

Regional Development Committee

Legacy Report

May 2007- March 2011

POWERS

The Committee for Regional Development is a Statutory Departmental Committee of the Northern Ireland Assembly established in accordance with paragraphs 8 and 9 of strand one of the Belfast Agreement, section 29 of the Northern Ireland Act 1998 and under Standing Order 48 of the Northern Ireland Assembly. The Committee has a scrutiny, policy development and consultation role with respect to the Department for Regional Development and has a role in the initiation of legislation.

The Committee has the power to:

- Consider and advise on departmental budgets and annual plans in the context of the overall budget allocation;
- Consider relevant secondary legislation and take the Committee Stage of relevant primary legislation;
- Call for persons and papers;
- Initiate inquiries and make reports; and
- Consider and advise on matters brought to the committee by the Minister for Regional Development.

The Committee is appointed at the start of every Assembly, and has power to send for persons, papers and records that are relevant to its inquiries.

MEMBERSHIP

The Committee has eleven Members, including a Chairperson and Deputy Chairperson, with a quorum of five Members. The current membership of the Committee is as follows:¹

Mr Fred Cobain (Chairperson)
Miss Michelle McIlveen (Deputy Chairperson)

Mr Billy Armstrong
Mr Allan Bresland
Ms Anna Lo
Mr Ian McCrea
Mr George Robinson

Mr Cathal Boylan
Mr Billy Leonard
Mr Fra McCann
Mr Conall McDevitt

¹ Information on the changes in membership of the Committee since May 2007 can be found at Appendix One.

INTRODUCTION

This report covers the work of the Committee for Regional Development during the May 2007- March 2011 mandate.

COMMITTEE ACHIEVEMENTS IN THE 2007-2011 MANDATE

The Committee put sustainability and accessibility at the heart of the transport agenda during this mandate. From the beginning of this mandate, the Committee has regularly highlighted the importance of transport related emissions and the absence, from the Programme for Government targets, of a role for the Department for Regional Development in reducing carbon emissions arising from transport. The Committee published its Sustainable Transport Inquiry Report on 21 March 2011 to feed into the development of the Department's Draft Regional Development Strategy and Regional Transportation Strategy. Responding to the Committee's championing of the need to address transport related carbon emissions, the Department published a baseline report on transport related carbon emissions, and contributed to the Cross-Departmental Working Group on Greenhouse Gas Emissions Reduction's Action Plan.

Accessible transport has been another priority area of work for the Committee and Members have had regular engagements with representatives from this sector. Following a number of years delay in the Department, and responding to representations from a number of groups representing people with disabilities, the Committee recommended and the Department agreed to progress a pilot scheme for the use of audio visual systems on buses.



The Committee took the Committee Stage of three Bills during this mandate and on two Bills - the Roads (Miscellaneous Provisions) Bill and the Transport Bill - recommended amendments which were successfully made during Consideration Stage in the Assembly. For example, on the Roads (Miscellaneous Provisions) Bill the Committee's amendment provided a clearer definition of filming within the Bill to ensure that roads could be closed for the making of advertisements, thus supporting the creative industries in Northern Ireland. A larger number of amendments were made to the Transport Bill, the effect of which is to ensure the decisions the Department makes on transport planning and delivery must have due regard to sustainability and accessibility, as well as value for money, efficiency and safety of operation; failure to pay the minimum wage is a ground for operators to lose their service permit; giving a voice to community providers in the permit process; in

cases where a route is to be taken into the regulated network there is now a period of notice and an appeal mechanism to be given to permit holders; and giving the Assembly greater scrutiny of regulations in relation to criminal offences and the designation of facilities to be shared between Translink, private operators and community providers.

In addition, in February 2011, the Committee considered a request from the Minister for Regional Development for accelerated passage for legislation he proposed on water and sewerage services. Having listened to the evidence provided by the Minister, the Department and the Utility Regulator, the Committee decided by majority vote that it was not content to agree to accelerated passage in this case; it did not comment on the policy merits of the draft Bill presented to the Committee.

Scrutiny of the Department's and the Executive's Budget and of in-year monitoring round returns has been a priority for the Committee. Over the course of the mandate, the Committee successfully influenced the Department to change its bidding strategy for funding for structural maintenance. The Department now bids for a bigger proportion of the recommended levels of structural maintenance funding in the annual budget rounds and at earlier stages in the in-year monitoring cycle.

