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Northern Ireland Assembly

Monday 14 March 2011

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

Members observed two minutes' silence.

Speaker's Business

Standards of Debate

Mr Speaker: I want first of all to again draw Members' attention to the standard of debate in the Chamber. I know that certain items of business can give rise to emotions, and, over the past number of weeks, the Budget Bill has certainly done that. I have to say as well that quite a number of Members sailed quite close to the wind with some of their remarks. I remind Members about my ruling of 24 November 2009, when we moved away from the notion of certain words and phrases being unparliamentary. The number of Members coming through my door to ask me to rule on various words that Members had used had become a wee bit ridiculous. Things had become quite difficult. In places elsewhere, different words are considered to be unparliamentary, so we moved away from particular words. It is all about the tone and temper of a debate; that is of more concern to me as Speaker. Quite a number of Members have made points of order simply to react to remarks on how other Members might be or are being abused. Of course, if Members feel very strongly about something said in the cut and thrust of debate in the Chamber, they have a number of ways, such as interventions or their own contribution, to take issue with it. We saw that last week with PJ Bradley, who felt strongly about an issue but was able to bring it up in the Chamber. I hope that I addressed it in a way with which the Member is reasonably content.

It is not the role of the Speaker to sit in judgement on disagreements between parties or on differing views of history. We have only two weeks of the mandate remaining, and I would like to think that we could set a standard of good temper at the end of this Assembly. That is all I will say on the issue.

I have an important announcement to make on the Justice Bill. I wish to advise the House that, when the Justice Bill was referred to me after Further Consideration Stage last week, it was brought to my attention that clause 104 of the Bill was not compatible with the EU weapons directive. Members are aware that a Bill is not competent if it is incompatible with European Community law. I am sure that it is the will of the House that the Final Stage should not proceed until the Bill has been amended to ensure that it is compatible with the weapons directive.

There has been quite a bit of discussion on how we should deal with the issue. The House has not had to deal with such an issue in the past. I intend to arrange for the Business Committee to schedule an exceptional stage of the Bill. We wondered what to call it. These are exceptional circumstances, and I hope that, when the Business Committee meets tomorrow, it will refer the Bill to the House to amend clause 104 next Monday 21 March. The Business Committee will then reschedule the Final Stage and, if Members have any queries, they should raise them with the Clerks in the Bill Office. These are complex issues. We dealt with them over the weekend and met this morning, and we think we have a resolution to the matter.

Ministerial Statement

British-Irish Council: Environment

Mr Speaker: I have received notice from the Minister of the Environment that he wishes to make a statement.

The Minister of the Environment (Mr Poots): I doubt that any issues will arise out of this item that will cause Mr Speaker to make a ruling in the days thereafter.

In compliance with the requirements of the Northern Ireland Act 1998, as amended by the Northern Ireland (St Andrews Agreement) Act 2006, I wish to make the following report on the eleventh British-Irish Council meeting, held in environmental sector format in Newport, Wales, on Friday 25 February 2011. The Northern Ireland Executive were represented by Michelle Gildernew MP, MLA, Minister of Agriculture and Rural Development and me. This report has been endorsed by Minister Gildernew, and she has agreed that I should make a statement on behalf of both of us.

The meeting was part of an ongoing series of meetings within the British-Irish Council since the first summit of 17 December 1999, which identified the environment as one of the issues for discussion. The British Government were represented by Lord Henley, the Minister for waste and recycling, who also chaired the meeting. The Welsh Assembly Government were represented by Jane Davidson AM, Minister for Environment, Sustainability and Housing. The Irish Government were represented by Michael Finneran TD, Minister for housing and local services. Jersey was represented by Deputy Robert Duhamel, Assistant Minister for Planning and Environment. Guernsey was represented by Deputy Peter Sirett, Minister for the Environment Department. The Scottish Government were represented by their official Dr Stephen Pathirana, head of Zero Waste Delivery, and the Isle of Man by John Shimmin MHK, Minister for the Environment, Food and Agriculture.

The British-Irish Council was established under strand three of the agreement reached in Belfast on Good Friday 1998 as a forum for its members to exchange information, discuss, consult and use best endeavours to reach agreement and co-operation on matters of mutual interest within the competence of the relevant member Administrations.

The meeting focused mainly on waste issues. Ministers visited Newport Wastesavers, regarded as Wales's premier community recycling organisation, and Sims Recycling Solutions in Newport, which is part of the world's largest electronic metals recycling business.

Ministers discussed a wide range of waste-related topics, including the definition of "zero waste"; the use of carbon metrics to calculate waste streams; the use of voluntary initiatives versus regulatory approaches; how to effect individual behavioural change, recognising that the financial drivers that motivate business do not apply to individuals; and what approaches have worked for reducing and managing food waste.

Ministers welcomed the opportunity to exchange ideas and case studies, and they gave a commitment to work closely together as Administrations developed their strategies for reducing and managing waste.

Ministers welcomed the news that the Isle of Man had recently joined the Marine Climate Change Impacts Partnership. They hailed the shared research vessel activity between Ireland and the UK, which resulted from the previous meeting, as an exemplar of co-operative working and shared procurement. Ministers also recognised the contribution that the integrated coastal zone management subgroup made to the British-Irish Council's work.

Ministers welcomed a written report from the UK Climate Impacts Programme, which provided an update of its activities since the previous meeting in July 2010. This outlined the work that the programme did with four of the Administrations — Wales, the Isle of Man, Scotland and Northern Ireland, together with some pre-emptive work with Jersey — on piloting a set of messages tailored for use in those Administrations that would help to express the main concepts and issues relating to climate change. Ministers asked for an update on that at a future meeting.

Ministers noted that the Republic of Ireland and the Isle of Man have prepared a joint discussion paper on Sellafeld. The UK, which has government responsibility for Sellafeld, has been invited to prepare a response. Ministers agreed to discuss the paper and to review progress at a future meeting of the Council.

Ministers agreed that the next ministerial meeting would be held in Scotland and that its theme would be biodiversity.

Ministers welcomed the continued close co-operation between member Administrations on environmental issues. They asked for an update on waste issues and for climate change adaptation messages to be provided to them at a future meeting. They also tasked officials to work together on the development and delivery of a work plan on biodiversity issues.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. Thank you, Mr Speaker. On behalf of the Committee, I welcome the Minister's statement and his indication that the Administrations have been working together on piloting the key messages that have been expressed on the main concepts and issues that relate to climate change.

Will the Minister please tell the House whether he took the opportunity to discuss with other Administrations the change in policy on the carbon reduction commitment, which was brought about by the UK coalition Government? What are the Administrations' opinions, if any, of that? Will he also tell the House what progress he has made to reduce the financial impact of that change on the North?

The Minister of the Environment: That was not on the agenda. However, I have engaged in correspondence with the UK Government on the issue, as have my colleagues from Scotland and Wales. We do not see the issue as closed. The change in the carbon reduction commitment would be a huge detriment to reducing climate change. It will also be of huge financial detriment to Northern Ireland and the other devolved Administrations. So, it is something that is worth fighting about on this occasion.

Mr Kinahan: I thank the Minister and welcome his statement. The statement is a little thin on details on waste. Will the Minister expand on the other ideas that came up or what was learned from the meeting? Did he put across the idea of having a Tidy Northern Ireland day or week, which was the subject of a motion last year, or of having a special time of the year when we should all clean up our neighbourhood?

The Minister of the Environment: There was considerable discussion on waste and

particularly, as the meeting was hosted by the Welsh, a zero waste policy and moving towards zero waste. We have been challenging in some of the targets that have been set to test whether what other Administrations are doing is right for Northern Ireland. For example, Wales and Scotland are both looking at a 70% recycling target, but that figure includes bottom ash from incineration regasification units, which could account for 8% or 9%.

In Northern Ireland, we are heading towards a 60% recycling target in any event. So, we did quite a bit of testing of where the policies exist. Some of the differences are down to packaging, for want of a better word. There is no considerable difference between where any of us are on the issue. We are all heading towards having less than 10% of our waste going to landfill, and we are all looking for alternative means of dealing with that waste. The first way will be to recycle and compost, and the second will be to derive energy from that waste.

12.15 pm

Mr Dallat: I thank the Minister for his statement. It is timely that the issue is before us as we come to the end of the Assembly mandate, if only to concentrate minds in front of the electorate. The Minister has talked quite a bit about zero waste, which, presumably, is the same as waste prevention. What are his Department's ideas on how we can not move away from recycling but put a greater emphasis on waste prevention in the future?

The Minister of the Environment: The term "zero waste" refers to zero waste going to landfill. There will always be materials that can be used in some other way. Recycling or deriving energy from it is a means of using it. However, the Member is right that the reduction of waste is the best mechanism to reduce the pressure on virgin sources such as oil and to reduce the amount of material that then has to be used in some other way. So, first of all, we have been engaging with the British Retail Consortium on the packaging policies of the large supermarkets and others, and we have agreed a Courtauld commitment that will lead to a reduction in the packaging that consumers will acquire when they buy goods in the first instance. We are trying to encourage the public to, for example, deal with the food waste issue and the fact that over £600 in every household in Northern Ireland is wasted on food that is not

used. We want to encourage people to buy what they need and to use their money wisely and help save the environment at the same time. So, yes, we are very focused on driving down the amount of material that will come into waste streams in the first instance.

Mr Lyttle: I also thank the Minister for his statement today. The Minister mentioned the Marine Climate Change Impacts Partnership. Does he support the introduction of a marine Bill for Northern Ireland, and did he take the opportunity to discuss that matter with his British-Irish Council counterparts?

The Minister of the Environment: Yes, we had a discussion on that issue. Marine issues are a major element of our biodiversity and, therefore, need to be looked after correctly. Our marine environment accounts for over 50% of our biodiversity, and therefore the waters around our shores need to be properly conserved. That is why we have engaged in a marine plan that applies right across the UK and why we are setting the motions in place for a marine Bill to be introduced in the next session of the Assembly. We were never going to be able to introduce it in this session, given the timescale and the work that was scheduled, but the Department will wish to introduce a Bill in the next session. The rest of the UK will be slightly ahead of us, but that will, perhaps, work out to be a good thing. When people move ahead, you can sometimes learn from their mistakes, as opposed to learning from your own. That is always a little easier.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I, too, thank the Minister for his statement. Can he outline how our region compares with the other regions in giving financial support to local authorities to develop waste infrastructure?

The Minister of the Environment: We did not discuss what other regions are doing. However, in our region, we have had a number of tranches over the past year of Rethink Waste, which has been very well received by local authorities, as it has enabled them to develop some innovative ways of reducing the amount of waste that goes to landfill. We have been supporting not just local authorities but community organisations such as Restore, which is run by the City Mission, and Voluntary Service Lisburn and a range of other facilities around Northern Ireland. People are collecting

old furniture and refurbishing it. It then goes out to people who need it, sometimes from quite deprived backgrounds. That material does not go to landfill, and, very often, the people who are engaged in the restoration are ex-prisoners and people who are being rehabilitated into society. So, all in all, it is a real win-win-win story to support those facilities. It is good for the environment, good for people who maybe cannot afford to buy expensive furniture and good to get people rehabilitated into our community.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. My question relates to radioactive waste from Sellafield, which has been brought into sharp focus by hearing the news of the tragedy in Japan this morning. It is appropriate that the House extends its sincere and heartfelt sympathy to that country as it comes through that deep tragedy due to nature.

The Ministers noted in the statement that Ireland and the Isle of Man had prepared a joint discussion paper on Sellafield. That has been in the melting pot for some time. Will the Minister update us on the progress of that discussion paper, given its relevance and how it relates to here, especially the County Down coast? When will the paper be produced with solid recommendations to be worked through in the various jurisdictions?

The Minister of the Environment: In 2002, the Centre for Environment, Fisheries and Aquaculture Science carried out a survey of the habits of people who might be exposed, as a consequence of seafood consumption and aquatic activities, to the effects of radioactive waste discharged into the Irish Sea from Sellafield — that is, those of us who eat fish suppers on a Saturday night. The survey took place along the Northern Ireland coast from Belfast Lough to Carlingford Lough. A critical group of 800 relevant people were interviewed, and their answers were collated. The information obtained from 2007 indicates that the dose to the critical group from artificial sources was 15 microsieverts, which is less than 2% of the dose recommended by the International Commission on Radiological Protection. A typical person in Northern Ireland receives between 0.05 and 3 microsieverts a year from those activities. Therefore, it is identified that the risk to people in Northern Ireland from Sellafield is modest, and that message needs to be put out to the public so that unnecessary concerns are not

raised. Many people have serious concerns about their family's health that do not need to be exacerbated by something that may be unfounded.

Executive Committee Business

Clean Neighbourhoods and Environment Bill: Final Stage

The Minister for the Environment (Mr Poots): I beg to move

That the Clean Neighbourhoods and Environment Bill [NIA 31/09] do now pass.

I am delighted that the Bill has, at last, progressed to Final Stage. The Bill is a worthwhile and positive development. As I said at Second Stage, it is to be welcomed by all Members of the Assembly, and I am grateful that that has proved to be the case.

I express my gratitude to the Committee for the Environment for its broad support for the Bill. Following its detailed and thorough scrutiny of the clauses and its engagement with a wide range of key stakeholders, the Committee's constructive and helpful recommendations brought about some amendments at Consideration Stage that improved and strengthened what was already a solid and comprehensive Bill. I thank my Executive colleagues and Members for their ongoing support right from the start of the consultation process to Final Stage.

Members of the Assembly, Members of Parliament, district councils, Tidy Northern Ireland, the Northern Ireland Local Government Association, environmental health officers and other interests have been calling for the introduction of the Bill for years. It is easy to understand why so many wanted the Bill to be introduced and why it has been so favourably received. By providing district councils with an improved suite of powers — a proper toolkit — the Bill will help councils to deal more effectively with a range of problems that can have a degrading impact on the local environment. Those problems spoil the appearance of public spaces in towns and cities and in the countryside across Northern Ireland. They make the lives of local residents a misery and cost councils thousands of pounds to clean up. The Bill should help to reduce street cleansing costs. It is incredible that, last year, councils spent £34 million on street cleansing; that is around £100,000 a day on problems such as littering, graffiti, dog fouling, dog control, illegal fly-posting, abandoned vehicles, nuisance

parking, noise, statutory nuisance and nuisance alleyways. Those directly affect the quality of life for everyone in our local communities.

I am satisfied that the Bill, by strengthening and improving the law, will enable district councils to deal more effectively with all those problems. The Bill is an important first step in my Department's clean neighbourhoods agenda, and it will be supported by a comprehensive series of guidance documents, codes of practice and regulations to help district councils to get the most out of the new, improved powers at their disposal. The Bill is large and complex, and it has been thoroughly examined and spoken about in great detail during its passage to this point. Therefore, I will refer only briefly to the key provisions.

Part 1 gives district councils new powers to deal with alleyways affected by antisocial behaviour. That will be widely welcomed, particularly by communities who have been tortured by people engaging in antisocial behaviour and have had few means of dealing with it. It will also close off areas at times when that behaviour is taking place and, therefore, give people a little peace and quiet in their home.

Part 2 gives district councils the power to remove abandoned cars from the streets immediately.

Mr F McCann: All Departments and councils have different methods of dealing with antisocial activity. We need to start pulling the threads together to ensure that we have effective legislation and that everybody sings from the same hymn sheet when dealing with such activity.

The Minister of the Environment: Where councils identify a problem with antisocial behaviour, they will have the powers to implement the legislation, and, after consultation with DRD, they will be enabled to do that. I trust that DRD will be co-operative, and I do not see any reason why it will not be. Councils will have to develop a case and work with the local police, which will be of benefit.

In respect of abandoned cars, we created two new offences to help district councils to deal with nuisance parking. The first is offering for sale two or more vehicles, and the second is repairing a vehicle on the road as part of a business.

Part 3 amends the offence of dropping litter in a lake, pond or watercourse. It gives district

councils new litter clearing notice powers to require businesses and individuals to clear litter from their land, and it strengthens existing street litter control notice powers for district councils to require local businesses to help clear up litter that they generate. It enables district councils to restrict the distribution of flyers, handouts and pamphlets that can end up as litter. Part 3 also contains provisions concerning abandoned shopping trolleys, and it gives district councils the power to recover the costs of dealing with such trolleys from their owners.

