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Northern Ireland Assembly

Tuesday 16 November 2010

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

Members observed two minutes' silence.

Executive Committee Business

Commissioner for Older People Bill: Consideration Stage

Mr Speaker: I call the junior Minister Mr Robin Newton to move the Consideration Stage of the Commissioner for Older People Bill.

Moved. — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Mr Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There are two groups of amendments, and we will debate the amendments in each group in turn. I have also been advised by junior Minister Robin Newton that he wishes to address clause 8 of the Bill. Following the debate on clause 8 stand part, we will debate amendment Nos 1, 4, 5 and 6, which deal with broadening certain definitions in the Bill and defining the period in which subsequent reviews of the legislation must take place. The final debate will be on amendment Nos 2 and 3, which remove the provision that prevented the commissioner from being called to give evidence in certain legal proceedings, as well as ensuring that the commissioner is not precluded from disclosing information in civil proceedings.

I remind Members intending to speak that, during the debates on the two groups of amendments, they should address all the amendments in each particular group on which they wish to comment. Once the initial debate on each group is completed, any subsequent amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the

appropriate points in the Bill. If that is clear, we shall proceed.

Clauses 1 to 7 ordered to stand part of the Bill.

Clause 8 (Investigation of complaints against relevant authorities)

Mr Speaker: No amendments have been tabled to clause 8, but the junior Minister Mr Robin Newton has indicated a wish to speak to clause 8 stand part.

Question proposed, That the clause stand part of the Bill.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton):

I wish to provide some clarification of the purpose of clause 8(2)(b) in the light of the concerns that the age sector has raised on behalf of older people. Clause 8 provides the commissioner with the power to investigate complaints made by an older person. I stress that the sole purpose of subsection (2)(b) is to avoid duplication of the commissioner's work with that of other bodies that already possess the responsibility, expertise and resources to act on a complaint raised by an older person. We are committed to providing a strong independent voice for older people in the person of the commissioner. Therefore, it is certainly not our intention for subsection (2)(b) to stymie the commissioner in carrying out his or her key functions on behalf of older persons.

A unique role is proposed for the Commissioner for Older People to provide a strategic vision and focus specifically on the interests of older persons. For example, the commissioner's investigations are based on the interests and rights of older people, and they are driven by the United Nations Principles for Older Persons. Therefore, they have a wide breadth. The commissioner will also be able to focus on the

merit of decisions and actions that affect the interests of older persons.

Although the public consultation showed strong support for the unique role of the commissioner, who will take a holistic and strategic view of all the rights and interests of older people, some concerns were expressed about duplication of the commissioner's work. That issue was also raised during the Committee for the Office of the First Minister and deputy First Minister's consultation and by some Committee members at Committee Stage. We listened to the concerns and retained those clauses, such as clause 8(2)(b), that provide protection both for the commissioner and other bodies where there is a potential overlap.

However, as part of our response to the consultation, where possible, we amended some of the clauses that placed limitations on the commissioner. That will ensure that the commissioner is not prevented from certain actions solely because another organisation has similar powers or responsibilities but will be able to use his or her influence, discretion and judgement, including determining when it is appropriate to provide assistance.

It is important to ensure that the commissioner's powers add to the support that is already there and do not duplicate services that existing organisations already provide. Depending on the nature of the problem, there are existing organisations that can and will act to resolve a matter for an older person. The commissioner will not act in isolation from other regulatory, scrutiny, investigatory or oversight bodies that already undertake duties in association with older persons.

As part of its consideration of the Bill, we provided the Committee with information on the types of issues that can be addressed and potentially investigated by the commissioner. The Committee was satisfied that there was a need for the commissioner to have a wide range of powers, including investigatory powers. Therefore, it is very important to ensure that, when an older person seeks help with a particular issue, there is clarity about which organisation is responsible for that matter; there is no duplication or conflict of responsibilities between different organisations that could cause confusion and inefficiency for all involved; public money is used efficiently by ensuring that, where an organisation is funded

to provide a service, another organisation is not also funded to provide the same service; the commissioner is not disadvantaged or embarrassed by intervening in a case where another organisation has more knowledge or expertise to deal with the matter and help the older persons involved; and the older person gets the right help at the right time.

We provided the Committee with information on the types of issues that can be addressed and potentially investigated by the commissioner. The Committee was satisfied that there was a strong need for investigatory powers. The commissioner will, of course, be able to speak up for older persons. Under clause 4(6), the commissioner is empowered to challenge strongly any organisation that does not respond promptly or appropriately to a complaint from an older person by making representations or recommendations for change.

In addition, if the commissioner believed that the public bodies referred to in the Bill as relevant authorities did not take action or did not in a timely manner adequately investigate a complaint that came under their responsibility, the commissioner has, under clauses 5 and 6, the power to review formally the complaints procedures of the organisations in question. The review could focus on an individual older person's case and could be subject to the formal investigatory powers in the Bill.

With clause 8(2)(b) in place, the commissioner will still be able to act on behalf of older people by using his or her wide range of advisory, promotional, educational, advocacy, conciliation, and review and legal powers for the rights and interests of older persons. We have been advised that an identical provision to clause 8(2)(b) in the legislation for the Northern Ireland Commissioner for Children and Young People has not caused the Children's Commissioner any difficulties and has, in fact, helped to avoid confusion over where responsibility for complaints lies as well as avoiding the duplication of work.

However, if the experience of the Commissioner for Older People is different and problems arise, the issue can be raised through the provisions of the Bill that enable the commissioner to carry out reviews on the adequacy and effectiveness of the legislation. The commissioner can make recommendations to amend the legislation if appropriate.

In the first instance, the carrying out of such reviews is a legal obligation as soon as possible after three years of the Act's coming into force, and, at the latest, every five years thereafter. However, if that provision causes the commissioner difficulties, Ministers will not wait for the outcome of a review but will move ahead of the review process to address and remedy the problem by amending the Act if necessary.

I hope that that provides some reassurance and explains why we wish to retain the clause as worded.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Elliott): In its scrutiny of the Bill, the Committee had numerous discussions with stakeholders and the Department concerning clause 8, which deals with the investigation of complaints against relevant authorities. In particular, we discussed the possible overlap of the commissioner's investigatory powers with those of other investigatory bodies.

In exercising its duties, the Committee wished to ensure that the scope and possible remit of the Commissioner for Older People was large enough and covered areas that other investigatory bodies would not cover. The Committee requested a briefing from officials to highlight the potential gaps in investigatory powers, the areas over which the commissioner's powers would extend and what the commissioner could investigate.

During the briefing, the Committee was advised that there are areas that directly affect the lives of older people on which no statutory organisation has the power to act. The Committee was advised that there is no legislation to cover discrimination in the provision of goods, facilities and services on the grounds of age. The Equality Commission has no statutory powers to act on behalf of anyone who is subjected to such discrimination, including older people. However, the Commissioner for Older People could investigate such cases based on older people's interests, investigate them as required and make recommendations on future conduct.

The Committee received a briefing paper that highlighted 29 possible areas that the Commissioner for Older People could investigate. The paper also provided real-life examples in which the Commissioner for Older People could have been involved. For

example, the Committee was advised that the commissioner could investigate the financial abuse of older people, end-of-life care, benefit uptake, top-up fees and pensions issues, to name but a few.

The Committee was also advised that the residual clauses place limits on the powers of the commissioner and will ensure that the commissioner cannot investigate where an existing body already has responsibility for a statutory complaints process. That prevents two publicly funded organisations being involved in the same case. The Committee was content that the powers of the Bill were appropriate.

10.45 am

I would like to make a few remarks as an MLA and as a representative of the Ulster Unionist Party. One area that I focused on during the Committee Stage was duplication and overlap. We need to be absolutely sure in these times of fiscal constraints that there is no duplication of the commissioner's remit. Otherwise, it will not be cost-effective.

I have had some concerns about how great the overall impact of the commissioner will be on older people. Obviously, we will know that only when it is tested and someone is put in the role. I hope that we will see the benefits of the Commissioner for Older People within a short period.

I want to put on record the issues with clause 8. I hope that we have got it right, but we may need to review it at some time in the future to ensure that there is no duplication and that we do not have an overlap that puts excessive financial restraints on the Executive.

I also want to be sure that politicians do not use the Commissioner for Older People as a basis for passing complaints. Politicians should not be allowed to get out of their responsibility to act as legislators.

On behalf of the Committee, I welcome the Bill and look forward to its progressing.

Ms M Anderson: Go raibh maith agat. Éirím chun tacaíocht a thabhairt don Bhille. I support the Bill. I will speak about clause 8 in particular.

As a member of the OFMDFM (Office of the First Minister and deputy First Minister) Committee, I know that it received the Deloitte report, which was commissioned by the OFMDFM.

Deloitte was asked to review the case for the creation of a Commissioner for Older People, and it reported that there was a need for such a commissioner to be established.

The Committee began its deliberations after the Bill's Second Stage in June. Not only did we examine the Deloitte report but we requested that research was carried out to map the 13 existing oversight officers who, we were told, act on behalf of older people to some degree. Although on the face of it a significant number of organisations provide an advocacy role for older people, as Deloitte stated and as the Committee ascertained, there are limitations in dealing with the needs of that constituency.

Although the Deloitte report, which touched on the provisions of clause 8, was tasked with identifying any gaps in existing advocacy and protection, it contained very little information on such gaps. Therefore, the Committee sought and received, from officials and from, I must say, the age sector, information about gaps in the current provision that necessitated the establishment of a Commissioner for Older People. The report demonstrated awareness of potential overlaps and duplication between a Commissioner for Older People and other commissioners or organisations. For instance, the Human Rights Commission is carrying out an investigation into how older people who live in nursing homes are treated. The Commissioner for Complaints stated in his evidence to the Committee that his office has powers that enable him to act on behalf of older people. Although his powers do not extend to enforcing recommendations, he said that organisations almost always accept his recommendations.

However, that said, the Committee and the Deloitte report accepted that no one body has the concerns of older people as its primary focus. Therefore, the Committee took any concerns about duplication very seriously.

The Bill places a limitation on the commissioner's power to prevent duplication of work with other bodies that have the responsibility, the expertise and the resources to address matters that affect older people. Therefore, the gaps between existing public bodies and the proposed Commissioner for Older People fall into two main areas where no other public body has the power to act. That includes investigating matters that are of

particular concern to older people and where a public body has the power to act but exercises discretion and does not act. So, the second gap is just as important as the first, as it is about an agency's willingness to prioritise older people, or its capacity, which may be restricted by resources or by the strategic focus to deploy its power.

Although the age sector preferred unrestricted powers to meet the standards of the power's principles, there was no proposed amendment to that, and the formal investigation powers of the Commissioner for Older People are reserved powers, to be deployed in exceptional circumstances. By the very nature of the potential use of the High Court powers, those powers are critical, and they will be enacted on strategic matters affecting the lives of older people.

The commissioner will, as the junior Minister outlined, have a wide range of powers to be deployed in the interests of older people, including advocacy, research, education, communication and outreach as well as investigative powers. The range is very broad. The gaps identified included isolation, and the Commissioner for Older People will be absolutely the only body with a legal duty to have outreach programmes and activities for older people. The Commissioner for Older People will be proactive and will be empowered to assess, identify and act to resolve a problem before it has an adverse effect on the lives of older people. I support what the junior Minister said about clause 8, and I will be speaking to groups 1 and 2.

Mrs D Kelly: The United Nations has called the current global ageing trend a situation without parallel in the history of humanity. Currently, 17% of the population in Northern Ireland is aged 60 or over. By 2030, that figure will increase to 24%, approximately one quarter of the population, and the largest increase will be in the older old. By 2030, there is likely to be more than 130,000 people over the age of 80 in Northern Ireland — a 103% increase on estimates for 2010 — making up about 7% of the population.

On behalf of the SDLP, I welcome the Commissioner for Older People Bill. I thank Ministers and the Chairperson and fellow members of the OFMDFM Committee for their work on the Bill. I pay tribute to the very many

older people who took part in the consultation exercises and who are here today to listen to the debate. I am sure that they would like to see the legislation passed before the Christmas recess, and SDLP Members are also keen to see the Assembly pass strong legislation as soon as possible.

In the debate on the Bill in June, my colleague Mr Mark Durkan expressed concern about the restrictions and exclusions in the legislation, which appear to give powers on the one hand but circumscribe them on the other. We still have a concern of that nature about the Bill.

The Minister, in his opening remarks, referred to clause 8(2)(b). That is something that I have concerns about. However, he was keen to point out that the review process would kick in much sooner than thought if there does not appear to be a shift on that. I welcome that clarification.

There are great expectations across the community about the introduction of the legislation and the establishment of the Commissioner for Older People's office. However, it has to be more than an office: it has to make a real difference to the lives of older people and to call to account all the statutory agencies in their delivery of services to older people.

Last week, the OFMDFM Committee heard an update on the targets for children living in poverty. What struck me during that presentation was that, although some of the targets to reduce the number of children living in poverty had been met, given the present economic constraints, there is going to be a failure to meet the remaining targets. However, what was most pertinent in the presentation was that the number of older people living in poverty was much on the increase, and I hope that the commissioner will address that.

On clause 8(2)(b), the junior Minister said that it was not about duplication of responsibilities but about efficient use of public money. We in the SDLP are behind the junior Minister in that call. However, he said that, under the clause, the Commissioner for Older People could hold to account the other funded agencies and advocate on behalf of older people. The key word is "funded", because we do not want organisations saying that they would act if they had the funds. We want assurances from the Minister on funding for the Commissioner for Older People and the other agencies that

have a responsibility for delivering services for older people.

I would also like the junior Minister to assure me that the commissioner will be able to act where no other body is acting and that any action that is taken will not be judged to be ultra vires. The Minister laboured the point about the role of the commissioner in the menu of roles that exist for other commissioners. If an arbitrator is needed between two commissioners or two scrutiny bodies, how will that arbitration be delivered? Is that where the review process kicks in? Perhaps the junior Minister can clarify those questions. However, we do not want to hold up the legislation.

Before I finish, I want to say a word of appreciation for carers. Social care is complex and can be a source of frustration and distress for many older people and their families. Carers do a wonderful job, and it is estimated that, in Northern Ireland, they save the Health Service £3.12 billion a year. Many carers are elderly themselves, yet they look after their spouses, partners or grown-up children, and, in some cases, even their parents. Although our budgets may be under pressure in the present economic climate, we have a moral responsibility not to let the burden fall unfairly on to the vulnerable in our society. We can choose to use resources more effectively to promote the health and well-being of older people here.

There is much talk about the protection of health services, but the other side of the health coin is social care. If healthcare is to be effective, social care needs to be protected as well. Many older people live alone and many live in isolated rural communities. The commissioner, when appointed, will have a busy time ahead advocating for the needs of older people across society.

Dr Farry: I, too, welcome the Consideration Stage of the Commissioner for Older People Bill. It has been long awaited, and there is a keen interest in it. Especially after last week, I am very conscious of the need to stick strictly to the matters under debate. I welcome the clarification that junior Minister Newton gave on clause 8(2)(b), and I appreciate the reasons that he felt the need to do that, because it remains an issue of some concern in the age sector.

At this stage, I want to stress two important points. First, we are talking about moving from a situation in which we were purely talking

about having an advocate to one in which we are talking about an office being created and being given investigatory powers. That is a major leap forward, and we should acknowledge the progress that has been made. Secondly, as the Chairperson said at the outset, we must appreciate that we are operating in a very difficult financial context at the moment, so we need to ensure that every pound and penny at our disposal is used to best effect.

I have no doubt whatsoever that investing in a proper office to deal with the interests of older people will provide value for money and will lead to a situation in which we can invest properly in prevention and in early intervention and save the public purse in the long term, as cases are addressed by the office and issues are advocated for. Obviously, we are extremely mindful of finances in how we set up the structures. We have to acknowledge the existing architecture in Northern Ireland with investigatory powers. We must ensure that the office fits neatly into that architecture and does not create unnecessary duplication.

We also need to be mindful of the prospect, at some stage in the future, of an overall review of Northern Ireland's investigatory commissions and how they fit together. All that needs to take place in that context.

11.00 am

I also understand why the clause has been drafted with a restrictive basis to rule out areas where a commissioner may intervene rather than with an enabling approach. On balance, that is the correct way to go, and I appreciate why the Department wishes to retain that approach.

An area of concern that I wish to probe a little with the Minister is a situation in which the commissioner may be better placed to take an issue forward even though it is a different body's statutory responsibility. I am concerned to ensure that the legislation is sufficiently robust and flexible to allow, for example, another ombudsman to ask the Commissioner for Older People to take a case forward as he or she might have better institutional knowledge and research for the case to be more effective rather than a different office having to reinvent the wheel. I am not sure that the Bill is sufficiently flexible to allow such a circumstance to arise. However, the area in the Bill that might require some minor review, perhaps at Further Consideration Stage, would be narrow.

That would give two offices the flexibility to work together seamlessly. It would not be a power grab of someone else's turf by a new commissioner. We hope that in that situation, two commissions could work together in close harmony to make a judgement that office A is better placed to take a case forward even though office B may have strict formal statutory responsibility. Clarification on that would be useful.

Not every area where an investigation might need to take place is governed by statute, nor, even, are areas where existing bodies intervene. As things stand, the scope for a commissioner beyond issues that other Members have mentioned could be quite broad. That highlights the importance of the various commissions in Northern Ireland working out memoranda of understanding on how they can co-operate and share.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

Given what the Member has just said, does he agree that it would be useful to have an overall review of all the commissioners and bodies that look at those issues?

Dr Farry: As the Member is my Chairman, I have to agree with him. In this case, however, I agree with him because he is right. It is important to stress that we are doing that now because there is an importance and urgency to it. It has been a long-standing issue on the Assembly's agenda. It is also important to ensure value for money and the most effective response to all the needs of people in future. Provided that there is no diminution of the service and response to older people's interests, I concur fully with the Chairman. I shall leave it there, Mr Speaker.

Mr Kinahan: As a newcomer to the Committee, of which I am extremely pleased to be a member, my knowledge of the Bill is a little limited compared to that of my colleagues. I want to make a few broad comments that reflect my initial analysis of the information that I have seen. First, I want to say that there can hardly be a more important or serious matter, nor a more important group of people who need support now.

Northern Ireland and the United Kingdom have an ageing population, and that throws up many problems with which the commissioner will be able to help. One such problem is

that considerably more older people live in poverty in Northern Ireland than in the UK: 23% compared with 16%. Low benefit take-up robs the Northern Ireland economy of much-needed stimulation. The reasons for low uptake are well documented: older people believe that they are ineligible for benefits, the claims process is complex, and older people are unaware of their entitlements. It is startling that only 19% of older people who are defined as living in poverty receive pension credit.

Although benefit matters are within the ambit of Westminster, there is a role for a commissioner with an unambiguous remit for older people's interests here to shine a light on the problem and to ask awkward questions. Not only would older people be better off if the automatic payment of benefits were introduced, but the whole economy would get a boost. There are other examples that make the Bill worthwhile and which show the public that the Commissioner for Older People is needed, because no existing body takes a holistic view of the issues affecting older people.

Sir Reg Empey: Given the circumstances in which we find ourselves, with difficult public expenditure and the pressures that will, obviously, affect all commissions, does the Member feel that this commissioner will have sufficient independence to deliver on behalf of the constituency for whom it has been designed?

Mr Kinahan: We have to make sure that he has the independence and the powers and that there is not a great deal of overlap. We have got to give him full support when we can. I reiterate the commitment of my party leader Tom Elliott to the creation of a Commissioner for Older People.

The junior Minister (Mr Newton): Since a number of Members have raised the same theme of the potential overlap of duties, I imagine that it is of concern. I will provide clarification on the question of potential overlap. The Commissioner for Older People will not replace or duplicate the duties of existing public bodies. We believe that the creation of the commissioner will simplify matters for older people who are seeking help and feedback from public consultation. The concern of duplication is addressed in two key approaches. The residual clauses in the Bill place limits on the powers of the commissioner and will ensure that, where an existing body

has responsibility for a statutory complaints process, the commissioner will not be able to investigate. That avoids a situation in which two publicly funded organisations are involved in the same case.

There is potential for a memorandum of understanding with other regulatory bodies to ensure that there is a joined-up approach, which will be in the interests of older persons. The older persons' commissioner will work in partnership with other bodies to promote and to safeguard the interests of older people and to ensure that they understand and co-ordinate their respective functions. We expect all public bodies to work collaboratively to ensure value for money and that there is no duplication of effort or service. Should any of those problems arise, there is the potential to review the legislation as we move through its first five years.

Mr Kinahan: I thank the Minister for clarifying matters. I reiterate that we will need a review in the future to make sure that what he says will happen is exactly what does happen.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

I thank the Member for giving way on a number of occasions. I understand what the junior Minister is saying, but does Mr Kinahan agree that if public bodies in the Province were to disagree on who was responsible for taking something forward, it would not be the first time? I can see nothing in the legislation to stop that happening in this instance. We could be in a situation where public bodies will disagree on whose remit it is to take matters forward. That is why I welcome the opportunity for a review within five years, but we may come up against some barriers within that time.

Mr Kinahan: I agree entirely with my colleague. It is essential that there is a speedy process that will allow us to review matters as quickly as we can. I recognise that the Bill is balanced between advocacy, advisory, research, educational, communication and outreach powers, as well as investigatory powers. I am in no doubt that the overwhelming majority of the Bill is entirely right and proper. However, there remains an issue surrounding the investigatory powers of the commissioner, as was touched on when an overlap was mentioned. We must make sure that there is not too much of an overlap with the Northern Ireland Ombudsman and

the Human Rights Commission. That view was shared by the ombudsman when he came to the Committee. We must keep an eye on that area.

At this time of fiscal and economic difficulty, it is extremely important that older people are given the protection and the voice that they deserve. However, it is also extremely important that we provide value for money to the taxpayer and remove any inefficiency and overlap. We in the Ulster Unionist Party welcome the Bill.

Mr Spratt: I welcome Consideration Stage of the Commissioner for Older People Bill. Today's debate is a good news story and it is good to see so many of the elderly population in the Public Gallery. They have played a pivotal role in the Bill's coming through. It was good to see on so many occasions at the Committee that various groups were represented, and older people took a very active role in the consultations that took place. Looking at some of the amendments, it is clear that much of what was said in evidence to the Committee during that consultation process was listened to by officials. I pay tribute to the officials from the Department, my ministerial party colleague and other Ministers who have listened to what has been said about the Bill. It is a Bill that has been pushed on.

It is important that there is a dedicated focal point to promote and to safeguard the interests and dignity of older people in this community because, over time, we have seen many circumstances and incidents in which older people have suffered many unpleasant things, such as elder abuse. As a member of the Committee, I recently had occasion to be a fairly regular visitor to one of our hospitals, and I was horrified to see a number of older people there who were not really being looked after, in relation to nutrition or anything else. Food was set in front of them and left there.

There is clearly a great need for the legislation, and I welcome that the Bill is going through the House today. The Chairperson has raised the issue of costs, but I think that it is something that we cannot afford not to do. Older people have been waiting for it for a long time, and it is important. I have concerns around how organisations can spring up, but the Older People's Advocate clearly indicated that that office would look at joint secretariats and stuff like that, as cost is an important factor.

I welcome and support clause 8. There will be support for it from this side of the House. It is good that there has been support for the Bill right around the Chamber. We want to get it on the statute book as quickly as possible. I intend to speak to some of the other clauses at a later stage.

Ms Purvis: Like others here, I welcome the Bill. It is a timely initiative. Article 25 of the European Charter of Fundamental Rights reinforces the importance of the United Nations principles when it states:

"The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life."

Most older people are seen as dependent, frail and in need of services and support, and that can obscure their potential. However, there is another side to the picture, as can be seen from the projection that the number of economically active in Northern Ireland over the age of 50 will rise from 180,000 by 30,000 to 50,000 by 2020. Some of that rise will, of course, have been prompted by the removal of the default retirement age.

11.15 am

Older people contribute to the development of our communities, and it is not often recognised that they are carers, volunteers, mentors, employees, employers, campaigners and grandparents. Therefore, the Bill and its Consideration Stage are very welcome.

We need to have a strong commissioner to work on behalf of the older population, as there are breaches of older people's rights through neglect, abuse, malnutrition and inappropriate use of medication, as well as through lack of dignity and privacy. There are also confidentiality issues. There is a significant distinction between a duty to provide under care standards legislation and a right to receive under human rights legislation. Westminster's Joint Committee on Human Rights has found that laws, policies and practices inadvertently discriminate against older people in many areas, and the extent of that discrimination tends to be hidden. Poverty, isolation and loneliness, lack of mobility and access to transport, and the availability of affordable and adaptable housing and insurance are some of the challenges that older people face.

There is evidence that older people are treated in a discriminatory way by those providing goods and services. Clause 8 is extremely important in that regard. A report in 2008 found that it was prevalent among insurers to use age as a proxy for risk or to exclude people from accessing financial services solely on the basis of age. I hope that we will see this Bill to establish a commissioner followed swiftly by legislation outlawing discrimination on the basis of age in goods, facilities and services, similar to the legislation introduced recently in GB.

Other Members have quite rightly spoken of the ageing of the UK's population, with Northern Ireland leading the field. I was struck by the fact that the United Nations called the global ageing trend a situation that is without parallel in the history of humanity. Like many in the Chamber, I want to see a commissioner with full and strong powers to protect and to promote the interests and rights of older people. The commissioner must be able to act to safeguard the interests of older people where she or he believes that it is important to do so, especially when no one else acts on the matter. I welcome the junior Minister's intervention on that. She or he must be able to exercise powers over all the relevant authorities and bodies, and it is important that the Bill includes bodies that provide functions under health and social care in addition to the normal list of public authorities. Those independent providers, whether in the private or voluntary sector, offer an important public service that older people rely on, so they should be covered in the legislation.

Furthermore, delivery agents for public functions can change, for example, where additional public services are contracted out. That might require bringing other independent providers within the commissioner's ambit, although the junior Minister may not be able to foresee which those might be at present. I ask him to assure us that that possibility is not ruled out. I appreciate that it can be difficult to ensure that all public bodies are covered by legislation, whether by name or under the various schedules. However, this is our opportunity, and we must try our best. All public bodies, without exception, should be included. I invite the junior Minister to let us know that he will regulate at a later date to bring any public body under the legislation if that is found to be necessary.

Like my colleagues, I look forward to the swift passage of this legislation. A Commissioner

for Older People would be a fitting Christmas present for all our older citizens.