In January 2011, the Committee sponsored the launch of the Transport Matters report – a research report on young people's experiences of public transport and their recommendations for change which was supported by Youth Action and the Consumer Council. As part of the report launch the Committee hosted a plenary session with the young people and key policy makers in the public transport sector with a view to bringing young people into the policy making process; one of the young people's key aims in undertaking the research project. Members were particularly pleased to receive positive responses and action, both from the Minister for Regional Development and Translink, on the young people's recommendations. For example, Translink is engaging with the Consumer Council and YouthAction to pilot a Young Person's Card for discounted rail and bus travel for young people aged between 16 and 23 years, and preparing a business case for provision of wi-fi on selected services. In addition, the Department has offered to engage with the young people in the development of the Regional Transportation Strategy.



THE COMMITTEE'S APPROACH TO ITS WORK DURING THE 2007-2011 MANDATE

Over the course of this mandate, the Committee adopted a strategic level approach to its work. Members were particularly keen to ensure that the Committee's focus remained on cross-cutting and strategic issues, rather than specific and localised cases. Whenever possible, the Committee encouraged and facilitated individuals and groups with issues to address, to engage directly with the Minister rather than the Committee becoming a "post-box" in the process.



In approaching its work, Members were keen to visit and experience the different types of infrastructure services in Northern Ireland, and to engage with those affected by proposed changes in policy or legislation. For example; the Committee visited the trust ports as part of its consideration of ports policy; the airports to see their operations and improvements to their service offerings; roads service to see the different types of roads structural maintenance activities being carried out on site; the salt mine at Kilroot to see the salt excavation process that provides salt for use on roads in winter; and the Belfast Sewers Project to see the modernisation of

sewers and waste water treatment infrastructure in Belfast.

The Committee also had long running engagement with key stakeholders in the transport and infrastructure sectors, including: transport providers, the water company and the regulator, the trust ports, the airports, representatives from organisations promoting the interests of the quarry and construction industries, environmental organisations, community organisations, rural areas, people with disabilities, older people and younger people, as well as the trade union movement and employers and business organisations.

These relationships were very important to the Committee in developing policy and scrutinising legislation and spending proposals. Members would like to formally record their thanks to all the individuals, groups and organisations who generously gave their time and expertise to assist the Committee in its work during this mandate.



In doing its work, the Committee received positive support from the Assembly's Research and Library Service (R&LS). In addition to delivering research papers on the issues before the Committee, R&LS also facilitated research focused engagement events on sustainable transport and accessible transport. Reports on these events have been published on the Committee's web pages.

During this year, the Committee successfully made a number of procedural innovations during its scrutiny of the Transport Bill which may be of interest. In order to make the best use of the time available to the Committee to scrutinise the detailed clauses in the Transport Bill, the Committee decided to take oral evidence on the Bill in a new way. Instead of asking each witness, one at a time, to provide evidence during the normal Committee meeting format, Members decided to ask all those individuals and organisations providing written submissions in response to the Committee's public call for evidence, to participate in a special public oral evidence event. The event took place in the Long Gallery, Parliament Buildings and was structured around the clauses of the Bill. Witnesses were called to make their contributions to the oral evidence on each clause and, once Members had asked their questions or raised any issues they had, there was an opportunity for discussion or comment from the witnesses present. In this way, the Committee worked its way through the Bill, clause by clause. The information provided during the event formed the basis of the Committee's oral evidence on the Bill and was incorporated into the Committee's report to the Assembly on the Transport Bill. Feedback from witnesses and Members who participated in this event was very positive, and the Committee has adopted this approach as a more effective model of stakeholder engagement.

The second innovation relates to the making of amendments to a Bill. During Committee Stage of the Transport Bill, once the Committee had identified those changes that it wished to see made, the Chairperson met with the Minister to discuss the Committee's proposed amendments. The Minister was content with the proposals put forward by the Committee to amend the Bill and, reflecting this agreement, all amendments were drafted by the Government draftsman and co-signed by both the Minister and the Committee. The Chairperson moved the amendments suggested by the Committee and led the debate on the relevant group. The Committee decided to approach the Transport Bill in this way as an illustration of the important work the Assembly's committees do to scrutinise legislation in detail, put forward evidence-based amendments and convince the Minister that their approach to the Bill and the amendments they seek to make result in better legislation.

