [Mr McQuillan.]

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I too support the motion. I would also like to extend sympathy to the families of the two young men who died so tragically in Castlerock. The salient issues have already been covered in the debate, and there are just a few points that I would like to add. Other Members, Mr Wells and Mr Kinahan in particular, have mentioned relatives and close friends who have died from carbon monoxide poisoning. I too had a family friend who died over 30 years ago as a result of inhaling fumes from a gas heater. Yet the tragedies continue. Glass-fronted fires have also caused many problems, because, unless the proper fuel is used, the flues get blocked. In my constituency there have been near-fatalities as a result of people not using the proper fuel.

The Gas Safety (Installation and Use) Regulations 2004 provide some regulation and plenty of guidance, but, unfortunately, they are not always adhered to. Boilers need to be monitored regularly, and carbon monoxide detectors fitted as standard. Proper maintenance and detectors need to be used in conjunction to ensure their effectiveness.

As my colleague Mr McCann said, the Housing Executive, as a public housing body, should take the lead and set an example. There should be an onus on landlords and builders to install those detectors as standard. It is essential that people who fit and maintain boilers are properly trained to the highest standard and are competent in what they do. For instance, when disabled facilities grants are awarded by the Housing Executive, smoke detectors have to be fitted and hardwired into the electricity system.

Why not carbon monoxide detectors? After all, those alarms cost approximately only £15 to £20. They need to be fitted as a priority to prevent further unnecessary tragedies such as what happened in Castlerock.

Mr Irwin: I welcome the opportunity to comment in the debate on an important and pressing issue right across our Province. The death of Aaron Davidson and Neil McFerran at the holiday home in Castlerock was such an awful tragedy. I express my sympathy to the families as they continue to try to live with the heartache and deep sadness of their loss. We also know that it must be cold comfort that the House is discussing the need for legislation on the fitting of carbon monoxide alarms after that tragedy. They will ask why it takes a tragedy on that scale to spur the House into action. However, that awful incident brings home with a heavy and cruel blow the dangers of carbon monoxide, and the fact that those boys knew little of their predicament shows just how silent a killer it can be.

The fact that the fitting of carbon monoxide alarms is not mandatory along with the fitting of gas heating or oil appliances is concerning, and, in my view, the House has a duty to fully explore and address the issue. We must, however, avoid an ill-thought-out response to the issue and ensure that the gas industry bodies are fully consulted and kept on board. There must also be a review and obvious tightening-up in the industry, given that the gas appliance involved in the Castlerock incident was found to be defective. This is a serious situation, which deserves urgent and thorough consideration in tandem with the industry regulators and training programmes.

There will be an obvious cost associated with any such legislative requirement for the fitting of alarms and the identification and selection of suitable alarm units. Those are all issues that will require consideration. In the meantime, there is a clear need for greater publicity about carbon monoxide and its effects. I support the Members in their call for a strategy to raise awareness. There has been a well-co-ordinated, sustained and successful campaign on our television screens about the need for smoke alarms. A similar campaign on the same level, perhaps contained in the same advert, could be equally successful. Those suggestions and other Members' comments must be given full and frank consideration. I support the motion.

Mr O'Loan: I will speak only briefly about the issue. I support the remarks that have already been made and extend my sympathy to the families involved in the tragedy at Castlerock.

I raised concerns about this important issue at a meeting of the Committee for Finance and Personnel two weeks ago and asked that the Committee ask the Department whether it had considered making provision for that in building regulations. The Committee is still awaiting an answer to that question.

A number of agencies — the Health and Safety Executive and the consumer organisation Which? — have given clear advice that audible carbon monoxide detectors ought to be fitted. Building Control Northern Ireland is, however, a little more cautious in what it says. It has identified the dangers of carbon monoxide and quite rightly points out that it is produced when a fossil fuel, be it coal, gas or oil, is incompletely burnt. Therefore, if appliances are properly fitted, maintained and serviced, tragedies should not happen. That, of course, must be the first line of defence. However, it is better to have further protection, and we most certainly should be telling the public to install carbon monoxide detectors. On the basis of the information available at present, it is only sensible and prudent that building regulations should require newbuilds and extensions to have carbon monoxide detectors fitted. I notice that Building Control Northern Ireland gives particular information about the standards that such a detector should meet.

I have some extra information that I wish to throw into the discussion, because I do not think that anybody else has mentioned this significant point. There is a question mark over the life of the active element in carbon monoxide detectors, because they may last for only five to seven years. We know about the issues that arise from the mere replacement of batteries in smoke detectors. Therefore, if current models of carbon monoxide detectors have that weakness — if we can call it that — there is a possibility that people will have a false sense of security. That issue, therefore, needs to be considered and addressed in any regulations. In saying that, I fully support the motion.