Question, That the clause stand part of the Bill, put and agreed to.

Clause 8 ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

Clause 12 (Conciliation of disputes)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 4, 5 and 6. The amendments deal with broadening certain definitions in the Bill and defining the period in which reviews of the legislation must take place.

The junior Minister (Mr Newton): I beg to move amendment No 1: In page 8, line 20, leave out subsection (7) and insert

“(7) In this section ‘conciliation services’ means services provided —

by a person who is not a party to a dispute;

to the parties to the dispute; and

with the aim of enabling the dispute to be settled by agreement and without proceedings.”

The following amendments stood on the Marshalled List:

No 4: In clause 21, page 15, line 4, after “years” insert “, or later than five years,”. — *[The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]*

No 5: In clause 26, page 17, line 21, after “authority” insert

“is a reference to action taken for the purposes of a function exercisable in or as regards Northern Ireland and”. — *[The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]*

No 6: In clause 27, page 18, line 6, at end insert “‘interests’ includes rights;”. — *[The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]*

The junior Minister (Mr Newton): While speaking to amendment No 1, I will explain the rationale for amendment Nos 4, 5 and 6. Amendment No 1 relates to the commissioner's power to arrange for the provision of conciliation services to help to resolve disputes involving

the interests of older people. The power to provide conciliation services contained in clause 12 was inserted in the Bill as part of our response to representations made by the vast majority of respondents to the Department's public consultation on the Bill and its proposals. It specifically empowers the commissioner to make arrangements for the provision of conciliation services in relation to disputes that may lead to legal proceedings involving law or practice concerning the interests of older people. It aims to prevent older people becoming involved in lengthy, costly and stressful court cases if that can be avoided. That is in line with developments in other areas of public policy.

The Minister for Employment and Learning recently advised us that his Department is working in partnership with the Labour Relations Agency and other key stakeholders to promote conciliation, mediation and arbitration services. We also understand that the Department of Justice is conducting a review of access to justice here. One of the terms of reference of that review will be to examine the scope for alternative approaches to resolving those disputes that could potentially end up in the legal system.

When commenting on clause 12 as part of their response to the Committee for the Office of the First Minister and deputy First Minister's consultation on the Bill and the policy proposals, the age sector and the Older People's Advocate recommended the replacement of the term "conciliation services" with "dispute settlement services". They also called for a wider definition of the term. We have been advised that "conciliation services" is the appropriate term, as it is used in comparable legislation to achieve the same purpose.

However, we have agreed that an alternative and broader definition of "conciliation services" could be inserted to replace the current definition of the term at clause 12(7). Similar wording to what we are proposing was used in the Equality Act 2006. It is considered to be a much broader definition, including both conciliation and mediation services. We wish to maximise the number of alternatives to court proceedings involving older people that are available. The OFMDFM Committee scrutinised and agreed the amendment, and I am grateful for its consideration of and support for this clause, which received such widespread support

during the Department's public consultation on the Bill and the proposals.

Amendment No 4 relates to the power that clause 21 gives the commissioner to review the working of the legislation and to report on it to the First Minister and deputy First Minister. The commissioner will report on the adequacy and effectiveness of the Act and may offer recommendations as to how to amend it. Although the Bill specifies that a review of the legislation cannot be carried out more frequently than every three years, no maximum period is specified during which a review must be carried out.

The age sector suggested an amendment to make it a requirement in the Bill that reviews of the Act under clause 21 are carried out at least every five years. We consider that a helpful suggestion to ensure that the legislation is kept under review and, therefore, propose such an amendment. The OFMDFM Committee scrutinised and agreed the amendment, and I am again grateful for its consideration and support.

Amendment No 5 is designed to remove any doubt that the Bill is within the legislative competence of the Assembly, and it is being brought forward on the recommendation of the Attorney General. The Bill includes reference to public bodies and relevant authorities, such as the Pensions Ombudsman, whose functions extend to England, Scotland and Wales. The amendment is to make it clear that the commissioner's specific powers relating to relevant authorities apply only in regard to the functions that relate to Northern Ireland.

I stress that that limitation will not affect the ability of the commissioner to act as an advocate for older people in relation to reserved and excepted matters and making representations to, for example, Departments in Westminster. Clause 4(6) empowers the commissioner to make representations or recommendations to any body on any matter that concerns the interests of older people. The commissioner can stand up for older people in that way.

Amendment No 6 is proposed in response to a request from consultees during the OFMDFM Committee's consultation on the Bill. It proposes that the Bill should specify that any references to older people's "interests" include their rights. This has been an ongoing lobbying issue, and the Department has previously clarified that the term "interests", when used

in the Bill, is wider but includes rights. That was specified in the Department's consultation analysis report, which was published in May this year, and also in the draft explanatory and financial memorandum for the Bill.

Additionally, during Second Stage on 7 June, my colleague junior Minister Kelly made it clear that "interests" is a broader term that covers the wider picture, including rights. However, as the age sector, the Northern Ireland Human Rights Commission and the Older People's Advocate, Dame Joan Harbison, appear to have an ongoing concern about the matter, we have agreed to propose an amendment to clause 27, which is the interpretation section of the Bill, to clarify that whenever the term "interests" appears in the Bill, it includes rights. The OFMDFM Committee scrutinised and agreed that amendment, and I am grateful for its consideration and support.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

I thank the junior Minister for his explanations as he addressed this group of amendments. I will refer briefly to the Committee's scrutiny of the Bill. Over the past 18 months, the Committee has scrutinised in detail the development of the legislation. I take this opportunity to thank the departmental officials and Ministers for their regular briefings and for the information and clarifications that were provided. I also thank the Committee staff for their help and support in taking forward the legislation. In addition, I thank the stakeholders in the sector for their input in aiding the Committee in its scrutiny of the Bill.

The Bill was referred to the Committee on 7 June 2010. In response to its call for evidence, the Committee received 10 written submissions from key stakeholders. The Committee took oral evidence from the Older People's Advocate, the Northern Ireland Human Rights Commission, Age NI, the Age Sector Platform and the Northern Ireland Ombudsman. During the evidence sessions, the Committee considered and discussed a number of issues with stakeholders, including the possible overlap of work, the definition of the term "interests" and the commissioner's powers of investigation and inspection.

Following the oral evidence sessions with stakeholders, the Committee was briefed by the Department on 8 September 2010 on issues that were raised during the evidence sessions.

The Department advised the Committee of clauses that Ministers would be prepared to amend if the Committee agreed. At the meeting, the Committee requested further information from the Department on gaps in investigative powers in relation to older people, what the legislation would allow the commissioner to investigate and in relation to placing a duty on the commissioner to report criminal acts. The Committee also agreed to seek legal advice from the Assembly's Legal Services in relation to inserting a clause that would place a duty on the commissioner to report a criminal act. On 15 September, the Committee considered advice from the Assembly's Legal Services and was content that there was no requirement to include such a clause. The Committee was also briefed by departmental officials on the gaps in investigatory powers in relation to older people.

The Committee undertook its formal clause-by-clause scrutiny of the Bill on 15 September 2010.

During that clause-by-clause scrutiny, the Committee agreed with the Department to amend clauses 12, 21 and 27. The Committee was also content with all the clauses and schedules as drafted.

11.30 am

On 3 November 2010, the Committee agreed that it was content with two amendments to clause 20 and an amendment to clause 26, as suggested by the Department. The Committee considered amendment Nos 1, 4 and 6 on 8 September 2010. Those amendments were proposed by the Department following the Committee's consultation on the Bill.

Amendment No 1 provides for a broader definition of the word "conciliation" to include conciliation and mediation. Stakeholders raised that issue, and, at its meeting on 15 September, the Committee agreed that it was content that Ministers propose amendment No 1, and it agreed the context of the amendment.

Amendment No 4 relates to the review of legislation. The Bill states that a review cannot be carried out more frequently than every three years but specifies no upper time limit. The age sector suggested that the maximum limit should be five years. At its meeting on 15 September, the Committee agreed that it was content that Ministers propose amendment No 4, and it agreed its text.

Amendment No 5 was proposed by Ministers following the Attorney General's consideration of the Bill's legislative competence. Given that bodies that will operate in the reserved or excepted fields are listed in the Bill as "relevant" authorities, amendment No 5 clarifies the geographical scope of their work that is to be brought within the commissioner's remit. At its meeting on 3 November, the Committee agreed that it was content with the proposed amendment.

Amendment No 6 would change clause 27 to provide that "'interests' includes rights". That issue was raised by the majority of stakeholders during evidence sessions. Amendment No 6 clarifies the Bill's reference to rights. At its meeting on 15 September, the Committee agreed that it was content that Ministers propose amendment No 6, and it agreed its text.

Mr Humphrey: I support the Bill. As a new member of the Committee, I thank colleagues for their scrutiny of the Bill during its passage through Committee over the past year and a half or so. Today and the Bill are good for older people in our community. From my constituency work with the Greater Shankill Senior Citizens Forum, I know that the drive and energy of older members of our community serve as an example to some of us. That is exemplified by their commitment to make our communities much better. In many cases, they set an example to us all of how things should be done. We have so much to learn from what is a hugely wealthy resource in our society.

I also pay tribute to organisations in the community, many of which are represented in the Public Gallery today, for their contribution during the consultation process over recent months. It is essential that the House and the Executive focus on promoting and safeguarding the interests of older persons, many of whom are among Northern Ireland's most vulnerable people. We should keep to the forefront of our mind the contribution of so many thousands of older members of our community to this nation, not least, considering the week that we are in, during wartime.

Older people should be cherished, and they have a special place in our community, particularly in Northern Ireland, which is, perhaps, a much more caring part of this kingdom than other parts. People who have passed on good, sound

advice serve as good role models and examples in our lives, and we have all benefited.

The commissioner will have the clear role of being a champion for older persons and an advocate for their various agendas and strategies. Surely the use of conciliation to resolve disputes in a way that prevents protracted legal cases is better for this state and will be of benefit by saving money in the wider world's prevailing financial climate. In addition, such disputes generate stress and anxiety, which affect older people's circumstances; therefore conciliation and dispute resolution are a much better way forward.

In clause 4, the Bill must be adequate and effective and be reviewed on an ongoing basis. The role of commissioner makes sense, and the House and the Executive will benefit from it. Clauses 6 and 27, which protect the rights and interests of older people, are common sense. Again, I pay tribute to colleagues on the Committee for the Office of the First Minister and deputy First Minister for their contribution.

The cost of the Bill and of a commissioner was mentioned. However, we have no choice: older people deserve an adequate and articulate spokesperson for their rights to ensure that they get fair play. In Northern Ireland, we hear much about equality, which should also apply to older citizens. Older people must be protected. We all know of family members, neighbours or people who are among the most vulnerable in society and must be protected. Their rights are sacrosanct and must be to the forefront of our thoughts as we shape the Bill.

Our ageing population is a live issue, so resources must be applied not just now but, perhaps at a greater level, in the future. As we approach retirement — some sooner than others — we need to be mindful of the fact that, in a few years, it may well be we who find ourselves in unfair circumstances. We must ensure, therefore, that older members of the community are protected. They deserve their benefits and their right to transport, health and top-up benefits. We on these Benches support the Bill.

Ms M Anderson: Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt do leasuithe uimhir 1, 4, 5 agus 6.

I support amendment Nos 1, 4, 5 and 6. As a member of the OFMDFM Committee, I found the scrutiny process very interesting, to say

the least, and, on behalf of the Committee, I put on record members' thanks to the age sector in particular for challenging us to take an interest in the Bill, which we did, to listen to what it said and to support its amendments — amendment Nos 1, 4, 5 and 6. That demonstrates participatory democracy in action, because it was not about us in the house on the hill making legislation without engaging with the relevant sector. I do not want to come across as a smoothie, but I am proud of the role that the sector played in shaping the legislation. That demonstrates how this place works and how people can become involved.

We have an ageing population, and, as we heard throughout the evidence that was presented to us, it is estimated that by 2041 42% of the population will be aged 50 or over. People of pensionable age will represent 25% of the population, and the proportion of people aged 75 and over will double to at least 14%. I suppose that I should declare an interest as someone who will, unfortunately, probably be in one or other of those brackets by 2041, and, if God spares me, in the latter bracket.

Clause 25 defines an older person as:

“a person aged 50 or over”.

That definition is probably applicable to most MLAs in the Chamber. A range of challenges currently impact on older people. Amendment No 1 deals with conciliation of disputes and allows us and the Commissioner for Older People in particular to address challenges, such as those that relate to health and social care, domiciliary care, poverty, including fuel poverty, low benefit uptakes and housing adaptation, to name but a few. Indeed, I have tabled a motion for debate next week on domiciliary care. It was right that the Executive committed in the Programme for Government to provide a strong, independent voice for older people, and I welcome that commitment being progressed today.

Some of the issues that were brought to the OFMDFM Committee are provided for in the Bill and did not, therefore, require amendments. However, the Committee agreed that the alternative dispute resolution process, which is described in clause 12 and which amendment No 1 addresses, should be included, in that conciliation is defined in a broad manner and enables disputes to be settled by agreement and, hopefully, without proceedings. Sinn Féin

supports amendment No 1 and amendment No 4, which amends clause 21 so that the legislation should be reviewed no later than five years after the first report. That was determined and shaped by the age sector, and, given that, I refer to my earlier comments about participatory democracy and the role that people outside the Chamber play in shaping legislation and policy.

Sinn Féin also supports amendment No 5. If amended, clause 26(7) would define any reference to action taken by a relevant authority against which a complaint is made as:

“a reference to action taken for the purposes of a function exercisable”

in the North. I am aware that junior Minister Newton outlined the role of the commissioner in exceptional circumstances. The Bill enables OFMDFM, by order, to add, modify or remove bodies or persons included in the commissioner's remit. That is to be welcomed. Clause 26 will also enable OFMDFM, through subordinate legislation, to address any omissions that may be identified as we move forward.

Through the consultation process, the Bill will extend the list of relevant authorities that the commissioner will have power to formally investigate or review complaints against. Again, that demonstrates the age sector at work. The list now extends to nursing homes and residential care homes in the private and voluntary sector. We all remember the case in England of the older person who had Alzheimer's disease. I take a special interest in that, because my mummy has Alzheimer's, and I was keen to amend the parts of the Bill that deal with such matters. I recognise that that has happened.

The commissioner's powers include acting as an advocate on behalf of older people, but their general investigatory powers will not be limited to particular types of organisations and individuals and can be extended to include any organisation. There are additional provisions in the Bill that give the commissioner power to review complaint handling and formal investigations that apply to the relevant authorities that would be dealt with in clause 26, if it were amended.

Sinn Féin supports amendment No 6, which inserts into clause 27 the phrase “‘interests’ includes rights;”. As my party's human rights and equality spokesperson, I am particularly pleased that that extension has been included.

It is absolutely right that the definition of interests should include rights, and the fundamental reason why a commissioner is needed is to concentrate in a holistic and strategic manner on the rights and interests of older people. We all represent vulnerable constituents, and they have welcomed the fact that the amendment has been supported by everyone in the Chamber.

11.45 am

As other Members have said, the issues that older people face are multidimensional and, unfortunately, include discrimination, breaches of rights, poor practices and lack of attention. In other words, the Commissioner for Older People will, uniquely, bring to the table the protection of the rights and interests of older people in the widest sense and, from that position, add value to existing bodies and arrangements. Therefore, Sinn Féin supports amendment Nos 1, 4, 5 and 6. Go raibh míle maith agat for allowing me to speak on this group.

Mrs M Bradley: It seems like a long time since I came to the Assembly. At that time, this Bill was being talked about, and I am delighted that it is here today. Our older people have waited a long time for work on the legislation to begin and, given that it is happening now, we must get it right because they cannot afford to wait any longer or endure any more mistakes. They feel isolated as it is, and we cannot do that to them any longer.

I pay tribute to older people because they have all contributed over the years in many ways and in no small way. They still contribute to society as carers and volunteers, and I welcome and admire the work that they do. However, the social care system does not provide the quality of care that it should for our older people, and, if it is to be fair, equitable, sustainable and based on equality and human rights principles, a review of the current system of social care is long overdue. I commend that to the Minister for his consideration. I hope that we will move forward speedily with the Bill and that, in the meantime, the Minister will be able to give me the assurances that I seek. My party and I do not want to delay the Bill any longer because, as I said, we have always been involved and have always supported the legislation.

Perhaps the Minister could provide me with a bit more information on clauses 6 and 16. Given the authority that those clauses provide, what does that mean for delivery? What authority will

the commissioner have that will mean that he or she can really deliver? If a person goes into the commissioner's black book, where does the commissioner get the authority that he or she requires to act in such cases? I want to check on the delivery aspects of the Bill. I support the Bill and all the clauses that we have gone through this morning. However, the SDLP always had problems with it, and Mark Durkan, my party's former leader, raised some problems during the Bill's previous stage. I hope that the Minister's comments this morning have cleared that up for us.

I welcome the Bill. We do not want to delay it. We want it to move on, but we want the commissioner to have the powers that he or she needs to act for older people. I do not want to stand here — perhaps I will not — or want my party colleagues and other Members to be here and have people saying to us that the Bill was not worth the paper that it was written on. That cannot happen. The Bill is too important, and I want it to go through the House in the right way.

Dr Farry: The Alliance Party supports all the amendments in this group, and, like the Chairperson of the Committee, I want, as Deputy Chairperson, to record my thanks to the Committee officials and to everyone from the Department at ministerial level and official level who has worked very hard on the Bill. Furthermore, I recognise the very strong representations that we received from the age sector.

I want to stress two introductory points. First, the attitude that the Assembly adopts towards older people must primarily be one of enabling, to ensure that, irrespective of age, people are able to engage fully in society and in their own local community, including in the workplace, in family life and friendships and in the community and voluntary sector. We must ensure that people have the opportunities to take part in life and to make their contribution. We must recognise that every citizen should be respected, has autonomy and has a contribution to make to the benefit of all. However, we must also recognise that there needs to be support for older people to provide the necessary interventions when needs arise, whether those are for information, for ensuring that proper financial assistance is provided or for ensuring that the proper services are provided, from social care to hospital issues.

I will focus primarily on amendment Nos 1 and 6. Like the Minister, I stress the importance of conciliation in the broadest terms, and I welcome his phrase about conciliation and services. It is worth stressing that, in trying to address disputes, the earlier we intervene, the better it is for the parties concerned, particularly older people, and the better it is for the public purse in avoiding more difficult, tetchy and tense proceedings down the line, a longer process and a certain degree of risk with the outcome.

Earlier, I made the point that having a robust Commissioner for Older People who can intervene in cases and having proper services for older people will be not a cost to the public purse but a saving because it will ensure early intervention when needs arise, rather than intervention later in the process when costs are greater. In the same light, a move towards conciliation services is in line with a problem-solving approach, rather than allowing problems to fester and become more expensive as time goes on.

The Minister was also right to highlight the fact that there is a wider debate on the issue, particularly in respect of the Department of Justice, on legal services and the bodies that can intervene and try to engage in mediation. Costly legal proceedings are sometimes but not always necessary, and they should be avoided where possible.

The starting point of amendment No 6, its reference to “interests”, is probably the right way to go, but I understand the need to clarify that that also includes rights. If you plump for one or the other, there will always be a certain degree of a problem. The concept of interests is much broader than that of rights, especially when rights are defined in legal instruments, as opposed to how we might refer to them in a broader narrative.

Rights can be narrow and narrowly defined, and, if we were to proceed with a Bill that talked purely about rights, inadvertently, it could lead to a situation in which only certain cases would be eligible for intervention by a Commissioner for Older People, based on what is set out in rights conventions, particularly those that have been absorbed into domestic law. We can readily quote European and international standards, but it is important to bear it in mind that very few of those are justiciable in our domestic courts. Therefore, there is a gap between the

rhetoric of rights and the current reality of rights enforcement in our system.

There would be a danger in adopting a narrow focus on the concept of rights. In contrast, the word “interests” has a much broader meaning and refers implicitly to the whole ambit and range of issues that can affect older persons. The focus on the word “interests” enables a commissioner to intervene in the whole range of issues that may affect older people. That is the primary way to go. However, I understand the concern that, if the focus is on interests, some people might suspect that rights were diminished or were being avoided and that the prospect of being able to enforce rights in the rare circumstances in which a resort to legal proceedings is, unfortunately, required might be diminished. I understand why it is important that “rights” be clarified in the Bill: it will give an assurance that the concept of “interests” does not diminish rights or eliminate the protection of older persons’ rights.

Mrs D Kelly: As my colleague Mary Bradley pointed out, under the enforceability actions provided for in clause 16, as I understand and interpret it, the commissioner will be able to write to a relevant authority seeking reports and to review the authority’s compliance with a recommendation. That information will then, ultimately, end up in a register, which is the commissioner’s black book. Does the Member think that those are sufficient enforceability remedies, given the expectation that the Bill will make a real difference to the lives of ordinary people?

Dr Farry: The answer is probably yes, to a very large extent. When public bodies have been held to account and a spotlight shone on them by commissioners or ombudsmen, they have taken remedial action to address the concerns raised. Of course, legal proceedings are sometimes required when public bodies do not listen to representations. People can maintain their rights through a range of measures, either independently or through the Human Rights Commission or the Equality Commission. It is important to bear it in mind that those options are open to everyone.

Mr Speaker, I am conscious of not wanting to open up a wider rights debate, and I assure you that my party is cautious about how far we should go when addressing that. However, we must bear it in mind that the rights framework in

Northern Ireland is still limited and that a wider debate is still to be had on how we move rights protections forward. That has to be done with a certain care and attention and with reference to the wider debates across these islands and the particular circumstances of Northern Ireland. It is important to recognise that the rights regime will move and evolve over time.

It is also important that we go back to the point that I made at the start: “interests” include rights. That is a much broader concept that moves us beyond the very strict legal approach that the term “rights” lends itself to, and it enables the Commissioner for Older People to have a much wider consideration of issues. The Bill is consistent with that approach. I welcome amendment No 6 and all the amendments in the group.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I apologise on behalf of junior Minister Kelly, who cannot be here because he is attending a meeting.

The Commissioner for Older People Bill must be welcomed. The Assembly should be gratified that we, along with the Welsh Assembly Government, are leading the way with the appointment of a Commissioner for Older People. As I look round the Chamber, I think that most of us, including myself, are galloping towards the stage where we may benefit from the help of a Commissioner for Older People. Members should keep that in mind.

I am not a member of the OFMDFM Committee. However, my colleague Martina Anderson outlined the process involved, and, like other Members, she talked about the Committee Stage. There has been engagement with the sector that represents older people and, indeed, with older people themselves. As the Sinn Féin spokesperson for older people, I have had many engagements with that sector, and I am very aware of the need for a Commissioner for Older People.

It is worth pointing out that the United Nations principles on older people covering independence, participation, care, self-fulfilment and dignity, which were introduced in 1992, state:

“Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their

well-being and share their knowledge and skills with younger generations.”

It is important that the Commissioner for Older People should exercise those rights on behalf of older people and be an effective force.

12.00 noon

Much has been made in the current stringent economic climate of the duplication of services. The appointment of a Commissioner for Older People has been talked about but has never been implemented or reached this stage. That it now has is to be welcomed.

Amendment No 1 is to be welcomed, because it would give a wider definition of conciliation and mediation services. As junior Minister Newton pointed out, that would save older people from getting involved in lengthy and expensive litigation, which is to be welcomed.

Amendment No 4 deals with the effectiveness of the Act and with the reports that are to be made to OFMDFM. If those reports are to be effective, and if the effectiveness of the older person’s commissioner is to be monitored, the statistics affecting older people have to be taken into account. Some of those statistics have already been pointed out: 23% of older people here live in poverty compared to 16% in Britain; two fifths of single pensioners and one fifth of pensioner couples have no income other than the state pension and benefits; 44% of those entitled to claim pension credit are not doing so, which is something that needs to be urgently addressed; the average weekly amount in unclaimed benefits is estimated to be approximately £2 million, money which, as Mr Kinahan said, should be going back into the local economy. Those appalling statistics need to be looked at. Last winter, 756 older people died from cold-related illnesses because of fuel poverty. That needs to be addressed. Therefore, there has to be effective monitoring of the effectiveness of the older persons’ commissioner.

I welcome amendment No 5, which deals with the functions and legislative competence of public bodies. Those are things that the older person’s commissioner will monitor and report back on.

Amendment No 6 is to be welcomed and means that “interests” would include rights. However, as Stephen Farry pointed out, there is probably

a wider debate to be had on the minutiae of the differential between interests and rights.

I support amendment Nos 1, 4, 5 and 6, and I support the Bill.

The junior Minister (Mr Newton): I thank all Members for their contributions to the debate and for their very positive response.

By broadening the definition of conciliation services, amendment No 1 would help to keep to a minimum the number of court cases involving older people and would provide a less stressful, time-consuming and costly method of resolving their problems.

We consider it good practice to keep the legislation under review. Amendment No 4 would ensure that the commissioner carries out such a review every five years.

As I previously explained, amendment No 5 has been proposed to remove any doubt that the Bill is within the legislative competence of the Assembly by ensuring that the specific powers that the Bill grants to the commissioner in relation to relevant authorities apply in regard only to their functions that relate to Northern Ireland.

If made, amendment No 6 would be significant. In its response to the OFMDFM Committee's consultation on the Bill, the age sector listed the issue covered by the amendment as its first priority for change. If the Assembly were to support the amendment, it would be extremely well received.

By establishing a commissioner, we want to have someone to stand up for older people; someone who will challenge discrimination against older people and promote their participation in public life; someone who will investigate complaints on behalf of older people; someone who will encourage best practice in the treatment of older people; and someone who will influence and shape government policy in the interests of older people, including their rights. Ultimately, we want to see a society in which older people's voices are heard and respected and their interests and rights safeguarded and promoted.

I want to take the opportunity to respond to some of the comments made by Members this morning, and I already mentioned their positive responses. We are delighted that people are living longer, and we agree that older people make an extremely valuable contribution to our

society. Some older people continue to work, and others support their families by providing childcare and by caring for relatives who are ill. Those activities are extremely laudable, and the active voluntary sector in our society is greatly enriched by them and by the major contribution of older people. We should all acknowledge our gratitude for the part that older people play in helping to make our society work.

Dolores Kelly said that research shows that older people are vulnerable members of our society. The most recent figures state that 28% of pensioners live in poverty and that no less than 50% of pensioners suffer from fuel poverty. A 2007-08 report stated that 62% of older people aged between 65 and 74 reported having a long-standing illness. For those aged 75 and older, the percentage increased to 67% for males and 72% for females, with the figure of 38% for the population as a whole.