LOOKING FORWARD: KEY ISSUES AND CHALLENGES FACING THE INCOMING COMMITTEE FOR REGIONAL DEVELOPMENT

The following paragraphs highlight the key issues and challenges facing the incoming Committee. The recommendations which follow are based on feedback from stakeholders and the Committee's cumulative scrutiny over the course of this mandate².

Networks and Gateways

One of the first areas of work the Committee pursued during this mandate was to scrutinise the Department's proposals for the reform of **ports policy** in Northern Ireland. Having visited the trust ports in Northern Ireland and taken evidence from the key stakeholders, the Committee formed a view on the policy proposals in December 2007. The Committee also considered a draft of the Harbours Bill and drafts of the related subordinate legislation and guidance documents in preparation for the introduction of harbours legislation into the Assembly. However in June 2010, in the absence of a view

² The Committee held a stakeholder engagement event, on Wednesday 23 February 2011, focusing on the key issues and strategic challenges for regional development in Northern Ireland. The Committee's report on this event can be found at http://www.niassembly.gov.uk/regional/2007mandate/regionalreport_07.htm

on the proposed changes to ports policy from the Office for National Statistics, the Minister withdrew the Harbours Bill from the Executive's legislation programme. More recently, it has been suggested in the Executive's Budget that £40 million can be secured from the ports, although Belfast Harbour is of the view that this would not be possible. The Committee would encourage an incoming Committee to revisit the proposed legislation with the Department and the ports themselves, with a view to progressing legislation in this area at an early opportunity.

On a related matter, the public consultation has concluded on the proposed **Coleraine Harbour Order** and the incoming Committee may wish to consider the handling of issues raised during the public consultation, and the proposed arrangements for the transfer of the Harbour to local council control.

The Review of the **Regional Development Strategy (RDS)** was issued for publication on 6 January 2011 and closes on 31 March 2011, a date which is outside this Assembly mandate. Although the Committee had, over the course of this mandate, invested a considerable amount of its time in scrutinising the RDS - at 5 year review stage as well as in developing the major 10 year review - Members decided to commend the scrutiny of the outcome of the public consultation on the Revised RDS and the finalisation of a revised Strategy to the incoming Committee.

Responding to concerns raised by the Committee at successive monitoring rounds, the Minister commissioned a review of **roads structural maintenance in Northern Ireland**. The outcome of the Snaith Review, published in September 2009, recommended levels of funding for roads structural maintenance of circa. £112 million per annum and, at that time, estimated the backlog in structural maintenance at £700 million and growing. The Committee is of the view that there is a clear case, in terms of value for money, supporting and growing the economy and road safety, for adequate levels of funding for roads structural maintenance. The allocations in Budget 2011-2015 fall far below recommended levels and Members would encourage the incoming Committee to regularly revisit this issue.

During the stakeholder engagement event on 23 February 2011, the Committee heard from representatives of Belfast International Airport and George Best Belfast City Airport, that there is a need for an **aviation strategy for Northern Ireland** that did not distort competition while reflecting and responding to local circumstances. Aviation strategy is a reserved matter and the Committee did not consider the need for a local aviation strategy during this mandate. However an incoming Committee may wish to explore this matter further.

In March 2011, the Minister for Regional Development announced a public inquiry into the proposed A5 road scheme and the Committee heard from the Alternative A5 Alliance group. Members considered the evidence presented by the Alternative A5 Alliance and the number of objections lodged to the proposed scheme. The **A5 and A8 schemes** are being progressed with a contribution of £400 million from the Republic of Ireland government, and funding for these schemes (£790 million) is ring fenced in the Executive's Budget 2011-15. The ring fencing of such a significant proportion of the DRD capital budget is a cause of great concern to the Committee, particularly as the progress of these schemes is dependent on the outcome of a public inquiry on the A5. The Committee commends the ongoing monitoring of progress on these schemes including, should the incoming Committee be so minded, communication with the Transport Committee in the Oireachtas to ascertain its views on the proposed schemes and alternatives.