The Minister of Finance and Personnel

(Mr S Wilson): I thank Members for their participation in this helpful debate. Members identified that the issue is much more complex

than simply installing carbon monoxide detectors in homes.

Like other Members, I wish to express my sympathy to the families of Aaron Davidson and Neil McFerran, who were the victims of the Castlerock tragedy. As another Member has already pointed out, our thoughts also go out to Matthew Gaw, who survived the tragedy and is now living with the implications of that.

After the tragedy occurred, the Minister of Enterprise, Trade and Investment and I held a joint press conference in which we indicated that we were prepared to look at all the circumstances surrounding the tragedy and at whether or not legislative change is the best way forward and, if so, what form that should take. However, we wanted to inform ourselves, as was the right thing to do, that, before any legislation was introduced, there was good evidence on which to base that legislative change. As many Members pointed out, the worst thing that we could do would be to simply wash our hands of the situation by saying that we did our bit — by bringing about legislative change — and, as a result, leave people vulnerable and with a false sense of security or, indeed, leave many properties in which there may be problems untouched by the work that would be done. I will outline some of the issues that I believe to be relevant in coming to that conclusion.

A number of Members raised the issue of new building regulations to deal with the installation of carbon monoxide detectors. The principles of building regulations state that the regulation is justified if, and only if, there is a sound case for intervening; if it is the preferred option compared with other options, such as spending, taxation or persuasion; and if the likely benefits justify the costs. Members have said that the cost of installing an alarm is between £20 and £50, which, assuming that 7,000 new houses are built each year, would probably add around £350,000 a year to construction industry costs. As a proportion of total building costs, as many Members would point out, that is a fairly insignificant amount of money, given that houses are perhaps selling for £100,000 or £150,000. Therefore, I want to make it clear at the start that cost is not the issue. However, there are issues that we need to look at before we decide which route to go down.

If we go down the building regulations route, that would cover the 6,000 to 7,000 new houses

that are being built each year. However, it would not cover existing houses, which may have gas or solid fuel heating — a point to which I will return in a moment — and it would not cover appliances, which, as many Members said, are also a source of carbon monoxide in homes.

The Minister of Enterprise, Trade and Investment said that, in looking at this, we would look at the regulations and the thinking in other jurisdictions, including the Irish Republic and GB. In GB, a proposal will be made in the autumn to include the installation of carbon monoxide detectors in building regulations. However, significantly, those regulations will cover only houses with solid fuel heating. The recent tragedy occurred in a property with gas heating, so most of the debate has been about gas heating, but, as the Member for East Antrim Mr Ross pointed out, solid fuel heating is a much greater source of carbon monoxide poisoning than gas heating is. In England, 1.25 million properties have solid fuel heating and 20 million properties have gas heating. However, the regulations will apply only to houses with solid fuel heating, because there are already directives that require gas heating systems to have secondary safety systems. In the Republic, which is looking at the issue, its document on gas technical standards indicates that, although additional security may be achieved if there are high-quality and effective CO detectors in properties, that can be no substitute for the regular maintenance of appliances to ensure that they are safe. Mr McClarty made that important point, as did others, and, as I have said time and again, it is one of the reasons why we should not present a change in building regulations as some sort of panacea that will make people safe. Even the industry accepts that the most important thing is for people to be aware, and then they should regularly check safety appliances in their own home.

3.45 pm

My second point — a number of Members referred to this — is that, even if we were to introduce building regulations to require detectors to be put into new homes, most homes would still not be covered. Furthermore, if we were to do that, there would be no power to require the replacement of detectors at the end of their lifespan. Given that their lifespan is five or seven years, as Mr O'Loan pointed out, the danger is that they would not be replaced. Many Members mentioned smoke alarms, which

are required under building regulations. Of those that were surveyed, 16% were deemed not to be working, and in 50% of fatalities in house fires, the smoke alarms were found not to be working. With a smoke alarm, it is simply a case of replacing the battery. Where replacement of the whole unit is required after five or seven years, the likelihood of people doing so, without other measures being taken, is low. We have to be careful if we think that simply requiring detectors to be installed once at the beginning of the lifetime of a house would solve the problem. The record does not show that that would be the case.

CORGI, the gas installer, indicated in its UK report that the main source of difficulty with carbon monoxide in homes was the failure to service and maintain appliances. That same report indicated that we in Northern Ireland are even less likely to have gas appliances serviced and maintained regularly. A number of Members raised the issue of creating awareness. One of the most immediate things that can be done is to get the message out to those who have gas or solid fuel appliances in their home that regular maintenance is required and they must ensure that the flue has been cleaned. We in Northern Ireland have not been good at ensuring that that happens.