Older people represent an ever-growing percentage, which was recognised by contributor after contributor today. Members referred to current estimates, which suggest that, by 2041, 42% of the population will be aged 50 or over, persons of pensionable age will represent 25% of our population, and those aged 75 and over will double to at least 14%. Members recognised that, but the most significant figure across these islands is the largest percentage increase in the number of people aged between 50 and 60 and those who are aged over 75.

For many, a Commissioner for Older People with strong powers will provide them, for the first time, with a body that truly understands the difficulties facing older people and that has the powers to bring about changes to improve their lives. There is a clear need and strong support for a Commissioner for Older People with a range of functions, powers and duties. The age sector's We Agree campaign attracted widespread support for a strong commissioner, while the consultation on our proposals for the draft Bill received significant attention and demonstrated strong public support.

There is no single organisation that will have the range of powers and functions that are proposed for the Commissioner for Older People in one place, and the commissioner will bring together expertise and will focus on improving the lives of older people. Given the estimates and the fact that we have a greater awareness of the issues that relate to older age, the

Executive committed to providing a strong and independent voice for older people in the Programme for Government. In doing so, we recognise and pay tribute to the excellent work being undertaken by, for example, the health and social care trusts, Age NI, the Age Sector Platform and many other local groups that provide a first-class service for older people.

Dawn Purvis raised the issue of legislation on goods, facilities and services. We are aware of developments in England and across Europe and of proposals to introduce legislation to prohibit unjustifiable age discrimination by those who provide goods, facilities and services. We continue to consider that issue, which is one of six proposals for legislative reform that were flagged up the Equality Commission.

Martina Anderson said that no one body has older people's concerns as its primary focus, and we agree on that. However, none of the existing bodies in our society will have the range of functions and powers that we propose to give to the Commissioner for Older People.

Dawn Purvis commented on the importance of planning so that, when a dedicated commissioner becomes active, he or she will identify issues of strategic importance and have the power and authority to challenge and investigate. I hope that she is reassured by what I have said today. The establishment of a commissioner here is a groundbreaking development. The only place where a comparable commissioner is already in place is Wales. No other European country has a commissioner of this type. This is a strong example of the Assembly responding to the needs of local people.

I agree that the efficient use of money is important. As we move forward with the legislation and the establishment of a commissioner, we continually consider ways to both reduce cost and ensure value for money. For example, the commissioner will share services with other bodies. I am sorry that I cannot remember which Member mentioned that this morning, but I know that it was mentioned. Stephen Farry commented that we are living in a period in which there are likely to be increased pressures on public spending. We are determined that, in this economic climate, the most valuable people in our society do not suffer from the affects of any reduction in services. Jimmy Spratt said that, now more than

ever, we need a commissioner to protect the rights and interests of older people.

If I read the mind of the Assembly correctly, the proposed amendments will be supported today and we all recognise that an ageing population is an issue that cannot be ignored. Right across these islands and further afield, declining birth rates and increased life expectancy are placing an ever-increasing burden on our resources. That undoubtedly presents new challenges in how we address the concerns of older people. However, by establishing the Commissioner for Older People now, we are taking a longer-term view of the issue of an ageing population to ensure that older people here have the strong voice and protection that they deserve. Tom Elliott and his colleague Danny Kinahan raised the issue of costs. I have already covered that, but I want to reassure Members that, in this legislation and the eventual establishment of a commissioner, we will continually look at ways to achieve efficiency, minimise costs and ensure value for money, including reducing costs by sharing services.

I would like to take the opportunity to thank the Older People's Commissioner for Wales, Ruth Marks, for her assistance and support in the development of the proposals. All the reports that I have heard indicate that she gave unstintingly of her time, office and advice. I should have said that Mary Bradley raised an issue about clause 16. I will come back to that at a later stage if that is acceptable. I will conclude by pointing out that, in taking this Bill forward today, we are responding to a debate in the Chamber in June 2007 that called for the appointment of a Commissioner for Older People. The legislation is an example of the Assembly responding to the needs of our population.

Question, That amendment No 1 be made, put and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 19 ordered to stand part of the Bill.

Clause 20 (Disclosure of information by Commissioner)

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 2, it will be convenient to debate amendment No 3. The amendments remove the provision that prevented the commissioner from being called

to give evidence in certain legal proceedings, as well as ensuring that the commissioner is not precluded from disclosing information in civil proceedings.

The junior Minister (Mr Newton): I beg to move amendment No 2: In page 14, line 14, after “any” insert “civil proceedings or”.

The following amendment stood on the Marshalled List:

No 3: In page 14, line 32, leave out subsection (4). — [*The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).*]

12.15 pm

The junior Minister (Mr Newton): At the same time as speaking to amendment No 2, I will also explain the rationale for amendment No 3.

Following advice from the Attorney General, amendment No 2 is designed to remove any doubt that the Bill is within the legislative competence of the Assembly. Clause 20(1) provides that information obtained by the commissioner or his or her officers in the course of a formal investigation must not be disclosed in civil proceedings.

Amendment No 3 relates to clause 20(4), which provides that neither the commissioner nor his officers may be called upon to give evidence in any proceedings other than criminal prosecutions and proceedings that relate to obstruction and contempt under clause 19. It is possible to envisage situations in which an older person, particularly a vulnerable one, might be prejudiced by his or her inability to call the commissioner to give evidence on his or her behalf to provide information obtained during a formal investigation into civil proceedings.

In such circumstances, the rights of the older person, under articles 6 and 8 of the European Convention on Human Rights, might be breached. To that extent, the clause may be outside the legislative competence of the Assembly. Amendment Nos 2 and 3 are designed to remove that problem by enabling the commissioner to disclose information or give information in relation to civil proceedings and thereby ensure that the Bill is within the legislative competence of the Assembly.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister: Amendment No 2 ensures that

the commissioner is not precluded in civil proceedings from disclosing information. Ministers agreed to clarify 20(1)(b). At its meeting on 3 November 2010, the Committee agreed that it was content with the proposed amendment.

Amendment No 3 is proposed by Ministers to ensure compliance with human rights obligations. The Committee agreed at its meeting on 3 November that it was content with the proposed amendments.

Mr Spratt: I too support amendment Nos 2 and 3. The amendments relate to clause 20, which provides restrictions on the disclosure of information obtained during a formal investigation. On these Benches, we welcome the fact that the commissioner can disclose information to court proceedings that involve a criminal offence.

I had some concerns about this aspect of the Bill in relation to criminal investigations. I want to put it on record that I am satisfied that there is no legal obligation on anyone to report a criminal offence. One of the areas that concerned me throughout the process and throughout the legislation was the possibility of a situation arising in which the commissioner was investigating a complaint — which could, under clause 20, be something that concerned health and safety — and a criminal offence came to light.

I always wanted it to be made clear in the Bill that the commissioner would, particularly if a criminal offence came to light in any investigation of a complaint, immediately withdraw from the case and hand the investigation over to the police, particularly where criminal matters were concerned, because that is the rightful place for such investigations.

My reason for saying that, to the possible frustration of officials from the Department, is that I am concerned that the longer a commissioner or someone else continues to meddle in a case in which criminal matters come to light, such as one involving elderly abuse, the greater the possibility of a criminal investigation becoming contaminated and the less chance there is of a successful prosecution. I just wanted to make sure that safeguards were in place, and I make no apology for that.

I think that some of the folk who were in the Public Gallery sometimes thought that I was in some way trying to restrict what the commissioner would do. I now welcome the fact that the commissioner will be able to give evidence when criminal information comes to his or her attention during an investigation. That is now very adequately covered in the legislation.

I also had concerns that — this is no criticism of the Police Service, and it probably affects others who may be involved in investigations — in this day and age, folk are keen to offload onto somebody else the possibility of investigation. In times of financial constraint, the Police Service and everybody else are content when somebody else is investigating. I just wanted to make sure that the legislation was adequate and that those points were covered. So, I make no apology for raising those issues.

I am very content with the legislation before the House. The amendments are fully supported on this side of the House.

Ms M Anderson: Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt do leasuithe uimhir 2 agus 3.

I support amendment Nos 2 and 3. Clause 20, to which amendment Nos 2 and 3 refer —

Mr Speaker: Once again, I remind the House that Members should check their mobile phones. Members can hear that it is affecting the sound system. I ask Members to make sure that their mobile phones are off, please.

Ms M Anderson: Go raibh míle maith agat. Clause 20, to which amendment Nos 2 and 3 refer, provides for restrictions on the disclosure of information obtained by the commissioner during a formal investigation. Sinn Féin supports amendment No 2 in relation to the necessary insertion of three little, but absolutely necessary, words: “civil proceedings or”. We feel that they strengthen the clause.

We also support the removal of subsection 4 of clause 20, which outlined the areas that the commissioner and the office could not be called to give evidence on. Because it was an absolute compliance with human rights obligations that that be removed, the party and I, as equality and human rights spokesperson for Sinn Féin, were quite pleased to see that amendment coming through and subsection 4 being removed.

We pay gratitude to the Clerk of the Committee and the staff. During the process of scrutinising the Bill, they provided a lot of support to Committee members.

Although my contribution on these two amendments is brief, most of the other contributions that we made earlier indicate clearly our absolute support for the Bill.

Dr Farry: In the interests of time and speed, I will simply say that we give our full support to the two amendments.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I, too, support the two amendments. The details of the amendments have been covered.

The junior Minister (Mr Newton): I am grateful to all Members for their contributions on the second group of amendments. Amendment Nos 2 and 3 are proposed to ensure that it is possible for the commissioner and his or her officers to disclose information obtained during a formal investigation and to give evidence to civil proceedings on behalf of an older person. Clause 20 will remove any doubt that that is within the legislative competency of the Assembly.

Mary Bradley queried what authority the commissioner will have, in which she was supported by Dolores Kelly. I reassure Members that the commissioner will have a wide range of powers, including specific powers with teeth, such as the power to conduct a formal investigation into a complaint, with High Court powers to call for persons, papers and evidence, as well as powers of entry and inspection. If someone were to attempt to obstruct the commissioner, those powers would be backed up with the offence of contempt.

The commissioner will also have the power to take legal cases on behalf of older people and to assist an older person with a legal case. The commissioner will have a wide range of promotional, advisory, educational and general investigatory functions, duties and powers to be deployed in the interests of older people, both generally and individually. Those powers will help him or her to fulfil the aim of protecting the interests of older people here. The commissioner will be able to influence the actions of many organisations and individuals that affect older people's lives in many different ways.

The commissioner will have considerable powers to make recommendations for change and to publicly expose unreasonable non-compliance with his or her recommendations. We believe that those powers, together with the authority of the commissioner's office, will give the commissioner considerable power to effect change on behalf of older people. The commissioner will also have direct access to the First Minister and deputy First Minister if he or she wants to raise such issues.

Just like the Northern Ireland Ombudsman, the commissioner could bring his or her recommendations to the Regulation and Quality Improvement Authority, Criminal Justice Inspection and other regulatory inspectorate organisations that could use those recommendations as part of the framework of how they assess organisations.

Several consultees suggested that the commissioner should be able to bring his or her recommendations to the Committee for the Office of the First Minister and deputy First Minister or the appropriate departmental Committee to give greater public exposure and greater scrutiny by allowing the Committee to call and question the organisation concerned. The commissioner will be able to do that.

In concluding, I will take this opportunity to pay tribute to the work of the Older People's Advocate, Dame Joan Harbison. She has helped to identify current problems and has done an excellent job of bringing attention to the issues of concern to older people, including pension provision and transport, as well as forging links with her counterparts throughout Europe. The advocate provides independent advice on a range of issues, and we are all indebted to her for her work.

As Mickey Brady and I have said, establishing a commissioner here is a groundbreaking development, and it is an example of the Assembly working together, along with the age sector, and addressing issues that are important to those who make up the population of Northern Ireland.

Question, That amendment No 2 be made, put and agreed to.

Amendment No 3 made: In page 14, line 32, leave out subsection (4). — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 20, as amended, ordered to stand part of the Bill.

Clause 21 (Review of this Act)

Amendment No 4 made: In page 15, line 4, after "years" insert " , or later than five years,". — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 21, as amended, ordered to stand part of the Bill.

Clauses 22 to 25 ordered to stand part of the Bill.

Clause 26 (Interpretation: "relevant authority")

Amendment No 5 made: In page 17, line 21, after "authority" insert

"is a reference to action taken for the purposes of a function exercisable in or as regards Northern Ireland and". — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 26, as amended, ordered to stand part of the Bill.

Clause 27 (Interpretation: general)

Amendment No 6 made: In page 18, line 6, at end insert "'interests' includes rights;". — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 27, as amended, ordered to stand part of the Bill.

Clauses 28 and 29 ordered to stand part of the Bill.

Schedules 1 to 3 agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Commissioner for Older People Bill. The Bill stands referred to the Speaker.

The Business Committee has agreed to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 12.35 pm.

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

2.00 pm

Committee Business

Strategic Energy Framework

Mr Deputy Speaker (Mr Dallat): The next item of business on the Order Paper is the motion from the Committee for Enterprise, Trade and Investment. 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.

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

That this Assembly notes the Department of Enterprise, Trade and Investment's strategic energy framework which is intended to establish the direction for Northern Ireland energy policy up to 2020.

I welcome the opportunity to speak today on the recently launched strategic energy framework. The framework has been developed around four key goals: the building of competitive markets; ensuring security of supply; enhancement and sustainability; and developing our energy infrastructure. The Department has worked with the Committee throughout the development of the framework. During that time, it has become evident that none of the key goals exists in isolation; the success of each depends on the achievement of the other three. Therefore, rather than taking Members through the detail of the strategic energy framework, I will concentrate on some of the important work that is being done and which will have to be undertaken in order to achieve the four goals.

In order to support the further integration of electricity markets in Ireland, Britain and across Europe, it is important that we continue to develop our electricity grid infrastructure. That is absolutely essential. Developing the single market, particularly in Ireland, is of major importance. The single electricity market will continue to enhance our security of supply and bring increased opportunities for competition

in electricity. Recent announcements about competition in the domestic electricity market demonstrate that the single electricity market is starting to take effect. One also welcomes the Electricity Supply Board's (ESB) intention to invest heavily in the NI grid, if it takes over NIE (Northern Ireland Electricity). That is important, as roughly £1 million is required to renew the grid.

At a European level, the third internal market for energy package aims at reinvigorating market integration and at harmonising the powers and independence of regulators at national and EU level. During a visit to Brussels earlier this year, the Committee sought assurances and received support from the EU Commission Director General for Energy for our assertion that the Northern Ireland utility regulator should be represented on the Agency for the Cooperation of Energy Regulators (ACER), which is the umbrella body for energy regulators in the EU. That is important, if Northern Ireland's unique position in relation to the single electricity market in Europe is to be taken into account at a European level in future. The Minister may be in a position to update the Assembly on progress with that issue.

The Department has set a challenging target of 40% of electricity for renewable energy by 2020. Grid infrastructure development is required to meet that target and to provide a means of getting the renewable electricity generated onto the grid. A smart grid will also contribute to improving energy efficiency and, ultimately, reducing energy use and cost. The Committee recognises the concerns of people who could be affected by the additional pylons, etc, that will be required, but it is also cognisant of the urgent need to reduce our reliance on imported fossil fuels. We import about 98% of fossil fuels for electricity generation, and that can only come about if the electricity grid is strengthened.

The proposed North/South interconnector is a key component of grid infrastructure development. At a Committee briefing last week, departmental officials informed members that not having the interconnector in place is costing Northern Ireland consumers between £18 million and £20 million a year. That is a big cost for the ordinary consumer here in Northern Ireland.

It is also essential that we find ways in which to reduce grid connection costs and to make it more affordable for renewable electricity

generators to get their electricity on to the grid. Some connection costs are prohibitive, and, as such, potential investors are being discouraged from getting into the market. Connection costs need to be transparent so that, at the outset, potential generators have an understanding of the overall cost of becoming established in the renewable electricity market.

The strategic energy framework is not only about electricity. Natural gas is a vital aspect of our energy future. We must continue to increase competition in the gas markets for both business and domestic users, and we must extend the availability of gas to more homes and businesses across the region. Moreover, the extension of natural gas availability will assist in dealing with the difficulties and problems arising out of fuel poverty. That may be something that we should look at with greater focus.

However, that cannot be achieved at any price. The Committee is engaged with the Utility Regulator in exploring the options for opening up competition in the 10 towns area and in considering the recent study on extending the gas network into the west. Of course, natural gas will not last for ever, so it is important that we develop our capacity to explore alternative sources of energy for heat, fuel and electricity generation in order to secure our long-term energy future. That is a key aspect of the strategic energy framework.

It is essential that we provide the appropriate incentives for renewable energy to pump-prime development, and it is absolutely essential if we are to attract people into the market. Invest Northern Ireland informed the Committee that an estimated 15,000 jobs can be created in the renewable energy sector over the next five years. We must be in a position to take advantage of those opportunities. Many countries and regions are already ahead of us in the development of some renewable energy technologies. Other technologies are still at an early stage, so we must grasp the opportunities to develop those technologies that are viable and that provide opportunities to create jobs and to develop export markets in the renewable energy sector.

The strategic energy framework also covers microgeneration of renewable energy. Microgeneration will not contribute significantly to the 40% target in the strategic energy framework and may not be a key part of the

Department's targets for renewable electricity. However, microgeneration can provide opportunities for our indigenous small and medium-sized enterprises (SMEs) in that sector. I note that the Department has included in the strategic energy framework a target for renewable heat of 10% by 2020. That is a very ambitious target, and the Department is considering how it can be achieved. There is, of course, a grant from Treasury, ring-fenced at £25 million, for the renewable heat incentive for Northern Ireland. We welcome that and hope to see it fully implemented.

The strategic energy framework can provide the impetus for developing our considerable potential for growing businesses and jobs in the SME sector. It can also help us to secure our long-term need for sustainable and affordable energy. It can help us to develop and to grow export markets for renewable energy products and services so that we might eventually export our electricity to other regions and countries. However, in order to achieve that, there must be joined-up government, because energy does not simply lie within the remit of the Department of Enterprise, Trade and Investment (DETI). All Departments must work together, and co-operation at council level should also be included.

I wish to say a few words about the concerns that remain about our long-term energy future. The strategic energy framework takes us up to 2020, and that year will be upon us in just over nine years' time. A number of groups that gave evidence to the Committee's inquiry stated that action is needed now to secure our energy future up to 2050. The Minister may wish to update the Assembly on the work that the Department is undertaking to secure our energy future beyond 2020. I look forward to the Minister's reply to that.

The framework is to be welcomed. We may argue over bits and pieces, but, generally, it goes in the right direction. Ultimately, what is needed is the full implementation of the strategy.

Mr Deputy Speaker: Will the Member please bring his remarks to a close?

The Chairperson of the Committee for Enterprise, Trade and Investment: I hope that this can guide us to developing fully the renewable energy sector in Northern Ireland, which is a top priority for us all in the Assembly.

Mr Irwin: Although I am a recent addition to the Committee for Enterprise, Trade and Investment, I welcome the opportunity to contribute to the debate. At the moment, the Province sources only around 10% of its energy consumption from renewable sources. That falls well short of the ambitious target set out in the strategic energy framework, which is to achieve 40% of energy from renewable sources by 2020. Ten years is not a long time, as I am sure Members agree.

Northern Ireland is over-reliant on energy derived from fossil fuels. That means that it is exposed to whatever happens in the world oil and coal markets. Oil prices continue to climb as we speak, and, in the event of an oil supply crisis, Northern Ireland would be at serious risk. There is no doubt that we need to increase our ability to produce energy from renewable sources not only to protect the environment but to make us more independent in our capacity to sustain our infrastructure with a lower risk from market forces outside our control. The strategic framework sets a target, and although that is not legally binding, I believe that it is a positive step in focusing minds on what needs to be achieved for our own good as a part of the United Kingdom.

It is important that we have a strategy in place, given that the other devolved institutions in England and Wales are somewhat ahead in this regard. Scotland has ambitiously declared that it will be fossil fuel free by 2025. We wish it well in trying to meet that goal.

I am particularly interested in the agriculture sector. I know that there is one scheme in operation in that sector that deals with the use of renewable energy. That scheme is called the biomass processing challenge fund, and I understand that a total of 15 applications for funding have been received for the installation of biomass boilers and anaerobic digesters. According to the Department of Agriculture and Rural Development (DARD), the successful applicants will be informed in the coming weeks. That is an important funding programme, and I am interested to see those projects in action.

People must be encouraged to consider renewable energy, and I feel that funding programmes are a viable way of getting more businesses involved in considering renewable sources. I know that a number of large wind turbine applications have been considered in my constituency, and some are now operational.

There is no doubt that people are responding to alternative energy sources. I believe that every one of us can play a part in reducing the use of energy at home, in business and even in travel. I welcome the fact that a target has been set, albeit a non-binding one. It is the collective responsibility of us all to work towards meeting the targets in the report.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I have recently become a member of the Enterprise, Trade and Investment Committee, so I am still very much in a learning mode on the subject. I was reassured by the Chairperson's opening remarks, because some of the comments that I will make reflect what he said. I am encouraged by that. I wish to put on record my thanks to the Committee staff, who provided the information pack. I found it exceptionally helpful, and I will refer to it in my contribution.

I will start with the ministerial foreword to the document. The Minister refers to dependence on fossil fuels, the tremendous challenge that everyone faces and publications by other Departments. She also says that the overall objective is to achieve "a diverse mix of renewables".

The ministerial foreword and the document are very clear about the financial climate that we are in and the budget constraints that we face. The foreword states that the framework:

"is, ultimately, a blue print and does not include the detail of how targets could be achieved. Nor does it commit government, at a time of severe financial constraint, to investing public funds in particular initiatives."

It goes on to say that it is a signal; it shows the trend and the way in which we want to go. However, it is clear that the Department is aware that there is not too much of a funding commitment, and it would be helpful to see where we sit with that.

2.15 pm

The document refers to the fact that energy policy is driven by Europe, and the Chairperson stated that co-operation with other jurisdictions is helpful. Reference was made specifically to the value of the single electricity market, and the document acknowledges that it was the most significant policy intervention in recent years. It is a beneficial measure. The document states:

“The Single Electricity Market has also set a workable framework for cooperation between Member States and the development of regional markets in Europe.”

As the Chairperson said, there is increased investment, enhanced security and more competition.

The document contains action points, and point 39 is about support for the construction of the new North/South interconnector, which should be in place by 2013 or 2014. It also states that way leaves and so on should be in place by the end of 2010, if I have interpreted that correctly. The document also states that the development of natural gas is still at an immature stage. Again, there is reference to harmonisation with the South on common arrangements for gas. Clearly, one theme is that co-operation is vital, and if there is co-operation, there is benefit all around.

The Chairperson referred to affordability. The document signals the direction of policy, but it also states that there must be benefits for businesses and consumers. We all agree with that. It makes the point that policy decisions must now be assessed against energy costs, and I certainly welcome that. NIE estimates that it would take around £1 billion to support the target of generating 40% of our electricity from renewables. Moreover, we had a campaign to get natural gas in the west, and one estimate was that it would take £170 million to do that.

The document realises that the goals and targets are there and are challenging. The Department of Enterprise, Trade and Investment has stated that it is committed to working with others in championing the joined-up business of government.

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

Mrs McGill: I hope that local government can see the opportunities. I support the motion.

Mr Cree: I also thank the Committee for bringing the motion to the House today. Although the Ulster Unionist Party strongly welcomes the publication of the strategic energy framework, we see it not only as the beginning of a time when Northern Ireland will no longer be coerced into meeting renewable energy targets, but when we, as a society, are encouraged by government initiatives and continually strive to find and to

develop new sources of environmentally friendly energy.

The framework being discussed today is an important step, and I thank the Minister for her commitment to bringing it forward. There is no doubt that the specific target of sourcing 40% of our electricity from renewable sources by 2020 is ambitious, particularly when one realises that the Executive will need to deliver a four-fold increase in capacity to meet the new target.

Although I note that the Department is optimistic that it will meet the interim Programme for Government target of achieving 12% renewable energy by 2012, I wonder whether it has a grasp of what 40% means. It means that NIE will need to connect approximately 1,700 MW to 1,800 MW of wind-generated energy over the coming years.

Across Northern Ireland, 340 MW of wind power is connected to the grid. A further 18 wind farms, which could generate a further 690 MW, are in the process of being built. However, the same amount again remains caught up in the planning process, which could potentially scupper many of the targets that are set in the strategic energy framework. The experience to date has been less than reassuring: one just needs to look at the delays that have been forced on the North/South interconnector. The Environment Minister's latest decision was to refer the application to a public inquiry, which now looks as if it will not even be heard until late 2012.

It is for reasons such as those that I welcome the inclusion in the framework of a reminder to the planners that, under the terms of planning policy statement 18 (PPS 18), they must have regard for the new renewable electricity target when considering applications for renewable energy development. Therefore, I regret that the framework does not include suggestions for a co-ordinated and more efficient approach to infrastructure planning approvals. The fact that almost the entire power infrastructure will need to be upgraded to handle the new input from renewable sources is important. The current electricity transmission and distribution networks amount to some 45,000 km in total. Much investment will be needed in the north and west of Northern Ireland, which alone needs 400 km of brand new lines to be built just to handle the demand that would be placed on the network. Although that future-proofing of the grid and related infrastructure is necessary, there is

real concern, in the economic circumstances in which we find ourselves, about the estimated £1 billion cost. However, we have been assured that ESB has the necessary resources for the project.

I note in the framework that a renewable heat route map will be drawn up in March of next year and that it will set out key actions to achieve a 10% contribution from renewable heat by 2020, including opportunities for geothermal energy. Regrettably, there are no key actions or time frames for geothermal energy, for which we have the potential here in Northern Ireland. Similarly, there is the necessity for a strategy to develop heat from waste. That is missing from the strategic energy framework. The Ulster Unionist Party supports the framework and its four pillars, which are competitive markets, infrastructure development, security of supply and sustainability.

Mr Neeson: I welcome the opportunity to debate the strategic energy framework. Energy has always been one of the big interests of the Committee for Enterprise, Trade and Investment. In fact, in the first tranche of devolution, I remember the Committee embarking on an inquiry into energy in Northern Ireland. We anticipated that it would last about six weeks. In fact, it lasted for eight months. I am delighted to say that it formed the basis of energy policy in Northern Ireland for quite a number of years. I am also delighted to say that energy policy and the development of energy from renewables were major components of the debate when the Alliance Party put forward the resolution on the green new deal.