Part 4 enables district councils to serve defacement removal notices requiring the removal of graffiti and fly-posters. It gives district councils powers to tackle the sale of spray paint to children and strengthens the existing legislation which deals with graffiti and illegal fly-posting.

Part 5 replaces dog by-laws with a new simplified system, enabling district councils to deal with dog fouling, to ban dogs from designated areas, to require dogs to be kept on a lead and to restrict the number of dogs that can be walked by one person.

Part 6 gives district councils powers to deal with audible intruder alarms and the annoyance that they may cause and powers to impose fixed penalty fines on licensed premises that ignore warnings to reduce excessive noise levels.

Part 7 restates and updates the law on statutory nuisances by bringing it into line with that which already applies in England and Wales.

Part 8 increases the maximum fine on summary conviction that may be provided for in regulations made under the pollution, prevention and control provisions in the Environment (Northern Ireland) Order 2002.

Throughout the Bill, greater use is made of fixed penalty notices as an alternative to prosecution. Stronger, stiffer fines are provided for in the Bill, and district councils are given the power to retain receipts from fixed penalty notices. In most cases, they are given the flexibility to set their own rates.

The Bill should also help to bring about positive benefits for tourism, reducing antisocial behaviour and making us all think more about the environment in which we live. The Bill is tangible proof that the Assembly is determined,

through the introduction of stronger legislation and stiffer fines, to effectively tackle people who continue to degrade the appearance of our public spaces and our towns, cities and countryside. The Bill will improve people's quality of life and provide district councils with the necessary toolkit of powers to make life in Northern Ireland better for all of its people. I commend the Bill to the Assembly.

12.30 pm

The Chairperson of the Committee for the Environment (Mr Boylan): Ar son an Choiste Comhshaoil, cuirim fáilte roimh Chéim Deiridh den Bhille um Chomharsanachtaí Glana agus an Timpeallacht.

On behalf of the Committee for the Environment, I welcome the Final Stage of the Clean Neighbourhoods and Environment Bill and, once again, thank the Minister of the Environment and his departmental officials for the close working relationship that we maintained throughout the Bill's passage, which helped to ensure that the Committee scrutinised it thoroughly and was able to reach agreement with the Department on proposed amendments. I also want to take the opportunity to thank the Committee staff, who have worked hard on the legislation. The Committee has dealt with a lot of legislation during the mandate. With the staff's help, we have been able to turn around all Bills in a timely manner.

The Clean Neighbourhoods and Environment Bill will, undoubtedly, contribute to an improvement in local communities. I remind Members that, following detailed scrutiny of the Bill, the Committee made eight recommendations. The Minister incorporated three of those as amendments, which related to fixed penalty notices to children; raising the age limit under which it should be an offence to sell aerosol paints; and the expansion of the definition of "owner". The Committee also took the advice of the Examiner of Statutory Rules on the Department's powers to alter the amount of a fixed penalty and made recommendations, which were accepted by the Department, that any changes were subject to draft affirmative procedure. It is important that the House has the highest level of scrutiny when it comes to changes. Those amendments will ensure that that occurs.

I believe that the Committee's recommendations and the subsequent amendments have enhanced

the Bill, which should bring about real improvement in people's lives by allowing local councils to tackle problems, such as graffiti, litter, nuisance alleys, fly posting and abandoned cars. On behalf of the Committee, I am, therefore, pleased to support the Bill.

With your indulgence, Mr Speaker, I would like to say a few words on behalf of Sinn Féin. My party certainly welcomes this legislation. Key to all of it will be its roll-out and implementation on the ground. I hope that it will be properly implemented by local councils that get that authority. It should benefit local communities. My colleague will say a few more words on behalf of Sinn Féin.

On the Committee's behalf, I welcome this piece of work.

Mr Kinahan: I thank the Minister, Department, staff and everyone who has been involved in the Bill. It has been an extremely good example of people's working together that we could learn from with regard to other matters that go through the Chamber.

As someone who has been a councillor, I know — I am sure that most Members will agree — that matters that are dealt with in the Bill are the most frustrating that councils have to deal with constantly, yet have never had the power to do so, whether that be dog mess, litter, vehicles, graffiti, noise or any other matter that has already been touched on. We all welcome the Bill and everything that it will put in place; particularly, the raising of penalties where possible. The Bill links in with other legislation that is coming through.

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

I am pleased to hear the Minister speaking about his guidelines and codes of practice. We look forward to seeing those come through and matters being dealt with by councils as quickly as possible. There is still concern about the costs for councils and their need for resources; for example, for legal guidance on how to actually deal with a fixed penalty notice. Councils will be grateful to get funds from fixed penalties. However, as many of us know from dealing with matters in the past, often, when something goes to court, it costs the council a great deal more than the actual fine. Therefore, I hope that those codes of practice and guidelines will help councils and that we will keep one eye on what resources councils need, so that they can

implement the legislation as soon as they can. I very much support the Bill.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for the conclusion of the Bill. Those of us who saw it through the Committee were deeply engaged with it. As the Chairperson said, it is important that we have seen amendments to the Bill, which will, hopefully, bring about real improvement in people's lives by allowing councils to tackle problems, such as graffiti, litter, nuisance alleys, fly posting and abandoned cars. In the middle of all that, the Bill has the potential to contribute, in a real and meaningful way, to the reduction of antisocial behaviour; to better and, indeed, more stable communities; to, in many ways, better visual appearance of some towns, villages and cities; and to better communities as a whole. That can be only a good thing.

I want to be brief, because it has all been said. However, this is a key point: political, civil, community and local involvement through leadership and role models will be required to ensure that the legislation is successful. The facility is there and the legislation and the outlet for it will be there, but leadership will be required to ensure that it happens. Hopefully, we as elected representatives in our areas will be doing what we can to work with the councils, communities and individuals to ensure that this enhancement of our society does happen.

In conclusion, I thank the Minister and his Department for bringing the legislation to conclusion and fruition in the House today. I especially want to put on record my tribute to the staff of the Environment Committee. As Members know, Departments have a lot of resources, but there are only four people in a Committee office. That Committee office has proved formidable in its support in ensuring that members were kept fully up to date and that legislation, not only this Bill, but the whole package of legislation, some of which was very heavy, was seen through the Assembly.

Mr Lyttle: I join my Assembly colleagues in welcoming the Final Stage of the Clean Neighbourhoods and Environment Bill. I agree that it will lead to tangible improvements in the quality of life of local people. I commend the Minister and his Department, the Committee and Committee staff for their hard work in introducing the legislation.

My local council's cleansing teams and environmental health officers have sought the powers that have been created by the legislation for some time. They will now be able to tackle more effectively the local issues that have been mentioned. Those issues include littering, graffiti, unkempt gardens and the perennial difficult issue of fly-posting. Such practices spoil the amenity of our local neighbourhoods, and they often lead to even more serious criminal damage. So, I wholeheartedly welcome the Bill, and I look forward to the improvements that it will allow council officers to make to local communities.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Final Stage of the Clean Neighbourhoods and Environment Bill, and I thank everyone who was involved in the legislation, particularly the Committee staff.

The Bill looks to address many issues, including antisocial behaviour, dog fouling, noise abatement and graffiti. It is an important Bill that will affect people's quality of life, and, as the Minister said, deals with issues pertaining to the environment. It will also make a real difference to people's lives. That is what the House is for: to make good legislation that will have a big impact on people's lives.

I will talk briefly on aspects of the Bill that some groups expressed concern about. As I said at Second Stage, there was considerable opposition to fixed penalty notices for children and young people. That concern came from many groups who were representing that section of the community. I am also concerned about fixed penalty notices for 10 to 11-year-olds. The Department has acknowledged that concern, and it will issue guidance that will be consulted on. Some groups stated that young people were not consulted enough on such measures as gating orders, in particular.

I welcome the legislation. It is another useful tool in councils' toolboxes with which to deal with antisocial behaviour, but the gating of alleyways at the backs of people's houses will have to a last resort. Children's organisations also raised that concern. Those organisations also said that there had to be greater supervision of children, better consultation with children and better engagement with children in schools. They also said that there had to be recognition of the fact that other social issues were the cause of young people gathering at other people's

houses. That has to be dealt with. Fra McCann touched on that in his intervention.

A multi-faceted approach has to be taken to deal with any issues of antisocial behaviour or to address why young children as young as 10 or 11 are loitering at the back of people's homes at midnight or 1.00 am. There are serious issues there that need to be addressed. It is about more than just putting up a gate, because that will just push the problem elsewhere. The young person will then be vulnerable in another location.

In developing good policy for gating orders, it is important that councils factor in those issues, because they are impacting on all our communities. We see it in our communities daily. We need to ensure that the resources are put in place to deal with young children who are very vulnerable.

In conclusion, we need to keep the legislation under constant review and continue to monitor how well it is working and how well councils are adopting it. There is no point in having the legislation in place if councils are not rolling it out. I support the Bill's Final Stage. Go raibh maith agat.

Mr Savage: I also welcome the Bill's Final Stage. I know that a wealth of knowledge and expertise has been put into the Bill, and I wish to associate myself with the remarks made about all the staff in the background for the amount of work that they have done in bringing the Bill to its Final Stage.

The bulk of our council staff will be glad to see the Bill passed, because, at present, a lot of our staff really have no teeth to do anything. The Minister summed it up well today when he said that, at last, this is the necessary toolkit that council officers will receive to carry out those works. That is a very important phrase, which council staff right across Northern Ireland will welcome.

I know that many issues have been raised concerning young people and waste. Let me tell you something, Mr Deputy Speaker: the young people do not need to be blamed for all of that, because we have to educate the older people to adapt to change. The days are passed when people can open a car window and flick out whatever they want to flick out.

Two or three weeks ago, when I was out on another mission, I saw young people coming out of some place where they were getting something to eat. They had waste, but they were looking for bins in which to put their waste. It is up to councils now to provide the proper facilities to enable our streets to be kept clean. It is a learning process for a lot of people. In closing, our council officers and staff welcome the Bill. It will give them teeth and, as the Minister said, it will give them the toolkit to carry out their work.

The Minister of the Environment: I thank Members for their contributions and their support throughout the process. As lawmakers, we are doing something that I believe will improve the quality of people's lives, but, as the old saying goes, you can lead a horse to water, but you cannot make it drink. We need the public to come with us to make Northern Ireland a cleaner place, a better place to live and somewhere where the quality of life is enhanced through looking after our environment in a much better, more structured way.

I thank my own staff and the Committee staff for their work in the process, and I commend the Bill to the Assembly.

Question put and agreed to.

Resolved:

That the Clean Neighbourhoods and Environment Bill [NIA 31/09] do now pass.

Mr Deputy Speaker: I ask Members to take their ease for a few moments, because business has moved faster than we expected. I see that the Minister for Social Development has now arrived.

12.45 pm

Housing (Amendment) Bill: Final Stage

The Minister for Social Development

(Mr Attwood): I beg to move

That the Housing (Amendment) Bill [NIA 32/09] do now pass.

Before I give a brief summary of what is in the Bill, I will make a number of opening comments. I want to acknowledge the work of a lot of people, the first group being those who work in the Office of the Legislative Counsel (OLC). Over the past short period, there have been a number of amendments to the original Bill and further drafting has been required. Between six and nine months ago, it was said to me that, because of the demands of other Bills and legislation going through the Assembly, the OLC was significantly stretched in its capacity to deal with other business. Through this Bill and other Bills from the Department for Social Development (DSD) and other Departments, the OLC has shown that it is able to turn over a large volume of work. That gives rise to a wider point, which is whether we would have sufficient capacity in the drafting side of the Assembly to turn over all the Bills that require drafting, redrafting, amending and re-amending were the Assembly to fully stretch its legislative function in the next mandate. Although the OLC does great work, I would question whether that work needs to be enhanced to ensure that the Assembly is fit, ready and able to complete all the legislation that is expected in the next mandate.

I also want to acknowledge the work of the Bill Office, which, apart from the drafting side of its work, provides a liaison between the draftsmen and Members and Departments. The Bill Office has also been overwhelmed with the burden of work over the past period, given the scale of legislation that has been tabled, particularly since the autumn.

I also want to acknowledge my own officials. As I said previously about this and other Bills, whatever the political direction from the Minister and whatever assistance is given by the OLC and others, a lot of the hard work and heavy lifting is undertaken by officials. My strong sense from the work on this and other Bills is that there is a good body of officials in DSD who work to resolve problems.

Before dealing with some of the substance of the Bill, I want to make a much broader point. The Assembly has rightly begun to address a matter that is much more substantial than it may previously have been: welfare reform and welfare cuts. A lot of that is coming across from Westminster as regards the impact that there will be on housing benefit, entitlement to housing benefit, housing benefit levels and the whole architecture and process around housing benefit. One of the areas in which we have not necessarily interrogated all that is being proposed on housing benefit is the private-rented sector. In going forward, the issues of housing, housing benefit, housing benefit reductions and their impact on that sector is one that must be more fully interrogated. This weekend, officials provided me with a submission and a draft letter to Lord Freud that scoped out all the issues on how housing benefit adjustments, changes and cuts will impact on the growing number of people who rely on the private rented sector.

Mr F McCann: That is an important point. In Committee, the Minister said that he had raised issues with Lord Freud and others. However, another aspect of the private rented sector hurts many people. Over and above housing benefit or local housing allowance payments, landlords use top-up, which maybe costs people, many of whom are already being paid at poverty level, more than £100 on top of their benefits. Will that issue be taken into consideration?

The Minister for Social Development: Very much so. In the draft letter that I signed off on over the weekend, that issue was named specifically as needing consideration. There is evidence that the practice of top-up is significant in the Northern Ireland housing market, and, given the number of people on welfare, low pay or coming out of work, top-up will impact more and more significantly.

The wider point arising from Mr McCann's question concerns the fact that we may be unable to build the number of properties that we have built in the past year or two in particular, but in the past five years in general. At the same time, there will be an increasing demand for private rented properties because, on the one hand, we may be unable to deal with the level of housing stress and need, and, on the other hand, people risk losing their property because of mortgage debt and repossession. The need to monitor more tightly, if not regulate,

the private rented sector on top-ups as well as housing benefit changes and cuts as they impact on that sector is a crucial part of the narrative of DSD, the Housing Executive and the Assembly.

Although we are at the Final Stage of the Bill, it is not the final stage of the work that needs to be done. Over and above whatever further legislative intervention may be needed for the private rented sector, there will be —

Mr F McCann: Will the Minister give way?

The Minister for Social Development: Yes, I will.

Mr F McCann: That is all interesting stuff. We were canvassing recently in west Belfast and noticed that a huge number of private rented sector houses are lying empty. In Committee, we raised the question of the standard of houses in the private rented sector, which are let to the minimum standards expected. If a decision is taken about increasing the use of houses in the private rented sector, the standards should be raised to, say, the decent homes standard.

The Minister for Social Development: I thank the Member for that intervention, which gives rise to a number of points. As I said at Further Consideration Stage, the Department is already well advanced in drafting proposals on private rented sector fitness standards, which will hopefully become law. Those standards will include issues such as energy efficiency, which relates to decent homes standards.

Legislation is being proposed to make properties that are not rented out still liable for rates to try to create discipline or a penalty for landlords who do not bring properties back into the rented sector. There is not a licence to own property without having the responsibility of putting it on the market.

I also take the Member's point about voids. The Housing Executive drilled down on the issue of its voids because exaggerated figures existed about the number of properties that were or were not occupied. A much more realistic figure is now in circulation.

My final point on those matters is that the private rented sector, whether on the law side or the housing benefit and wider management side, needs to be addressed and carefully monitored. Given the potential loss of people's homes and the fact that the reduction in the number of newbuild houses over the next four or

five years will increase levels of housing stress, we need to be vigilant to ensure that we respond as quickly as possible to the increasing number of people who will rely on the private rented sector.

The Bill will enable the improved regulation of the private rented sector, introduce new tools to tackle fuel poverty, promote effective housing management and clarify existing housing law in a number of ways. The main focus of the Bill is on improving the regulation of the private rented sector, which has grown dramatically in recent years and now forms almost 20% of all housing stock. The provisions relating to privately rented housing will offer further safeguards to tenants and will help upgrade standards in what is becoming a modern, vibrant, private rented sector. The Bill will enable my Department to make subordinate legislation, create schemes for the mandatory registration of landlords and safeguard deposits paid by tenants. Those are two key steps forward.