Accessibility and Sustainable Transport

The Committee would commend continued scrutiny of the Department to ensure that sustainability and accessibility are placed at the heart of its activities, not just a matter for which remedial action or special arrangements have to be made. An incoming Committee may wish to consider and respond to reports on the outcome of consultations on the **Draft Regional Development Strategy**, and the **Draft Regional Transportation Strategy**. The DRD commitments in the Cross-Departmental Working Group on Greenhouse Gas Emissions would also bear closer scrutiny to ensure that difficulties in measurement do not preclude firm action to reduce transport related carbon emissions. In addition, progress on **Rapid Transit for Belfast**, the related traffic management plan **Belfast on the Move** and the **Belfast Cycle City** initiative are key elements in developing more sustainable transport options for Belfast, scrutiny of which Members would commend to the incoming Committee.

On accessibility, the Committee suggests that their successors explore the Department's relationship with and management of **IMTAC** (the Inclusive Mobility and Transport Advisory Committee) and consider the recommendations in the recent review of IMTAC. In addition, Members suggest that the incoming Committee would scrutinise the **IT/IS Strategy for Public Transportation Systems** and continue to press the Department to make progress on the pilot scheme for the use of audio visual systems on buses.

In response to guidance from the Equality Commission, the Department for Regional Development has developed a **new Equality Scheme** based on an **Audit of Inequalities**. For reasons of timing beyond the control of the Committee, Members simply noted the outcome of consultation on the new scheme; however the Committee commends the scrutiny of both the Audit of Inequalities and the new Equality Scheme to an incoming Committee. On a related issue, during this mandate the Committee received and scrutinised quarterly updates on progress made on the Equality Strategy and **Disability Action Plan** actions within the Department, and Members would recommend that this practice be continued by its successor Committee.

Members also recommend to the incoming Committee that it continues to explore and challenge the Executive and the Department on the Budget for 2011-15. Feedback from stakeholders, academics and the Committee's analysis of the proposed spending and savings plans provides a bleak outlook. The Committee hopes that any incoming Committee would work to redress the imbalance between funding for public and private transport, press the Department to progress rapid transit for Belfast and city centre traffic management plans as a matter of priority and to strive for the provision of adequate funding for rural transport, transport for people with disabilities, young people and older people.

Water and Sewerage Services

Over the course of this mandate, the Committee devoted a considerable amount of its time to water and sewerage services issues. Early in the mandate, the Committee considered the Strand 1 and Strand 2 Reports from the Independent Water Review Panel (the Hillyard Report), and made detailed responses to the Minister on this work. At the end of the Mandate, and following Executive deferral of the introduction of water charges for domestic customers, many of the issues raised in the Hillyard Report remain with the Executive for decision.

The career of Northern Ireland Water has been characterised by change and crisis. There has been a litany of failures surrounding the delivery of water and sewerage services and the Department for Regional Development's governance and oversight of this government owned company; problems which have been well covered by the media as well as being the subject of investigation by a number of scrutiny bodies and independent reviews. Progress has undoubtedly been made by Northern Ireland Water in beginning to close the efficiency gap between it and similar water utilities in Great Britain and in improving drinking water quality and waste water compliance. In the Committee's view, however, problems remain in the culture and responsiveness at management level within Northern Ireland Water; in further improving the quality of waste water treatment, leakage and pressure levels; and the suitability of its data and management information to meet the needs of a modern utility.

The Committee commends consideration of the future of water and sewerage services, including the future model for Northern Ireland Water and the concomitant governance requirements, to an incoming Committee. Members also suggest that its successor Committee may wish to follow-up the progress made in addressing the issues raised in the report on the review by the First Minister and Deputy First Minister into the Christmas 2010 water crisis and the Public Accounts Committee Report on performance and governance in Northern Ireland Water, both of which were published on Thursday 3 March 2011.

Appointing a permanent Board and Chief Executive to Northern Ireland Water, as well as following up the undertakings provided to the Utility Regulator on data quality and continuous improvement in the robustness, reliability and fitness for purpose of management information are also issues which may be of interest to an incoming Committee.