Last week, I met representatives of Arc21, which hopes to develop energy from waste. I fully support its project and hope that it will come to fruition sooner rather than later. I was very disappointed by Belfast City Council's refusal to permit the development of an energy-from-waste project at the north Belfast foreshore.

When we carried out our inquiry in 2001, the Committee visited Denmark, and I remember that, right in the centre of Copenhagen, there was a major energy-from-waste plant that was highly successful in producing clean energy. Therefore, I hope that the Arc21 project is developed sooner rather than later. The framework plan contains imaginative proposals. I hope that the target of generating 40% of electricity from renewables by 2020 is met.

Energy is a big issue in the East Antrim constituency, which I represent. We have the Ballylumford and Kilroot power stations and the Moyle interconnector, and the natural gas interconnector will come into the area. To ensure security of energy supply, we are discussing the proposed storage of natural gas in the Larne area. We know that two companies are involved in those projects. It is important that there is consultation with local people, because there are concerns about the projects and those concerns must be considered. In the earlier report, we tried to develop the issue of competition. The natural gas and electricity industries compete, and that competition is important to both domestic and business consumers.

Generating energy from tidal power was also addressed in the report. That is why I welcome the development of the project at Strangford. Some years ago, when Oliver Napier appointed me the Alliance Party spokesman on transport and energy, the Rance tidal power plant in France was the subject of one of the big projects on which I reported. It must also be considered whether the north Antrim coast is suitable for the development of tidal power.

Mr Deputy Speaker: Please bring your remarks to a close.

Mr Neeson: Therefore, Mr Deputy Speaker, I welcome the report, and although five minutes is too short a time in which to speak about it, I can say that it represents progress.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I ask Members to take their ease until that time.

2.30 pm

Oral Answers to Questions

Regional Development

Water Meters

1. **Mr D Bradley** asked the Minister for Regional Development why water meters are still being installed at new domestic properties if there are no plans to introduce water charges. (AQO 516/11)

The Minister for Regional Development

(Mr Murphy): I have been advised by Northern Ireland Water that, under article 81 of the Water and Sewerage Services Order 2006, it is required to make the fitting of a water meter a condition of its complying with a notice to connect a domestic property to the public water supply. The requirement relates to new and existing domestic properties obtaining first-time water services.

My statement to the Assembly on 13 September 2010 highlighted the ongoing tension between the Water Service model envisaged by the direct rule Administration and the decisions that the Executive have taken since devolution. This is another example of that tension.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. How many meters have been installed in domestic properties since May 2007, and how much did it cost to install them?

The Minister for Regional Development: I do not have that number, but I will get figures for the Member. Recently, following the retender of the installation contract, the cost of installing a meter was reduced from £42.23 to £32.55. The cost of meters and their installation is met by NIW. Currently, meters are not read by NIW, although it continues to record the consumption in individual properties, which, as I said, is a requirement of the 2006 legislation. It is one area that the Executive need to look at going forward.

Mr McCarthy: A lot of time has been wasted over water charges — I do not like to use the term, but the Minister will know what I

am talking about. Meters could have been introduced to properties throughout Northern Ireland, so that people would be ready for the unfortunate time, which will come, when they have to pay more for their water. At least they would now be in a position to pay for what they use, rather than something based on the value of their property.

The Minister for Regional Development:

Recently, the Member's party nailed its colours to the mast by coming out in support of water charging. However, the rest of the parties here do not support and have never supported the proposition developed under direct rule, which was to meter every household and charge according to water consumption. Nonetheless, although there is a requirement under the 2006 direct rule law to put in a meter for every new connection to the water supply, be that a new or existing property, the Executive have decided not to go down that route. Consequently, there is no rationale for having a more advanced installation of water meters in domestic properties.

Mr Deputy Speaker: Question 13 has been withdrawn.

A5 Western Transport Corridor

2. **Mr McCartney** asked the Minister for Regional Development to outline progress on the proposed A5 western transport corridor. (AQO 517/11)

10. **Mr Bresland** asked the Minister for Regional Development to outline progress on the A5 western transport corridor. (AQO 525/11)

The Minister for Regional Development: With your permission, LeasCheann Comhairle, I will reply to questions 2 and 10 together, because they both concern progress on the A5 western transport corridor.

The A5 western transport corridor from Aughnacloy to Derry — the dualling project — is progressing well. I am pleased to report that the third milestone for the project, as agreed between the Executive and the Government in Dublin, has just been met with the publication of draft statutory orders and the environmental statement this week. Those publications commence the formal consultation period, which runs from 21 January 2011, and it is likely that a public inquiry will be held in early summer 2011. In addition, public exhibitions were held over four days, commencing on 2 November

2010, and they were attended by approximately 1,300 people. The exhibitions gave details of the new road scheme and of the land required for its construction.

Mr McCartney: Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra a thug sé. What are the funding commitments for the project?

The Minister for Regional Development: The Executive and the Government in Dublin remain committed to the scheme. Capital programmes are under review, and Ministers will have to take decisions. However, the A5 and A8 schemes remain among the Executive's top priorities. The Government in Dublin recently reaffirmed their commitment to the £400 million contribution to both roads.

Mr Bresland: Can the Minister advise me how much has been spent by the Irish Government and by his Department on the A5 to date? What are the next milestones?

The Minister for Regional Development: The Southern Government have paid approximately £8.5 million to date. I will obtain for the Member the figures on Roads Service spending on that project. However, he will be aware of the work that is going into the design of the project and into identifying route options and a preferred route. Further detailed work is being done on the design and the necessary land acquisition for the preferred route, including public exhibitions and ongoing consultations with landowners. All that work has incurred a quite substantial cost, but it was a very necessary part of the road-building project. On the back of that and the environmental statements that have been produced, it is intended that the project will go to public inquiry in the middle of next year.

Mr P Ramsey: Has the Minister had any discussions with Irish Government Ministers and officials since the Finance Minister in the South announced a €6 billion Budget deficit?

The Minister for Regional Development: I discussed the project with the Minister for Transport not much more than a week ago in Armagh. The commitment, which has always been steady, even with the financial difficulties in the South, is a recurring one on the part of Minister for Transport and the Taoiseach. It was made public during a visit to Belfast a number of months ago and was reaffirmed during the meeting in Armagh last week.

Mr Deputy Speaker: Mr Lunn is not in his place.

Roads

4. **Mr Cree** asked the Minister for Regional Development what additional precautions his Department is taking to ensure the smooth operation of the roads network during the coming winter. (AQO 519/11)

The Minister for Regional Development: Roads Service has advised that, prior to the start of each winter service season, it carries out a significant amount of pre-planning to ensure a state of readiness for the coming winter. As well as a number of routine pre-season checks, that planning ensures that adequate staffing arrangements are in place, including training for new staff where required. Roads Service also ensures that all its winter service equipment is in working order and that there is an adequate supply of salt. In addition, it has arrangements in place to supplement stocks of salt during the winter period, if necessary.

Although Roads Service targets the limited resources that are available for that service on the busier main through routes, salt bins or grit piles may be provided for use by the public on a self-help basis on other routes that are adopted or maintained by Roads Service but do not qualify for inclusion on the gritting schedule. Roads Service currently provides approximately 3,500 salt bins and 39,500 grit piles on public roads. It already commits significant resources to its winter service programme, and, every night until the middle of next April, Roads Service will have over 300 people on standby, ready to salt main roads and help drivers across the North to cope with wintry conditions.

Mr Cree: I thank the Minister for his answer. I am glad to hear that the Department is taking the usual precautions. Unfortunately, as was shown last week, the roads are already becoming increasingly treacherous. Has the Minister any plans to put more resources into maintenance this winter over and above last year's spend on safety for road users?

The Minister for Regional Development: There were problems recently. Roads Service acts on Met Office warnings, and, more often than not, those warnings are accurate and can allow Roads Service to prepare. However, on occasions, the weather deteriorates more quickly and becomes much colder and,

therefore, presents more challenging conditions than, perhaps, the Met Office warnings have advised of earlier in the day. There are occasions when Roads Service gets caught on the hop by less than adequate Met Office warnings, but, nonetheless, the amount spent on gritting throughout the winter depends on the conditions that arise. Those are very hard to predict with any degree of certainty further on into the winter.

As I said in my original answer, Roads Service carries out significant preparations across the area by stockpiling salt, ensuring that all its vehicles are ready for use and that an adequate number of staff are on standby. It is a reactive process, because it depends on the weather. If a lot of investment were put in now and we had a very mild winter, Members might ask, quite correctly, why we had wasted such an amount of money in preparing for a bad winter that did not come.

Last year, there was a significant cold spell in early spring. Roads Service coped well and deployed additional resources as needed. However, that type of operation and the demand for it is dependent on the weather, and Roads Service, in association with Met Office predictions, largely gets it right.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. The Minister referred to some resources in his original answer. However, could I ask for a more detailed breakdown of the resources at the disposal of Roads Service during severe winter weather?

The Minister for Regional Development: When the Met Office predicts ice or snow, 135 gritters are available to salt over 7,000 km of our main roads. In addition, if a very deep snow falls, Roads Service will use its 11 snowblowers, the most modern of which can shift about 1,600 tons of snow an hour.

Mr G Robinson: Will salt piles be left at remote areas for farmers and so on, as has happened in previous years?

The Minister for Regional Development: Grit piles are left on smaller roads on the basis of demand, and I always advise Members that they should determine whether those are needed earlier in the year so that we do not make the demand during frosty conditions when it is harder to reach some of those small roads to leave grit piles. There are almost 40,000 grit

piles along smaller roads across the North. However, if the Member knows of specific areas where demand is not being catered for, he should make that known to the local depot, which I am sure will deal with the matter.

Mr McDevitt: Given the difficulties in predicting the impact of snow and ice on our roads, particularly in the border counties, will the Minister tell the House what specific conversations he has had with county councils in Louth, Monaghan, Cavan and Donegal about maximising responses to snow and ice on a co-ordinated basis in those counties?

The Minister for Regional Development: I do not have specific conversations with county councils. However, Roads Service officials have those conversations in the areas that they serve along the border and, of course, try to ensure an adequate response in all those areas. That is part of the service that it provides. As I said, it depends on weather predictions, but, where Roads Service needs to co-ordinate on a cross-border basis or, indeed, with other agencies here in the North, it will surely do so.

Flooding

5. **Ms Lo** asked the Minister for Regional Development what assistance his Department can provide to residents who have to endure flooding problems emanating from unadopted or private land. (AQO 520/11)

The Minister for Regional Development: The Department of Agriculture and Rural Development's Rivers Agency is the statutory drainage and flood defence authority for the North. However, I recognise that, as the owners of key public drainage infrastructure, Northern Ireland Water and Roads Service have important roles to play in reducing flood risk now and in the future. Over the past few years, we experienced significant flooding incidents in Fermanagh, Belfast and other locations across the North. Through my Department and the Department of Agriculture and Rural Development, the Executive are investing millions of pounds in public infrastructure to help to mitigate the risk of flooding. The recently completed Belfast sewers project is one example, and implementing the recommendations of the Fermanagh flooding task force is another.

Through Northern Ireland Water, Roads Service and the Rivers Agency, the Executive will continue to invest to maintain and approve road drainage, sewerage infrastructure and flood defence measures. In addition, the three drainage authorities will respond to flooding events that are associated with failings in their infrastructure. The Executive have made efforts to improve co-ordination of their response through the implementation of a single flood incident line, and the agencies have produced joint information to assist those who suffer because of flooding. However, the Executive have no responsibility for flooding that is attributed to private lands or sewers. That rests with the owner of the lands or pipes in question. My Department or DARD can accept responsibility only for the public drainage systems for which they are statutorily responsible.

Ms Lo: I thank the Minister for his comprehensive answer, and I look forward to attending my first meeting of the Committee for Regional Development. I appreciate the Minister's comments about private land and adopted areas, but, given that neighbouring residents are suffering, there surely needs to be an overarching strategy to deal with flooding in areas that are prone to flooding regardless of whether they are on adopted or private land.

2.45 pm

The Minister for Regional Development: There is an overarching strategy for dealing with flooding areas, and parts of east and south Belfast come under that. The agencies work together to identify hot spots and longer-term drainage solutions for those areas.

Article 53 of the Roads Order 1993 empowers the Department to issue notice to a landowner requiring works to be undertaken to prevent, as far as is reasonably practicable, surface water flowing from private land on to a publicly owned asset or road. Therefore, powers are in place to stop flooding coming from private land on to public assets, and there are overarching strategies across the Departments in which particular areas of flooding have been identified. The Member will know that the development of the Belfast sewers project has had an impact on the lower Ormeau Road, which was traditionally an area of flooding. That strategy is in place in various parts of Belfast and other parts of the

North where flooding has been identified as a particular problem.

Mrs M Bradley: Can the Minister tell the House how many recorded incidences of flooding have taken place this year? Is a record kept of all flooding incidents, including those that happen on housing estates as a result of gullies having been blocked? Those places can sometimes be flooded for between two and three weeks at least, and the water remains there for that length of time.

The Minister for Regional Development: I am sorry to say that I do not have information on the number of roads that were flooded this year. It will be a matter of going through all the roads divisions and compiling the information, and, if that is available, I will endeavour to provide it to the Member. The best available infrastructure would still not prevent flooding in certain instances of heavy downpour, and, if we were to invest in infrastructure to deal with those eventualities, we would probably use up the Executive's entire capital budget for many years to come. A measured response has to be taken to ensure that there is good infrastructure and that it is well maintained to deal with most of the incidents of flooding or heavy downpour that will have an impact.

A programme of gully clearing takes place biannually in urban areas and annually in rural areas. It is timed around this time of year, when gullies get filled up with leaves and other debris from trees. If the Member knows of any specific incidences, she should report them to the local Roads Service depot, which will endeavour to have them investigated and dealt with.

Reservoirs

6. **Mr B Wilson** asked the Minister for Regional Development whether NI Water has a programme for disposing of reservoirs that are surplus to requirement in North Down and whether the local council would be given the first option of purchase. (AQO 521/11)

The Minister for Regional Development: I have been advised by Northern Ireland Water that it currently owns seven impounding reservoirs in North Down, all of which are out of service and in the process of being declared no longer required for future use. Disposal of those reservoirs will be carried out in accordance with NI Water's asset disposal policy. That entails

offering assets for sale on the open market and ensuring that best value for money is obtained. If a local council were to express an interest in purchasing any specific asset, NI Water would note that interest and inform the council when it is placed on the open market. The local council would have the same opportunity to purchase the asset as any other organisation or individual.

Mr B Wilson: I thank the Minister for his response. There is considerable concern in the local area that the reservoirs, particularly those at Ballysallagh and Portavoe, will be sold off for private development. Those reservoirs were paid for by the ratepayers of North Down. They were taken over under the Local Government Act (Northern Ireland) 1972. Does Northern Ireland Water not have a moral responsibility to offer those reservoirs back to the ratepayers who paid for them?

The Minister for Regional Development: I am not sure whether North Down Borough Council has expressed an interest in acquiring the reservoirs. If it has not and if the Member is arguing that the council has a public interest in acquiring them, the council should get in touch with NIW. The Member will be familiar with NIW's policy for asset disposal from his time on the Committee for Regional Development. If NIW were to hand over assets in this difficult financial climate, which hits it as much as any other organisation attached to government, Members would rightly complain that value for money was not being achieved. If the Member is of the view that North Down Borough Council is interested in those assets, I advise him to get the council to contact NIW.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. The Minister's last response answers my supplementary question.

Roads: Salting

7. **Mr Easton** asked the Minister for Regional Development whether Roads Service has sufficient salt reserves for the coming winter. (AQO 522/11)

The Minister for Regional Development: The Department's Roads Service has advised that, as part of the pre-season preparation, salt barns, which are strategically placed in depots throughout the North, are being filled to capacity. It is estimated that around 65,000

tons of salt will be available for the coming winter period. That is more than enough to treat scheduled roads during a typical winter. However, Roads Service has also put arrangements in place to supplement stocks during the winter period if necessary.

Mr Easton: Will the Minister assure me that there will be enough salt in stock this year, given that many rural roads in the north Down area were not gritted last winter, which resulted in major potholes developing in those areas? Will he also assure me that residents whose footpaths are either covered in snow or are slippery will have access to depots to get some salt for their home?

The Minister for Regional Development: The Member asked two questions. First, there will be enough salt this year, as there was last winter. We are very fortunate that we have ready access to a salt mine in Carrickfergus that has one of the better supplies of salt throughout these islands. The roads in north Down to which the Member refers may not have been on the gritting schedule. Therefore, the issue may be not that there was not enough salt to grit those roads but that they did not meet the criteria for gritting. We would have to identify whether that was the case. I have been advised that there certainly was sufficient salt for the gritting schedule. There was an early cold spell in late October during which Roads Service used some of the stock. However, it replenished that and had a sufficient amount in advance of the prolonged cold spell in early spring.

As regards the availability of salt for residents, there is a safety issue around people driving into Roads Service depots to avail themselves of salt, because lorries are always going in and out, turning, filling up and moving about. However, if residents require salt bins in housing developments or grit piles on rural roads, they should either inform Roads Service themselves or go through an elected representative, and Roads Service will endeavour to provide salt for self-use by residents in those areas.

Mr Kinahan: I refer the Minister to his answer to question 4. He said that, this winter, we should look early at where salt stocks are needed in housing developments in urban areas, in case we have as bad a winter as last year's. However, some areas have either no salt bins because they fail the criteria or salt bins with no salt in them because Roads Service could not get to

them. Is the Minister, therefore, going to review the criteria and look at how we can manage the situation better this year, in case we have another bad cold spell?

The Minister for Regional Development: That may not be the fault of the criteria. As I say, there are some 3,500 salt bins across urban areas in the North. There is always a resource issue about salt bins. Should every housing estate be entitled to one? Salting is not something that Roads Service has an obligation to do, but it still provides that service.

Perhaps some salt bins were not filled or were overused and emptied. Last year, there were occasions when people lifted salt bins and took them off to use on private properties. I advise the Member that, if residents are in genuine need, they should contact Roads Service earlier in the year to ensure that their salt bins are filled. If residents live in an area where salt bins are not provided, they should ask whether the area meets the criteria. Often, people do not apply because they do not know that their area fulfils the criteria. Those issues are best resolved locally between elected representatives and the local depot. They know what the criteria are and will be able to advise residents of where bins exist and need to be emptied. Some bins might have disappeared last year, and now is the time to replace them.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Arís, gabhaim buíochas leis an Aire as ucht a fhreagra. Given the experience in rural parts of mid-Ulster, especially the Sperrins and lough shore area, in the lead-up to Christmas last year, will the Minister assure me that adequate salt and grit reserves will be made available to service those areas to ensure there will be reasonably free flowing traffic through them?

The Minister for Regional Development: I did not receive any reports of that, but I can certainly check again. I received assurances that there was sufficient salt last year to salt the scheduled routes. It may be that some of the roads to which the Member refers were not on the gritting schedule and, therefore, did not receive that service. If that is the case and if the roads mentioned are in residential areas, perhaps the Member should look at grit piles or salt bins.

I assure the Member that Roads Service is prepared this year for a typical winter. Last year,

there was a particularly cold spell. However, Roads Service was able to replenish its salt stocks when other areas in the South and Britain were not. For example, requests for supplies came from Scotland. Roads Service had sufficient stocks last year, and it may be that the roads to which the Member refers were not on the gritting schedule.

Transport Bill

8. **Mr McLaughlin** asked the Minister for Regional Development to outline how the provisions within the Transport Bill will benefit the delivery and management of public transport. (AQO 523/11)

The Minister for Regional Development: The Transport Bill introduces a duty on my Department to secure the provision of public passenger transport services with due regard to economy, efficiency and safety of operation. The Bill provides the framework for the Department to do so through a new contracting regime supplemented by a service permit system. That will enable my Department, through the proposed new public transport agency, to design and secure a network of public passenger transport services in line with local public transport plans that best meet the needs of the public. The public transport agency would be part of my Department and, therefore, accountable to me, the Executive and the Assembly.

The Bill provides for the continued regulation of the public transport system and for Translink to remain the main provider of public passenger transport services. I have ruled out the privatisation of public transport now or in the future. The Bill will allow the Department to comply with EC regulations through the award of public service contracts that prevent overcompensation. Those arrangements will insist on ensuring value for money and efficiency in the provision of public passenger transport services.

Mr McLaughlin: I thank the Minister for his answer. Will he give us more detail on the impact that the reforms will have on the Northern Ireland Transport Holding Company (NITHCo) and Translink?

The Minister for Regional Development: Under the new arrangements, Translink would continue to be the main supplier of public transport services. However, the Bill provides

that most public passenger transport services would continue to be provided by NITHTCo and its subsidiaries. Public transport services will remain regulated and will not be deregulated as they are in Britain. Translink will need to keep its efficiency under constant review to comply with EC regulations and to keep future fare increases to a minimum. A limited number of functions currently undertaken by NITHTCo/Translink would be moved to a proposed new departmental agency. That will assist in cutting bureaucracy and removing some of the direct rule apparatus around public transport, and it will allow for more accountability and savings and for a more efficient delivery of services. I suggest that any money saved from that would be better used in the provision of public transport services.

Mr Callaghan: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister give a commitment to accept amendments to the Transport Bill that would impose a statutory duty on the Department to give due regard to public transport accessibility?

The Minister for Regional Development: I would be happy to consider any amendments. The Member is new to the Chamber, and I welcome him. However, during the Second Stage of the Bill, no one from his party made any contribution or, indeed, voted. If they do have amendments, I would be happy to consider them at the next stage.

Mr I McCrea: Will the Minister detail how the Bill will tackle the rural element of connectivity between urban and rural areas?

The Minister for Regional Development: The objective of any public transport service should be to provide the best, most cost-effective, most efficient and accessible public transport. Given the very large dispersed rural population, it is no surprise that the public transport service needs to be subsidised to keep it going, because there are not enough profitable routes to operate a public transport service that makes money. That subsidy from the Executive must continue. In doing so, we need to ensure that the service operates as efficiently as possible and with as little bureaucracy as possible. Through their direct oversight, the Executive and the Assembly have a responsibility to ensure that they get the best service possible.

The purpose of the Bill is to get a better service. There is no doubt that the service has been improving. However, we must ensure that we

have a better service that connects all the people whom we collectively represent, and that includes people in urban and rural areas.

3.00 pm

Social Development

Royal Exchange

1. **Ms Ní Chuilín** asked the Minister for Social Development when building on the Royal Exchange development in Belfast is due to commence. (AQO 531/11)

The Minister for Social Development

(Mr Attwood): I thank the Member for her question. As Members will be aware, the development company had to submit a planning application by the end of October, and it did so. The planning process may take up to a year. In that context and thereafter, a judgement will be made on whether to test the market to see if there is a commercial interest in building the Royal Exchange development in the short or medium term, or during the longer term of the next comprehensive spending review (CSR) period. In the current market conditions, it is wise and judicious not to rush headlong into the project, but to plan for it perhaps to be built later in the CSR period.

Ms Ní Chuilín: I thank the Minister for his answer. Does the Minister agree that if the scheme, which seems to be continually delayed, was on site, it would be a major boost for the construction industry? Given his answer, are there any other proposals, perhaps on a smaller scale, that the Minister is prepared to consider to assist the construction industry?

The Minister for Social Development: I welcome the support in principle for the Royal Exchange scheme. It was delayed, but that was due to circumstances far beyond the control of the Department or the Government, and was the result of market conditions and the recession. I am glad to say that the scheme that has been developed is consistent with the development brief. It will retain some of the heritage of the site, and will create a new frontage and new walkways, pathways and roads through a part of the city centre that is in grave decline. Given the potential of that scheme to regenerate that part of the north side of the city centre, I am not minded to go for a smaller scheme. However,

market conditions will dictate the general direction that we take in the future.

Mr Kinahan: I thank the Minister for his answer. Does the Minister believe that having a minimum of 200 residential units in the scheme, of which 40 are to be affordable, is a sustainable approach?

The Minister for Social Development: The principle of trying to create accommodation in town centres and city centres is a good one. One only need look at the living over the shops (LOTS) scheme in Cookstown, where investment created over-the-shop living accommodation in an effort to regenerate the town centre. Therefore, the principle of trying to create some residential accommodation in Belfast city centre is correct. An ambition to create 200 units is quite a moderate one, especially in the context of the proposed development of the University of Ulster campus at York Street. At this stage, 200 units is a useful target, but when it comes down to the fine detail we will be influenced by need and demand.

Mr A Maginness: I thank the Minister for his answer. What further major urban regeneration schemes or projects are planned for the next CSR period?

The Minister for Social Development: I thank the Member for his question. Town centre, city centre and urban regeneration and renewal projects are crucial for the Budget outcomes during the next CSR period. The public realm scheme in Newcastle, County Down has increased footfall on the main shopping streets by 300%, leading to an increase in visitors, tourists, business, potential jobs, and shops. Therefore, the principle of having more schemes to roll out in the future is very important. On a pound-for-pound and job-for-job basis, city centre, town centre and urban regeneration and renewal projects are among the best economic interventions that we can make. I hope that that is reflected in the Budget, and that the configuration of spending between all economic agencies and Departments in the North is appropriate for our needs in the future.

Mr Deputy Speaker: As Rev Coulter is not in his place, I call Mr David Hilditch.

Carrickfergus Town Centre Improvement Scheme

3. **Mr Hilditch** asked the Minister for Social Development for an update on funding of the Carrickfergus town centre improvement scheme. (AQO 533/11)

The Minister for Social Development: I thank the Member for his question. I have fond memories of going to Carrickfergus to launch the master plan a couple of months ago, given that I lived in the general neighbourhood for a long time in my childhood and youth. The Carrickfergus town centre improvement scheme is a good example of how urban regeneration will be very important. A lot of money has been spent on the harbour, the marina and all the developments on that side of the main road through Carrickfergus. The difficulty has been on the town side. It is very important that the Carrickfergus scheme and the sister schemes in many other towns around Northern Ireland are funded. However, that is all subject to finance. I repeat my plea to the Minister of Finance and Personnel and the Executive: recognise the needs of Carrickfergus, Larne, Dungannon and all the other town centres that are in need of renewal, and fund those going forward.