The Bill will also improve the effectiveness of existing measures for regulating the private rented sector and improve the security of tenure of long-term tenants by extending the notice-to-quit period. A lack of information on the identity and location of private landlords currently makes compliance and enforcement activity difficult for councils. The Bill will, therefore, place a duty on the Housing Executive and the Department of Finance and Personnel (DFP) to share information on housing benefit and rates where that is necessary to support the enforcement of private rented sector legislation.

The Bill will ensure that the current system of regulation of houses in multiple occupation (HMO) continues to operate effectively in promoting the interests of tenants. Taken together, all those proposals, which include tough financial penalties for non-compliance, will, we trust, drive up standards and significantly improve protection for tenants in the private rented sector.

The Bill will also provide social housing landlords with new tools to address antisocial behaviour and enhance community safety. In particular, the Bill will enable all social landlords to access the information that they need to make key decisions about tenants with a history of antisocial behaviour, and it will allow landlords to withhold consent in exchanges involving such tenants. Importantly, the Bill will also encourage consistent decision-making by the courts in

cases where a social landlord seeks possession because of antisocial behaviour.

Today, I launched a new fuel poverty strategy, and the Bill supports that strategy by introducing important new powers for the Housing Executive to broker energy at a discounted price for its tenants. That gives the Housing Executive the ability to negotiate with energy suppliers on behalf of at least 90,000 tenants, who represent a large and attractive share of the domestic energy market. The scheme, which the Housing Executive will put out to tender shortly, will, I trust, not just be for the 90,000 Housing Executive tenants. Housing associations, which have been somewhat slow in using their current powers for energy brokering, will be able to piggyback on the Housing Executive's scheme in an effort, I trust, to ensure that any discount negotiated with energy suppliers applies to the biggest number of tenants, be that in the Housing Executive or the housing association sector.

Once the law is passed, we will receive Royal Assent within the next six to eight weeks. In parallel with that, the Housing Executive has been working up a tender to go to market, which will have to comply with European procurement practice. If the process is successful, the Housing Executive will have an energy brokering scheme in place by late summer.

In taking forward the energy brokering part of the fuel poverty strategy that was announced today, I acknowledge the assistance provided by former Congressman Joe Kennedy, who is the chief executive officer of Citizens Energy Corporation that works out of Boston and supplies discounted fuel to more than 20,000 homes covering 16 states in North America.

Joe Kennedy introduced that model in 1979, when he went to Latin American countries, bought fuel directly from the producer, imported that into Boston and then sold it to those in need at 42% below the market rate. I want to acknowledge his endorsement of the strategy that we have taken forward over the past period of time. I trust that that strategy will mature over the next six months to the point where as many tenants as possible in the housing association and Housing Executive sectors have the capacity, through the Housing Executive, to get fuels at a discounted rate that surpasses the discounts available in even the private domestic market at present.

1.00 pm

In my view, the issue of energy brokering, which this Bill gives the Housing Executive the authority to take forward, should extend, if at all possible, to the use of oil. It is the case that BP imports 70% of the oil that is used in domestic homes in Northern Ireland and that 70% of people in Northern Ireland continue to use oil for their domestic heating. Given those two facts, it seems that there is an obligation on oil importers and on BP more than anyone else to begin to acknowledge the level of fuel poverty in Northern Ireland and the potential for energy brokering, on either a one-by-one or broader basis, to reduce the cost of fuel for domestic homes. That is why I met the director of UK sales at BP last week, although there was some resistance to that meeting in the first instance. He has agreed to go back to senior management to discuss the broader issue of the responsibility on oil importers and on BP in particular to help deal with fuel poverty given the scale of that in Northern Ireland today, as outlined in the strategy. If there is anything further on that matter before I end my tenure as Minister, I will certainly report back to Members.

The Bill will also give councils powers to improve energy efficiency in residential accommodation in their districts. That complements the work being undertaken by my Department and the Housing Executive through the Home Energy Conservation Authority for Northern Ireland. I commend the Bill to the House.

The Deputy Chairperson of the Committee for Social Development (Ms Ní Chuilín):

Go raibh maith agat, a LeasCheann Comhairle. With your indulgence, I would like to make a few general remarks as Deputy Chairperson of the Committee for Social Development before addressing the content of the Bill.

As Members are aware, the Committee for Social Development carefully and seriously considered the provisions of the Housing (Amendment) Bill. The Committee's Bill report, which informed deliberations at Consideration Stage, was the sixth such report of this mandate. This is the last Final Stage of primary legislation that the Committee considered in this mandate. I would like to take this opportunity to thank the members of the Social Development Committee for their contributions at Committee Stage. I would also like to thank the witnesses for their useful written and oral

submissions and the departmental officials who, as usual, provided a fast turnaround on some very detailed Committee enquires. I would also like to thank the Social Development Committee staff who facilitated formal evidence-taking, the Bill's clause-by-clause scrutiny and the production of the Bill report.

The Committee's legislative programme was perhaps the second or third biggest of all the statutory Committees, and Mr Deputy Speaker, I trust that you will agree that the Committee has, indeed, discharged its responsibilities in respect of the legislation with diligence, care, occasional good humour and professionalism.

A LeasCheann Comhairle, as you are aware, much of the legislation considered by the Committee in this mandate related to tenancy and housing issues. In the case of the Housing (Amendment) Bill and as the Minister previously outlined, the Committee made a very obvious and significant contribution to the development and passage of the Bill. During Committee Stage, members suggested a large number of changes, most of which were subsequently approved by the Assembly at Consideration Stage.

Members welcomed insertions and amendments to the Bill that will improve tenure security for long-term tenants in the private rented sector. They felt that such a measure was a timely recognition of the changing patterns in housing choices and of the growing use of the private rented sector.

Members were happy to see a firm commitment to and a timetable for the introduction of a tenancy deposit scheme and a landlord registration scheme. As the Minister outlined, those two important schemes are seen as a key step in the enforcement of tenancy legislation. The Committee hoped that, when the related regulations come forward, they will limit the bureaucratic burden on good landlords and facilitate the identification and improvement of bad landlords.

The Committee considered evidence from local government that highlighted the problems that councils have and the costs that they incur when pursuing bad landlords through the courts. The Committee welcomed the introduction of information sharing obligations and fixed penalties for breaches of tenancy legislation. Members hope that those penalties will generate some additional resources for councils, while deterring those who flout tenancy legislation. As

I said at Consideration Stage, it is anticipated that, in the next mandate, the Committee will review the effectiveness of those penalties, as well as the other fines that are in the Bill.

A key part of the Bill is the extension of measures that relate to the control of antisocial behaviour. The Committee contended that exchanges of social tenancies have, wrongly, been used in the past to resolve antisocial behaviour issues. The Committee was very clear that it wanted to support communities that are blighted by the antisocial actions of a few individuals and families. Therefore, the Committee was pleased to see the inclusion at Consideration Stage of additional grounds under which social landlords can withhold agreement to the exchange of tenancies.

The Bill also includes provisions relating to the disclosure of antisocial behaviour information. The Committee felt that those provisions are proportionate and fair and would allow for joined-up actions to control any antisocial behaviour that is associated with social tenancies.

For similar reasons, the Committee welcomed provisions that relate to the development of guidance for the courts on possession orders.

The Housing (Amendment) Bill, as amended at Consideration Stage, contains many other measures, such as those that relate to the activities of the Housing Executive. The Committee was happy to support those elements of the Bill in so far as they lead to an improved service for tenants and to the more efficient management of social housing here.

Let me make it clear, a LeasCheann Comhairle, that I am now speaking as an MLA; I will depart as Deputy Chairperson.

Despite its good work and a general sense of common purpose throughout the Committee, there are issues on which Sinn Féin would have liked to see the Minister take a more robust approach, namely, the registration of private landlords. As it sits in the Bill, that provision takes a light-touch approach. Our concerns on that and other issues are well documented, and I have no doubt that Fra McCann will go into some of those in detail.

It is safe to say that there will be another Housing Bill for the new mandate and the new Social Development Committee to consider. However, it is my view that any new Housing Bill

would need to take a completely new approach to tackling the housing waiting list. It would need to consider the possibility that we will adopt our own selection scheme and seriously attack the legacies of inequality that prevail in housing.

It is well known and on public record that my constituency has one of the worst housing waiting lists. Rather than confront that head-on in the Bill, or by any other legislative path, both Ministers for Social Development chose to ignore that, despite the increasing inequality, by removing protections for people on the housing waiting list. Some of those people are in north Belfast, west Belfast and, indeed, Derry city. I urge any incoming Social Development Committee, and any new Bill that may come in the next mandate, to look at selection schemes, ring fencing and equality proofing.

I thank all members of the Social Development Committee, who have steadfastly and consistently contributed to the passage of the Housing (Amendment) Bill.

Mr Gallagher: As has been said, the private rented sector has experienced rapid changes over the past 20 years. It has been difficult even for government to keep up with those changes, which is why I welcome the Bill. I acknowledge the very good work that my colleague the Social Development Minister has done to bring it to this stage. I also commend all the staff who were involved in the underlying work.

The Bill will bring a sense of security to people who rent in the private sector. It also includes a range of protections for those in social housing who suffer from difficulties such as antisocial behaviour or fuel poverty. Antisocial behaviour makes life miserable for many of the good tenants. The improvements to its management, under the new arrangement, are most welcome. For too long, the solution has been to move the problem elsewhere and transfer the tenants who engage in antisocial behaviour to somewhere else. Rather than curtailing the problem, that approach has often allowed it to spread and escalate.

There have also been cases of abuse by landlords in the private rented sector. The system was open to that kind of abuse, but such practices are now being brought to an end. The curtailment of those undesirable landlord practices can only be good for tenants and, indeed, the vast majority of landlords.

I am fairly sure that the cost of energy is a topic that comes up on a daily basis in most households. The new powers contained in the Bill will allow the Housing Executive to broker energy for its tenants at discounted rates. That is a major step forward in the era in which we are living. About 57% of Housing Executive tenants live in fuel poverty. As the Minister said, given that there are about 12,000 homes in the social housing stock, there is huge potential for savings. The benefits of that measure will undoubtedly be widely welcomed. Those benefits will be passed on to tenants.

The Bill is about the reform of the private rented sector. It is the first major reform in a very long time and will be welcomed by everyone.

Ms Lo: Like others, I support the Bill. I also thank all the staff and stakeholders who assisted the Committee in its clause-by-clause scrutiny. As others have said, it is a very important Bill. It brings forward a number of very beneficial changes to social housing and the private rented sector in Northern Ireland. I particularly welcome the mandatory landlord registration and tenant deposit schemes.

Given the plan to build less social housing in the next four years, as contained in the new Budget, the waiting list for social housing, which is currently 38,000 strong, will get longer and longer. The number of tenants in the private rented sector is, obviously, going to increase, as young people in particular are not able to borrow money from mortgage companies and banks to buy their own homes. The private rented sector will grow over the next few years. It is, therefore, timely and very important that that sector will be better regulated by the Bill.

1.15 pm

The provisions for the prevention of the spread of antisocial behaviour in social housing are very important. As we all know as MLAs, very many people are affected by the blight of antisocial behaviour in their neighbourhoods. Indeed, whole neighbourhoods can be blighted by a small number of people who engage in antisocial behaviour, day and night. It is important that we prevent tenancy exchanges by antisocial tenants whereby we simply allow them to move from one area to the next. That rewards bad behaviour rather than tackling it on the spot and punishing it, and it means that law-abiding neighbours, who want peace and quiet but stay in the area, and who suffer day and night,

eventually can find no other way than to move out and find somewhere else to live. I applaud the inclusion of those provisions in the Bill.

I also welcome the provisions relating to energy brokering. I commend the Minister for Social Development for all his efforts in amending the Bill and for engaging with the energy companies to explore ways and means of helping with energy brokering. People in Northern Ireland pay more for fuel than people in other parts of the UK but have a lower average income, which means that a significant proportion of people here, approximately 40% of the population, suffer from fuel poverty. A large majority of people in social housing are living under the strain of increasing fuel costs. That is shameful. It is important that the Bill endeavours to help those people to meet the increasing cost of fuel and allows us to broker some form of leverage that will help them with their finances.

All in all, I welcome the Bill and I am delighted that it has reached Final Stage.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle agus a chairde. Cuirim fáilte roimh an Bhille seo inniu. I welcome the passage of the Bill. The Sinn Féin members of the Committee for Social Development argued that the Bill did not go far enough on a number of issues. The lowering of the Bill's status from that of a full Bill to an enabling Bill concerned us. Some issues that would have been dealt with in the original Bill have been removed, although we have been assured by the Department that those issues will be picked up when any new legislation comes to the Committee in the new Assembly. We accepted the Department's assurances that much of what is in the Bill might have been lost had we not gone with the Bill as it stood.

Sinn Féin members of the Committee for Social Development wish to thank the departmental officials who gave evidence and guidance. We also thank Peter McCallion and the Committee staff for their hard work and guidance throughout the many meetings that we had in order to deal with the Bill, as well as Simon Hamilton, Chairperson of the Committee, for the helpful way in which he chaired meetings and allowed debate to flow.

It is true to say that the highlight of the Bill is the issue of the private rented sector. The mandatory registration of that sector is crucial for the protection of the many thousands

of people who live in it. The sector now provides more houses to the market than the Housing Executive and housing associations combined. Until now, that sector has been totally unregulated, even though it draws down payments of almost £100 million a year in housing benefit. That would not be tolerated in any other sector; for example, the community sector is frequently audited for small amounts of money.

During this term, Sinn Féin has brought two separate motions to the House to try to deal with registration in the private rented sector. The first was supported unanimously; the second was not. However, we set out our stall at the time. As a party, we wish to secure stricter controls over the private rented sector, especially in the form of mandatory registration and compliance regulations. We are glad that those are contained in the Bill.

We had reservations about some areas of the Bill in which we believed that additional protection should have been given to people, and some of those points came up during evidence given to the Committee. Those included ensuring that a private rented sector house meets the decent homes standard before it can be rented and the compilation of a register of houses in the private rented sector that meet the lifetime homes standard. That would have allowed people with disabilities to identify properties suitable to their needs.

We refrained from tabling amendments on those issues for fear that they would not have gained the support of the Committee or the Assembly at Consideration Stage, and we were concerned that any delay could endanger the passage of the Bill owing to the heavy workload that the Assembly faces in the remaining weeks. However, it is certainly something we can come back to if we are re-elected.

Landlords withholding deposits was dealt with in clause 2. Again, that is an important issue and had to be legislated for, given the record of many landlords. Even this week, I have dealt with people who have had deposits withheld and are having to stay with friends or relatives because they cannot afford the deposit for a new rental property. Many people whom I have dealt with accept that a deposit will be withheld, and accept that as the norm. They say that many landlords will find any excuse to hold back tenants' deposits. The vast majority of tenants

do not even complain about the practice. I have dealt with many people who have ended up in debt and cannot be housed because they cannot afford another deposit, which can sometimes reach up to £1,000. A proper mediation procedure needs to be put in place to investigate any breaches of tenancy that may warrant the deposit being withheld by the landlord. That measure would provide protection for the landlord and the tenant.

We also argued for strong compliance regulations, such as heavy fines to be given to landlords who do not comply with registration. If we look at the registration scheme for houses in multiple occupation, we see a sector that has been abused by some landlords who provide substandard, overcrowded accommodation. Some of them, when brought to court, were rewarded by being given a mere £100 fine. Clause 8 proposes to increase the fine to £20,000 so that those who do flout the regulations are properly penalised in order to ensure compliance.

It is hard to fathom why the Department would have a different view when dealing with the new proposals for the private rented sector. Some of us on the Committee believed that heavy fines should be used for those who ignored new registration regulations in the private rented sector also. In the end, the Committee took direction from the Department of Justice, which said that heavy fines would not be awarded by courts. Therefore, we accepted its advice to have repeated penalties for non-compliance.

We have argued for some time that we needed to review the powers available to deal with antisocial behaviour and how we can strengthen the hands of housing providers and the courts when dealing with such cases. Clauses 9 and 10 deal with the disclosure of information between statutory bodies and those who have been involved in or sentenced for antisocial behaviour. Those bodies can also withhold the right to buy and a person's right to request a transfer from someone who has been involved in antisocial activity.

There should have been legislation to deal with other elements of antisocial behaviour, such as vandalism, which is rampant in many areas and costs tens of thousands of pounds a year. The Bill deals with the issue of transfer of antisocial tenants from Housing Executive to housing association property without the other knowing.