In addition to the limited lifespan of alarms, there can be false alarms. When a smoke detector becomes faulty, the first thing that many people do is reach up and pull out the battery because they cannot be annoyed. If the alarm is too close to the cooker, the steam comes up and the alarm goes off, and they take the battery out. The problem with false alarms and the limited lifespan of detectors means that people will often have the detector serviced only when it activates. We are all guilty of that, in every walk of life. How many of us wait until the wee oil light appears in our car before we check the oil and put some in? I know that I do. That is a common problem, and we need to bear in mind the regular maintenance of the alarm.

Members raised the issue of awareness. If we are looking at a range of measures, awareness is one that we should address. In surveys of people in Northern Ireland, 60% of respondents indicated that they have never considered getting a carbon monoxide alarm. Most of those people responded in that way because they did not believe that they were at risk. The first thing that needs to be done is to raise awareness of

the degree of risk. A number of Departments are working on that. For example, DETI intends to launch a campaign through the Health and Safety Executive, which will start from 1 November. That campaign will include TV, radio, Internet and outdoor advertising.

Some Members asked about students who are going into accommodation now because it is the beginning of the autumn term. The Health and Safety Executive is making an advice leaflet available to students' unions and landlords to indicate to them that they should ask questions about whether appliances have been checked and should think about the potential dangers associated with those appliances.

The Department of Health, Social Services and Public Safety is producing an advisory guide to highlight the risk of carbon monoxide and to ask people to think about whether they are at risk. The guide will outline situations that might place people at risk and encourage people to raise the issue. The Public Health Agency is to undertake training with emergency crews on carbon monoxide poisoning. As a number of Members pointed out, people are sometimes affected by carbon monoxide poisoning, but symptoms are put down to something else. The Royal Society for the Prevention of Accidents is holding workshops with community groups to raise awareness. Many councils have started leaflet drops and are encouraging people to have their flues cleaned, get their appliances serviced and have carbon monoxide detectors installed in their properties.

A whole range of measures are being taken to raise awareness and encourage people to have their appliances checked. Even if we go down the building regulations route, we still need to encourage people in properties that will not be covered by those regulations to have detectors installed voluntarily and make sure that they are checked regularly.

It is important that we have a balanced debate on the issue. I reiterate the undertaking that the Minister of Enterprise, Trade and Investment and I gave shortly after the Castlerock tragedy. We will consider practices in other jurisdictions, the thinking behind those practices and the reactions that there have been so that we can put in place something worthwhile, not just something that can get a good headline. There is always a danger when a problem is identified that people will say that they have done something to

address it to get in the headlines and then wash their hands of it, end of story. We have got to get beyond that and be more mature.

The Minister of Enterprise, Trade and Investment and I will be asking what we can do to take effective action. The response may well impact on other Departments. That is the commitment that we give. Obviously, once all the evidence has been received, we will act on it. However, I hope that what I have outlined today shows that we will not be sitting on our hands, waiting for that evidence to be gathered. We are asking what can be done now. Where problems have been identified, we have sought, with students, households, community groups and residents' groups, to put things in motion to encourage people to think about the issue.

Mr Campbell: The debate was very comprehensive and emotive, as a result of the tragedy in Castlerock. A total of 17 Members contributed, and sympathies were offered by all of us to the Davidson and McFerran families on their loss. Every Member who spoke said that our thoughts are with the Gaw family, as that young man comes to terms with the loss of his friends.

In an exceptionally useful contribution, Mr McQuillan, who moved the motion, outlined some of the symptoms of those who succumb to carbon monoxide poisoning. Other Members did likewise. As a result of the tragedy, many retailers sold out of alarms. Because there was publicity and awareness, people purchased alarms and had them fitted. However, with the passage of time, knowledge and awareness diminish and, therefore, it is right and appropriate that the motion be debated today to remind people that installing alarms should continue.

Another recurring theme was the need for everyone with devices fitted to ensure that they are regularly maintained. That was raised by Mr Burns, Mr Ross and Mr McCann among others. Mr Robinson referred to the need for a joint campaign, and Mr Dallat referred to benefits that we could derive from the Irish Republic and elsewhere. Mr McClarty and the Minister referred to the importance of the tourism sector in this respect and, now that we are back into a new university year, awareness must be created there.

There were a number of very emotional responses because Members had family or friends directly affected. We heard from Mr Wells, Mr Kinahan and Mr Brady, all of whom

had immediate family or close friends die as a result of carbon monoxide poisoning.

Seventeen Members contributed to the debate, and that shows that this has had a considerable impact on the community. Unfortunately, it has taken a double tragedy to awaken that interest. Now that it has awakened, I am glad that the Minister responded as he did. If the building regulations scheme is only implemented in the 6,000 or 7,000 newbuild homes planned, that will be so many more homes fitted with carbon monoxide detectors than in the past. I hope that progress will be made. The Minister referred to the DETI campaign that will commence shortly and the Health and Safety Executive leaflet that will be issued.