Mr Hilditch: I declare an interest as a member of Carrickfergus Borough Council and as interim chairperson of the Carrickfergus master plan implementation group. I thank the Minister for his response and acknowledge the answer that he gave to Mr Maginness earlier. The surface of that historic town centre has deteriorated to the extent that it is dangerous in places. I thank the Minister for visiting the area recently, but does he acknowledge and share the concerns of the local council, which has agreed to pay the costs of the design stage?

The Minister for Social Development: After the master plan was launched, there were design issues that were going to enhance the scheme. Although the overall economic appraisal will not result in a higher cost, the scheme will be of a higher quality in the event that we are able to roll it out. I very much agree with the Member. When I launched the master plan, I walked through the centre of Carrickfergus and up the street to the right. Is that West Street?

Mr Hilditch: Market Place.

The Minister for Social Development: Market Place is clearly in dereliction and in need of

uplift. The very reason why urban renewal funding should be put on a secure basis is so that that street and similar streets in many towns in Northern Ireland are attended to. As Armagh, Newcastle and the public realm in Derry demonstrate, and as Downpatrick is beginning to demonstrate, this is a major economic tool in the hands of government. That is the critical point. However, we need the moneys to drive that economic tool, sustain it and develop the proposals across the towns of Northern Ireland. The Executive do not acknowledge that. The configuration of economic spend and the various economic interventions across Departments, and what is the best way to invest funds especially as less funds are available, is an argument that is not fully appreciated or acknowledged around the Executive table.

Mr Neeson: I thank the Minister for his commitment. I declare the same interest as David Hilditch. Is the Minister aware of Carrickfergus Borough Council's commitment to the major scheme in Marine Gardens? Secondly, given the streetscape and the relevance of Roads Service, has the Minister had any discussions with the Minister for Regional Development?

The Minister for Social Development: I have had no particular discussions with the Minister. Obviously, the creation and implementation of any master plan or proposal requires the best advice from all relevant Ministers and all Departments. As I mentioned to Mr Hilditch, I acknowledge that the mayor and councillors of Carrickfergus Borough Council have shown good leadership on those matters. The fact that it funded some of the redesign work arising out of the master plan demonstrated that the civic leadership in Carrickfergus was not prepared to just sit back and rely on government to provide all the solutions and all the moneys but would intervene to take the project forward. I hope that that model of work continues.

Mrs M Bradley: I can say how important an improvement scheme is to a town. We have one in Derry, and it is absolutely fantastic. The lift that improvement schemes give to people living in the areas makes them really worthwhile. Are there programmes for any other areas? How many areas will have an improvement scheme?

The Minister for Social Development: I have a list as long as my arm of areas that would like things done. More than 20 master plans

have been launched in Northern Ireland, some of which are moving into their second or third phases. Banbridge is an example of that, because it was ahead of the curve when it came to master planning the town centre. That was very well done, and it has produced a much more effective trading environment, especially during the recession.

I can give a long list of the many towns and areas of Northern Ireland that are either seeking master plans or have master plans and are seeking their implementation. In virtually all of those cases, people in the local areas are very realistic and know that implementation of the schemes can last five, 10 or 15 years. There is a sense of realism. There are many places in which we can replicate the model and repeat the good experience of the areas that I mentioned. The issue is securing the funding as part of the Budget negotiations to make those dreams become reality.

Mortgage Arrears

4. **Mr McCallister** asked the Minister for Social Development what assistance his Department offers to homeowners who are in acute mortgage arrears and at risk of having their homes repossessed. (AQO 534/11)

The Minister for Social Development: I thank the Member for his very pertinent question. There are a number of interventions that I have spoken about on a number of occasions, both here and elsewhere. First, we have funding for the mortgage debt advice service through the Housing Rights Service, which is a scheme that has helped over 700 people who were heading towards, or were at, the doors of a court for repossession actions.

My Department funds a wide range of advice networks, not just within the Social Security Agency but through the Law Centre, Advice Northern Ireland and Citizens Advice, thereby helping people in local communities when they get into debt issues, including the potential repossession of their properties.

I would like to go further than that. My predecessor and I have made repeated bids to run a mortgage rescue scheme, as operates in parts of Britain. That scheme would not just give best advice on how to avoid repossession; in the event of repossession, it would create the mechanisms to enable people to remain in their

houses on a rental basis instead of seeing them surrendered to the building societies or banks. Unfortunately, and I hope that the situation will change in the future Budget, the £5 million bid for a mortgage rescue scheme has not been agreed around the Executive table. So, in all of those ways and more, I will demonstrate over the coming weeks that we are trying to protect those whose houses are at risk.

Mr McCallister: I am encouraged by the Minister's response. Will he assure the House that he will continue to pursue a rescue plan with the Minister of Finance and Personnel to see whether something can be agreed, because such a scheme would be so worthwhile? It is vital, given the economic circumstances, that we move forward on the issue.

The Minister for Social Development: I am pleased to give that reassurance. I hope that those words rest heavily on the mind of the Minister of Finance and Personnel.

I will go further than that. Tomorrow, I will forward to the economic subgroup of the Executive a paper on the impact of welfare changes, both in the two Budgets to date and as a consequence of the universal credit proposals that were issued last week. The point of that welfare paper will be to ask the Executive to identify — and I will recommend some measures — mechanisms so that, as a collective body, they can take decisions to ensure that those who are most in need and are disadvantaged have additional measures put in place to protect them from the Budget cuts, the benefit cuts, the loss of jobs and all of the other impacts of the Tory-led Administration's Budget.

Over and above any particular measure taken by my Department or other Departments, the Executive should have a family of measures that are seen to protect those in need.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. Some months ago, I raised the question of the £5 million bid at the Committee for Finance and Personnel and was told that there was some dispute between the Department of Finance and Personnel (DFP) and the Minister's predecessor on whether the proper documentation had been delivered to allow a scheme to go ahead.

Will the Minister implement any urgent measures to help those who have fallen foul of the Tory/Liberal Democrat cuts to housing

benefit and increased mortgage interest payments, and who now face the prospect of losing their homes?

3.15 pm

The Minister for Social Development: It is not a matter of dispute between the Department for Social Development (DSD) and DFP but a lack of commitment, not from DSD but around the Executive table. There has been ample opportunity in monitoring round after monitoring round for the matter to be rectified by the Executive, but the Executive choose not to go there.

In the July monitoring round, I was the only member of the Executive who voted against the Budget proposals, which, in that instance, could have seen a lot more money coming across to DSD to do a lot more urban renewal and interventions in towns and cities that —

Mr F McCann: Are you going to answer my question?

The Minister for Social Development: I am answering the question that you raised, which I am perfectly entitled to do.

The Member asked about mortgage interest support. As I have tried to demonstrate, I do not sit back when it comes to the impact of welfare changes on people in Northern Ireland. That is why, in addition to all the other measures that I have taken in the Department, or that I have taken to mitigate the effect of the benefit and budget cuts, I commissioned a group made up of representatives from Advice NI, the Housing Rights Service, the Department, the Housing Executive, and other specialists in welfare and welfare entitlement.

I commissioned that group to look not just at issues of wider policy and the impact of benefits changes but to look specifically at the impact of the reduction in the rate of mortgage interest support from 6-plus % to 3-plus %. The group is meeting this Friday to take that dedicated work forward by assessing what interventions may be available to me and the Executive, and to organisations that we fund, to mitigate the impact of what will be a very severe measure for many people.

Mr Craig: Does the Minister agree that some things that the coalition Government have done will be counterproductive when it comes to savings for the public purse? A prime example would be their lowering of mortgage interest

relief from 6% to 3·5%, which will cause home repossessions. There will then be a huge cost to the public purse as a result of rehousing those people.

The Minister for Social Development: I very much agree. Some of the information provided to me states that 7,000 or 8,000 people could be put at a disadvantage in Northern Ireland because of the measure that the Member outlined. In a situation in which people will have less in benefits, in which there may be fewer jobs, and in which there may be less money generally, the combination of those factors will, in my view, lead to increased repossessions.

There are a number of possible responses. As I indicated, I am putting a paper to the Executive. The paper will scope Executive measures to protect those in need. Those measures would extend to people who fall victim to the lowering of the rate of mortgage interest support. Secondly, I have not given up arguing with Lord Freud on those matters. My next meeting with Lord Freud is scheduled for 28 or 29 November, when I will be putting very hard proposals to him to recognise Northern Ireland's particular circumstances, including the consequences of the change in mortgage interest support.

I agree with the Member's broad sentiment. To cut benefits up front will be to drive people out of their homes and deeper into poverty. That is not welfare reform; that is targeting vulnerable people under the guise of welfare reform.

Housing Executive: Staff

5. **Mr Moutray** asked the Minister for Social Development what progress has been made to date in addressing the religious imbalance of staff employed in the Northern Ireland Housing Executive. (AQO 535/11)

The Minister for Social Development: I acknowledge the Member's question. The matter has been discussed at length in the Chamber, in recent times as well as over the past number of years. The Housing Executive has served Northern Ireland well. If one looks at the communities of Northern Ireland, whatever shape or character that they may have, one will see a Housing Executive that has at its basis need and people's conditions and circumstances. People have been treated well and served well by that organisation. Whatever the issue may be about imbalance

in any one or other organisation, we should not dilute, diminish or deny the fact that the Housing Executive has been a servant of the people in Northern Ireland. The Member has acknowledged that point, and I welcome that.

The Housing Executive is employing what the Equality Commission considers to be best practice and what is recognised as being part of international best practice. One of those interventions is an affirmative action plan to encourage people from the Protestant community to consider working in the Housing Executive and to apply for vacancies there. It so happens that fewer people are moving from one place of work to another and areas of recruitment in the Housing Executive in recent times have included Derry and Omagh. Given the religious profile of the communities in those areas, and given the fact that an in-house voluntary redundancy scheme has had a disproportionate impact on people from Protestant backgrounds, progress that could be made is not being made in respect of creating overall balance. However, it is not for the want of trying, it is not for the want of commitment, and it is not for the want of having in place the best strategies.

Mr Moutray: Given that there has been a significant under-representation of Protestants employed in the Housing Executive for a considerable time, and given that the affirmative action plan has patently not worked, can the Minister indicate what further steps he will take to redress that unacceptable state of affairs?

The Minister for Social Development: I acknowledge that there is an imbalance, and I hope that the Member acknowledges that, across a wide range of other organisations in Northern Ireland, including the Northern Ireland Civil Service — particularly at the higher levels — there are also imbalances. We all have a shared responsibility not to be selective or partial but to be expansive and inclusive to deal with the issue of imbalance wherever it may reside in any public or private workforce in Northern Ireland. I hope that the Member will agree with that. If the Member has a magic wand that he can wave to deal with the issue of religious imbalance, please tell us about it.

Mr Moutray: So you cannot do anything — no further steps?

The Minister for Social Development: It is not a matter of further steps. What has the equality

regime and architecture achieved in Northern Ireland? We have some of the most advanced equality laws in the Western World. There has been a strong and robust enforcement of those laws, so that those who are on the wrong side of the law are penalised and taken before tribunals, and we have the full scale and scope of the affirmative measures that I have outlined. That is why we do not have the historic imbalances that were part of the causes of conflict, disadvantage and discrimination in this part of the world. However, there is more to be done. The Member does not have to convince me of that. If there is anything more that I or the Housing Executive can reasonably do, tell us what it is. However, in my view, the Housing Executive has stepped up to the mark in respect of all the necessary interventions, enforcement, laws, monitoring and affirmative action.

Mrs D Kelly: What is the timetable for the proposed fundamental review of the Housing Executive?

The Minister for Social Development: As I previously indicated, including in my statement to the House on the matter, the fundamental review is due to report to me by March 2011. It is a fundamental review; it is not a light-touch review. It is meant to be the single most significant review of the Housing Executive in the past 40 years. Without prejudice to that review, I believe that Northern Ireland requires more reform. In my view, Northern Ireland has done reform well, even if people have resisted some elements of it. As public service, government and public policy in general move forward, there is a lot of opportunity for reform that will continue to serve people in Northern Ireland in the way that it has served them well over the past 40 years.

Housing Executive Maintenance: North Down

6. **Mr Easton** asked the Minister for Social Development for an update on Housing Executive maintenance schemes in the North Down area. (AQO 536/11)

The Minister for Social Development: I thank the Member for his question and for his invitation to go to North Down last week to visit Rathgill and one of the development organisations. There is a lot of good work being done in North Down to deal with deprivation and disadvantage and to ensure that communities

are in control of their communities, rather than other individuals being in control of them.

With regard to the question, I confirm that there are two ongoing schemes in respect of external cyclical maintenance and health and safety, in Bloomfield and Clandeboyne respectively, and the Member will be pleased to hear that seven other schemes at an estimated cost of £1.6 million were due this financial year.

I can confirm that, as of yesterday, I have authorised for those schemes to proceed, along with a large range of schemes in other constituencies in Northern Ireland, and that there are proposals for the Bloomfield phase 2 Ballyree Drive estate scheme, which is scheduled to begin in April 2011.

Mr Easton: I thank the Minister for that good news. I will certainly hold him to account to ensure that that happens next year. Can he explain why the Housing Executive is able to start schemes but finish only half of the number of bungalows — as in the Bloomfield estate, for example — and leave the rest for three or four years? Not only has that happened in Bloomfield; it has happened with flats in Kilcooley and Rathgill. Why can the Housing Executive not finish a scheme in one area before moving on to the next?

The Minister for Social Development: I thank the Member for that question. There could be a lot of reasons why isolated houses or pockets of houses are not dealt with under a scheme. Sometimes, those reasons are beyond the Housing Executive's control. The particular issues that the Member has raised were brought to my attention just last Thursday. I have asked for a briefing on them. If a policy adjustment is required that is consistent with current best practice in the Department and Housing Executive, we will look at it. However, we will not return to the period when multi-element improvements were the rule in Housing Executive maintenance. They do not represent an effective investment of resources. We are reviewing investment schedules in the next CSR to ensure that money is directed to where there is particular need, rather than areas being flooded with a lot of money to carry out multi-element schemes, which is not the best way to spend from the public purse.

Mr Cree: The Minister will be aware that I have written to him about a particular scheme in North Down. I am still awaiting a reply.

Is there an overall strategic plan to deal with houses that fall below the decent homes plus standard?

The Minister for Social Development: I will come back to the Member on the issue that he raised. I recall the letter to which he has referred. I think that I have replied to it, but I will ascertain whether that is the case.

The Savills report, which was commissioned by my predecessor, made a number of essential points, principal among them being that the level of unfitness in Housing Executive stock is now down to 0.3%. That tells me that in going forward, consistent with stock maintenance, the Department must spend its money judiciously and get the best return on its interventions. That is why Savills reported a new Housing Executive maintenance investment strategy and why my officials and I are currently working on the scope and scale of that to ensure that in the period from 2011-12 to 2015-16, the maintenance investment strategy ensures that we live up to the decent homes standard and also that we spend money wisely and spend it where it is needed, rather than, as I indicated in my answer to the previous question, spending disproportionate amounts on multi-element schemes where the objective argument does not exist and the evidence does not require that level of investment.

Mr Callaghan: My question has been answered.

Housing Executive Maintenance: East Antrim

7. **Mr Ross** asked the Minister for Social Development what housing maintenance work is planned for the East Antrim constituency over the next 12 months. (AQO 537/11)

The Minister for Social Development: I thank the Member for his question. I believe that I am due to visit him in Monkstown in the near future.

As regards maintenance work in East Antrim over the next 12 months, I confirm that there is an ongoing scheme in Larne, at Craigy Hill and rural, of 218 units. It is a day for good news: I can also confirm that, yesterday, I authorised release of 10 other schemes, at an estimated cost of £2.1 million, which were due this financial year. Consequently, those 10 schemes will go on site at that estimated cost during this year.

Mr Ross: I certainly welcome any good news that the Minister has brought to the House today. I know that my colleague Alex Easton feels the same about schemes in his area. The Minister will be aware of concern that his predecessor went for the headline-grabbing projects to build more houses, rather than concentrating on maintenance of existing stock.

Does the Minister intend to put more of an emphasis on maintenance than on simply building more houses?

3.30 pm

The Minister for Social Development: No. Since there are more than 38,000 people in housing need and a risk that that will increase due to the Budget and subsequent benefits impact, and 19,000 people in housing stress, with that figure likely to increase due to the Budget and its benefits consequences, I do not believe that it is time to adjust the balance between spending on newbuild and spending on maintenance, or that there is any objective argument to do so. The Savills report confirms that. Yes, we must maintain our stock. Yes, we cannot see it run down. We cannot have people living in homes that are of a less than decent standard, but I am not minded — and I hope that any future Social Development Minister will not be minded — to reconfigure the balance between newbuild and maintenance. I want to see that the money is there for newbuild housing, as it is a front line service for people who are in need and disadvantage, and I am saying that again to the Executive. That money should not be in jeopardy; it should be put on a sound financial footing, and it should be guaranteed in the next four years of spending.

Mr Deputy Speaker: Time is up. That concludes Question Time.

Ms Ní Chuilín: On a point of order, Mr Deputy Speaker. Go raibh maith agat, a LeasCheann Comhairle. Will the Deputy Speaker check the Hansard report of today's Question Time and consider how appropriate it is for a Minister to talk about an Executive meeting that I understood to be confidential. Can I have a ruling on that, please?

Mr Deputy Speaker: I am told that the Speaker does not have any jurisdiction over the Executive.

Mr Ross: On a point of order, Mr Deputy Speaker. It is convention in the House that when Members

address the House, the Deputy Speaker or the Speaker in a foreign language, they translate that full sentence into English. During the debate before Question Time, I noticed that a number of Members addressed the Deputy Speaker in Irish and did not translate the full sentence into English. Will the Deputy Speaker gently remind those Members of their obligations and conventions in the House?

Mr McElduff: On a point of order, Mr Deputy Speaker —

Mr Deputy Speaker: Does it relate to the same point of order, Mr McElduff?

Mr McElduff: It is a different point.

Mr Deputy Speaker: Then let me answer this point of order first. Members understand most of the phrases that are used here, but if Members ask a question in a language other than English, it is custom and practice to repeat it. I remind Members that that is the practice.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Tá ceist agam ort. I would ask you the following question, Mr Deputy Speaker. Is it in order for the Member to refer to the Irish language as a foreign language? Does the Deputy Speaker consider that to be intemperate and offensive?

Mr Deputy Speaker: I do not think that that is a point of order. I am sure that you could almost guess my reply, if I could give it.

Mr Ross: My having just raised the point of order, the Member who spoke after me got up and spoke in Irish — whether it is foreign or whatever he wants to call it — and the Deputy Speaker did not ask him to translate it into English.

Mr Deputy Speaker: Order. Mr McElduff repeated it in English.

Mr Ross: Further to that point of order, Mr Deputy Speaker, I ask you to refer to the Hansard report or to the tape recording of what Mr McElduff said and come back to the House and say whether he translated the entirety of what he said in Irish into English.

Mr D Bradley: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker: We are moving on; we are not taking any more points of order. The Hansard report will be there tomorrow morning, and everybody will be happy.

Committee Business

Strategic Energy Framework

Debate resumed on motion:

That this Assembly notes the Department of Enterprise, Trade and Investment's strategic energy framework, which is intended to establish the direction for Northern Ireland energy policy up to 2020. — [The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness).]

Mr Hamilton: There should be no concern for you, Mr Deputy Speaker. I will try to speak exclusively in my own brand of imperfect English in this debate, although it can sometimes sound like double Dutch when talking about the details of energy policy. I have taken a keen interest in energy and energy policy since my election to the House three and a half years ago. I have taken an active interest by way of my membership, and now chairmanship, of the Assembly all-party group on energy.

I have always tried to be supportive of developing an ambitious energy strategy for Northern Ireland, not because stressing things like support for renewables is a trendy, in vogue thing to do, but because it makes sense for Northern Ireland. Northern Ireland sits at the end of every pipeline that there is. Our dependence on fossil fuels, 99% of which are imported, makes us very vulnerable in a world where there is great volatility, particularly around prices and supply of energy.

For those reasons, and for the sound economic benefits, relating to the competitiveness of our industry and the development of a whole sector around renewables, it makes sense for Northern Ireland to concentrate on developing an ambitious energy strategy. For that reason, I welcome the bold 40% target for electricity from renewables by 2020. Sometimes we tend to forget that we in Northern Ireland are at the cutting edge of developing a lot of the technology. I do not have to go too far in my constituency to point at the SeaGen turbine, the first commercially viable tidal turbine in the entire world.

We have an exemplar in Northern Ireland of innovation in tidal power, which can perhaps be harnessed and exploited elsewhere around the shores of Northern Ireland and, indeed, further afield. There is something in which we

are innovators, and we should be very proud of that. There are certainly many cross-cutting challenges for Departments in achieving that ambitious target, but it is a target that is well worth having, and we should pursue it with vigour.

The Minister will not be surprised that I will concentrate my concluding remarks on my support for the extension of the natural gas network. I am pleased to see that there is support for that in the strategic energy framework. For several reasons, I have long been a supporter of the extension of the network. I support it for economic reasons, because it equates to investment in the ground. The recent extension of the network around my home town of Comber saw the investment of several hundred thousand pounds into the ground and the employment of those involved in that work. There are obvious environmental benefits because of the lower carbon emissions from natural gas, and there is a reduced cost for the consumer. Habitually, gas costs around 20% to 25% less than electricity and oil. It is certainly beneficial for householders and for businesses to see the network extended.

Now that we have increasing competition in the gas market in Northern Ireland, that is something that we should be encouraging further, because we are far too dependent on oil in far too many parts of Northern Ireland. I wear another hat as Chairperson of the Social Development Committee, and so long as we are dependent on oil and the vitality of the price of that, we are not going to make significant inroads into fuel poverty in Northern Ireland. I see expanding the natural gas network as being as much about competition, added choice and reducing cost for environmental reasons as it is about helping us to tackle fuel poverty.

I have been supportive in the House of the extension of the natural gas network to my constituency, and the framework acknowledges that there is interest in extending into east Down, into towns such as Saintfield and Ballynahinch, and down into Downpatrick and south Down. I have been very supportive of that. The framework talks about encouraging the extension of the natural gas network where it is technically possible and economically feasible.

There is no doubt that it is technically possible to extend the network to those areas. The issue is about the economic viability of it. I know that the Utility Regulator has taken the position that

it is not economically viable to go to individual towns. However, I make the argument that, in many respects, many of the towns within licence areas are not economically viable in themselves, and that there are big conurbations that have to pay a premium to ensure that natural gas goes to the other towns. That is a decision for us as an Assembly, for the Executive and for the Minister. Do we want to extend the network, get those benefits and take a cost in those big conurbations for that, or are we going to deny people that energy choice across Northern Ireland?

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to take part in the debate. I apologise for not being here at the beginning, but I had other meetings to go to. I share the last Member's welcome for what will, hopefully, be the extension of the gas pipeline.

We live on an island with a small population, which means that we have the potential, such as nowhere else in Europe, to develop renewable energy. We have wave energy, offshore energy, wind energy, tidal and current flow energy and other renewable energy sources.

I am sure that Members agree that investing in renewables has economic, social and environmental benefits, and it offers the security of an energy supply that we do not now have. At present, we rely too much on fossil fuels and on importing energy such as gas and oil. In 2008, the hike in the wholesale price of oil caused problems for households. It is important that we look at renewables in this way. Economically, the adoption of renewables provides opportunities for our small and medium-sized enterprises to develop new technologies and services that can attract inward investment through research and development.

The Chamber has already debated the green new deal, which Members are interested in. It has the potential to create jobs and to keep down energy prices. Although there are still barriers to the development of the sector, we should show the way forward.

A number of Departments and organisations deal with energy, particularly renewable energy, and that can be problematic. To drive a long-term policy in the direction in which it is needed, one port of call — one Department — should have overall responsibility. That would be a better way to proceed.

If the development of renewables is considered in a strategic way, we can close the gap that often appears between strategic goals and outputs on the ground. We need to give adequate information to households. People do not understand the length of time over which investment in renewables will be realised or the investment that is needed in the infrastructure, particularly in the grid. I recall visiting a premises with the Committee for Enterprise, Trade and Investment, where people told us that, with the present grid, they would be unable to store all the energy that could be created by wind alone. They said that there was a potential to export such energy.

The Executive could show more leadership by, for instance, introducing renewable generation on public sector buildings and on social housing. Small and medium-sized enterprises could be encouraged to become more involved, particularly by feed-in tariffs that could allow smaller businesses to become more involved and encourage small-scale generators to enter the market.

Fuel poverty is an important aspect of this debate. I do not have to go into the details of that issue because they have been well rehearsed in the Chamber and outside it by all Members. Once more this winter, people on lower incomes and in poor housing will have higher energy costs. In the North of Ireland, almost one in every two households is in fuel poverty. If we drill down deeper in certain communities that are disadvantaged and in need, almost everyone is affected. We need to look at how to secure that energy supply. Government targets to eradicate fuel poverty in those vulnerable households have come and gone.

Mr Deputy Speaker: Will the Member please bring her remarks to a close?

Ms J McCann: We could look at initiatives such as Kirklees Council's warm zone scheme and social tariffs. Energy prices could be reduced by such investment in renewables.

3.45 pm

The Minister of Enterprise, Trade and Investment (Mrs Foster): I welcome the motion tabled by the Committee for Enterprise, Trade and Investment. Energy affects the entire community, and it is obvious from Members' contributions across the House just how important and wide-ranging the issue is. It

is for that very reason that I was delighted that the Executive recently approved the new strategic energy framework for Northern Ireland, which will be our policy blueprint for the next 10 years or so. That said, the framework is not the Department of Enterprise, Trade and Investment's (DETI) document alone. As the Chairperson of the Committee acknowledged, it belongs to all who have a genuine interest in Northern Ireland's energy future and will require consolidated effort by all of us pulling in the same direction to ensure that it is delivered.

My Department is committed to delivering an energy policy for Northern Ireland that will support a prosperous and sustainable future for all consumers. We aim to do so by keeping the cost of energy as low as possible, which is a not insignificant challenge in an era of rising global prices. We also want to provide opportunities for businesses, particularly in the growth area of sustainable energy and its associated infrastructure.

We all need to work harder at delivering an energy infrastructure that will be sustainable and promote economic growth. That means using our skills and resources in new and different ways. It also means working together to prioritise strategic investment in energy. Again, that will not be an easy task in what has become a very harsh economic climate.