Those bodies are now obligated to share information if the person requesting the transfer has been involved in antisocial activity.

The widespread intimidation of neighbours and the community by housing authority tenants in housing estates must be covered by legislation. During a debate on this subject, I asked the former Minister for Social Development about additional powers. She advised me that the Housing Executive had extensive powers to deal with that kind of behaviour. On inspection, she was proved to be right: the antisocial behaviour guidelines showed that there are extensive powers. However, they are not used. I am told that, before they can be enacted, someone in the community is required to give evidence. That makes them effectively worthless as most people are too terrified to give evidence against people who threaten and intimidate residents. We need to look constantly at how we deal with the issue. It has become the single biggest issue raised by our constituents.

In the area in which I live and which I represent, nine-year-olds, 10-year-olds and 11-year-olds terrorise parts of the area. They have no respect for their community. They attack buses, other service vehicles and the homes of residents. When you contact any of the statutory authorities, they say that there is nothing they can do as it is a policing matter. However, the police say that they cannot deal with the problem because of the age of those who are involved. It is an issue that falls between the stools. The statutory agencies pass the buck while local residents are left to suffer the consequences. In other jurisdictions, new legislation has been enacted to deal with those issues. It involves working with the parents of those children and developing different strategies to involve communities in tackling that blight. We need to seriously look at that in the next mandate. We should take the best legislation from other jurisdictions and legislate for those issues here.

Clause 12 generated a lot of debate because of the possibilities for reduced pricing of household fuel. Given that fuel prices are currently sky high, if that were to be delivered, it would be of great benefit to tenants. I thank the Minister for informing us of the meeting that took place recently between him and fuel suppliers. If some sort of deal can be done, it will be of great benefit to those who can least afford fuel. This legislation should be kept under review.

When we look at the Scottish example, we can see that it introduced mandatory legislation for the private rented sector purely to deal with antisocial behaviour. Now, it is strengthening its legislation to deal with compliance problems. We need to ensure that we do the same. We also believe that any scheme should be self-funding, with a levy per licence per house set.

The other issue, which my colleague touched on and which I have raised over the past number of years, is the common selection scheme. I think that I have met three different Social Development Ministers over the past number of years. It just does not work in areas of high demand. It condemns people to hostels for many years. Hostels in my constituency are full to capacity. People are being offered places as far away as Derry and Coleraine. Over the past number of years, I have been promised a review to deal with that matter. It is an issue that needs to be legislated for and that needs to be changed. We need to ensure that those who unfortunately find themselves in areas of high demand can go into a hostel with the knowledge that they will not spend three or four years in it.

I support the Bill.

The Minister for Social Development: I thank Members for their various contributions. I agree with the Deputy Chairperson that the Committee, in its attention to the Bill and all other matters before it, went about its business carefully and seriously. As I said on a previous occasion, it seems that the Social Development Committee has set standards against which it and all Committees should be judged. I again acknowledge the various contributions that Committee members made at Committee and through the various stages of the legislation and their contributions to the work of the Department and the proposals for legislation.

I welcome the comments that were made by Tommy Gallagher and Anna Lo about mandatory registration, energy brokering and antisocial activity. Those issues were also touched on by Mr McCann. I will make a number of comments about various other contributions.

1.30 pm

Mr McCann and Ms Ní Chuilín referred to acute housing need in parts of Northern Ireland, including north and west Belfast. I concur, but ring-fencing as a strategy was deemed to be inequitable, and there was evidence to suggest

that that was the case. Consequently, although a review is ongoing, in moving forward we may rework and adjust the common selection scheme, where appropriate, proportionate, consistent and legally proper, to recognise areas of acute need.

Mr F McCann: Will the Minister give way?

The Minister for Social Development: I will in a second.

I want to make it clear that neither I nor my predecessor, Margaret Ritchie, chose to ignore — the language used by Ms Ní Chuilín — that issue: far from it. The review of the common selection scheme and where, in time, all of that may or may not go is not ignoring an issue; it is trying to address an issue in a way that applies best practice, is based on evidence, addresses acute need and does so proportionately and legally.

Mr F McCann: Voluntary housing bodies in the city and many in the Housing Executive who have to operate the common selection scheme say that it is seriously flawed. The old A1 and A2 model, which was said to have been abused, has been replaced by a scheme that does not take into account areas that are under severe pressure.

Anyone who is unfortunate to go straight into a hostel with 90 points — 70 for being homeless and, maybe, 20 extra points — could sit there for years without the possibility of being housed. People have been able to use the system to their advantage. In areas that we represent, people may need 200 or 220 points before they are housed, and they have no chance of getting those points. In other parts of the city and of the North, people with 90 or 100 points may be housed.

The Minister for Social Development: I thank the Member for his contribution to the debate. I hear, know and acknowledge all that he said, but it is still wrong to conclude that I or my predecessor chose to ignore all of that. It is not backed up by the facts, the evidence or by the conduct of Margaret Ritchie or me as Minister. Furthermore, if anybody has chosen to ignore something, it is the fact that Margaret Ritchie was able to get more than 1,800 newbuild starts last year. I hope to surpass that this year. It will mean that over the past three years there have been around 5,000 new starts. Over the next three or four years, the number of new

starts will collapse to 1,200 or 1,300 a year. So, go to north and west Belfast, go to areas of most acute need and tell the people who are in hostels for longer than they should be and the people who are on 180, 200 or 220 points that the answer to their problems lies in the Budget that was passed by the Assembly last week, which will see public sector newbuilds collapse to 1,200 or 1,300 a year. Then ask them who they think is ignoring their needs.

Yes, something is seriously flawed. It is seriously flawed, when we have, as Ms Lo pointed out, 38,000 people in housing need and 19,000 in housing stress. In my view, those figures will escalate over the next four years, because people who lose their home through mortgage debt, mortgage arrears and home repossession will seek to be rehoused. The consequences of welfare changes and housing benefit cuts will increase stress and will see my successor in the next Executive living with figures for general housing need in excess of 38,000 and housing stress of more than 19,000. What was the response of our Government to all of that? It was not even to build the 2,500 houses a year that will be needed going forward but to reduce that number to about half, without putting into the equation the additional needs and stresses that will arise over the next four years.

I beg to differ from Members who say that Margaret Ritchie or I chose to ignore issues around the common selection scheme. It appears to me that this House last week and the Executive the week before chose to ignore the level of housing stress that currently exists and will exist in the next number of years. Remember that for £80 million we can build around 1,000 houses. So, if £80 million is to go into certain parts of Northern Ireland — it will be only certain parts of Northern Ireland under the social investment fund — let the people of those areas also understand that, although that fund may have some worthy intentions, the consequences of it will be that fewer houses will be built in those areas; people will be in hostels for even longer than before; and people on the waiting list will be waiting for longer than before.

Mr F McCann: Will the Minister give way?

The Minister for Social Development: I will in a second. If people want to say that things are seriously flawed, they should look not at an issue such as the common selection

scheme, which is being looked at, but at the fundamentals of the Budget, which, Mr McCann and Ms Ní Chuilín, will see people in your constituencies, as in mine, suffer more housing stress and more housing need.

Mr F McCann: I first raised this issue seven years ago, when it was the responsibility of a British Secretary of State. I then met Margaret Ritchie about it. I was given a guarantee both times. So, long before the decision was taken last week on the Budget, as the Minister says, we asked for major changes to be made to the common selection scheme in order to take people out of hostels.

The Minister knows that my two party colleagues on the Social Development Committee and I have supported at length his call for additional funding for social housing. We have done that continuously in Committee. There are two other issues that we have argued for. The first is the mortgage relief fund. In every monitoring round, the Department applied for £5 million, but, during that whole period, millions of pounds were handed back to the centre, and the Minister did not look at how it would be funded from his own budget.

Mr Deputy Speaker: Order. There are a couple of issues. We need to make progress on the Bill and to try to stay close to it. I remind Members that interventions are supposed to be brief.

The Minister for Social Development: I thank the Member for that class. There is not a Member in the House, whether in the Social Development Committee or anywhere else, who has not made the argument for more newbuild housing. Everybody has made that argument. The point is that, when people had to lift their arms, whether around the Executive table or in the Assembly — *[Interruption.]*

Mr Deputy Speaker: Order. I will not permit interventions from a sedentary position at all.

The Minister for Social Development: That is right: I did not raise my hand, but Members to my right happened to raise their hand, and, in doing so, they sent out the message about the newbuild budget for the next four or five years, they sent out the message about the other priorities that will be going over the next four or five years, and they sent out the message that the proposed reduction of £80 million in the housing newbuild spend in what was then the draft Budget was coincidentally — no doubt it was

purely coincidental — replicated in a different Budget line for OFMDFM for the so-called social investment fund.

When it comes to the mortgage relief fund, I welcome the Member's contribution. I remind him that, in the hardship paper that I submitted to the Executive in the autumn and, I presume, is now manifest in the Budget in the form of the social protection fund, one of the arguments that I made at that time and in two subsequent papers to OFMDFM was that part of the hardship money or, as it is now known, the social protection fund should go on a £5 million mortgage rescue scheme. That is what I argued for. Furthermore, I argued for specific interventions to help families and individuals who are in mortgage stress because of the ending of the scheme that gives support for mortgage interest (SMI) after two years. I have put in costed proposals to intervene to help those in mortgage stress, whether through a mortgage rescue scheme or individual payments for those who will lose SMI after two years and so on and so forth in respect of child tax credit.

I welcome Mr McCann's comments. I trust that, when the social protection or hardship fund is eventually worked through, those will be key elements in the distribution and spend of the money, low though the fund's overall budget may be.

Mr Brady: The Minister talks about mortgage relief schemes. Your predecessor first brought the matter forward in February 2008, long before we were talking about the current Budget. Why has it taken three years? You are talking about bringing forward a paper and doing this, that and —

Mr Deputy Speaker: Order. I remind Members that the only "You" in the Assembly is the Deputy Speaker.

The Minister for Social Development: I thank the Member for his question. There is a simple answer: time after time after time after time after time after time in monitoring rounds, Margaret Ritchie asked for money to be released for a mortgage rescue scheme. That is on record, and all your Ministers know it. They saw the monitoring round bids that went to DFP. Therefore it is not that it suddenly emerged two or three years later; it has been part of the argument presented by DSD month after month, quarterly return after quarterly return over the past two or three years —

Mr F McCann: You have handed back millions.

The Minister for Social Development: Yes, and, as Mr McCann should well know, in monitoring rounds —

Mr Deputy Speaker: Order. I remind Members, including the Minister, that all remarks must be made through the Chair. Moreover, we have gone completely off the Bill, so we need to get back to it.

The Minister for Social Development: I will return to the Bill shortly, Mr Deputy Speaker. However, I will address the last point: financial rules require that, where a budget line is not spent and approval has not been granted to move that budget line into an alternative budget line, the money must be returned to DFP. That happens in monitoring rounds: where moneys that are not and cannot be spent in the financial cycle and where DFP will not grant approval to move them to a different budget line — desirable though that may be — they have to be returned. What happens to those moneys? They fund the fiasco that is Crossnacreevy, where a £200 million budget —

Mr F McCann: On a point of order, Mr Deputy Speaker. When I was a member of the Committee for Finance and Personnel, I raised the issue of mortgage relief. At that stage, I raised the point about continually applying for the £5 million and was told that —

Mr Deputy Speaker: Good try, but that is not a point of order. The Minister should stay on the subject of the Bill.

The Minister for Social Development: To conclude that point, in my view, Crossnacreevy — *[Interruption.]*

Mr Deputy Speaker: I ask Members to cease making comments from a sedentary position.

The Minister for Social Development: To conclude the point, Crossnacreevy was a capital receipt —

Mr Spratt: On a point of order, Mr Deputy Speaker. What has Crossnacreevy, which is a matter for the Department of Agriculture and Rural Development, to do with the Housing (Amendment) Bill?

1.45 pm

Mr Deputy Speaker: I have repeatedly asked Members and the Minister to stay on the subject of the Bill, and I must insist that we do that.

The Minister for Social Development: I was simply replying to a point made by Mr McCann about monitoring rounds by giving the full story of monitoring rounds and how one Department can make such a grave error as to say that it will get a capital receipt of £200 million and end up with the potential — it is still not sold — of a receipt of 1% of what went into the budget line four years ago.

I acknowledge the points made by Members about the new powers on antisocial behaviour in the Bill. That matter was raised at various stages, including at Second Stage on the Floor of the House. I want to acknowledge that it was the application of Members' minds and views on the matter which resulted in it appearing in the Bill to be passed today. However, I want to make one point: the Housing Executive has extensive powers but, as with all powers, whether for the Housing Executive, government or any other public body, it falls to the individual to make issues of concern known to the public body in order for it to exercise its powers. You cannot have a situation where a public body, without due process and good evidence, acts unilaterally or arbitrarily or ends up imposing summary justice on people against whom allegations have been made but not proven. It is a difficult situation, and there is, in parts of our community, a culture where that may lead to difficulties, troubles and problems for those who take that stand. We must appreciate that. However, you cannot have a situation where the powers granted to any public body or to government should be used in a unilateral, arbitrary or summary way, and I trust that we will not go down that road.

Mr McCann raised the issue of fines. I made representations to the Justice Minister about trying to deal with penalties in the way that Mr McCann suggested. I understand that the Justice Minister was advised by the Northern Ireland Courts and Tribunals Service that the magistrates and the judiciary frowned upon some of that approach. However, I had sympathy with it, and, through officials, I interrogated and had exhaustive conversations with the Justice Department in that regard. However, at this stage, that is where the issue resides.

As I understand it, there were concerns about whether the proposed fines were disproportionate to fines in other legislation enforced by the courts.

All that said and save the cross words that I uttered in the direction of Mr McCann and a few others, I think that the Bill is a substantial piece of legislation. It is an advance on what was in the original Bill. I acknowledge the work of all those involved in drafting, preparing and considering the Bill as it went through the Assembly. I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Housing (Amendment) Bill [NIA 32/09] do now pass.

Departments (Transfer of Functions) Order (Northern Ireland) 2011

The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly): Go raibh maith agat, a LeasCheann Comhairle. I beg to move

That the Departments (Transfer of Functions) Order (Northern Ireland) 2011 be affirmed.

The statutory rule has been made under powers contained in article 8 of the Departments (Northern Ireland) Order 1999, which provides that the 2011 Order must be laid for approval by affirmative resolution of the Assembly. The Order under discussion today seeks to give effect to a decision of the Executive to create a more coherent tribunals administration delivered by the Courts and Tribunals Service, which is an agency of the Department of Justice. The Order will transfer to the Department of Justice certain statutory functions relating to the administration of a number of tribunals which are presently the responsibility of other Departments.

The effect of the Order will be that the Department of Justice will assume responsibility for the administration of the following tribunals: the mental health review tribunal, the care tribunal and tribunals under section 11 of the Health and Personal Social Services (NI) Order 1972 from the Department of Health, Social Services and Public Safety; the special educational needs and disability tribunal from the Department of Education; the lands tribunal from the Department of Finance and Personnel; the traffic penalty tribunal from the Department for Regional Development; and the health and safety tribunal from the Department of Enterprise, Trade and Investment. All relevant Assembly Committees have been consulted on those proposed transfers, and I appreciate their support. I commend the Order to the House.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Elliott): The Committee was briefed by officials from the Department of Justice on the Departments (Transfer of Functions) Order on 15 December 2010. The Order allows the Department of Justice to assume responsibility for the administration of a number of tribunals. At the Committee's meeting on 16 February 2011, it considered correspondence from the Office of the First Minister and deputy First Minister, which confirmed which tribunals would be transferred.

The Committee considered further the statutory rule on 2 March 2011 and resolved that it be affirmed by the Assembly.

The Chairperson of the Committee for Justice (Lord Morrow): I am pleased to speak to this motion as Chairman of the Committee for Justice. I confirm that the Committee has agreed to the transfer of statutory responsibility for the administration of tribunals from relevant Departments to the Department of Justice as is set out in the Departments (Transfer of Functions) Order (Northern Ireland) 2011.

The Committee was first briefed in May 2010 by officials from the Northern Ireland Courts and Tribunals Service on the tribunal reform programme and the proposal for the Department of Justice to assume statutory responsibility for the administration of tribunals. The tribunal reform programme is focused on creating a unified administration for tribunals that is more independent, efficient and customer-focused.