Committee for Regional Development

Membership (11)

Alliance	Ms Anna Lo ^{7, 11}
Democratic Unionist Party	Mr Allan Bresland ¹ Mr Ian McCrea ⁵ Miss Michelle McIlveen (Deputy Chairperson) ⁴ Mr George Robinson
Sinn Fein	Mr Cathal Boylan Mr Billy Leonard ⁶ Mr Fra McCann ^{1, 9}
Social Democratic and Labour Party	Mr Conall McDevitt ^{3, 8}
Ulster Unionist Party	Mr Billy Armstrong ^{2, 10} Mr Fred Cobain (Chairperson)

- 1 With effect from 15 September 2008, Mr Allan Bresland replaced Mr William Irwin and Mr Alastair Ross replaced Mr Stephen Moutray.
- 2 With effect from 22 June 2009, Mr Danny Kinahan replaced Mr John McCallister.
- 3 With effect from 29 June 2009, Mr Tommy Gallagher replaced Mr John Dallat.
- 4 With effect from 4 July 2009, Miss Michelle McIlveen replaced Mr Jim Wells.
- 5 With effect from 16 September 2009, Mr Ian McCrea replaced Mr Alastair Ross.
- 6 With Effect from 13 April 2010, Mr Billy Leonard replaced Mr Raymond McCartney.
- 7 With effect from 13 April 2010, Mr Brian Wilson ceased to be a Member of the Committee for Regional Development and Mr Trevor Lunn was appointed as a Member of the Committee for Regional Development.
- 8 With effect from 24 May 2010, Mr Conall McDevitt replaced Mr Tommy Gallagher.
- 9 With effect from 13 September 2010, Mr Fra McCann replaced Mr Willie Clarke.
- 10 With effect from 1 November 2010, Mr Billy Armstrong replaced Mr Danny Kinahan.
- 11 With effect from 15 November 2010, Ms Anna Lo replaced Mr Trevor Lunn.

Committee for Regional Development**Committee meetings & visits**

Session	Number of meetings held	Percentage minutes public / closed	Number of meetings held outside Parliament Buildings	Number of committee visits
2007	9	98.3% / 1.7%	0	0
2007/2008	46	71.3% / 28.7%	4	8
2008/2009	34	85.3% / 14.7%	1	3
2009/2010	39	71.2% / 28.8%	3	5
2010/11	29	82.2% / 17.8%	0	0

Bills

Session	Name of Bill	Committee report (Ordered to print)
2009/2010	Water & Sewerage Services (Amendment) Bill	06/01/10
	Roads (Miscellaneous Provisions) Bill	26/05/10
2010/11	Transport Bill	15/12/10

Statutory Rules

Session	Number agreed by Committee
2007/2008	44
2008/2009	33
2009/2010	25
2010/11	31

Committee Inquiries

Session	Name of report	Committee Report (ordered to print)
2010/11	Sustainable Transport Inquiry	21/03/11

Committee Reports (excluding Bill and Inquiry reports)

Session	Name of report	Date (date approved by Committee)	Date debated in Plenary (if appropriate)
2008/2009	End of Session Report 2008-2009	11/11/09	
2009/2010	Report of the Committee's Study Visit to Rathlin Island	23/09/09	
	Report of the Committee's Study Visit to Maguiresbridge	02/12/09	
	Report of the Committee's Study Visit to Kilroot Salt Mine	17/02/10	
	Report of the Committee's Study Visit to the Belfast Streets Ahead Project	20/05/10	
	End of Session Report 2009-2010	09/11/10	
2010/11	Report of the Committee's event to launch of the "Transport Matters" Report	16/03/11	
	Report on the Department's planned spending allocations and savings delivery plans for 2011-2015	02/03/11	
	Report on Key Issues and Future Challenges	16/03/11	
	End of Session Report 2010-2011	16/03/11	
	Legacy Report 2007-2011	16/03/11	

Budget Scrutiny

Session	No of evidence sessions.
2007	4
2007/2008	5
2008/2009	4
2009/2010	2
2010/11	6, plus stakeholder engagement event on 26 January 2011 attended by 15 organisations.

Primary Legislation Scrutiny

Session	No of evidence sessions.
2009/2010	8 on Water and Sewerage Services (Amendment) Bill 3 on Roads (Miscellaneous Provisions) Bill
2010/11	10 on Transport Bill, plus evidence event on 5 October 2011