Some Members stated that the strategic energy framework sets a number of energy challenges to be met over the next 10 years. Delivering against those will require my Department to put in place new legislation not only to meet our European commitments but to ensure that the Government can appropriately incentivise industry to invest in new technology and infrastructure. It will also require the wider energy sector to invest for the future.

In building competitive markets, energy policy continues to be driven by Europe, and the new framework reflects that. Part of the EU third energy package requires the electricity and gas directives to be transposed into national law by next year. Those complex and challenging directives are focused on improving consumer protection and the operation of the internal market. It is our intention to avail ourselves of the benefits that that will bring, and consultation is under way ahead of transposition next year.

The Chairperson specifically referred to the Northern Ireland regulator being represented at

a European level. That issue is the subject of ongoing discussion among the Department of Energy and Climate Change (DECC), DETI and Ofgem, as well as the Utility Regulator for Northern Ireland. I refer to that office now because, as we know, Iain Osborne has indicated that he will be resigning by the end of the year. I want to put on record Iain's work with us on energy policy and his regulation of the industry.

Although the directives look to future improvement, much of our domestic electricity and gas policy is already focusing on activity aimed at bringing about more competitive markets. The most significant policy intervention on electricity matters in recent years doubtless remains the creation of the single electricity market (SEM), as Mrs McGill said. Since cross-border trading started three years ago this month, the SEM has promoted greater competition, enhanced security and diversity of supply and has brought about efficiencies and economies of scale. We are beginning to see competition in the domestic electricity sector, which has happened a little more slowly than I would have liked, and we have already seen increased competition in the business electricity supply sector. It is now widely accepted that the increased transparency provided by the SEM has been instrumental in encouraging more activity in the electricity supply market as well as interest in the development of new generation.

Natural gas continues to fuel most of our conventional power generation, with two out of the three power stations in Northern Ireland using this cleanest-burning fossil fuel. Indeed, we are likely to remain dependent on gas-fire-powered generation until at least 2030, in tandem with increasing levels of wind generation in particular. The gas supply market has been fully opened to competition in the greater Belfast licensed area since January 2007, and there are now a number of licensed gas suppliers for that area.

There is also ongoing consideration about the future opening of the gas market outside the greater Belfast licence area. However, the continued isolation of the Northern Ireland natural gas market, its immaturity and small customer base, and our dependency on the Scotland/Northern Ireland pipeline for all our imports all point to the need to continue to develop new ideas about how to maximise security of supply, competitiveness and economies of scale in the gas market.

We also need to consider the case further for the development of the natural gas network. That point was mentioned by the last two Members who spoke. The reasons that were given by Mr Hamilton, both economic and to deal with fuel poverty, are very real. As he will know, my Department has recently completed a study into the possible extension of the network to the west and to additional parts of the north-west of Northern Ireland. The report's conclusions have been discussed with a number of stakeholders. However, further work is required to consider the economic aspects of further gas roll-out. Mrs McGill mentioned costs. It must be realised that it is unlikely to be economic to provide natural gas infrastructure to all areas of Northern Ireland. My Department will consider other energy solutions in those circumstances.

That leads me neatly to the whole issue of security of supply. If we are to reduce our exposure to market forces, we need to look at all possible opportunities. The framework emphasises the potential for gas storage. That point was mentioned by Mr Neeson. That would provide additional security of supply and help to avoid winter price spikes in Northern Ireland. There is also the potential for the stored gas to benefit both parts of the island and perhaps even Great Britain if a suitably large storage facility were constructed. Therefore, continued interest by companies in the development of gas storage in the east Antrim area is very encouraging.

In addition, we need to reduce the amount of energy that we consume and to increase the amount of energy that we produce in our region. That is why sustainable energy is very much a key part of the energy framework. Energy efficiency must increasingly become an integral part of the energy mix. The green economy is not just about the ability to produce clean energy; it is about achieving the greater adoption of energy efficient products and practices. It will also save businesses money, which is a very important point, and it is increasingly clear that energy efficiency will become a key benchmark of a globally competitive company in this century.

Not long ago, no one used the term "green economy" or spoke of "green jobs". However, the sustainable energy sector is now one of the fastest growing, and there are substantial opportunities to create employment, generate

wealth and develop a local skills base in the sector. The Chairperson mentioned the figure of 15,000 potential jobs over five years. That is significant. Developing a vibrant renewable energy sector is very much a key strategic priority for us. Significant activity is being undertaken in Invest Northern Ireland to support those companies that have a desire to explore and to achieve success in export markets in the renewable energy sector.

Like other regions of the UK and Europe, Northern Ireland has many strengths in the renewables sector. Our challenge is to work out how to differentiate and then to actively promote the Northern Ireland proposition. Our foreign direct investment strategy highlights Northern Ireland's key attributes: its rapid progress to harness its natural resources to generate renewable energy; its world-class port facilities, of which we should be very proud; its engineering and construction heritage; its highly skilled and qualified population; and its relatively low operating costs.

Although significantly increasing the role of renewable electricity is one aspect of change in the strategic energy framework — we have already spoken about that — we have to meet a challenging 10% target for renewable heat. That was mentioned by some colleagues. A renewable heat incentive, tailored for Northern Ireland, has the potential to provide long-term stable support for the heat sector. We will push that work forward to examine how best to deliver that for Northern Ireland.

Members will be aware that we have also confirmed a very challenging 40% renewable electricity target by 2020. Mr Cree correctly identified that that is a challenging target. I appreciate that fully, but it is one that we have to take on board given the targets elsewhere in the UK.

Sir Reg Empey: On the matter of renewables, does the Minister accept that although wind power is popular in many areas, its ability to deliver the consistent supply needed is more limited than we are, perhaps, prepared to admit? The fact is that when we have cold weather and high pressure, there tends not to be wind, and the system does not like that. Are we putting too many of our eggs in that particular basket?

The Minister of Enterprise, Trade and Investment: I thank the Member for his

intervention; that point has been made on many occasions. It is also why we are not looking just to wind to meet our renewable energy targets. Although wind has allowed us to meet our targets to date, we will need to have a much more diverse renewables ecosystem as we drive forward. Mr Irwin mentioned anaerobic digestion. There are also the tidal wind streams referred to by Mr Neeson. We also have exciting wave projects coming along. So, we have some really good natural resources.

In respect of the challenge with wind power, grid infrastructure is key to the further development of that energy source. Despite the difficulties with wind as a renewable energy source, it is the largest contributor to meeting our targets, and it is likely to continue to be the main source for some years. However, to achieve our challenging renewable electricity target, we also need to have the right support mechanism to encourage the desired levels of renewable electricity. In the past, there has been controversy about feed in tariffs (FITs) versus renewables obligation certificates (ROCs) in relation to energy policy. However, we will continue to ensure that our Northern Ireland renewables obligation will support our targets as we move forward. Indeed, earlier this year, a significant increase in support under the Northern Ireland renewables obligation was given to small-scale generation of wind, hydro and solar photovoltaic (PV) power. In addition, the Department recently proposed further amendments to offer increased support for anaerobic digestion, which was broadly welcomed by the farming community and is likely to be a key technology in Northern Ireland's rural economy. I welcome Mr Irwin's comments on that.

Planning is crucial to achieving the 40% target, a point that was made by Mr Cree, and planning approvals for the grid upgrade and for the installations are equally vital. I am committed to working with my colleague the Environment Minister to see how planning conditions can be improved to facilitate and to support that 40% target.

I urge those involved in energy production and supply to increase their communication with the public, because public perception about renewables is one of the areas that causes me concern. We need to explain to people why we need more renewable energy installations of every kind and why we will need more of the associated grid infrastructure. Government will play its part and the Executive will shortly

consider the issue of a more joined-up approach to sustainable energy messaging across government. A paper on that issue is with the Executive. I hope that the approach will take the form of all Departments using a common brand and approach for any communications about renewable energy.

Increasing the grid infrastructure is not only needed for renewables; a robust and stable electricity transmission system is key to growing the market, and that is critical to a modern economy. Across the world, investment in grid infrastructure is increasing. A number of Members mentioned the second North/South electricity interconnector and recognised it as a key component in the long-term strategic upgrading of our energy infrastructure. It will also be crucial in handling a significant increase in wind generation. We very much need to get on with that. I urge the planning authorities to set an early date for the public inquiry that Mr Cree mentioned, because doing so would allow concerns raised publicly by communities living along the planned route to be fully addressed.

In conclusion, my officials and I look forward to managing the very real challenges posed by the new strategic energy framework for Northern Ireland through its ambitious goals and targets.

As the Chairperson said, we also need to consider 2030, 2040 and up to 2050. I would argue, therefore, that the strategic energy framework is a significant step in that direction.

I thank the Committee for this timely debate, and I look forward to continuing to discuss the implementation of the SEF with its members.

4.00 pm

The Chairperson of the Committee for

Enterprise, Trade and Investment: I thank all colleagues who contributed to this important debate. In particular, I thank the Minister for her remarks. She recognised the challenges in developing the renewable energy market, and she rightly emphasised the need for government and the community at large to work together and the difficulties that there will be in getting money to invest in the renewable energy sector.

In addition, it is important to remember that the Minister emphasised the fact that much of our energy policy is driven by Europe. In particular, it is important to recognise the third energy package, which will be transposed into domestic

law next year. It will, of course, bring benefits to Northern Ireland, and we can see the way in which the single energy market has developed in Ireland, which is an important development for us all. There is scope to expand the market further, not just in electricity but in other energy sources, such as gas. There is a benefit, because it promotes greater competition, increases security of supply and allows greater transparency.

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

The Minister rightly emphasised the need to look at expanding the natural gas pipeline into other parts of Northern Ireland. Of course, that brings its own difficulties because of the money that needs to be invested in it. However, I think that I reflect the consensus in the Committee when I say that, if it can be done, it should be done, and it should be done as quickly as possible. The Minister also rightly said and other Members alluded to the fact that natural gas helps in the fight against fuel poverty, because it provides a much more efficient and effective and, indeed, lower-cost fuel, particularly for those in domestic premises. Therefore, the emphasis on natural gas is important, and, as the Minister said, it is likely to remain so for some time to come, because our main power stations are fuelled by natural gas.

We must also recognise the interdependence of energy throughout Europe, not just on this island but between ourselves and Britain. Interconnectors have been established between ourselves and Scotland and between Wales and the South of Ireland. The framework recognises that we must develop policy in that environment of interdependence, and it provides an opportunity to do so.

Security of supply is very important, and I welcome the suggested gas storage development in east Antrim, which will certainly reassure many people about our security of supply. We are fortunate to have the natural environment necessary for gas storage, so I hope that that proposal becomes a reality.

Over and above the Minister, I thank other Members who contributed to the debate. It is apparent that Members have a keen interest in the strategy and in our energy future. In general, Members support the 40% renewable electricity target and the target for 10% renewable heat by 2020. We all hope that those ambitious targets can, in fact, be met. However, there seems to be

some apprehension, as expressed by Mr Irwin when he mentioned the short time frame in which to meet the target — 10 years. Mr Cree had a concern that the 2020 target is a big leap from the interim target of 12% renewable energy by 2012.

Many Members raised the issue of Northern Ireland's reliance on fossil fuels as an energy source and the need for diversification of our energy mix. Mrs McGill stressed the need for a diverse mix of renewable energy sources and pointed out that the strategic energy framework does not include the details of how the 2020 target will be met. I recognise that concern. Mr Cree stated that new sources of renewable energy must be explored, such as heat from geothermal energy and heat from waste, and that action plans need to be created for those technologies. The Minister indicated that there will be action plans.

Mr Neeson supported that notion as well and mentioned his support for technologies such as tidal power and energy from waste. I recognise his previous membership of the Enterprise, Trade and Investment Committee and its good work on the development of energy policy. Mr Irwin supported biomass and the benefits that it could provide for Northern Ireland's agriculture sector, and I recognise that. It is important for us to develop biomass in the rural economy, because it can provide much-needed support and income for people in rural areas.

Jennifer McCann mentioned the potential benefits for small and medium-sized enterprises as a result of the development of technologies. Those benefits are real and tangible. Funding and incentives for developing and nurturing the renewable energy sector were also a key theme in the debate. The Committee has been exploring the benefits of systems in Britain and the Republic, but, as Mr Irwin said, funding for renewable energy projects is vital for this sector.

On the issue of funding, Claire McGill emphasised the importance of making energy from all sources affordable to business consumers and to domestic consumers in particular. It is important that we tackle fuel poverty, and that is one way of assisting in that regard.

Sir Reg Empey: Is it not the case that targets will never be reached unless we also, in parallel with developing new systems, deal with the question of reduction in demand through

insulation, retrofitting of buildings and so on? The Member will be aware that, on a recent visit to the United States, the issue of retrofitting was very high on the agenda not only for job creation but for reducing demand. Surely all those things have to run in parallel.

The Chairperson of the Committee for Enterprise, Trade and Investment: Absolutely; the Member is right to emphasise the importance of retrofitting for domestic fuel efficiency. It is something to which we should give even greater emphasis. We go back again to the theme that the Minister touched on, which is that we are all in this together. All Departments have a contribution to make. It is important that the DOE gets its act together on planning and that other Departments — DSD and so on — row in to assist in the process of developing the economy through renewable energy and developing a policy that serves the community at large. Again, I acknowledge Jennifer McCann's contribution on fuel poverty.

Many Members acknowledged that further development of the natural gas industry is vital. Mr Neeson mentioned the benefits of gas storage. I referred to that earlier, as well as the issue of security of supply. Mrs McGill mentioned the development of the common arrangements on gas and the need to extend the gas network to the west. The Committee is considering those issues.

Mr Hamilton supported the extension of the natural gas network and said that it has the potential to reduce the cost of energy to the consumer and that he hopes that the Utility Regulator is supportive of that.

Mr Deputy Speaker: Bring your remarks to a close.

The Chairperson of the Committee for Enterprise, Trade and Investment: I will close there. I may have left out some Members, but, once again, I thank them for their contributions to the debate.

Question put and agreed to.

Resolved:

That this Assembly notes the Department of Enterprise, Trade and Investment's strategic energy framework, which is intended to establish the direction for Northern Ireland energy policy up to 2020.

Private Members' Business

Hunting Bill: First Stage

Mr B Wilson: I beg to introduce the Hunting Bill [NIA 5/10], which is a Bill to make provision about hunting wild mammals with dogs; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Mr Deputy Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Victims and Survivors (Disqualification) Bill: First Stage

Mr Weir: I beg to introduce the Victims and Survivors (Disqualification) Bill [NIA 6/10], which is a Bill to narrow the classes of persons who may benefit from provisions in the Victims and Survivors (Northern Ireland) Order 2006.

Bill passed First Stage and ordered to be printed.

Mr Deputy Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Grass Cutting

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 to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Hamilton: I beg to move

That this Assembly encourages the Northern Ireland Housing Executive and the Roads Service to co-ordinate better the cutting of grass in public spaces for which both organisations are responsible; and calls on the two organisations to examine how they can develop a single, more efficient and effective service for the future.

It is now official: the House is obsessed with cuts of one kind or another.

Mr Weir: Do not give up the day job.

Mr Hamilton: It has not finished yet. For once, I will put my hand up, and I hope that others put their hand up, and say that we are all for cuts, namely co-ordinated grass cutting across Northern Ireland. However, I suspect that many Members, when they saw this motion before the House in November when most people have stopped cutting grass, probably thought that Michelle McIlveen's and my heads were cut.

Although we and the media tend to dwell, rightly, on highbrow subjects such as the Budget or welfare reform, some issues bug the life out of people. Through our advice centre, my constituency colleague and I have found that the issue of grass cutting annoys the hell out of people. People get frustrated about it, as they do about high hedges. Those issues irritate and exercise people more than some of those that we and the media think people should be obsessed about. Anybody who is in touch with their constituency will know that the issue of grass cutting exercises people right across Northern Ireland. The issue has been brought to my attention by some, quite frankly, ludicrous examples where grass on open space in Northern Ireland, ostensibly because of different ownership — primarily Roads Service and the Housing Executive — is cut at different frequencies, at different times and for different reasons.

The example that sticks in my head and which, indeed, was my first experience of the problem as a local councillor is in the West Winds

estate in Newtownards. As is the case with a lot of estates that are predominantly owned by the Housing Executive, there is a mixture of ownership and responsibility for open space. However, there are ridiculous situations in which a strip of grass is located right beside a road where there is a small footpath and then another open space. The bit beside the road is the responsibility of Roads Service, and the bit on the other side of the footpath is the responsibility of the Housing Executive. The Housing Executive's rotation of cutting starts much earlier and it cuts much more frequently, so its bit tends to be well kept. Roads Service cuts less frequently and starts later, so the bit for which it is responsible tends not to be cut. That leads to the ridiculous situation of a perfectly mown piece of grass being feet away from a jungle.

4.15 pm

Mr Weir: Is the Member highlighting the dangers of being half-cut in those circumstances?

Mr Hamilton: The Member has plagiarised one of my later jokes. I am now all at sixes and sevens. The Member is right in that there are areas that are literally half-cut, and you would think that people were half-cut when they cut them. I have also seen the same type of open space, the ownership of which is divided, where a bit of it has been cut and another bit has been left. That is a ludicrous example. The effort that it takes to stop at a prearranged line is surely greater than the effort it takes to continue cutting with the same lawnmower that would do the job.

There are ludicrous examples across my constituency. Indeed, fairly recently, I met the Minister for Social Development in the West Winds estate in Newtownards, and I pointed out that example to him. He probably thought that my head was cut, but he shared some of the concerns that I expressed. I encourage Members to highlight any similarly ludicrous examples, because they show the silly situation that we are dealing with. There is huge dissatisfaction in many parts of my constituency and, I am sure, across Northern Ireland at the different schedules and the infrequency of cuts.

One effect is that it lowers pride in areas. If some areas are well looked after and others are not, it does not encourage people to look after properties, either in the wider community sense or their own property. They view the public sector

as one entity, and they sometimes criticise the local council even though it is not necessarily its fault. If they see what they perceive to be local government or their Government at Stormont not taking pride in their area, it does not encourage them to take a pride in their area. Indeed, many of the areas that we are speaking about are ones in which we are trying to encourage people, through various programmes, to take a greater pride in their area and to improve the environment in which they live to raise hope and aspiration there.

At a local level in Ards, attempts have been to find some local accommodation and solution to the problem. I have raised the issue with the Housing Executive, and, to be perfectly fair, it has always shown a willingness to discuss the issue and to find a solution to it. It has expressed to me verbally and in writing a desire and a willingness to find accommodation.

I am glad that it is the Minister for Regional Development who will respond to the debate, because the reticence at local level has always come from the local Roads Service section office. It has given various excuses, and I will come to those in time. I accept that there are issues in respect of the problem. That has always been the roadblock in coming to a local agreement, and I always thought that it was sensible to seek that local agreement either in a small area or across a district council area in the first instance. Because that seems to be unachievable, I thought that it was necessary to bring the matter to the House.

Potentially, it is one small area in which savings could be made. Last year, the combined spend by Roads Service and the Housing Executive on this type of work was around £8.5 million. Potential savings could be made by having one contract for doing that. Perhaps those would not be massive savings and not enough to stave off the reductions that we face in our Budget, but, potentially, there is scope for savings. I dare say that most people who have experienced the problem would prefer the better and more frequent cutting of grass in their area to significant savings. One contract, delivery by one of the two organisations or some local agreement in areas could be achieved.

Ultimately, however, the ideal solution is probably that local government, as elsewhere in the United Kingdom and other jurisdictions, takes responsibility for this. My experience is

that councils tend to be much more responsive to environmental problems such as this. From my experience in local government, I imagine that it would be unlikely that a council would cut the grass in one area but not another. It would cut all the grass, because councils tend to be more concerned about the ratepayer. The ideal situation would be if local social economy enterprises were created to bid for contracts to look after their area, because they would have more pride in those areas and would be more responsive to problems as they develop.

Both agencies have argued that they do different things, and I am sure that they will continue to argue that. The Housing Executive says that it cuts grass for largely aesthetic reasons, and Roads Service says that it does so for health and safety reasons. That is what dictates the frequency of grass cutting. However, people are not going to buy into that sort of jargon or legalese; they just see a problem, and they want us to seek a solution. For them, grass is grass. Anybody should be able to cut the grass in the areas concerned and should not be subject to departmental agencies using issues such as liability as an excuse not to do it.

I recognise that certain issues need to be sorted. This may appear to be a simple and straightforward problem. However, I accept that there may be issues with liability and the frequency of grass cutting should the Departments buy into this principle. For example, questions about how often the grass should be cut and whether all areas need to be cut simultaneously would need to be addressed. However, those issues can be explored as the problem is explored.

We need to see some common sense exercised, even locally where a good relationship has been built between the Housing Executive and Roads Service so that a sensible accommodation can be found to deal with areas of grass side by side on the same strip of land. I and others have found that such common sense has not been exercised in certain areas. I appreciate that there are issues.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Hamilton: Hopefully those issues can be overcome in a way that saves money for the public purse and engenders greater pride in public spaces in many parts of Northern Ireland.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I pay tribute to the Research and Library Service, which must have had a green time putting together its information pack. I appreciated those notes when I sat down last night to put together my contribution to today's debate.

I support the motion. In these austere times, it is important that we recognise the need to make the most sensible and cost-effective use of resources. It is sensible to bring together the various agencies responsible for grass cutting in order to reduce costs and to perhaps divert savings to other necessary areas, such as the maintenance and gritting of roads by Roads Service. Problems arise because Roads Service carries out its functions not for aesthetic or amenity purposes but for road safety reasons. The Housing Executive and local councils, which are not mentioned in the motion, play a large role in that function too and are more likely to cut grass for visual impact and environmental reasons.

Many roadside verges and other well-established areas contain wild flowers and swathes of flora and fauna. We must ensure that those areas are not cut too early in the year or too frequently, provided that that does not affect road safety, because that can damage the potential conservation of many areas. Although it is understandable that areas of grass, especially on roadsides or junctions, will have to be cut back at certain periods throughout the year to facilitate sight lines, we must ensure that indigenous species are protected.

Some public areas of grassland, such as those on housing estates, could be given over to local community groups or charities to produce flower beds or to reintroduce tree planting. I am sure that we are all familiar with the swathes of daffodils in Marie Curie Cancer Care fields of hope in our towns and cities. It has been found that community ownership generates interest in all age groups in looking after projects. I certainly support that. Such initiatives mean that less grass cutting is required by either the Housing Executive or councils, thereby freeing up resources and saving money.

I support the intention of the motion, but I hope that a realistic and balanced approach will be taken in developing a single service while ensuring that we preserve flora and fauna and encourage community engagement and projects.

Mr Deputy Speaker: I call Mr McCallister.

Mr McCallister: Thank you very much, Mr Deputy Speaker. You have caught me somewhat unawares. I was expecting my colleague Billy Armstrong to be first up from my party.

We support the motion. However, the only advice that I got from my colleagues on what line to take on the grass cutting motion was from Danny Kennedy, who said to keep it short. There has been some discussion about how relevant a motion this is for the Assembly to debate. However, I support Mr Hamilton on this important —

Mr Beggs: Will the Member give way?

Mr McCallister: Certainly.

Mr Beggs: Does the Member agree that, after three and a half years of an Assembly, it is rather sad that we are debating a motion on grass cutting? In that period, we had the opportunity, through the RPA, to amalgamate grass cutting to make it more efficient, but a decision was taken by others to exclude Roads Service from the transfer to local government. Not only that, but the RPA process has failed to materialise and, therefore, responsibility for grass cutting has not even been amalgamated under the Housing Executive and councils or other agencies. Does the Member accept that it is a pity that we are having a talk shop debate instead of enacting legislation that would deliver the objective?

Mr Deputy Speaker: The Member has an extra minute.

Mr McCallister: Thank you, Mr Deputy Speaker. There will be other occasions on which I could use that extra minute. Perhaps I can bank it and save it for the future.

I agree entirely with my colleague. There have been many missed opportunities in the Assembly over the past three and a half years. It does not give a great impression of the Assembly if, in that time, this is the biggest motion that we have had on the issue, albeit that the issue does have to be looked at.

The important bit, as my colleague mentioned, is the issue of review and how we look at structures of government and which functions are performed by the Executive and which by local government. We have to consider what works best and how we can maximise and drive

efficiencies. We must ensure that the actions that Departments or local authorities take are appropriate for the setting and that ratepayers, taxpayers, our constituents and members of the public get good service and value for money.

I thank the House for its indulgence. I look forward to getting that extra minute on another occasion.

Mr McDevitt: It is my job, as it is that of other Members in their differing capacities, to speak to the motion. However, as other Members said, it is not a particularly good day's work for the Assembly to be doing this here and now. I say that with the greatest respect to the Members who tabled the motion.

What is interesting about the research made available to us in preparation for today's debate is that, in common with so many aspects of public policy in the North of Ireland, there is no specific legislative provision for grass cutting. As I understand it, aspects of the Roads Order 1993 place a duty on the Department for Regional Development, not unrealistically, to keep the roads safe and to maintain verges in a safe, proper and fit manner. However, nothing specific is set down in law to place a duty on any of us to keep our grass at a certain length.

Mr Beggs is right to say that we have had ample opportunity during this mandate, through the RPA and other reorganisations, to tidy up many of the administrative arrangements — administrative black holes — that exist in our region. Through decisions made in the House, we find ourselves in rather bizarre situations, such as that which the Member who moved the motion outlined, in which it would appear that notional lines in a park have become demarcation lines between two statutory authorities.

4.30 pm

I suppose that there is a serious issue about biodiversity and sustainability. When the Minister responds to the debate, I hope that he will clarify whether there is a clear and concise policy in Roads Service to ensure that the biodiversity of our towns and countryside is protected. Such a policy would ensure that grass cutting does not become the practice of a deranged man or woman who is obsessed with having the grass on lawns, verges or any other public space at a certain level.

Mr Deputy Speaker, you are known to have a love for a certain insect: the bee. As I understand it, and I am sure that you will keep me right, the bee requires significant biodiversity to thrive. I want reassurance from the Minister that, where appropriate, grasslands will be allowed to exist in a natural state. Apart from our public authorities, many custodians of parkland and open space, such as the National Trust and some local authorities, have started to manage their grasslands in a different way in recent years. They allow for a more natural growth cycle, which is important in promoting biodiversity in microhabitats.

I support the motion, although we are letting ourselves down a little bit by debating it. I also want to put on record the need for us to be cognisant of the opportunity that proper management allows for the promotion of biodiversity in our towns and country areas.