Prior to devolution, the transfer of tribunal administration to the Court Service could be achieved only by way of agency arrangements that allowed the sponsor Department to contract the Court Service for the performance of tribunal functions on an agency basis by leaving its statutory responsibility in the hands of the Department. The devolution of policing and justice provides the opportunity for the Department of Justice to assume full statutory responsibility for the administration of tribunals.

The Committee for Justice agreed that it was content with the proposal, but, before responding to the Department on the matter, it sought the views of other relevant Statutory Committees, including the Health Committee, the Education Committee, the Committee for the Office of the First Minister and deputy First Minister, the Regional Development Committee, the Social Development Committee, the Committee for Finance and Personnel, the Committee for Employment and Learning and the Committee for Enterprise, Trade and Investment.

All the Committees indicated that they were content with the proposals, but the Committee for Health, Social Services and Public Safety raised some concerns about the proposal around perceived criminalisation of the two health tribunals, especially if individuals with mental health problems thought that the tribunal was criminal-based. The Health Committee

advocated that steps should be taken to ensure that people who use the care and mental health tribunals do not feel stigmatised. The Committee expressed the view that courthouses should not be used for health tribunals because they intimidate people and give the perception of criminalisation. In taking forward the proposals, the Committee for Justice asked the Department of Justice to address the issues that the Health Committee raised. The Department responded on two occasions to clarify the position.

On 16 December 2010, the Committee for the Office of the First Minister and deputy First Minister wrote to seek the views of the Committee for Justice on the proposed transfer of functions or tribunal reform Order. The Committee sought and received an assurance from the Department of Justice that satisfactory agreement had been reached with the relevant Departments on the functions and, in particular, the resources — budgets and staff — to be transferred. It received an assurance that tribunals would transfer only where a transfer of appropriate funding is needed.

The Committee for Justice agreed at its meeting on 27 January that, in light of the information provided by the Department of Justice, it was content with the proposals made in the Departments (Transfer of Functions) Order and supports the motion.

Mr Deputy Speaker: I call the junior Minister Mr Gerry Kelly to conclude and make a winding-up speech on the debate.

The junior Minister (Mr G Kelly): Go raibh maith agat, a LeasCheann Comhairle. I commend the House for affirming the Order, and I look forward to further progress on tribunal reform.

Question put and agreed to.

Resolved:

That the Departments (Transfer of Functions) Order (Northern Ireland) 2011 be affirmed.

Departments (Transfer of Functions) (No. 2) Order (Northern Ireland) 2011

The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly): Go raibh maith agat arís, a LeasCheann Comhairle. I beg to move

That the Departments (Transfer of Functions) (No. 2) Order (Northern Ireland) 2011 be affirmed.

The statutory rule has been made under powers in article 8 of the Departments (Northern Ireland) Order 1999, which provides that the 2011 Order must be laid for approval by affirmative resolution of the Assembly. The Order under discussion will transfer certain statutory functions of the Department of Enterprise, Trade and Investment under the Statistics of Trade and Employment (Northern Ireland) Order 1988 to the Department of Finance and Personnel.

The functions that are being transferred relate to the requirement to undertake an annual census of production, the option to conduct a census of distribution and services and matters related to the conduct of such surveys. The transfer will enable the production of economic and labour market statistics to be centralised in NISRA, which has a primary focus on the production of high-quality official statistics, independent of the policy areas to which the statistics relate.

Such an arrangement will help to strengthen public trust in official statistics. That will facilitate increased standardisation and harmonisation of methodologies between the main economic and social official statistics series. All the relevant Committees have been consulted about the proposed transfer, and their support and co-operation in the prompt consideration of the matter is appreciated. I commend the Order to the House.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Elliott): The Committee for the Office of the First Minister and deputy First Minister first considered the draft Departments (Transfer of Functions) (No. 2) Order on 16 February 2011. The Order will transfer responsibility for the collection of data from businesses and the production of the official labour market and economic statistics from the Department of Enterprise, Trade and Investment to the Northern Ireland Statistics and Research Agency, which is

part of the Department of Finance and Personnel. The Committee further considered the statutory rule on 2 March 2011 and resolved that it be affirmed by the Assembly.

The junior Minister (Mr G Kelly): Go raibh maith agat, a LeasCheann Comhairle, especially for an easy day. I thank the Chairperson for those comments. I commend the Order to the House, and I look forward to further progress on the production of official economic and labour market statistics.

Question put and agreed to.

Resolved:

That the Departments (Transfer of Functions) (No. 2) Order (Northern Ireland) 2011 be affirmed.

Energy Bill: Legislative Consent Motion

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

That this Assembly agrees that the UK Parliament should consider amendments to the Energy Bill to provide powers for the Department of Enterprise, Trade and Investment to establish a scheme to facilitate and encourage renewable generation of heat, including the administration and financing of the scheme.

We are here today to consider extending primary legislative powers for renewable heat to Northern Ireland to ensure that my Department can bring forward proposals to incentivise this important market in the near future. Ensuring a more diverse, sustainable and secure supply of fuel for Northern Ireland is one of the key priorities for my Department.

Northern Ireland is overly dependent on imported fuel, leaving customers vulnerable to price fluctuations that are beyond our control. That is especially true in the heat market. Heat energy accounts for close to half the energy consumed in Northern Ireland; however, 98% of our heating fuels are imported. In order for the Northern Ireland heat market to become more sustainable, it is vital that renewable fuel sources are developed and that the uptake of renewable heating technologies is encouraged. The strategic energy framework includes a target for Northern Ireland to achieve 10% renewable heat by 2020. That is an ambitious and stretching target, especially when we consider that only 1.7% of our heating demand is met from renewable sources.

2.00 pm

In order to reach that target, it is essential that support mechanisms are developed to encourage the uptake of renewable heat technologies in the domestic, commercial, industrial and public sectors. The Department of Energy and Climate Change (DECC) has made clear plans to incentivise the renewable heat market in Great Britain through a renewable heat incentive.

Northern Ireland's heat market is very different to that of Great Britain. Northern Ireland is largely dependent on oil with a developing natural gas market, whereas in Great Britain, the gas market is well established and is the predominant fuel source. There are also differences in fuel prices between Great

Britain and Northern Ireland and the amount of people's income that goes towards heating their homes and businesses. As a consequence, the levels of fuel poverty tend to be higher.

Finally, Northern Ireland's geography is very different to that of Great Britain, with Northern Ireland being more rural, having fewer larger cities and, therefore, having a very different heat density. All of those factors have meant that it has been appropriate for separate consideration to be given to how the heat market here might be encouraged and incentivised, so that a Northern Ireland solution can be developed for the Northern Ireland context.

In September 2010, I announced that my Department would seek to support the renewable heat market in Northern Ireland by developing a renewable heat incentive scheme similar to the Great Britain proposals, but specifically designed and tailored to incentivise the local market. Work on that is already under way.

In response to that announcement, Her Majesty's Treasury has allocated £25 million for the spending review period for a Northern Ireland renewable heat incentive, should one be introduced. That is a significant level of funding, which will have a positive impact on the emerging industry. In order for an incentive scheme to be introduced in the future, the Department for Enterprise, Trade and Investment (DETI) requires appropriate legislative powers to create tariff structures, set eligibility standards and make payments. At present, DETI does not hold any primary powers in that area of work. DECC took primary powers for renewable heat via last-minute amendments to the Energy Act 2008. Those are general, enabling powers that, in turn, will allow the GB renewable heat initiative to be designed and implemented through specific secondary legislation. I now seek the Assembly's consent to enable DECC to amend the current Energy Bill to provide powers for DETI to introduce and administer a Northern Ireland renewable heat incentive in due course.

Taking those powers through that route will allow my Department to introduce an incentive scheme via detailed subordinate legislation in a timely manner. If that opportunity is missed, there could be significant ramifications for the date on which an incentive scheme could be introduced, which, in turn, would have a negative impact on the local market and result in the loss

of an element of the funding that is provided by Treasury. The Executive are content with the course of action that we are taking today.

I should stress that the powers to be taken by DETI will be general, enabling powers for renewable heat similar to those in section 100 of the Energy Act 2008, which grant DECC with the necessary primary powers. A future renewable heat incentive for Northern Ireland will require secondary legislation in due course. In addition, there will be a full public consultation on the design of the renewable heat incentive in advance of implementation. It will be vital that consumers, industry, local representatives and, indeed, other relevant stakeholders get a chance to contribute to the policy-making process.

Financial incentives have already been successful in the Northern Ireland renewable electricity market. Since the introduction of the Northern Ireland renewables obligation (NIRO) in 2005, the level of electricity that has been generated from renewable sources has increased from 3% to around 9%. It is now important for a similar commitment to be made to the renewable heat market. I am confident that by supporting and developing the renewable heat market there will be positive opportunities for Northern Ireland to reduce its dependence on imported fossil fuels, cut carbon emissions and develop the emerging renewables industry with new green jobs. I ask the House to pass the legislative consent motion to allow us to take a further important step in that process.

The Chairperson of the Committee for Enterprise, Trade and Investment

(Mr A Maginness): The Committee for Enterprise, Trade and Investment supports the Minister's motion that the UK Parliament should consider amendments to the Energy Bill to extend powers to permit Northern Ireland to legislate on renewable heat, including a renewable heat incentive scheme. We regard the latter as an important step in the incentivisation of that particular sector of the renewables market.

On 2 February 2011, the Minister wrote to the Committee to make known her intention to bring forward the motion. Members of the Committee welcomed her proposals, as we had long considered the issue of renewable heat and pressed the Department to bring forward proposals that would allow Northern Ireland to legislate for it. During Committee Stage

of the Northern Ireland Energy Bill, which is now the Energy Act (Northern Ireland) 2011, the Committee considered the possibility of including powers to legislate for renewable heat. However, that was not feasible because of the remit of that Bill and the protracted timescales that would have been involved.

The Committee made a specific recommendation after its recent inquiry into renewable energy. Its report stated:

"In the short-term, Government policy on biomass should concentrate on renewable heat to assist in meeting the Strategic Energy Framework target of 10 of heat from renewable sources by 2020."

Members may wonder why it is so important for Northern Ireland to have powers to legislate for renewable heat. It is because those powers will allow Northern Ireland to create an incentive to ensure that the energy market is encouraged to generate renewable heat.

As many in the Chamber are aware, the coalition Government announced funding of £850 million for a renewable heat incentive scheme in the UK, of which Northern Ireland has been offered 20%. In its renewable energy report, the Committee also recommended:

"DETI should also give favourable consideration to the Treasury offer of £25 million for a Renewable Heat Incentive for Northern Ireland."

The motion before the House will facilitate amendments to the UK Energy Bill to enable DETI to take up the Treasury offer of £25 million and to bring forward a renewable heat incentive bespoke to Northern Ireland by the end of this year. The only alternative to that would be to introduce primary legislation, which would lead to unnecessary delays.

As the Minister said, the motion is timely, and it is right and proper that the Assembly should support it. It is imperative that Northern Ireland create its own renewable heat incentive scheme, as that will ultimately lead to the achievement of the goal of 10% of heat from renewable sources by 2020, as stated in the strategic energy framework.

At its meeting of 24 February, the Committee took oral evidence from departmental officials on what implications for renewable heat in Northern Ireland would result from the Bill. Members were satisfied that the motion was

a necessary step in implementing a renewable heat incentive in Northern Ireland.

Before I conclude, I wish to thank the Minister. This is an appropriate opportunity to thank her for her co-operation, courtesy and, indeed, good humour throughout my chairmanship of the Committee over the past two years. A lot of constructive work was done by the Committee in co-operation with the Department and the Minister. I also thank the departmental officials who attended the Committee on various occasions and carried out their work in an exemplary manner. I hope that that good working relationship will continue in the next mandate.

On behalf of the Committee, I urge the Assembly to support the Minister's motion.

The Minister of Enterprise, Trade and

Investment: I thank my Executive colleagues for agreeing to the motion coming to the House, and I thank the Committee for Enterprise, Trade and Investment and the Business Committee for the way in which they considered the matter. They did so in a timely fashion, which allowed the motion to come before the House today. I appreciate the positive manner in which the issue has been dealt with by all sides of the House.

The development of renewable heat is a key objective of the Department. Indeed, as the Chairman said, it has a lot of synergies with last month's Committee report on renewable energy. Our wider policy aims of increasing fuel security, reducing carbon emissions and creating green jobs all fall into line with the creation of a renewable heat incentive specifically for Northern Ireland. By passing the consent motion today, we will highlight our intention to incentivise that market and highlight the priority that the Executive and the Assembly have given to renewable energy.

I thank the Chairman for his kind words about the workings between my Department and the Committee and between him and me. It has been a great honour for me to hold this portfolio. It has been challenging at times, but very varied, and I thank him for the Committee's support and scrutiny for all that we have done in the past three years. I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly agrees that the UK Parliament should consider amendments to the Energy Bill to provide powers for the Department of Enterprise, Trade and Investment to establish a scheme to facilitate and encourage renewable generation of heat, including the administration and financing of the scheme.

Categories of Tourist Establishment Order (Northern Ireland) 2011

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

That the Categories of Tourist Establishment Order (Northern Ireland) 2011 be affirmed.

I am seeking the Assembly's affirmation for the Categories of Tourist Establishment Order (Northern Ireland) 2011. The Order amends article 12(1) of the Tourism (Northern Ireland) Order 1992, which lists the statutory categories of tourist establishments that are inspected and certified by the Northern Ireland Tourist Board. At present, there are five categories of tourist accommodation listed in the 1992 Order: hotels; guesthouses; bed-and-breakfast establishments; self-catering establishments; and hostels. Article 12(2) of the 1992 Order provides for that list to be amended by adding or removing categories by statutory rule made by the affirmative resolution procedure before the Assembly.

The Department of Enterprise, Trade and Investment and the Northern Ireland Tourist Board have identified a number of changes required to the 1992 Order and associated subordinate legislation, including the addition of three new categories of tourist accommodation to the current list. Those are bunkhouses, campus accommodation and guest accommodation. The purpose and nature of those three categories is as follows. A bunkhouse offers simple overnight accommodation for use by walkers and backpackers. Campus accommodation is provided by educational establishments for their students during term time and is made available to visitors at other times of the year. The primary focus of guest accommodation is the provision of bedrooms for visitors. That category would, for example, facilitate restaurants that wish to provide rooms for visitors. The introduction of those three new categories will facilitate tourist accommodation providers. A separate set of regulations setting out the detailed criteria to be met by those three new categories will come into operation during April.

Question put and agreed to.

Resolved:

That the Categories of Tourist Establishment Order (Northern Ireland) 2011 be affirmed.

Draft Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2011

Mr Deputy Speaker: The next three items of business are motions to approve statutory rules for matters relating to insolvency and debt. There will be separate debates on each of the statutory rules; however, Members will be allowed some latitude to address the broad policy issue that is clearly common to all the motions during the first debate. I hope that Members will find that useful.

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

That the draft Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2011 be approved.

I am seeking the Assembly's approval for the draft Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2011. The Order is one of a group of six statutory rules being made in conjunction with the Debt Relief Act (Northern Ireland) 2010. Three of the six statutory rules require Assembly approval. Of the three that do not, one is subject to the negative procedure, one is a straightforward commencement Order and is not subject to Assembly proceedings at all, and the third is being taken forward by the Department of Justice and is subject to negative procedure.

After the debate on this Order, and subject to its being approved by the Assembly, I will ask the Assembly to approve a second draft Order and to affirm a third Order.

2.15 pm

First, I will set out the general policy objective behind the Debt Relief Act (Northern Ireland) 2010 and the purpose served by each of the three statutory rules for which Assembly approval or affirmation is required and which are being debated today. I will respond to any points raised by Members in my closing remarks.

The Debt Relief Act (Northern Ireland) 2010 received Royal Assent on 15 December 2010. It paved the way for my Department to set up a debt relief scheme in Northern Ireland, similar to the one that has operated in England and Wales since April 2009. The scheme will provide for those who are burdened with debt that they cannot pay and who cannot afford the cost of

petitioning for bankruptcy to apply to the official receiver for a debt relief order, which will offer similar relief at less than a third of the cost. Applications for debt relief orders will be made through trained debt advisers. That will provide an opportunity for the applicant's financial circumstances to be assessed and for checks to be made to ensure that they meet the eligibility criteria that will apply. Debt advisers will have to be approved by competent authorities that are designated by the Department.