I hope that, as a result of Members' contributions and the various departmental approaches, we can assist with coming to terms with this as a community, even though the families will never come to terms with their deep and heartfelt loss. However, we can, as a community, take steps that will make a repetition of this tragedy much less likely.

Question put and agreed to.

Resolved:

That this Assembly calls on the Executive to introduce legislation to compel builders to fit carbon monoxide alarms to all new homes; and further calls on the Executive to bring forward a strategy to raise awareness of this silent killer and to encourage people to fit carbon monoxide alarms.

Adjourned at 3.58 pm

Written Ministerial Statement

The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.

Agriculture and Rural Development

Research and Education Advisory Panel

*Published at 2.00 pm on
Thursday 16 September, 2010*

The Minister of Agriculture and Rural Development (Ms Gildernew): Fáilte romhaimh.

I wish to advise Assembly Members on the future of a DARD advisory NDPB, the Research and Education Advisory Panel, known as REAP

REAP was established in 2005 in response to one of the recommendations of the independent O'Hare Review of the arrangements for agri-food education and research and development in the north of Ireland. Its role, as set out in its Terms of Reference, is to provide independent expert advice on DARD's research, education and knowledge transfer policies.

The Review

In line with best practice in the management of public bodies and an earlier commitment to DFP, I commissioned an independent review of REAP and our interaction with it in 2008.

The review examined the rationale for an independent advisory panel, taking account of the wider political and strategic context; the most appropriate model for that advice, as well as the Panel's performance. The review was completed in consultation with the REAP membership, DARD officials and a range of stakeholders. It also drew on the experience of a range of comparable advisory bodies in Scotland, England and the south of Ireland. I am grateful to those who contributed to the review and helped me reach the decision I am announcing today.

The review acknowledged that REAP had been very productive. The Panel provided valuable scrutiny and input to the development of the DARD Evidence and Innovation Strategy which was well received by the research and wider stakeholder community. REAP also contributed to our thinking on the processes needed to commission, manage and quality assure DARD's substantial research programme. Finally, the Panel has also indirectly influenced our current approach to stakeholder engagement in developing other policies.

The review concluded that DARD still required independent expert advice on its research and education functions; that the existing panel should be formally stood down and a new panel launched later that year. It also made a number of more detailed recommendations on the future structure, operation and reporting arrangements for any new panel.

Following receipt of the report, I accepted the recommendation to stand down the existing panel but indicated my intention to consider further the review findings further before announcing a final decision on the way forward.

Changes in Strategic Environment

Not unexpectedly, the strategic environment for DARD's research and education policies has evolved very considerably since REAP's launch in 2005. In April 2006, we created a Non Public Departmental Body, the Agri-food Biosciences Institute to provide scientific research and services to government, non-governmental and commercial organisations. This was also one of the recommendations of the independent O'Hare Review. In addition, in February 2009, we appointed our first Departmental Scientific Adviser and our Evidence and Innovation Strategy, published in July 2009, is beginning to drive the DARD research agenda. We have also established new internal structures for commissioning and managing DARD-

funded research which provide for increased engagement between policy-makers, research organisations and stakeholders in identifying research needs, setting priorities and ensuring effective knowledge exchange. DARD is also strengthening its relationship with other research funders in Britain through various mechanisms, and we are also planning to explore the potential for further cooperation with the south of Ireland on research.

Furthermore, a number of cross-government strategic reviews of skills and innovation have concluded recently and new structures, such as MATRIX and the Food Industry Advisory panel have been established which will help guide the Executive's support for industry in these areas. At the same time, DEL is consulting on a revised Skills Strategy for the north of Ireland, which will provide the overarching policy context within which DARD education policy must fit. And, of course, we also have the benefit of Lantra and Improve, the respective Sector Skills Councils for the land based and food industries, to provide policy input and advice on skills needs.

Finances must also be a consideration, both for any revised body and the associated secretariat support. The Executive faces the significant budget pressures over the course of the coming four years and we will all have to make difficult choices about spending priorities.

It is against this background that I have assessed again the review recommendations and DARD's future need for an independent advisory body on research and education and I have come to the conclusion that REAP should now be formally dissolved.

In reaching my decision, I am mindful of the fact that research and skills remain important to our efforts to help the agri-food industry rise to the challenges of food security, climate change and an increasingly competitive global economy; and in achieving the vibrant rural community and environment, we all want to see. However, I am confident that through the new structures and arrangements referred to earlier, DARD can continue to secure improved quality and transparency in the development and delivery of our research and education policies.

I, therefore, believe the decision to dissolve REAP is the right one, given our present circumstances. My Statement will be available on the DARD website in due course.

Go raibh mile maith agaibh.



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