Mr McCarthy: I will support and defend my two colleagues from Strangford who tabled the motion; they are also my colleagues in council. I am on your side, boys and girls.

I hope that no Member will oppose the motion. I encourage the Northern Ireland Housing Executive and the Roads Service to co-ordinate their efforts better in the cutting of grass in public places. I also encourage all statutory agencies to get together in areas in which they provide a public service, regardless of what is in need of attention. That is what is called joined-up government, and our constituents expect all agencies to co-operate better and to economise.

The motion calls for the development of:

“a single, more efficient and effective service for the future.”

We are aware that both organisations are separate, are funded differently and have responsibility for a wide range of grassed areas. The Housing Executive is primarily responsible for areas around and in built-up housing estates, whereas the Roads Service is responsible for grassed road verges and roundabouts and probably for more areas than I can recall. I am delighted to see the Minister for Regional Development in the Chamber; he has responsibility for Roads Service and I hope that he can answer our questions. Indeed, I have one coming at the end of the speech that I hope he can help me over.

If agreement can be reached on what organisation pays for what, we could see progress. That is the crux of the matter.

The Northern Ireland Housing Executive and the Roads Service have a great deal of ground to attend to, and no doubt staff are under pressure to get as much done during the working day as possible. However, many residents complain that when grass is cut it is spread all over the place. That leads to grass, and more often than not wet grass, being spread on pavements, making them difficult for elderly residents to use. Perhaps improvements could be made to overcome that problem and the Housing Executive and the Minister for Social Development, who was here earlier, could pick that up.

Roads Service has a duty for grass cutting along our roads and roundabouts. However, loads of ugly litter appears after road contractors cut the grass. Our constituency is a tourist attraction, but one would be ashamed to come up past Mount Stewart or anywhere along Strangford Lough after the grass on the road verges has been cut because of the ugly litter. I have yet to see Roads Service spend any time or effort collecting that unsightly rubbish. Unfortunately, as someone else mentioned, it is always left to the local council to clear up the mess. The Alliance Party supports the motion.

Mr S Anderson: I welcome the opportunity to participate in the debate and am happy to support the motion tabled by my two colleagues. The subject matter is particularly relevant at this time as it reminds us of the importance of ensuring efficiencies wherever we can across the public sector.

It has long been argued that it would be very difficult to co-ordinate a joint system of grass cutting and maintenance between Roads Service and the Housing Executive, which are the two bodies charged with responsibility for grass cutting. The costs of grass maintenance are high: in 2008-09, Roads Service spent nearly £6 million and the Housing Executive £2.5 million on environmental maintenance. That gives a total of £8.5 million. Even so, standards are not as high as we should expect. It could be argued that the pooling of human resources and machinery would reduce costs; it might even help to ensure a better overall standard of service.

I am also interested in the current and potential role of local councils. The standard of grass

cutting that councils achieve is generally higher than that of Roads Service and the Housing Executive. I declare an interest as a member of Craigavon Borough Council, and I am sure that Members will have sympathy for me when I say that we have many roundabouts, wide verges and open spaces in our constituency. Where councils are involved, those are generally well maintained. By contrast, where Roads Service is involved, it too often fails to ensure that road signs are not obscured by foliage that could create road safety hazards.

We have a responsibility to promote our villages, towns and cities across Northern Ireland. Surely that would be helped if we ensured that there was proper grass-cutting maintenance on arterial routes. First impressions count. As Mr McCarthy said, when those agencies cut the grass, litter and rubbish that was hidden among the high grass is often exposed; that is especially the case in the growing season. As Mr McCarthy also said, it is the local council that has to carry out the clean-up operation. That only adds expense to our local authorities and, ultimately, to the ratepayer.

I encourage Roads Service and the Housing Executive to investigate the possibility of developing closer working arrangements with councils across Northern Ireland. Surely there is considerable scope for that. Like my colleague Simon Hamilton, I wonder whether there might be merit in utilising the private sector much more in that regard. I am sure that the Ulster people's entrepreneurial spirit would ensure that there was no shortage of people prepared to offer their services across the board.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I had hoped that we had given Hansard the afternoon off. I congratulate Mr Hamilton not on tabling the motion but on a verbal dexterity that meant that he had to be asked to wind down his speech after 10 minutes and two seconds. How he spoke on this motion for that amount of time is beyond me. I cannot understand how Mr McCallister could not use his extra minutes. I was really disappointed that he did not avail himself of that extra time and wax lyrical about our green —

Mr McCallister: Would the Member mind my intervening now? *[Laughter.]*

Mr Leonard: I do not deserve the present today.

There are some issues. I do not mean to be denigratory to the proposers of the motion, because I am sure that they tabled it with sincerity. There are a few issues with grass cutting, but let us face it, the last time that a similar problem was discussed at Coleraine Borough Council — I declare an interest as a member of that council — we asked for a phone call to be made to the agencies to get the problem sorted out. That is the attitude that I have to some of the issues that have been raised in the debate.

There are people who are losing their jobs and others who are having their hours cut. There are people in real difficulties with mortgages, and there are students who fear that they will not get the jobs that they have trained to do, because of the economic downturn. There are bankers on bonuses worth millions of pounds. We have discussed and debated some of those issues, and there is a place for the ordinary amidst the high-brow —

Mr Deputy Speaker: I am encouraged to say, "Get back to the motion".

Mr Leonard: I am trying to put the motion in context, with a particular emphasis in mind. I will not take an extra minute.

We are putting out a message that we are talking about rewing up the lawnmowers and about action that could be solved by phone calls at a local level.

Mr Hamilton: Will the Member give way?

Mr Leonard: I honestly could not stick another minute.

I am not putting down the genuine motivation behind the motion. However, as has been said in the corridors, why on earth are we debating this issue in the Assembly? It does not give a good overall image of the Assembly to the public.

Mr Bresland: We do not usually like to hear about cuts or support them. However, I am happy to support the motion, which is not only calling for cuts but for better co-ordination between the agencies to ensure that the cuts are made efficiently. I am grateful to my two colleagues for securing this debate on an important matter.

I represent a large rural constituency that includes a number of towns and villages in which the Housing Executive has responsibility

for a considerable number of public housing areas. The Roads Service and the Housing Executive do not always attend to grass cutting and maintenance in the way that they should. Standards seemed to have slipped in recent years, and the grass is not cut as often. Important road signs are too often partly hidden by branches, especially in the summer. At the height of the summer, when growth has reached its peak, the grass and the weeds on the verges can leave already narrow and winding roads so narrow that there is a threat to road safety. Grass and hedges that stick out over pavements can force pedestrians to walk on the road, thus increasing the risk of serious accident.

In Housing Executive estates, grass on shared spaces is not cut as frequently as it should be. That means that dog litter can be hidden and become a health hazard to children and others who make use of the shared spaces. We need to see improvements, and one way to do that would be to co-ordinate the cutting arrangements.

I accept that the Roads Service and the Housing Executive have their own separate areas of responsibility and have different maintenance regimes. They will, therefore, argue that it is very difficult, maybe impossible, to co-ordinate a joint system of grass cutting. That has been the broad response from Ministers when questioned by MLAs, not only in recent times but going back several years. Surely, in these times, when the need for efficiency is greater than ever, steps can be taken by both bodies to encourage and develop a joint grass maintenance service to some degree. I understand that Roads Service has entered into a partnership arrangement with some district councils, and it would be good if some partnership could be developed between the Roads Service and the Housing Executive.

Councils in England and Wales seem to take more responsibility for grass cutting. Although the review of public administration (RPA) has been put on hold, I wonder if district councils could become more involved in that area. Whatever way we look at it, the time has come for the key agencies to sit down together and come up with proposals to pool and share their grass cutting and maintenance resources as far as possible.

That will be not only more cost-effective but more efficient, and the matter should not be put off any longer. I support the motion.

4.45 pm

Mr Armstrong: I usually begin my speeches by thanking Members for bringing forward the topic for debate. However, in this case, I will instead acknowledge their efforts. That is not to belittle the Members or the subject that they have highlighted. Rather, I regard it to be a damning indictment of the attitude of the House that, on a day when many people expected the Minister of Finance and Personnel to bring forward a draft Budget, along with Executive plans to protect jobs and industries, we are instead talking about cutting grass, despite the fact that it is the middle of November and the nights are dipping below freezing. Maybe this is a bigger issue in Strangford than across the rest of Northern Ireland and Mid Ulster. Nonetheless, the Business Committee allocated a window for this debate, and it would be remiss of me to pass up the opportunity.

I doubt that I am the only Member who has had constituents getting in touch with their office over the years to complain about what they see as the unnecessary desecration of roadside verges. However, when given the choice between safe roads or verges overgrown with a couple of feet of high grass or shrubbery, they do not need much convincing.

I am glad that the motion mentions the Roads Service, for although it may not always get the credit that it deserves, it plays a big role in keeping sightlines clear as we drive along our roads network. That is no small task, considering that the Roads Service maintains enough grassland to equate to over 7,000 hectares.

However, I take on board the point that the motion is trying to make. Where savings are to be made in government bodies such as the Roads Service and the Northern Ireland Housing Executive through cross-compliance initiatives, I totally support that. If I recall correctly, however, when it was planned to transfer grass cutting and weed spraying to local councils through the foreseen tale that was the reform of local government, it was the councils themselves that recommended that the powers remained with DRD. They had a valid reason for making such a recommendation: the Roads Service does not trim roadsides for cosmetic reasons but to ensure road safety.

That involves industrial mowers and tractors that take off swathes, often more than a metre wide. Therefore, I cannot see what immediate

benefits those machines would have for estates with public housing. It is only right that public housing areas are properly maintained. That does not mean coming along twice a year with industrial machines and cutting the vegetation indiscriminately. There are totally different machines: one is for cutting the verges of roads to keep the roads safe; the other is for the amenity purposes of keeping every place tidy and neat. So, I do not see the point that one machine can do all. We have different machines for different types of work.

The Housing Executive and the Roads Service take different approaches to grass cutting, but that is to be expected, because they cut it for very different reasons. I do not doubt for one minute that there are roadsides that could be maintained by the Housing Executive and public spaces maintained by the Roads Service. However, we must remain realistic and acknowledge that, in the wider scale of things, that would be the exception, rather than the norm.

I support the motion insofar as efficiencies could potentially be made.

Mrs M Bradley: I do want to support the motion, but I really do think that we could have used our time on something better. Given the situation that the public are in at the minute, and the worries that they have about making ends meet, I do not think in the winter weather that they are too worried about the grass, because they cannot eat it.

I am shocked to see that this matter is with us. I thought that I went through all this as a local councillor. At Derry City Council, where I was a councillor — I declare an interest as regards that — all those bodies that have land in the city, such as the Housing Executive, the Roads Service, the education board and the Department for Social Development (DSD), work together. However, that came about over years, when councillors came in with complaints that the people had about grass not being cut. The officer in charge of our environmental section at Derry City Council got everybody together, and they formed a working relationship. The council can now call them, or they can call the council, but they do make sure that the grass is cut.

People are entitled to have tidy areas. We should tell our councillors, who are in those areas every day of the week, to bring it up with the councils to make sure that that happens. It could easily be done, and a relationship could

easily be formed. I support the motion because people want their areas to be kept clean and tidy.

The Minister for Regional Development

(Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to the motion. I know that some Members decried the fact that the motion was brought forward and argued that, particularly at the moment, there are other things that the Assembly is expected to debate. Nonetheless, the motion is before us, and we have to respond to it. If nothing else, it has allowed Mr Hamilton to vent his frustration, so there might be some therapeutic value in the debate for him.

I will endeavour to explain the policy on grass cutting and to answer some of the questions that were raised. If there are particular areas that Members raised that I have not picked up on, I will have a look through the Hansard report and ensure that we correspond with Members on those points.

First, I will explain the Department's Roads Service policy on grass cutting. I understand from Mr Hamilton that people are annoyed when they see different agencies working in the same area doing different things. Quite often, that is borne from the fact that people do not have any understanding of what governs the approach of different agencies to their work. If that is explained, it might go some way to help the situation. Cathal Boylan referred to the rationale behind it, obviously greatly assisted by Assembly Research and Library Services. Essentially, Roads Service carries out grass cutting for road safety reasons, as a number of Members said, and it is not for aesthetic or amenity purposes. Roads Service cuts grass in areas of land that it owns and maintains to prevent overgrowth onto carriageways and footway surfaces and obstructions of sight lines and traffic signs.

The total length of verge to be cut across the whole of the North is in the region of 45,000 km. As other Members have said, in 2009-2010, Roads Service spent approximately £6.5 million on environmental maintenance, which includes grass cutting and weed control. I am not sure whether much savings could be garnered by working more closely, as the Housing Executive has a different approach to the issue.

In 2002, the Committee for Regional Development carried out a grass-cutting policy

review, which the Housing Executive commented on. One of the main findings of the review was the confirmation that grass cutting by Roads Service should be carried out for safety reasons and not for cosmetic or amenity purposes. The policy broadly allows for routine grass cutting of one swathe up to twice a year in rural areas, which is approximately 1.2 m, and, in urban areas, up to five times a year across the full verge. Grass on sight lines and at road junctions and bends is cut more frequently as required.

The review also recommended that Roads Service should aim to have 90% of the first cut completed in urban and rural areas by the end of April and June respectively. In contrast, the Department for Social Development, through the Housing Executive, is responsible for 3,500 acres of urban and rural open space, predominantly in and around areas of public housing. As those open spaces provide vital social and recreational facilities for local communities, I understand that the grass is cut 18 to 21 times a year, mainly for aesthetic or amenity purposes. In those circumstances, it would be difficult and probably costly to coordinate a joint system of grass cutting with the Housing Executive.

There are many demands on the Roads Service budget, and any further increase in expenditure on grass cutting and verge maintenance would result in the reduction of other essential activities, many of which are related to road safety measures.

As Members said, grass cutting was also considered as part of the review of public administration exercise to see whether the activity should be handed over to councils. Mr Anderson, Mr Bresland and Mary Bradley alluded to the relationship with local government as well as the Housing Executive on the matter. However, following discussions with my Department's Roads Service, as part of the review of public administration discussions, local government recommended that responsibility for grass cutting and weed control should be retained in Roads Service.

In making its decision, local government recognises that grass cutting schedules are intrinsically linked to road safety and should, therefore, remain integral to that process within Roads Service. It was also recognised that councils would still have the ability to enhance grass cutting and weed control schedules to

improve the amenity of an area should they so desire. Local government appreciated that weed control is also important in protecting the fabric of the road structure and that it should, therefore, rest with whoever is responsible for road maintenance.

The decision that Roads Service would retain responsibility for weed control and grass cutting was endorsed by the Executive's RPA subcommittee in September 2009. That said, and as some Members mentioned, Roads Service has a partnership arrangement with certain councils that wish, for aesthetic or amenity purposes, to have a higher standard of grass maintenance in certain urban areas than that which Roads Service provides. In that regard, Members who declared an interest as councillors should check to see whether that arrangement applies to their particular council.

In cases in which there are accommodation arrangements, councils accept responsibility for work within their respective boundaries and are reimbursed by Roads Service for grass cutting that would have been carried out under Roads Service policy. The partnership arrangement has proved to be beneficial for both organisations.

Some Members referred to litter. Roads Service does not collect litter before grass verges are cut. Indeed, councils have responsibility for the collection of litter inside 40 mph zones. Therefore, councils largely accept responsibility for litter.

Mr McDevitt is not present to receive my answer to his query. I will give it anyway, if only to have it recorded in Hansard. He asked about biodiversity. Roads Service recognises that roadside verges are an important reservoir for flora and fauna, which benefit from freedom of disturbance. It also recognises that cutting them too early or too frequently during the summer, before flowering takes place, limits the conservation potential of roadside verges. In most instances, rural verges are cut only to the width of one swathe, which leaves the remainder of the verge to serve as a wildlife haven. That said, from time to time, some verges may need to be cut back to the full width to prevent excessive growth of brushwood and/or noxious weeds.

Where established areas of wild flowers are present in the verge, the timing of cutting operations may be varied from year to year in order to allow flowers to set seed. Such variations may not be possible in circumstances

in which that would obstruct visibility and be detrimental to road safety. Where a conflict arises, the need to ensure road safety will always be accorded priority.

The management of around 45,000 km of roadside verges is a mammoth task. It is simply not possible for Roads Service to know the unique characteristics of each and every stretch of verge. If Members consider any specific stretches to be unique, and that Roads Service may be able to consider cutting later in the season, they should let me or, indeed, their local depots know. We can certainly arrange for that information to be fed into Roads Service's maintenance office for consideration.

In conclusion, I hope that I have addressed all the concerns and points that Members have raised in the debate. As I said at the outset, I have asked officials to take note of Hansard so that if I have missed any points that Members raised, I will write to them.

The debate has been an opportunity to discuss the issue. I hope that my explanation on policy areas for Roads Service and the Housing Executive, and, indeed, for some areas where there is co-operation between those agencies and local government, offers people clarity about what governs the approach on the issue. That may reduce some of their frustration.

Miss McIlveen: Where my colleague Simon Hamilton performed the cutting on the issue, I have the pleasure of carrying out the raking and gathering.

Grass cutting may seem a minor matter. However, it causes a great deal of frustration among a significant proportion of constituents. Despite what Mr Leonard said, phone calls do not solve the problem. Despite the apparent frivolity of Members' comments, it is not a frivolous matter. It is a policy issue, and something that bamboozles constituents when one tries to explain why certain sections of grass can or cannot be cut. The fact should not be dismissed that between them, Roads Service and the Northern Ireland Housing Executive spent £8.5 million on grass cutting in 2008-09.

It has been a useful, if somewhat light-hearted, debate, scheduled at a time when the issue of grass cutting is by no means high on anyone's agenda — although it gave 'Good Morning Ulster' the opportunity today to give us all some advice on grass cutting during the winter. The

debate may allow the various agencies that are involved in grass cutting to take on board during the winter period, in preparation for the new season, some points that were raised.

The Assembly faces massive Budget cuts. We need to be imaginative when it comes to how savings can be made. This is just one small area in which that is possible. However, it is in such areas in which a little thinking outside the box — in this case, the grass box — can produce dividends to lessen the financial burden on the public purse.

The public is even more dissatisfied about grass cutting by public authorities than it is about savings. As has been highlighted, that is due to a number of factors, some of which have been outlined by colleagues. However, there is no harm in repeating them, since we have time.

5.00 pm

It is good to hear that we in the Ards area are not alone and that other Members have listened to complaints from constituents about grass cutting. We heard about grass being cut by the Housing Executive and Roads Service in different time schedules, and there is a natural consequence of different bodies carrying out such similar functions. Due to the movement of land between public bodies over the years, it can be split into strips between local councils, the Housing Executive and Roads Service. That means that patches of land can be left. We can see such a problem around Cherryvalley and Comber, where different parts are cut at different times of the year — if they are cut at all.

Public bodies adopt different policies on grass cutting, and, as my colleague pointed out and the Minister said, each public body will justify its service for different reasons, such as public safety or amenity. The number of cuts will differ between agencies and between rural and urban areas, but, at the end of the day, they are all cutting grass.

As for costs, it seems logical to have greater co-operation between bodies. It is financial madness for one contractor to come along one day to cut a portion of grass on behalf of Roads Service and for another to come along the next week to cut an adjoining piece of grass. Why can it not be done at the same time?

Beyond co-operation, there could be a unified contract. As my colleague Simon Hamilton

said, grass-cutting responsibilities could be transferred to councils, with associated costs following. Another ideal solution is the use of social economy enterprises. There are various models, but we could consider a locally based one that would engender a sense of community and pride and generate employment.

Fortunately, Members kept their contributions short. I will not rehearse everything that was said. I welcome comments from my constituency colleague Mr McCarthy and return the compliment, particularly in relation to aesthetics, litter, and so on. I welcome also my party colleague Sydney Anderson's comments about his area, which has many roundabouts.

I welcome the Minister's attendance, although he was not particularly helpful in trying to resolve the problem outlined by the motion or in addressing the frustrations of my colleague Simon Hamilton and others. It is also disappointing that he did not outline a pilot grass-cutting scheme for testing.

I thank all Members who contributed, and I thank the Minister. Although the motion focused on grass cutting, public bodies could look at savings in other areas. That could improve how areas are served as well as make savings. In difficult times lie opportunities. During this time of austerity, localities could benefit from improved services.

I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly encourages the Northern Ireland Housing Executive and the Roads Service to co-ordinate better the cutting of grass in public spaces for which both organisations are responsible; and calls on the two organisations to examine how they can develop a single, more efficient and effective service for the future.

Motion made:

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

Adjournment

Healthcare Provision in East Down

Mr Deputy Speaker: Item 6 on the Order Paper is the Adjournment debate. I remind Members that the proposer of the topic will have 15 minutes in which to speak, and all other Members who wish to speak will have approximately six minutes.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee for choosing this important topic for debate. I welcome the Minister and thank him for attending. I also thank my colleagues from South Down and Mr McCarthy for attending.

Mr McCarthy: I am from Strangford.

Mr W Clarke: He is from Strangford; that is right.

Today's Adjournment debate on healthcare provision in South Down provides us with a unique opportunity to show a united front in opposing cuts to the Downe Hospital. The state-of-the-art building, which was officially opened in June of this year, is in danger of becoming obsolete if the South Eastern Health and Social Care Trust implements its proposals.

Plans to close the Downe Hospital were first mooted in the 1960s. Those plans were withdrawn in the face of widespread public outcry, only to be brought forward time after time by health managers. Throughout the 1970s, 1980s and 1990s, we witnessed protests, public meetings, marches, lobbying and letter writing on an unprecedented scale in a concerted bid by the community to ensure the future of the Downe Hospital. It was, therefore, a source of great satisfaction for local people that construction of the new hospital commenced in October 2006. It was hoped that that would herald a new era of healthcare provision for south Down.

The decision to develop an enhanced local hospital with enhanced services in Downpatrick, as opposed to a local hospital of an inferior standard as was initially proposed, was an outcome of the strategic review that was

undertaken in August 2000 by the then Sinn Féin Minister of Health, Bairbre de Brún. The Downe Hospital caters for a large rural and urban community and provides essential services for a diverse range of people who are entitled to quality healthcare on their doorsteps. Sinn Féin is determined to resist cuts to existing services and will not allow the people of South Down to be treated as second-class citizens for healthcare provision. Why should Downpatrick be treated as being less important than Dundonald or Lisburn? It is an equality issue, and the people of Downpatrick and the wider district deserve modern healthcare facilities.

Sinn Féin has been to the fore in defending the services provided at the Downe Hospital, including the enhancement of a 24-hour consultant-led accident and emergency department, a day procedure unit, an outpatient department, and maternity, rehabilitation and diagnostic services. We will continue to fight tooth and nail to ensure that those vital services are available to communities and, wherever possible, that they are enhanced.

In June 2009, we were told that the Downe Hospital would have a range of services in place, including a 24-hour consultant-led accident and emergency department, a day procedure unit and maternity services. We then learned that, in what was purely a cost-cutting exercise, the Downe Hospital would have reduced beds and cuts to services at its accident and emergency department. Sinn Féin will stand shoulder to shoulder with health campaigners such as Eamonn McGrady, the chairperson of the Down Community Health Committee, and Dick Shannon of the coronary care group to oppose the cuts.

The new £64 million hospital has the undoubted potential to provide the local community with access to a wide range of services, including a 24-hour consultant-led accident and emergency department. However, to achieve that, the Department of Health, in partnership with the South Eastern Trust, must honour its commitments and fund those essential services. Reports state that budget restraints and a shortage of middle-grade doctors to cover night shifts could lead to significant gaps in care provision. I challenge Minister McGimpsey to explain why the trust has not managed its budget better to save bed reductions and A&E closures in Downpatrick. Moreover, what has it done to promote the hospital and to recruit essential

staff, including middle-grade doctors? We need more, not fewer, services for the Down area.

In June 2010, as Minister McGimpsey was officially opening the new hospital, the trust made clear its intention to close a 15-bed ward at the hospital, to downgrade its accident and emergency department and to restructure its psychiatric services. It also wanted to allow GPs to staff the emergency department each night because of an alleged shortfall in A&E consultants. As Tom Smith, a former director of nursing at the original Downe Hospital, stated at the time:

"People are going to die — plain and simple. The trust has not properly thought this through."

When Sinn Féin raised fears that the hospital's A&E department was at risk, the trust told us that it had no intention of closing it during night-time hours. Its denial was an example of bad faith by those charged with administering our healthcare, and many people to whom I speak believe that the role of health managers is now synonymous with dishonesty. Indeed, it was not so long ago that Sinn Féin broke the news that St John's House was to close, which the trust initially denied, despite the fact that its plans to close that important facility were at an advanced stage.

What the people of Down are being provided with is not what Bairbre de Brún envisaged when she announced funding for the new Downe Hospital during her term as Health Minister. Instead, the authorities — I include Minister McGimpsey in that — seem determined to strip Downpatrick of its health services. If that trend is allowed to continue, we will be lucky if we end up with more than a cottage clinic in a big state-of-the-art building that cost many millions of pounds to build. Let me be clear: Sinn Féin fully supports safety, quality, sustainability and the modernisation of health and social care services that can meet everyone's needs.

Reference was made recently to the provision of health services in England, and comparisons have been made with the ratio of population to acute hospitals and accident and emergency departments there, and the different ratios for the same facilities in the North of Ireland. Such references do not take into account the difference in density of population and the disparity in the quality of roads networks between England and the North of Ireland. Sinn Féin believes that the English model of

allocation of hospital and service provision by numbers of people is inappropriate in our circumstances

The trust's aim to provide local mental health services to local people seems already to have been abandoned in favour of a single facility based in Lisburn. The trust acknowledges that that is far from ideal but justifies the proposal on the basis that Lisburn is the largest centre of population in its catchment area. That is unacceptable and ignores the large minority of rural dwellers, particularly residents in Ards and Down council areas, who will have to travel significant distances to Lisburn to receive care. One has to bear in mind that the Downpatrick area is a neighbourhood renewal area with high levels of deprivation. It is widely known that people living in such areas have greater mental health issues.

Downpatrick may not be the largest centre of population but it is centrally located in the trust's catchment area and, therefore, it is equally accessible to all, including those in Lisburn, Ards and North Down. The result of the trust's proposals is that patients from Lisburn will have a facility on their doorstep and will also be within 10 miles of the same facilities in the Belfast Trust area.