A debt relief order will provide a one-year moratorium to protect debtors against legal proceedings or enforcement actions by their creditors. Liability to repay debts covered by the order will be completely cancelled at the end of that year. It will be possible for those found culpable to be placed under continuing restrictions for between two and 15 years regarding their taking of credit or the name under which they can trade. Such restrictions can either be put in place by the High Court through the making of a debt relief restrictions order or through acceptance by my Department of what is termed a debt relief restrictions undertaking. It is estimated that there will be approximately 1,000 applications for debt relief each year.

Among the eligibility criteria that will apply is that the applicant's debt, sizeable assets and surplus income do not exceed limits that will be specified in subordinate legislation, and the Order that the House is now considering will establish those limits. It specifies the maximum amount of debt that an individual can have to be eligible for the scheme as £15,000, the maximum total value of their assets as £300 and their maximum surplus income as £50 a month. Questions on those limits were included in a consultation exercise that was carried out between February and May 2009 on the proposals to set up a debt relief scheme.

Of 460 people and organisations that were notified about the consultation, 22 responded. Of the 14 respondents who answered a question on whether there should be a limit on the amount an individual could owe to obtain entry to the scheme, 13 agreed that there should be one. Of the 18 respondents who answered a question about the amount of debt, eight were content with a £15,000 limit, one felt that the £15,000 limit was too high, and six thought that it was too low. Of the 14 respondents who answered a question on a limit

of £300 of realisable assets, only two felt that £300 was too low. Of the 15 respondents who answered a question on whether there should be a cap on surplus income, 14 agree that there should. Of the six respondents who answered a question on what the amount of that surplus income should be, only two expressed a view that £50 was too low.

The limits that are specified in the draft Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2011 for maximum debt, asset value and surplus income are exactly the same as the scheme that operates in England and Wales, which is as it should be. The problems facing individuals who are in debt in Northern Ireland are no different from those that are encountered, at an individual level, in England and Wales.

It is expected that most of those who will avail of the debt relief scheme will be in receipt of benefits. Benefit levels in Northern Ireland are at parity with those in England and Wales, and keeping the eligibility criteria the same will ensure that those who need to make use of Northern Ireland's debt relief scheme will be treated no differently from those who need to make use of the scheme in England and Wales.

The Debt Relief Act (Northern Ireland) 2010 makes it an offence for a person who is subject to a debt relief order, a debt relief restrictions order or a debt relief restrictions undertaking to obtain credit without disclosing that he is subject to such an order or undertaking. However, there is a proviso that no offence will have been committed if the amount of credit is less than is specified by the Order. The draft Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2011 specifies that amount as £500.

I will deal separately with the other two Orders when the remaining two motions are moved. One deals with the fee payable on application for a debt relief order. The other provides that conduct prior to commencement of the Debt Relief Act is not to be taken into account in assessing whether a person should be made subject to a debt relief restrictions order or undertaking.

I am grateful to the Committee for Enterprise, Trade and Investment and the Examiner of Statutory Rules for their scrutiny of all three Orders. I hope that I have provided the House with sufficient explanation of their purpose, and

I will, of course, respond in my closing remarks to any points made by Members.

Mr Deputy Speaker: No Members have indicated their intention to speak.

Question put and agreed to.

Resolved:

That the draft Insolvency (Monetary Limits) (Amendment) Order (Northern Ireland) 2011 be approved.

Insolvency (Fees) (Amendment) Order (Northern Ireland) 2011

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

That the Insolvency (Fees) (Amendment) Order (Northern Ireland) 2011 be affirmed.

The Order sets at £90 the fee payable on an application for a debt relief order. That includes £10 for the cost of the debt advisers who will act as intermediaries to help to administer the scheme. The balance will be paid into the insolvency account to help meet the scheme's running costs.

A £90 fee enables the Insolvency Service for England and Wales to operate its scheme on a full-cost-recovery basis owing to the much higher volume of cases and a more fully automated IT system. If I were to ensure full cost recovery, my Department would have to charge a fee of £207, which would mean citizens in Northern Ireland having to pay £117 more than in England and Wales to obtain a debt relief order. I have, therefore, decided to keep the fee at the same level as that in England and Wales even though my officials advised me that charging a fee of £90 will result in a shortfall to the Department.

As there will be no differences in the benefits offered by debt relief orders made in Northern Ireland compared with those made in England and Wales, it would be unfair to charge a higher fee to applicants in Northern Ireland solely because the Northern Ireland scheme costs more to administer owing to its smaller scale. Furthermore, it has been a long-standing convention that, where possible, insolvency law be kept in parity with that in England and Wales. Therefore, I ask the Assembly to affirm the Insolvency (Fees) (Amendment) Order (Northern Ireland) 2011.

Mr Deputy Speaker: No Members have indicated their intention to speak.

Question put and agreed to.

Resolved:

That the Insolvency (Fees) (Amendment) Order (Northern Ireland) 2011 be affirmed.

Draft Debt Relief (2010 Act) (Transitional Provision) Order (Northern Ireland) 2011

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

That the draft Debt Relief (2010 Act) (Transitional Provision) Order (Northern Ireland) 2011 be approved.

There is a great interest in debt relief here today. I ask that the Assembly approve the draft Debt Relief (2010 Act) (Transitional Provision) Order (Northern Ireland) 2011 in a similar manner. Under the new schedule 2ZB, inserted into the Insolvency (Northern Ireland) Order 1989 by the Debt Relief Act (Northern Ireland) 2010, my Department, or the Official Receiver acting on the directions of my Department, can, in cases in which there is evidence that someone subject to a debt relief order is culpable, apply to the High Court for a debt relief restrictions order. Alternatively, my Department can accept an undertaking from the person, and that has equivalent effect.

A restrictions order, or undertaking, can last from two to 15 years. It places individuals under restrictions as regards the amount of credit that they can obtain without disclosing that they are the subject of a restrictions order or undertaking. It also places restrictions on their ability to trade under any name other than that by which they were known on the original debt relief order.

The draft Order 2011 provides that the court, when deciding whether to make a debt relief restrictions order, and the Department, when deciding whether to accept a debt relief restrictions undertaking, is to take into account the debtor's conduct subsequent only to the date of commencement of the scheme. I ask the Assembly to approve this Order as well.

Question put and agreed to.

Resolved:

That the draft Debt Relief (2010 Act) (Transitional Provision) Order (Northern Ireland) 2011 be approved.

Private Members' Business

Single Use Carrier Bags Bill: Further Consideration Stage

Mr Deputy Speaker: I call on Mr McKay to move the Further Consideration Stage of the Single Use Carrier Bags Bill.

Moved. — [Mr McKay.]

Mr Deputy Speaker: As no amendments have been tabled, there is no opportunity to discuss the Single Use Carrier Bags Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

As Question Time commences at 2.30 pm, I suggest that the House take its ease until that time.

On resuming (Mr Speaker in the Chair) —

2.30 pm

Oral Answers to Questions

Regional Development

A5 Dual Carriageway: Funding

1. **Mr Ross** asked the Minister for Regional Development how much funding his Department has earmarked for the A5 road scheme. (AQO 1253/11)

The Minister for Regional Development

(Mr Murphy): The draft Budget allows my Department a total of £675 million for the A5 dualling project over the four-year period from 2011-12 to 2014-15.

Mr Ross: Does the Minister agree that it is now looking increasingly likely that the money pledged by the Irish Republic for road schemes in Northern Ireland will be withdrawn by the new Government south of the border? Does he, therefore, agree that the money that he had earmarked for the controversial A5 project, coupled with the £107 million of additional funding in his budget, would be much better spent on the much-needed and less controversial A2 scheme in east Antrim? Will he give the House that commitment today?

The Minister for Regional Development: I do not think that I have come across a major road scheme that has not been controversial in some shape or form. I disagree with the Member's first assertion that it is increasingly likely that the money pledged will now be withdrawn. We have received no indication whatsoever that the Government in the South have changed the approach to that. Indeed, I know that the new Taoiseach, Enda Kenny, has expressed his support for the project in the past. I will be seeking an early engagement with the newly appointed Transport Minister to discuss some of those issues as soon as possible.

The A2 scheme, to which the Member refers, is a very good one, and I am very disappointed that we do not have resources earmarked in the four-year period to go ahead with that. Nonetheless, he will know that the Executive worked very hard to identify additional moneys

that we were able to allocate as part of the final Budget, which was put to the Assembly last week. The Budget review group will continue to try to identify additional moneys over the four-year period, and I certainly expect that it will have some success in doing so. If that is the case, it will hopefully allow additional money to go to the Department for Regional Development (DRD) for significant projects. Some of the projects that we have had to put on hold at this moment in time may, therefore, come back into play during those four years.

Mr Callaghan: Go raibh maith agat, a Cheann Comhairle. Does the Minister acknowledge the concerns of those in the north-west and, in particular, Derry city about the talk that the scheme might be downgraded? Will he give an assurance that that is not within the contemplation of the Department and that he will raise the issue with the Transport Minister? Has he already spoken to him by phone about the scheme?

The Minister for Regional Development: I am not sure where the Member heard the concerns that the scheme will be downgraded. Every statement made on the back of a North/South Ministerial Council plenary meeting has included a commitment to the A5 project, and that commitment remains as is. I have not yet had an opportunity to discuss that with the newly appointed Transport Minister, who is in office only a couple of days, but I intend to seek an early meeting with him to discuss that and a range of other projects.

The North/South agenda that I, as Minister here, and the Transport Minister in the South operate is a very wide-ranging one. The A5 is probably the single biggest project underneath that, but there is quite a range of areas of co-operation and collaboration between us and the Transport Department in the South. So, I will be seeking an early meeting to pick up on all of those issues. However, as I said in response to previous questions, I have received no indication that there is any change in approach. Certainly, as far as Roads Service and I are concerned, that project remains as planned.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Will the Minister detail the proposed timeline for the completion of the A5 project? I speak as a local MLA who believes that that project is of huge strategic importance in

providing access to opportunity, investment and jobs in the wider north-west.

The Minister for Regional Development: The A5 project is progressing well, and the third key milestone for the scheme was achieved on target with the publication of the draft statutory Orders associated with the environmental statement in November 2010. That was followed by the formal public consultation period that ended on 21 January. Given the interest in the project and the level of objection raised, I have decided that a public inquiry will be held to consider the objections.

Mr K Robinson: I listened very carefully to the Minister's earlier replies and his mention of the A2. Will he explain why a worthy scheme such as the A2, which will carry 30,000 vehicles a day, compares so unfavourably with the £850 million scheme for the A5, about which there is obviously a lot of dissension and which carries only about 14,000 vehicles a day?

The Minister for Regional Development: The A2 was a very good project. The Member will know from the debates that we have had over the past number of weeks that there has been a 40% cut in our capital budget, which means that not all the projects that we would like to go ahead with in the next Budget period can do so. That has left difficult choices to be made. The decision to remove the A2 project was very difficult.

The A5 project has been agreed by the Executive and the Government in the South. It has been progressed jointly by us and the Southern authorities and is of key strategic importance to the north-west. Although the Member will make a very good argument, and very good arguments were made about the A2, it was not a matter of two competing projects. We had to look at a range of projects that we could go ahead with. Funding has been committed to the A5 by both Administrations, and, as I said, the project is of significant importance to the north-west.

There is a commitment in the Programme for Government to address the infrastructure imbalance that we find. The same commitment comes from Dublin as well. If anyone looks at a map of Ireland, they will see very clearly where the infrastructural imbalance is and that there are huge gaps in the north-west. That commitment is from both Administrations. It was not a matter of one project competing on the same scale as another. It was a matter of

making difficult choices in the face of a difficult Budget allocation.

Railways: Sustainability

2. Ms Ní Chuilín asked the Minister for Regional Development for an update on his Department's investment in sustainable rail transport. (AQO 1254/11)

The Minister for Regional Development: In launching the review of the regional transportation strategy, I set out my commitment to ensure more sustainable transport arrangements in providing a proper balance between the needs of people, business and the environment. In support of that review, and recognising the important role of park-and-ride facilities in promoting sustainable transport, my Department is carrying out a strategic review of park-and-ride facilities, including those at rail stations, with the aim of developing proposals for future provision that offers the best prospects for encouraging modal shift. Although funding for park-and-ride development has been secured, the review is ongoing and final decisions have not yet been made.

My Department's investment in rail transport has been as follows. From 2001-02 to 2009-2010, we have funded £303 million of capital works on the railways network. Some major projects include the purchase of new trains, the first of which arrived today; the construction of a new train care facility at Fortwilliam; an upgrade of railway lines, such as the Bleach Green to Whitehead line; construction of a new railway station at Newry; a track-life extension project on the rail line between Ballymena and Derry; and improvements to stations and halts across the network that bring them into line with disability discrimination action legislation. In the current Budget, we expect to see the delivery of 20 new trains, as well as the construction of a new stabling facility and an extension of some platforms across the network to accommodate the new trains. That investment has resulted in more comfortable and reliable services and has led to a 60% increase in passenger journeys between 2001-02 and 2009-2010 across the local railway network. That totals over 10 million journeys annually.

Ms Ní Chuilín: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his response. What sustainable rail projects is the Department

planning over the next comprehensive spending review period, from 2011 to 2015?

The Minister for Regional Development: Final Budget figures give allocations for railway capital of £92.1 million, £18.6 million, £11.3 million and £30.4 million over the four years of the Budget period. The bulk of funding will be used to pay for the purchase of 20 new class 4000 trains and projects associated with the introduction of service to new trains, such as the extension of some platforms on the railway network and the construction of a new train care facility at Adelaide station. Essential safety-related work will be taken forward, leaving the remainder of the funding to finance other high priority railway improvement projects, including essential safety.

The Budget makes provision for the commencement of the Coleraine to Derry track relay in 2014-15, an overhaul of class 3000 trains and Enterprise trains, as well as work at Ballymoney footbridge and Antrim bus and rail station.

Mr Campbell: The Minister referred to the Coleraine to Londonderry line. Will he ensure that Translink and the Department examine very closely the need for passing loops in the Ballykelly area to ensure that more than one train can transport between Coleraine and Londonderry, rather than the Londonderry train having to wait until the Coleraine train has arrived?

The Minister for Regional Development: That is part of the scheme. Obviously, there has been a very lengthy assessment over the past number of years, of which the Member will be familiar, into what is required and where exactly the passing loop would be. There have been differing arguments, and it will come down to a technical decision and assessment of where the best place for a passing loop is. However, the intention is to keep the Derry to Coleraine railway track open, because the clear advice from Translink and its engineers is that, should we not invest in that line over the next four years, that would lead to the closure of the Derry-Coleraine line. The clear intention is to keep that open, make a very significant investment of more than £70 million, improve the service between Derry and Belfast and allow commuters to get into Derry before 9.00 am for the first time.

Mr McDevitt: I join the Minister in welcoming the arrival of the new trains and the capital investment in that new rolling stock. What assurances can the Minister offer the House that the Dublin-Belfast Enterprise service will be improved during this comprehensive spending review period and that we will reverse the fact that, in certain parts of that service, train speeds are slower today than they were during the Second World War?

The Minister for Regional Development: I am glad that the Member welcomes the new trains that arrived today. He has issued a statement saying that some of them will be mothballed, but, yet again, he is incorrect. The new trains will be put into service in their entirety by the end of next year. It would probably have been better if he had welcomed the new trains without trying to put a negative slant on the issue. I assure him that all 20 of the new trains will be put into service.

We will continue to invest in the Dublin-Belfast Enterprise service. Through the work of the North/South Ministerial Council, we have assessed a broad range of improvements up to a very high end, which could require investment of anything up to about £1 billion. Some of the improvements relate to the issue at Knockmore, which causes a delay of about three or four minutes in the journey between Belfast and Dublin. Some of the other significant work relates to congestion issues north of Connolly station, for which the Dublin Government are also struggling to find investment.

We have agreed a programme of incremental improvements around the reliability of the trains themselves, the service provided and the introduction of Wi-Fi on the train service. We have already introduced a stop at Lisburn. At the end of this month, we will introduce a stop where the early morning commuter service goes from Newry to Dublin, rather than from Dundalk to Dublin. That will attract more passengers. The programme to incrementally improve the service will involve work with both Iarnród Éireann and Northern Ireland Railways. If Budgets North and South will allow it, the aspiration is still to make much more significant improvements and follow through on the Enterprise 2020 vision, whereby we have an hourly service and reduce the journey time.

A5 Dual Carriageway

3. **Lord Morrow** asked the Minister for Regional Development what discussions he has had with the Minister of Agriculture and Rural Development and the Minister of the Environment in relation to the impact of the proposed A5 road scheme on the farming community and the environment. (AQO 1255/11)

The Minister for Regional Development: I have had discussions with the Minister of Agriculture and Rural Development on road schemes in general. Similar underlying issues apply across all major road schemes, including the A5 dualling project. The Minister raised a number of concerns with me regarding issues affecting the farming community, particularly concerns regarding the impacts on farms and communications. I assured the Minister that those impacts were being minimised as far as practicable and that there has been widespread consultation with affected farmers throughout the entire process. I have not had a direct discussion with the Minister of the Environment regarding the A5 project, although my Department's Roads Service and its scheme consultants have had very useful discussions with officials from the Department of the Environment.

The A5 project has wider benefits for the region. Roads Service is working towards providing the best solution when considered against all standard assessment criteria, which include economic, engineering, integration, accessibility and environment issues. Both the Department of Agriculture and Rural Development (DARD) and the Department of the Environment (DOE) have had major influence on the route selection. When consulted as part of the formal consultation process, they responded by highlighting issues to be considered during the further development of the scheme.

Lord Morrow: I thank the Minister for his reply, but it strikes me that there is no joined-up thinking on such a major road scheme that will have a detrimental impact on the environment. Indeed, we discover that the Minister has never spoken his counterpart in the Department of the Environment about it. Will he take that on board and make it his business to have a meeting with the Department of the Environment to ascertain its views and how it feels the scheme will impact the environment in that locality?

The Minister for Regional Development: I have no issue with talking to the Minister of the Environment about it. Probably no other Department, outside of the Department for Regional Development, has more of an input into major construction schemes than the Department of the Environment, which, obviously, has planning responsibilities. The environmental statement crafted in relation to the A5, which will be subject to public inquiry, was done so in consultation with the Department of the Environment. There has been no shortage of consultation on, and discussion and assessment of, the route options. The two Departments that had most input into the selection of the preferred route were DARD and DOE. One of the criteria for selection is environmental impact. As I said, I have no issue with talking to the Minister of the Environment, but I am not sure that our talking together would add much light to the situation, whereas properly qualified officials in both Departments have been in regular contact since the inception of the scheme.

2.45 pm

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. What mitigation measures are proposed for the scheme?

The Minister for Regional Development: The environmental statement was published in November 2010 along with the draft vesting and direction orders. The statement outlines the proposed mitigation measures to protect the environment, including planting, screening, wildlife and fauna provision and pollution prevention measures. The formal consultation process for the scheme ended on 21 January 2011, and issues that are raised in relation to the proposed mitigation and access to farmland will be heard at the scheme's public inquiry, which is scheduled for 9 May 2011. More detailed accommodation works will be discussed with individual landowners when the scheme is defined following the outcome of the public inquiry. Impacts that are not mitigated may be addressed through compensation, which, if necessary, would be a matter for the Department of Finance and Personnel through the Lands Tribunal.

Mr Savage: I have listened carefully to the Minister's answers. My party and I have been inundated with representations from farmers,

homeowners and commuters concerned about the A5 proposal. Will the Minister detail why his Department feels it necessary to build a completely new dual carriageway through virgin countryside instead of updating the existing road?

The Minister for Regional Development: I do not think that it would be possible to update the existing road to a dual carriageway. Like me, the Member regularly travels on the A1, and he will know that it has probably cost more to put safety works along the A1, including new flyovers and stopping-up junctions, than it cost to build the A1 in the first place. Building a road with so many access points will not create the standard of dual carriageway that, it has been agreed, is necessary to service the north-west, not just in the Derry area but into Donegal as well. A high standard dual carriageway has to be taken off the line of the existing road.

I understand the issues that farmers have; the same issues arose with the A4, the Newry to Dundalk road and the Newry bypass. All major road projects will have an impact on virgin farmland if they go off the line of the existing road. It is a difficult issue, and that is why it takes such a long time to work the issues through with local farmers to ensure that people are properly compensated for any lands that are taken and that proper mitigation measures are put in place to allow people, in the case of a farm that is split in two, to have access either side of the road. If we want to create connections between major cities on the island of Ireland, that is the approach that we need to take.

NI Water: PAC Report

4. **Mr Molloy** asked the Minister for Regional Development for his assessment of the procurement failures identified in the Public Accounts Committee's report 'Measuring the Performance of NI Water and Procurement and Governance in NI Water'. (AQO 1256/11)

7. **Mrs D Kelly** asked the Minister for Regional Development for his assessment of the Public Accounts Committee's report 'Measuring the Performance of NI Water and Procurement and Governance in NI Water'. (AQO 1259/11)

The Minister for Regional Development: With your permission, a Cheann Comhairle, I will reply to questions 4 and 7 together.

It would be inappropriate for me to comment in detail on the Public Accounts Committee's

findings at this time. My Department will consider the report and contribute to the official Government response. In line with established protocol and procedures, that will take the form of a memorandum of reply, which is laid before the Assembly by the Minister of Finance and Personnel.

Mr Molloy: What positives have there been in NI Water over the past years? Will the outcome of the report mean that businesses that have been working with the water service will continue to be able to get contracts?

The Minister for Regional Development: More often than not, I have been to the Assembly to give negative answers about NIW issues, but there have been many unremarked-on positives. NIW has received £1 billion in capital investment from the Executive over the past four years. The vast bulk of those construction schemes have been completed to a very high standard, on target and on budget, and they have made a significant improvement. Many Members will know that, having lobbied on planning restrictions and the availability of sewage treatment works and the like, there has been a significant improvement.

The investment has helped to move us further away from the position that we were in four years ago when the Department and the Executive were on the verge of incurring infraction costs for pollution issues. NIW's work has resulted in significant positive outcomes, on the back of a protracted period of neglect of the water and sewerage infrastructure. There has been a sea change in how contracts are procured and in the standards that are expected, and not just in NIW. My opinion, from talking to people in other Departments, is that the experience of the procurement issues in NIW has led to a general tightening up across the public sector, which is to be welcomed. I believe that contractors and others who tender to provide services to NIW and other public sector outfits and Departments have more confidence about being on a level playing field than they might have had before.

Mrs D Kelly: Question 7, please, Mr Speaker.

The Minister for Regional Development: Mr Speaker, I have just answered questions 4 and 7 together.

Mr Speaker: I will make it clear to the House. Mrs Kelly, your question was grouped with

question 4, so you are allowed to ask a supplementary question.

Mrs D Kelly: I apologise, Mr Speaker. I am sure that the Minister is by now well aware of the damage caused to the reputation of the directors whom he sacked on the back of a flawed report by an independent review committee, which has now been totally discredited. Will the Minister take this opportunity to apologise to Declan Gormley and the others whom he sacked?

The Minister for Regional Development: The report clearly confirmed that there was a culture of disregard for procurement processes in NIW, which led to serious failings in procurement procedures totalling £46 million. That was not challenged by the Public Accounts Committee. I think that this is a matter on public record, although I am unable to respond in any great detail.

Members of the Member's party sat on the Public Accounts Committee. I am surprised that no conflict of interest issues arose as a result of that, because while two of her party colleagues sat on the Public Accounts Committee, they continued to lobby for the reinstatement of directors who were dismissed as a consequence of a report that established that there was a culture of serious disregard for procurement processes. That has not been challenged by the Public Accounts Committee. In light of that, I am not sure how her party has the brass neck to continue to lobby for those directors to be reinstated, and I would question, in relation to —

Mr McDevitt: No apology, then?

The Minister for Regional Development: Mr McDevitt is asking for an apology.

Mr Speaker: Order. Allow the Minister to continue.

The Minister for Regional Development: I think that Members who sit on a Public Accounts Committee inquiring into these matters, while privately lobbying for the very people who are the subject of the inquiry, should perhaps owe an apology to the other members of the Public Accounts Committee. *[Interruption.]*

Mr Speaker: Order. Allow the Minister to continue.

The Minister for Regional Development: I think that an apology might be due on that given that a member of the Public Accounts Committee

submitted questions to that Committee in his name as part of that investigation. Those questions were previously refused under the Freedom of Information Act 2000 by the Department when Mr Gormley submitted them, and they then reappeared in the name of a member of the Public Accounts Committee, who submitted them to the Committee investigation into the matter. That leads to serious concerns. In the face of evidence of procurement failings, given the persistent lobbying of the SDLP Members for apologies and reinstatement for those people, I would ask whether that party needs to declare any conflict of interest in relation to that issue.

Mr Bell: I am cautious about speaking about severe weather conditions on a day when our thoughts and prayers are with the people of Japan, who most readily know the effect of the severity of weather. However, whatever difficulties and failures there have been in the past, the public want to know whether the Minister is satisfied that we are fit for purpose to tackle those conditions more effectively than we did in December and January if we were again to face such conditions, which were the worst for 120 years.

The Minister for Regional Development: I have received assurances about short-term resilience measures that NIW has already put in place, so I am satisfied that those conditions would be tackled more effectively. However, I am not completely satisfied that we would not have a recurrence of any type of incident in such severe weather again.

Last week, I spoke to the Assembly about a report that contains some 60 recommendations. I want the implementation of those recommendations to be completely satisfied. I am satisfied that there has been a significant improvement. However, I want to get to a stage at which we are prepared for the unexpected as well as the expected. As the Member quite rightly said, given the experience in Japan and elsewhere, the weather can throw conditions at people with which no system can cope.

I want those 60 recommendations to be worked through. When the Executive discussed the issue last Thursday, they asked that a regular report be made to them about the implementation of those recommendations and issues that the regulator pointed out in his report. I think that there will be ongoing very close scrutiny not only

from the public and Members but from the Executive and from me, or whoever becomes the Minister for Regional Development after the election, to make sure that the lessons are very clearly learned and that the recommendations that have been put forward by the regulator are put in place.

Mr Kinahan: The Minister touched on the tightening up of procurement irregularities. I am sure that he is aware that those occurred as far back as the time of the Water Service. Does he acknowledge that senior civil servants must also accept a level of responsibility for the issue?

The Minister for Regional Development: I do not think that senior civil servants were responsible for the culture of disregard of proper procurement procedures. I am a former Deputy Chairperson of the Public Accounts Committee, and I do not think that there is a Public Accounts Committee report that does not challenge civil servants, which is quite correct. In this case, the report also challenges the Department to make sure that it carries out its procedures in a very efficient, effective and upfront way. I do not doubt that there are lessons to be learned. As I indicated, the response to the report will obviously be worked out through the normal processes of responding to a Public Accounts Committee report, but there are challenges for the Department in that. It still does not underline the fact that unacceptable practices were going on in NIW. It is not unique in that regard, but, as painful and difficult as the issue has been, it has shone a light on procurement processes across the public sector. I hope that we see a significant improvement right across the public sector as a result.

Water: Governance

5. **Ms S Ramsey** asked the Minister for Regional Development for his assessment of the Regional Development Committee's decision to reject his proposed short-term water governance legislative arrangements. (AQO 1257/11)

The Minister for Regional Development: Naturally, I am disappointed by the Committee's decision. The Committee seemed to agree that the Bill cannot be progressed other than by accelerated passage and that it would take some time — years, indeed — to make fundamental changes to water governance structures. The Committee also seemed to support working level agreements and MOUs in

a revised governance letter that reflected the predominance of public expenditure controls. However, the majority of members of the Committee do not support providing a legislative basis for the arrangements that they seem to support at a working level and a funding regime that they appear to agree is inevitable. I can only suppose that there is an unstated desire to leave open the possibility of introducing arrangements other than public funding of water and sewerage services in the short term. However, that is not feasible as it would take some time to implement any self-funding arrangements and the Executive Budget does not anticipate additional revenue from water. There can be no doubt that water and sewerage services must be majority public funded in the short term — the period that is covered by the Bill.

The interim measures in the Bill would help to stabilise the governance arrangements during the period by providing my Department with the temporary powers necessary to ensure that NIW complies with public expenditure controls and disciplines. The Bill would not prevent the consideration of more fundamental changes to governance arrangements, and I have advised the Assembly that I plan to shortly bring forward proposals to deal with longer-term governance.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I have listened to the Minister's response to my question and to the answers that he gave to previous questions. It shows that there is a need for change. Some parties have argued for the need for immediate change and then, as you highlighted, rejected the changes at Committee. You have given some sense of the importance of the changes, but will you expand on the importance of the immediate changes that are needed?

The Minister for Regional Development: I agree with the Member that change is necessary. It seems that most parties agree that change is necessary. The problem is that, when it comes to making the change, a degree of cold feet appears to enter the equation at that stage. In relation to the specific proposals in the Bill for which I requested accelerated passage, the need for the changes arises because the existing go-co governance structure is at odds with the continued majority public funding of water and sewerage services. The proposals will ensure that public expenditure considerations retain precedence. The hybrid system of governance has led to risks and complexity

that are not sustainable. Currently, two models are operating at the same time: a regulated utility model, funded by customer payments and a public sector model, which is funded by Government. The legal status of NIW, as set out in the Water and Sewerage Services Order 2006, reflects the former position and the financial position reflects the latter because Treasury classifies NIW as a non-departmental public body. Those are the complexities that could have been resolved in the short term by legislation, but it does not seem that that legislation will prove to be doable.

3.00 pm

Social Development

Housing: East Londonderry

1. **Mr G Robinson** asked the Minister for Social Development what expenditure is planned for newbuild projects in the East Londonderry constituency in 2011-12 and 2012-13. (AQO 1268/11)

Housing: South Antrim

3. **Mr T Clarke** asked the Minister for Social Development what housing projects are planned for the South Antrim area in the next financial year. (AQO 1270/11)

The Minister for Social Development

(Mr Attwood): With your permission, Mr Speaker, I will answer questions 1 and 3 together.

The answer to Mr Robinson's question is that it is still a work in progress. When the Housing Executive comes to me with its draft programme for newbuild over the next number of years, I will be in a position to confirm what might be intended for any area of Northern Ireland. If that happens on the far side of the start of purdah, I will lodge that information in the Assembly Library.

Mr G Robinson: I thank the Minister for his answer. Will he outline the policies that he is following to maximise investment in the public sector?

The Minister for Social Development: I would like to maximise investment in the public housing sector. However, as I said during the Final Stage debate on the Housing (Amendment) Bill, Northern Ireland needs 2,500 houses a

year to be built to meet demand. In such a situation, the decision of the Executive and the Assembly to reduce newbuild housing over the next four years to 1,200 or 1,300 means that there will not be sufficient investment in public housing. The number of those in housing need and housing stress will increase, and all that will happen in the context of people losing their homes, having less money, less welfare and fewer jobs. It is not a healthy environment in which to go forward. On the far side of the election, I hope that people will think more wisely of the judgements that they made last week.

Mr T Clarke: I thank the Minister for his answer. However, given that he is in the early stages of going into the next financial year, what plans has he brought forward? I appreciate that he may not have the money, but what plans did he have drawn up for newbuild in South Antrim?

The Minister for Social Development: The Member might be aware that a moratorium on capital newbuild was laid down by the Executive and reported to the Assembly. Therefore, Ministers had to be very careful going forward. Nonetheless, housing associations are aware of where housing need is in Northern Ireland and of where resources should therefore go. That includes each and every area where there is housing need in Northern Ireland.

Year to year, there may be peaks and troughs in newbuilds in any given constituency, but, taken over a four- or five-year cycle, the evidence confirms that newbuild goes to where need is identified. That will include South Antrim, East Derry or any other constituency in the North. Given that Margaret Ritchie was able to have 1,800 newbuild starts last year, which I hope to surpass this year, it is critical that we ask what the consequences will be of any future Social Development Minister having those top-line figures for newbuild starts cut by 300, 400, 500 or 600. I think that the consequences for people in need are self-evident.

Mr Dallat: Returning to the subject of East Derry, where the question originated, will the Minister give a flavour of the work that the Department for Social Development (DSD) has done in that constituency over, say, the past three years?