In the consultation, the trust claims that that option is the only one available that offers the accommodation space required without the need for a new building, extensions or refurbishment. Where are the costings and equality impact assessments to support those claims? I suspect that the trust's decision to build first and to consult later may be a more truthful explanation.

Sinn Féin is also of the opinion that the trust, in developing these proposals, has not fully considered the benefits of refurbishing sections of the Downshire Hospital to accommodate acute psychiatric patients. Over the next few years, the Downshire Hospital site will become a public service campus that will see facilities shared by the trust and a number of key partners, all of which have a responsibility to help to support independent living and care in the community. The trust also claims that patients will have access to improved local mental health services and that fewer patients will require hospital admittance. That may refer to care in the community and, although Sinn Féin acknowledges the good work carried out

by community service providers, it has seen the difficulties that they face in funding and in gaining the co-operation of statutory agencies. If the trust is relying on the community and voluntary sector to meet the needs of patients, it should provide details of how that arrangement will work and how it proposes to manage and to evaluate those services.

Sinn Féin believes that mental health services and inpatient care should be retained at Downpatrick. The unit that still operates in the Downshire Hospital is recognised as a centre of excellence. The consultation document even suggests closing the unit, which suggests that the exercise is not about modernising or about quality healthcare, but simply about cutting costs.

The threat to A&E services at the Downe Hospital is well documented and of great concern to many people living across South Down. The closure of the unit at 10 pm each night presents a risk to the prompt treatment of patients, and it is difficult to understand the trust's rationale in proposing such a practice at a time when hospitals in the greater Belfast area struggle to treat patients within 12 hours and clearly suffer from an overload of work.

Sinn Féin draws the trust's attention to the fact that many GPs in the Down area have expressed their opposition to the proposal to limit accident and emergency services in that area. As Belfast's hospitals struggle to cater for demand in their traditional catchment areas, the trust's assertion that A&E in the Downe Hospital is unsuitable needs to be challenged. Sinn Féin contends that a properly resourced A&E in the Downe Hospital could be utilised to relieve stressed services in Belfast and to pick up on an overflow from the city. It takes as long to travel to Downpatrick from Belfast as in the opposite direction.

Go raibh maith agat, a LeasCheann Comhairle.

Mr Wells: Although I agree with much of what the Member for South Down has said, it is somewhat unfortunate that his speech contained seven or eight references to his political party. On Down District Council, of which I am a member, we always ensure that a unified approach is taken by the parties on this important issue and that we do not allow the future of healthcare provision in the Down district to become a political football. I speak as an MLA. I will not mention my political party, and

I speak as someone with a genuine concern for healthcare provision in the Down district.

When I was first elected to the Assembly, in 1982 — before some of the people in this Chamber were even born — the burning issue in South Down was the future of healthcare provision in the Down area. Here we are, 28 years later, and still the burning issue is the provision of healthcare in the area.

It is only as a result of the tenacity of the local healthcare committee and its ceaseless campaigning on behalf of the community that we are even having this debate tonight. I have no doubt whatsoever that, had it not fought the good fight for such a long period, we would long since have lost any form of adequate healthcare provision in Downpatrick.

5.15pm

Therefore, 28 years later, the issues are still very much the same. As the Member for South Down said, it is a much longer way from Belfast to Downpatrick than it is from Downpatrick to Belfast. Why do I say that? It is because consultants and senior clinicians have told me that it would be horrendously difficult for them to travel from the leafy suburbs of the Malone Road or Cherryvalley to Downpatrick. It is 25 miles, so they ask how on earth they could travel that distance every morning to carry out front line medical services in Downpatrick. Yet hundreds, if not thousands, of people living in Downpatrick are expected to commute the same distance to work in the Health Service in greater Belfast every morning.

The difficulty is that we in Northern Ireland still have a syndrome that makes us think that the world ends at Glengormley and Carryduff. We cannot persuade people to move to carry out essential services in rural communities such as Downpatrick. I will use an analogy of someone in the police to demonstrate. Say, for example, there is a senior superintendent in Newry. The Chief Constable asks him to move to Strabane, but he says that he will not move there because there is a better quality of criminal in Newry. He will say that there are more drug dealers, smugglers and thieves around, and that he can, therefore, hone his policing skills by practising over a much larger community. The Chief Constable would simply tell him that he is needed in Strabane and that he is going on Monday. However, we cannot seem to convince

senior clinicians and consultants to move to work in Downpatrick.

I believe that we should reach a situation whereby consultants who are employed by the trust or the board are sent to where they are needed. If we need extra consultants in Downpatrick, they should go to Downpatrick. At the moment, there are plenty of houses for sale there, so they could either commute or live there.

At the packed public meeting that was held in the Great Hall complex on the Downshire estate, I found it particularly disappointing to be told about the strenuous efforts that the South Eastern Trust had made to attract five senior doctors to work in Downpatrick. We were told that those efforts had failed. As a result, one man, whom I will name because I think that he should be praised for what he did — Colin McGrath, a councillor from Down District Council — asked some very searching questions under the Freedom of Information Act 2000. He discovered that the effort to obtain those extra doctors had been made only a few weeks before the public meeting. No effort had been made to try to attract senior clinicians to the hospital.

We were then told about the lack of activity that justified the downgrading of the accident and emergency department after 10.00 pm. We also then discovered that many ambulances were ordered to drive past the front door of Downe Hospital either to take patients to Lagan Valley Hospital or to the Ulster Hospital. That is simply not good enough. The people of Downpatrick, in that part of South Down, have as much right to a high-class medical care system as the people of Belfast and the greater Belfast area.

The appalling decision was made to move acute psychiatric care out of Downpatrick into Lisburn, even though there is over a century and a half of experience of dealing with that very issue in the Down community. Why do we not build on that and use those skills, rather than move into the congestion of Lisburn? Far too many services are being moved into greater Belfast. Far too many of those areas are difficult to get access to when we have this excellent facility.

It is a crying shame. This wonderful building, which we are very proud of, had a contract cost of £64 million, yet anyone who went there today would see empty car parks and a lack of throughput. The council demanded that, when that building was constructed, it should have the capacity to hold all new services so

that, as political campaigns were won to bring new services to the Downe Hospital, we could add them very easily. What in fact happened was that a tidal wave of services moved out of Downe Hospital.

Every day, the local press reports more threats to services. That is simply not good enough, and it has to stop. We must utilise every corner of that excellent building. We must also utilise the tremendous experience of Health Service provision that we have built up in the Downpatrick and greater Down area. It is a waste not to make best use of that £64 million investment. Speaking as a member of Down District Council, I can say that the council is unified on this issue. However, I make an appeal to people. Although it may read well in local papers, such as the 'Down Recorder' or the 'Mourne Observer', that a party demands this or that, why do we not simply say that this is what people in the community, the ordinary man on the street in Downpatrick and those in the greater Down area want?

Mr Deputy Speaker: Draw your remarks to a close.

Mr Wells: We should not make the issue a party political football.

Mr McCallister: I welcome the debate. It probably should have been a main debate and the grass cutting motion should have been the Adjournment debate. I congratulate Willie Clarke on securing it. It is sad that he made it into such a party political event by demanding this and that. It is an awful pity that he does not quite match up to his record of demands when he votes on Budgets and on whether to protect and to defend health services. He votes slightly differently to how he spoke during the debate that he secured today.

I, like others, pay tribute to the work that was done over the years by many campaigners for the hospital. It is to their credit that we have such excellent facilities in Downpatrick. I am as supportive as anyone of the need to keep those in place and to fight to protect those services. As regards the current consultation, the two big issues that affect the Downe Hospital are changes to the A&E set-up and the psychiatric unit. Mr Wells made a very strong case for keeping the psychiatric unit and the expertise that has been in Downpatrick for almost 150 years.

I have said consistently to the trust that it has to build public confidence if it wants to make changes to the A&E services. It has to prove to the public that it can make those changes, that they will work and that they will meet the needs of the local community. There is no point in trusts coming up with grand schemes if they cannot deliver the goods when they are put to the test. The challenge for the South Eastern Health and Social Care Trust is to build up confidence that the changes will work for Downpatrick and that it will deliver a high standard of care.

I have looked at and dealt with the issues in my work as a Member for South Down. I pay tribute to the many groups, such as the Down community health committee and the Down coronary care group, that have campaigned and worked with elected representatives here and at council level. Those important groups lobby us all to make sure that we give the representation and the effective leadership that we are here to provide. I have had many meetings with those groups and arranged meetings between them and the South Eastern Trust, the Ambulance Service Trust and my colleague the Health Minister. Good information has been gleaned from those meetings.

As the debate is about the wider issues of health provision in South Down, I draw your attention, Mr Deputy Speaker, to some of the concerns about ambulance cover. If the A&E model is changed, some people are concerned about whether there will be appropriate ambulance cover. If an ambulance is tied up with a call to Belfast, will that reduce the cover and increase the risks for people in east Down? We have to find answers to those questions to give the community confidence that those issues have been taken seriously and have been dealt with.

Willie Clarke spoke about health inequalities. Equality is the buzzword for Sinn Féin. I have to say to Mr Clarke that no other Minister has done more to address health inequalities. Although some people wanted to vote against setting up a dedicated Public Health Agency to address health inequalities, the Minister persisted with it and it has started to deliver real change on the ground. Communities in the constituency now benefit from that agency as it looks at the overall differences in life expectancy between our more affluent areas and our more deprived ones.

It often goes unsaid in some of these health debates that Health is the one Department in the Executive that has delivered on all its review of public administration (RPA) commitments, unlike the chaos that we have seen in our other colleague for South Down's Department. Therefore, the Health Department has delivered on this and on the challenges that go with that.

The Minister has a huge commitment to the model that we have in Downpatrick, that of an enhanced local hospital with centralised specialities —

Mr Deputy Speaker: Will you bring your remarks to a close?

Mr McCallister: That is vital to the people of Downpatrick. I support improved health provision for east Down in the strongest possible terms, and I commend the Minister's work and his interest in Down. I am sure that you are going to give me that minute that I banked earlier today, Mr Deputy Speaker.

Mr Deputy Speaker: I am not, actually.

Ms Ritchie: I, too, welcome the Adjournment debate. When we talk about health provision in the east Down area, we have to think of the constituency of South Down. Given that constituency's rural nature, it is a fact that services in east Down impact greatly on Health Service provision throughout the wider parliamentary constituency.

I also pay tribute to all the campaigners, both political and community, over the past 40 years. They include, since 1984, the Down Community Health Committee and the Down cardiac support group. Both groups have representatives with us today in the Chamber.

However, when we talk about Health Service provision in east Down, we are not talking solely about the Downe Hospital and the Downshire Hospital. I imagine that we also want to talk about Home-Start; the new ambulance and emergency services provision, which is to be based on the Downshire site, adjacent to the new £64 million hospital facility; and the potential that there should be for a new health centre to replace the one in Pound Lane in Downpatrick that was burnt a couple of years ago. All avenues of health must be adequately catered for to ensure that we have not only equity but equality of provision to mirror what our neighbours in Belfast receive.

I believe that there is an onus on the Department of Health to deal with the South Down constituency on the basis of need. Ours is a rural population at the extremities of Belfast city services. We also have the added population of tourists. The accessibility of front line services is key when looking at east Down and South Down as a whole. Increasing traffic volumes, poor transport links and inadequate public transport systems to city centre health services mean that front line Health Service provision must be accessible to rural towns in the constituency.

Many will be aware of the serious situation that faces the Downe Hospital. I have to say that the draconian, centralist philosophy that impacts on service provision does not only emanate from the Department and the trust; it existed prior to devolution. It has been the position of the Royal Colleges, with which they impacted and influenced the Department. That must be taken on board. It has existed for decades.

I have referred to Home-Start, and I simply say to the Minister that it is important to continue that provision in Downpatrick, Ballynahinch, Newcastle and Kilkeel because it ensures that many families are able to cater for their children at home, with the support of an outside mentor or individual who is family friendly. That means that there is a saving and a cost to the wider Health Service budget. I honestly believe that it is deeply unfortunate that that centralist philosophy is ensuring that services are being removed from the Downe Hospital.

In the week in which the Minister opened the new Downe Hospital, on 17 June, a medical ward of 15 beds was closed. That was foolhardy and unacceptable to the community in Down and Mourne. Then, we had the trust's proposal — it is still a proposal — to relocate mental health provision from the Downshire Hospital to the Lagan Valley Hospital, when all the expertise and background history exists in the Downshire. Many of our families and forefathers worked in the Downshire Hospital. In fact, I am a product of it myself, as are many of my peers, and we were very glad of that public service employment opportunity.

5.30 pm

Given that patient and hospital costs are probably the same in all south-eastern area hospitals, why cut and remove services from the Downe Hospital in order to place them

elsewhere? The only answer that I can come back to is that centralist philosophy to locate everything in Belfast, which removes rural communities' access to front line services. I have to say that that is totally unacceptable.

I appreciate that the Minister will say that he cannot comment in advance of next week's trust board meeting, which was moved to next week because they wanted to await the decision on the comprehensive spending review and the Budget. So far, no decision on the Budget has been forthcoming, and I am sure that we will not have it by next week. With the Budget not agreed around the Executive table, how exactly do the health authority, the Department and the trust see themselves having a clearer picture next week? They cannot possibly do that. The answer is that they do not require a clearer picture.

Mr Deputy Speaker: Bring your remarks to a close.

Ms Ritchie: Acting collectively, we — the community of Down and Mourne — will continue the campaign to ensure that we have full access to local health services, because, for us, equality of outcome means equality of geography.

Mr McCarthy: I shall be brief. Much has been said by South Down Members. I congratulate Willie Clarke on getting this important subject on to the Floor of the Assembly. Indeed, I congratulate all his MLA colleagues, for the simple reason that today's discussion may result in a better health service in east and south Down.

My opinion as the Alliance Party's health spokesperson is that health provision should be the number one priority. It was in the last Assembly, although it has dropped somewhat in this one. Nevertheless, I maintain that it should be number one, because, if people do not have good health, we do not have a good community or society. Every person — man, woman or child — is entitled to easy access to healthcare when they need it, whether primary care, a GP service, the Ambulance Service or a hospital service.

As others have done, I pay tribute to the people of south Down for their hard work and dedication in saving their local hospital over many years. Somebody mentioned 40 years; it is probably around 40 years. They have campaigned, and they deserve credit. Over so many years, those residents stuck together to

campaign tirelessly for the retention of good hospital provision in their locality.

I also pay tribute to the Health Department for recently providing a brand new £64 million hospital in Downpatrick. Although, at this moment in time, the hospital may not provide everything that local people would have wished to see, at least it is in Downpatrick, and it is up to us all to see that it is used in the best way possible for the local population.

I have listened to the new hospital's management speaking about the difficulty, which other MLAs mentioned, of attracting qualified staff. Although they consulted recently on the best way forward, I am not aware of their final decision, and, to pick up on what Margaret Ritchie said, the decision arising from that consultation has not yet been made public. However, I hope that, when the outcome of that consultation and the decisions that are taken are made public, they will give residents confidence that health provision will continue in their locality in order to prevent suffering and, hopefully, save local lives. I look forward to the Minister's response.

Ms Ruane: Go raibh maith agat, a LeasCheann Comhairle. I commend my colleague Willie Clarke for securing this debate. Sinn Féin is ready to play its role in defending front line services with every other party. I note that the DUP Member for South Down has left the Chamber. That is a pity, because our time would be better spent dealing with the issue of hospitals rather than attacking the person who brought this important topic to the House. Willie Clarke is not making a political football of the issue; Jim Wells brought the politics into it. I dissociate myself from Jim Wells's comments about the people of Newry and Strabane. Those people are law-abiding and good citizens.

My party is ready to play its role in an all-party approach to defending important services. In June 2010, in its consultation document entitled 'Safety, Quality and Sustainability: Modernising Health and Social Care Services in the South Eastern Trust', the trust listed the following commitments for the future delivery of services: local services for local people that are outcome-focused; safe, high-quality and sustainable services; innovation in service developments; promotion of equity; improving and sustaining health and well-being; person-centred services; integrated services; and value for money. My

party and I support all those commitments. It is difficult to see how anyone could disagree with them. However, in a speech about Developing Better Services, Minister McGimpsey stated:

"I am aware of the difficulty in access times to acute services for people living in the area of the Downe Hospital. Developing Better Services suggested that this hospital should have an additional range of services to support a 24 hour Accident and Emergency unit, capable of providing resuscitation and emergency coronary care and a consultant led in-patient medical service. I have considered the proposals for the Downe carefully and I am persuaded that these proposals are necessary to provide a level of service appropriate to the needs of the area."

I absolutely agree with the Minister on those comments.

I hope that we do not get excuses about tough economic times. Of course we have tough economic times. I speak as an MLA in this debate, but in my Department I have difficult decisions to make. Nevertheless, we should not cut front line services in areas of high social need. My colleague Willie Clarke mentioned targeting social need: Downpatrick is a targeting social need area.

I hope that John McCallister's opposition to cuts in front line services is not confined to taking part in this debate. I hope that, as deputy leader of the UUP, he will lobby the Minister strongly, and I look forward to his efforts to ensure that those policies will not be brought forward in the way that the consultation suggests.

Sinn Féin will resist any attempt to cut funding to the Downe Hospital. My party fully supports health workers employed there. For too long, South Down has been treated like a rural backwater, which has resulted in a lack of proper investment in a range of essential services. That needs to be addressed in a number of different ways. In recent months, I have met representatives of UNISON to discuss the impact of cuts on essential services and how they affect front line staff at Downe Hospital. John McCallister mentioned the health sector's response to the RPA, and I welcome that. However, it is a bit rich to slate me for not bringing forward the RPA in education. The reality is that I did bring it forward. Whose party blocked the discussion of that issue and the implementation of the RPA? Let us

be very careful before throwing out incorrect information.

Representatives from UNISON made clear their concerns that the coronary department in the new hospital is to be downgraded to a rehabilitation unit within a medical ward. If that happens, the coronary unit will have a mixture of patients, and that will have serious implications for anyone who is being treated for a coronary condition. It will also mean that nurses will be expected to care for a range of patients who suffer from acute illnesses in what is meant to be a specialist ward. It is completely unacceptable, and they should not be put in that situation.

Journey times to Dundonald for many in the Down area are simply far too long to expect a person with a coronary illness to travel. I absolutely share Jim Wells's view that it is not good enough for consultants to say that they will not work in the Downe Hospital even though people are expected to travel into the Belfast area. That is totally unfair. The Downe Hospital accommodates people from as far away as Annalong and Kilcoo and, as my colleague Kieran McCarthy said, from all over the constituency and outside it. We need to continue to invest in the Downe Hospital.

The freedom of information request was referred to. Hugh McCaughey from the trust told us that it had advertised extensively. It is not extensive to advertise once in three local print media sources. That does not constitute an extensive recruitment campaign, and it highlights the inaccuracies —

Mr Deputy Speaker: Bring your remarks to a close.

Ms Ruane: — deliberate or otherwise, that shape the trust's proposals. This is an equality issue, and equality standards must be met. It is very important that a full equality impact assessment is carried out, and I have written to the Equality Commission about that.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I welcome the opportunity to speak about health services in the east Down area, and, bearing in mind that Northern Ireland has an integrated health and social care system, we must not overlook the excellent services that are provided in social care. Too often, debates in the Chamber focus on a particular health facility or on an individual service. The title of today's debate allows me to

highlight the breadth of healthcare services that the health and social care service provides.

Members know that I am committed to developing and improving the health and social well-being of people throughout Northern Ireland. My key priority is to ensure that everyone in Northern Ireland has access to sustainable quality health and social care services. Our health services must deliver the best treatment and care, whether in local communities, hospitals or in people's homes. The way in which our health services are delivered is evolving, as it must if we are to meet the expectations of the public and the challenges presented by growing demand and a shrinking budget.

In an area such as east Down that has a substantial rural population, access to services is, naturally, an important issue for the local community. Most healthcare is carried out by GPs and other primary and community care services. Those services are the cornerstone of our health and social care system, which is about healthcare professionals delivering care in local towns and villages and in people's homes. That includes GPs, dentists, pharmacists, ophthalmic practitioners, district nurses, community nurses, allied health professionals, social workers and home helps — there are too many to list. However, all of them provide care and treatment to people in the local community. An extensive range of services is based in the community for people with long-term conditions such as heart disease, diabetes or stroke. Those services help to ensure that people are able to manage their condition and mean that people can be treated closer to home and can avoid unnecessary hospital admissions.

Acute hospital services are at the far end of the healthcare spectrum. Let me be clear that our hospitals do not exist in isolation from one another. We are long past the stage when a single local hospital can deliver all the secondary care needs for the people who live in its geographical catchment area, and hospitals do not exist independently of primary and community healthcare. Indeed, they work together to ensure seamless care so that a patient can be treated in the appropriate place and transferred from one part of the service to another with minimum fuss to them. My aim is for the Health Service to deliver equity of outcome, not equity of geography. People who live in the east Down area have access to

general acute hospital services in the Ulster Hospital, and Ards Community Hospital and Downe Hospital provide a range of services locally. Indeed, the new Downe Hospital is the latest significant investment in healthcare in east Down, at a cost of £64 million. It provides inpatient services, including mental health and dementia services, a consultant-led emergency department, a day procedure unit and outpatient, rehabilitation and maternity services. The unit operates 24 hours a day, seven days a week. It provides high-quality care that is tailored to the needs of women for whom a normal labour and delivery is anticipated. It has access to the specialist and regional services that are also provided by Belfast hospitals. Sometimes, that means that patients may have to travel to Belfast for treatment, particularly for specialist services, but the services can often be provided locally in outpatient clinics and day case sessions.

5.45 pm

One of the main concerns for people is rapid access to healthcare in an emergency, and, to that end, I have invested substantially in the Ambulance Service, which is on the front line of emergency medical care. East Down falls within the south-eastern local commissioning group. Provisional figures for the end of October indicate that 70% of category A life-threatening calls were responded to within eight minutes. That performance is well above the target for individual LCG areas, which is that, by the end of March 2011, no less than 67.5% of category A calls should be responded to within eight minutes.

On 4 June 2010, the South Eastern Health and Social Care Trust launched a public consultation on proposals to modernise the services, and that consultation has been much debated today. The proposals affect mental health services, physical and learning disability services and emergency care across the whole trust area and include particular proposals for the emergency department for Downe Hospital. I know that many people are concerned about the prospect of services being changed, fearing that any change means a poorer service. I have received a number of letters from the public, and I am aware of the strength of feeling.

As Members are aware, the South Eastern Trust is due to hold a board meeting on the issue to consider final proposals, and, after that, the

trust's plans will be presented to the Health and Social Care Board and the Department. I cannot interfere with that public consultation. I would not wish to do so, and Members will understand that I am not in a position to discuss in detail the trust's proposals. However, the board meeting will be held in Downpatrick specifically because of the strength of feeling in the area, and that is why the date was picked and moved. It had nothing to do with the CSR; no one in the trust board believes that a Budget will be agreed by next week or the week after.

Ms Ritchie: Will the Minister accept that the trust board meeting was postponed by one month because of the publication, a month ago, of the comprehensive spending review? It is my clear understanding that it did so because it would be better informed when it came to a trust board meeting on which it could make decisions and recommendations to the Minister and the Health and Social Care Board.

The Minister of Health, Social Services and Public Safety:

I accept that that is what the Member says. I am not in a position to comment either way, other than to say that the trust will hold its board meeting in Downpatrick specifically because of the concerns and the strength of feeling in that area. Ms Ritchie also talked about Downpatrick being at the extremities. Downpatrick is 20 miles from Belfast, and I would not call that an extremity. It takes 25 minutes to get to Belfast by blue-lamp ambulance. That is not an extremity.

I was grateful to hear Mr McCarthy say that he believes that health should be the number one priority. I agree with him. It is unfortunate that, on three occasions, the Alliance Party has voted to cut the health budget. I agree with Ms Ritchie that all avenues of health must be catered for adequately, and I also agree that we need to address need. We also need to address need equally across the Province. There has to be equality of provision across the Province, and I aim for that. That does not mean that every town will have a hospital or that every town will have an acute hospital. We aim to provide a modern health and social care service for the population.

I was interested to hear Ms Ruane talk about equality impact assessments. I agree with her that we need to look at equality. However, Sinn Féin voted on three occasions to cut the health budget, and I cannot see how anybody

who votes to cut the health budget believes in equality. It must be borne in mind that the health and social care service is provided primarily for the most vulnerable, the elderly and the youngest members of the population. To me, it seems wrong to cut budgets that specifically address the needs of the vulnerable sections of society.

Ms Ruane talked about Sinn Féin being ready to play its part and to resist funding cuts: hallelujah. I have longed to hear Sinn Féin say that. It voted to cut the health budget not once, not twice but three times. It seems that Sinn Féin is now declaring that it is for protecting the Health Service and health and social care provision. I stood in the House not so long ago and explained that cuts to the health budget over the CSR period would mean not only radical changes to service but closures and job losses. I was being serious and was not scaremongering. I am glad that Sinn Féin, through one of its Ministers, is now declaring that it is ready to play its part and to resist funding cuts. I welcome that remark.

Willie Clarke spoke about the quality of the roads around Downpatrick. His Minister is responsible for the quality of those roads, so I cannot speak about them. Nevertheless, I can say that the regional hospitals — the Royal and Belfast City Hospital — are 25 minutes away from Downpatrick by blue-lamp ambulance. Therefore, Downpatrick is by no means at the extremities of care.

I assure Members that I will look carefully at the trust's proposals, which will come forward to the Regional Health and Social Care Board and to me. As far as I am concerned, any changes must ensure that the people of east Down and elsewhere in the South Eastern Trust area continue to have access to health and social care services. It is not proposed that A&E provision will change; it will continue to be a 24/7 service. However, in the hours after midnight, it will be a minor injuries service. Of the nine people on average who visit the hospital on any given night, seven have minor injuries. We are, therefore, talking about two people needing to be transferred to an acute hospital. The British Association for Emergency Medicine recommends that an A&E unit have on-site acute medicine; a critical care unit; imaging, including 24-hour CT scanning; laboratory services; paediatrics; and surgery.

Mr Deputy Speaker: Bring your remarks to a close.

The Minister of Health, Social Services and Public Safety: Thank you, Mr Deputy Speaker.

I can ensure that all of that is provided through the night for two patients. However, Sinn Féin, the SDLP and the Alliance Party must start to stand up for the Health Service, so that the funds required are provided.

Adjourned at 5.53 pm.



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