The Minister for Social Development: In the past three years, there has been an investment of £6.5 million in newbuilds, which means 60 houses. There has been an investment of

£4.07 million in other housing Executive work in Coleraine and Limavady. That does not take into account all the other spend of the Department on voluntary and community and development moneys in East Derry, South Antrim and all the other constituencies. If all those figures are put together, it can be seen that, when it comes to issues of need, DSD is showing the way in each and every constituency in Northern Ireland.

Mr Kinahan: Does the Minister have any plans for the unused military homes in South Antrim or, indeed, anywhere else in Northern Ireland?

The Minister for Social Development: That is also a work in progress. Mr Kinahan and my colleague Mr Burns have brought that matter to my attention, and they were right to do so. Good evidence over the years shows that former military housing that becomes available to and that can be accessed by the Housing Executive and housing associations provides good value for money in the housing budget and meets housing need. Just look at Pond Park in Lisburn, where former military housing has gone into the public sector at good value, given that two housing associations competed for those properties. As a consequence, housing need in Lisburn has been mitigated. If we are able to do that in other parts of Northern Ireland, including in South Antrim, I would encourage any Minister to go in that direction.

Housing: Girdwood

2. **Mr A Maginness** asked the Minister for Social Development what stage he is at in developing proposals for housing on the Girdwood site, North Belfast. (AQO 1269/11)

The Minister for Social Development: I thank the Member for his question. He and other Members will be aware that I confirmed this morning that, following a lot of work over the past six months, 200 public sector newbuild houses will be built on the part of the Girdwood site that is appropriate for newbuild housing. I confirm that, over the past months, a housing association was appointed to take forward that work and a design competition was run. A design outcome was agreed, and it has now been worked up to the point where a planning application could be made in the next two months. As a consequence, the acute housing need in North Belfast will be addressed.

I know that there are issues, sensitivities, concerns and anxieties around the Girdwood site, but this should not be a zero-sum game. It should not be the case that a gain for nationalists is a loss for unionists and a gain for unionists is a loss for nationalists. That is zero-sum politics. We should have the maturity and wisdom to move beyond that. In the lower Shankill, lower Oldpark, Mountainview and Girdwood areas, that is the way to go.

Mr A Maginness: I thank the Minister for the very good news for the long-suffering people of North Belfast who have suffered long waiting lists and acute housing need. That very good news is thanks to a Minister who actually delivers.

What other housing projects are being undertaken or are under consideration in North Belfast?

The Minister for Social Development: If I may go back to the Girdwood issue, I must ask Members across the parties in the Chamber some simple questions. If we are able to build housing on land that we own with money that we have for needs that exist, whether it is for unionists or nationalists, will people please explain to me why we are not in a phase of our history where we should go down that road? If we cannot do that in the lower Shankill, lower Oldpark, Mountainview, Girdwood, or other parts of north or west Belfast, where some of the most acute housing need exists, I do not understand why, when we have a level of political stability in this Chamber and greater stability in the community, we are not at a stage of development where we are mature and wise enough to go in that direction. I believe that we are. The message that I get from unionism and nationalism on the ground is that that is where we want to go.

Mr Humphrey: Earlier this morning, I spent some time in the lower Oldpark area with the Moderator of the Presbyterian Church prior to the Minister's announcement that 200 homes would be built at the Girdwood site. It is very clear that the Minister has abandoned the concept of a shared space, a shared future and a shared site, as set out in the report by Dunlop and Toner. Today, the Oldpark community feels fearful, angry and betrayed. It has made absolutely no gain. Does the Minister accept that the concept outlined today can happen only with intercommunity and Executive approval?

The Minister for Social Development: I will deal with the latter point first. The Member

and others have to ask themselves a simple question: why was it that the proposed conflict transformation centre at Long Kesh was not a matter that the DUP considered to be controversial enough to be brought to the Executive table? That is what happened last autumn. A conflict transformation centre at the Maze/Long Kesh site was an issue around which there was a lot of controversy and concern, and some people thought that it was a partial and exclusive initiative. However, unionism, in particular the DUP, did not consider it to be controversial enough to go to the Executive. If that is the case, why do the same standards not apply to housing for those in need in Girdwood? When it comes to standards, you cannot pick and choose. In my view, what was demonstrated in respect of the Maze —

Mr Speaker: Order.

The Minister for Social Development: — was maturity beginning to grow in this society, and I believe that the same maturity will grow in respect of housing in north Belfast.

Shared housing is the preferred option, but are we saying that, four or five years after the development of master plans for Girdwood, when housing need is so high, nothing should happen pending the future development of the Girdwood site? I do not think so. In any case, as the Member is fully aware, over the past six months, I have demonstrated that money should go where there is housing need, such as to the lower Shankill, the lower Oldpark and Mountainview. Government should go there, and that is where this Minister will go.

Mr Speaker: Members should continue to rise in their place.

Mr F McCann: Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's announcement that 200 houses will be built at Girdwood, and I know that a housing association has been appointed to oversee that development. Will the Minister give us a completion date for the houses?

The Minister for Social Development: I thank the Member for his question. I spoke to the housing association's development team this morning. As I indicated, the planning application is being developed. It is anticipated that it will go to the Planning Service within two or three months and that, subject to planning consents and approvals, planning permission should be

granted within, let us say, another four months. Consequently, before the beginning of the next financial year and, in my view, within ten months, builders will be on site and building will have commenced.

Mr Speaker: I remind Members that question 3 has already been answered.

Mixed Housing

4. **Mr Lunn** asked the Minister for Social Development for an update on the development of mixed housing. (AQO 1271/11)

The Minister for Social Development: I thank the Member for his question. I confirm that there are a number of parallel initiatives in the Department to take forward the development of mixed housing. First, all newbuilds are deemed to be shared schemes so that people try to live up to the aspiration of all newbuilds being shared schemes. Secondly, when the Housing Executive consults tenants, it asks them explicitly whether they would like to live in a shared neighbourhood. As the Member is aware, we now have a situation in Northern Ireland where 30 existing areas, with a population of 90,000 people, are deemed to be shared neighbourhoods. During the next number of months, I hope to announce that there will be a common landlord area in Belfast, whereby those who want to live in shared housing will have the opportunity to do so. Over and above all that, the Housing Executive, working with the Rural Development Council, has recently acquired through Peace III significant millions of pounds in an effort to drive forward the concept and practice of shared housing.

Mr Lunn: I thank the Minister for his answer. I understand that the International Fund for Ireland (IFI) has been quite heavily involved in funding those schemes. I also understand that the US Congress is to stop funding the IFI. Will that have a dramatic effect on the future of those schemes?

The Minister for Social Development: I thank the Member for his question. He is quite right to acknowledge the IFI's role in the shared neighbourhood scheme. It has been an essential partner — financially and in other ways — in taking the initiative forward. I wish to correct an error that I made: 70,000 rather than 90,000 people now live in the 30 areas. I understand that contact with the American

Congress is ongoing in an effort to ensure that funding for the IFI might yet be made available.

Mr Gallagher: Will the Minister outline his position on shared housing? Furthermore, in the future, what is his Department's position on shared housing likely to be?

3.15 pm

The Minister for Social Development: I acknowledge the Member's final point about the future. There is a sense that, although we now have a more settled form of devolution, sharing responsibility at the heart of government is a necessary co-existence rather than a value and ethic driven into and embedded in the way that we conduct our business. If our society is to go forward, it must be without prejudice to the national aspirations of any one Member or community and without prejudice to whatever choices the people in the North of Ireland and on the island of Ireland make on the future constitutional position. We will be a better, more enriched and more diverse people the more that we adopt a shared approach and a common way of doing business in government, in our communities —

Mr Storey: In education.

The Minister for Social Development: Yes, indeed, potentially in education also. I will not shirk that issue. Society and we, as political leader, must ask ourselves questions about shared schools and how they make sense economically. Shared schools may be an economic imperative, and they may also be part of how society develops in the image of something better than what went before. That need not diminish in any shape or form the great achievements of all the schooling sectors in Northern Ireland, including the state, Catholic and integrated sectors. The challenge that faces us is whether we, as a political leadership, can embed the standards of a shared and common approach in all that we say and do in a way that characterises the next Government as different from the previous one.

Social Investment Fund

5. **Mr McGlone** asked the Minister for Social Development for his assessment of the governance arrangements for the social investment fund. (AQO 1272/11)

The Minister for Social Development: I have difficulty answering that question because, as I have said repeatedly, today — the best part of a week after the Budget was endorsed by the Assembly and the best part of two weeks after it was endorsed by the Executive — we still do not know how it will be targeted, what criteria will be applied and how decisions will be made. We do know that the First Minister and deputy First Minister have failed to consult other Ministers, government officials and the community and voluntary sector generally. As a consequence, there is much speculation without any concrete details. That is not a healthy way to go forward. That is why, on Friday of last week, I wrote to the First Minister and deputy First Minister. Now that there is an £80 million fund for the next four years, I outlined my view on what the shape and character of that fund should be to enable it to achieve what it should, which is to tackle need and disadvantage over that period.

Mr McGlone: In many ways, the Minister answered the question about the slush/secretcy fund. He may well give the same answer to my next question. Is he in a position to establish or set priorities in his Department for any form of spending under the social investment fund, be it collaborative or internal to the Department?

The Minister for Social Development: It might be helpful to indicate in broad terms what the priorities should be. In my view, neighbourhood renewal is the preferred programme for tackling disadvantage in areas of need in Northern Ireland, and it was unanimously endorsed by the Assembly in a recent motion. Over the past number of weeks, I have directed an increasing percentage of moneys towards those in the nought-to-three and three-to-six age groups. In any effort to give families and children the best opportunities, intervention at the earliest possible stage is the best strategy. It is a way of ensuring that, in the period between childhood and adulthood, there is less risk and less danger to them and to the communities in which they live. Therefore, given that young children come to school and do not know how to hold a pencil, nurture classes and primary 1 classes are a priority. It seems to me that a way to go forward is to use the integrated services initiative in west Belfast and north Belfast to help people who live in difficult circumstances with children who behave in a difficult manner. The GRIT project gives the opportunity to those aged 16 and older who are not in education, training or work and who, in many instances,

have dropped out of the system, to improve their skills and increase their self-esteem. Those are examples of where money is spent on vital interventions in areas of need. In that context, I wrote to the First Minister and deputy First Minister on those specific proposals.

Mr K Robinson: I am delighted to know that the Minister is also in the dark about some of those arrangements. He will know that my party has some concerns about the social investment fund and how it might be administered. Can he indicate whether there will be measures in that fund that will deal specifically with small pockets of deprivation (SPOD)?

The Minister for Social Development: I simply do not know whether the social investment fund will do that. I have said that the family of neighbourhood renewal interventions, which includes neighbourhood renewal funding, SPOD funding and communities at risk, is ring-fenced. Indeed, as I said previously, the current baseline funding on the revenue side will be enhanced. There is an ongoing process of evaluation, and announcements will be made in the very near future.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his pre-election speech in response to Mr McGlone's question. Given his repeated commitment to the most vulnerable in society, why was he proposing the scrapping of the social investment fund, which was his party's position in last week's Budget debate? Is that really the best way of defending the most vulnerable in our society?

The Minister for Social Development: I always find it quite curious how other parties reduce everything to electioneering and to the lowest common denominator. *[Interruption.]*

Mr Speaker: Order.

The Minister for Social Development: It is revealing of other parties that the words that come out of their mouths most quickly on any matter to do with the Budget or how we go forward over the next four years are reduced to the language of electioneering. It says everything about what they say and little about what others might say.

Mr Speaker, let me ask Mr McLaughlin about the social investment fund. Has he seen a scrap of paper about how that £80 million has been spent? Has he been in any meetings

with people up in Derry in respect of how the money might be spent? Is he satisfied that he put his hand up for an £80 million fund without any detail, budget line, information, application process or any sense of what it should really mean? Is he saying that, when DSD is responsible for neighbourhood renewal as the flagship programme to tackle disadvantage, DSD — never mind the Department of Health, Social Services and Public Safety, the Department of Education or any other Department — should be completely unsighted on that proposal?

Of course I support money going into areas of need, and that is why I have protected the budget line for neighbourhood renewal. Indeed, I have enhanced it. However, there is a difference between helping people in need and helping those in the know. It seems that the social investment fund is very much about helping those in the know and not about helping those in need.

Village, Belfast: Regeneration

6. **Mr Spratt** asked the Minister for Social Development for an update on the regeneration of the Village area in Belfast. (AQO 1273/11)

The Minister for Social Development: I thank the Member for his question. A community design team that includes 10 local residents is now working through the design of the new Village in the event that the scheme proceeds. It has met on a number of occasions, and I understand that it will meet again this month. It is having discussions around a draft concept plan, a phasing plan and how to build eco-efficiency into the new properties. It is anticipated that a formal design team will be in place by 2011.

In parallel to all that — this is what Mr Spratt may rightly be concerned about — is the fact that 60 properties in the Village are in negative equity, with an average negative equity of £50,000. I continue to explore that issue with the Attorney General, and a meeting is scheduled for next week in an effort to identify whether any legal obligation falls to the Executive in relation to vesting, given that the sale of a person's property is happening without their consent.

At the same time, there continues to be conversations with the Council of Mortgage Lenders to help property owners to flip their

properties with their existing mortgage in respect of a different property in a different location in order to ensure that they can move out of their property, that vesting can go ahead, and that they can continue to deploy their existing mortgage on a new property in a different place, without the consequences of negative equity that are being visited upon the people in the Village.

Mr Spratt: We have now established that this morning's announcement about Girdwood army base was not an electioneering ploy. The Minister has acknowledged that people are in negative equity, but will he give some indication as to when building may start in the Village, as the people there have been long-suffering? They have seen their whole area devastated, and there are people in that area who want to continue to live there.

The Minister for Social Development: I thank the Member for his question. The Housing Executive has vested 534 properties in the redevelopment area. Some 338 have been vacated and are blocked up, while 196 still require to be relocated. To answer the question more specifically, there were properties built by the Fold Housing Association at Roden Street that were overspill. I inspected them some time ago, and they are of a very high standard and add to the character and quality of housing in that area. I know that Mr Spratt will agree with me on that. That has resulted in the Housing Executive relocating households from the immediate clearance area into those properties, with the consequence that demolition in that area is expected in the next four to six weeks.

In respect of Mr Spratt's first comment, I could have moved some time ago on the housing at Girdwood, but I knew about the anxieties and issues in that neighbourhood. Therefore, as his colleague Mr Humphrey, who is sitting next to him, will be aware — I see Mr Humphrey is shaking his head — over the past three or four months, I have heard from residents and political representatives in lower Oldpark and from the community in the lower Shankill last July, and, as a consequence of that, mini master plans were developed for those areas. There have never been mini master plans like those that the Housing Executive and DSD have produced. I accepted that those areas have been neglected, that there are needs in those areas, that the people have suffered disproportionately during the years of conflict,

and that there is a responsibility for the Government to step up to the mark. Therefore, I tried to put my authority where my mouth was, and now I am trying to put my money where my mouth is in respect of all those areas, and Girdwood deserves no less.

Mr McDevitt: I join with Mr Spratt in welcoming the progress that has been made in the Village, and I acknowledge the Minister's efforts to try to address the minority of people who are caught in negative equity. As it is his last time before the House, I thank him for his efforts generally since he became Minister. What is the status of DSD regeneration in other live urban renewal areas in Northern Ireland?

The Minister for Social Development: The Member will be interested to know that when I was not down here voting for the Budget last Wednesday, I was upstairs meeting all my officials from the Department for Regional Development and from Belfast to discuss public regeneration across Northern Ireland.

Mr Dallat: It was time well spent.

The Minister for Social Development: I agree with Mr Dallat; it was time well spent. My belief, and I think that it is a growing view across Northern Ireland, is that investment in town centre and urban regeneration on a pound-for-pound basis and on a job-for-job basis is arguably as good an economic tool as any other economic investment.

Given that fact, I met officials in an effort to drill down to see how we would spend the money that was allocated in the Budget, on which Members voted last Wednesday, and how it would be rolled out in an effort to regenerate town centres, neighbourhoods and cities.

3.30 pm

I want to make a final point. As we go into the next CSR period, it is not only time that the practice of urban and town centre renewal be more fully acknowledged as an economic driver but time that we begin to develop neighbourhoods in cities and towns, not just their centres. In that way, there can be balanced development of Northern Ireland's towns and cities, urban and rural areas, neighbourhoods and town centres. That is the best way to go forward.

Adjourned at 3.31 pm.



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