



House of Commons  
Northern Ireland Affairs  
Committee

---

# **The work of the Committee in 2005**

---

**Second Report of Session 2005–06**





House of Commons  
Northern Ireland Affairs  
Committee

---

**The work of the  
Committee in 2005**

---

**Second Report of Session 2005–06**

*Report and appendices*

*Ordered by The House of Commons  
to be printed 15 February 2006*

**HC 928**

Published on 28 February 2006  
by authority of the House of Commons  
London: The Stationery Office Limited  
£0.00

## The Northern Ireland Affairs Committee

The Northern Ireland Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Northern Ireland Office (but excluding individual cases and advice given by the Crown Solicitor); and other matters within the responsibilities of the Secretary of State for Northern Ireland (but excluding the expenditure, administration and policy of the Office of the Director of Public Prosecutions, Northern Ireland and the drafting of legislation by the Office of the Legislative Counsel).

### Current membership

Sir Patrick Cormack, MP (*Conservative, South Staffordshire*) (Chairman)  
Mr David Anderson, MP (*Labour, Blaydon*)  
Gordon Banks, MP (*Labour, Ochil and South Perthshire*)  
Mr Gregory Campbell, MP (*Democratic Unionist Party, East Londonderry*)  
Rosie Cooper, MP (*Labour, West Lancashire*)  
Mr Christopher Fraser, MP (*Conservative, South West Norfolk*)  
Mr John Grogan, MP (*Labour, Selby*)  
Mr Stephen Hepburn, MP (*Labour, Jarrow*)  
Lady Hermon, MP (*Ulster Unionist Party, North Down*)  
Meg Hillier, MP (*Labour/Co-op, Hackney South and Shoreditch*)  
Dr Alasdair McDonnell, MP (*SDLP, Belfast South*)  
Stephen Pound, MP (*Labour, Ealing North*)  
Sammy Wilson, MP (*Democratic Unionist Party, East Antrim*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at:

[www.parliament.uk/parliamentary\\_committees/northern\\_ireland\\_affairs.cfm](http://www.parliament.uk/parliamentary_committees/northern_ireland_affairs.cfm)

### Committee staff

The current staff of the Committee are Mr James Rhys (Clerk), Hugh Farren (Attached Second Clerk), Dr Aileen O'Neill (Committee Specialist), Paul Derrett (Committee Assistant), Julia Kalogerides (Secretary), Laura Kibby (Media Officer), Jim Lawford (Senior Office Clerk).

### Contacts

All correspondence should be addressed to the Clerk of the Northern Ireland Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 2172/3; the Committee's email address is [northircom@parliament.uk](mailto:northircom@parliament.uk)

# Contents

---

<b>Report</b>	<i>Page</i>
<b>The work of the Committee in 2005</b>	<b>3</b>
Committee Activities	3
Departmental administration and expenditure	6
Review of recommendations	7
<b>Formal minutes</b>	<b>8</b>
<b>Appendix 1</b>	<b>9</b>
<b>Appendix 2</b>	<b>19</b>
<b>Reports form the Northern Ireland Affairs Committee this Session (2005-06)</b>	<b>41</b>



# The work of the Committee in 2005

---

## Committee Activities

1. This report reviews the work of the committee since its appointment in July 2005 following the General Election. We do not report in detail on the work of our predecessor committee during the first months of the year before the dissolution of Parliament in April 2005<sup>1</sup>. However, we wish to pay tribute to the hard work of that committee, which produced a number of excellent reports and worked particularly hard to exercise parliamentary scrutiny of matters that fell within the remit of the Northern Ireland Assembly following the suspension of devolution.

2. We note that that committee's report on Electoral Registration in Northern Ireland helped to inform consideration of the Electoral Registration (Northern Ireland) Bill, and a tag to the Report was put on the Order Paper for consideration of the bill on 24 February 2005.

3. Since the suspension of the Northern Ireland Assembly in October 2002, the Committee has had the additional responsibility of scrutinising the work of the Departments of the Northern Ireland Executive. Although our predecessor committee appointed a sub-committee in January 2004 to consider matters that had previously been within the remit of the Northern Ireland Assembly, we decided at our first meeting on 21 July that these matters would be considered by the full committee.

4. The second half of 2005 has been a period of tremendous significance in Northern Ireland. The political and security developments in Northern Ireland during the second half of the year provided the focus for the committee's evidence sessions with the Secretary of State and with Sir Hugh Orde, Chief Constable of the Police Service of Northern Ireland, on 26 October and 9 November respectively<sup>2</sup>.

5. On 28 July 2005, the Provisional IRA issued a statement which they said signalled the end of its military campaign. The statement indicated that all units would dump arms and volunteers were told that they 'must not engage in any other activities whatsoever'.<sup>3</sup> On 28 September, General John de Chastelain, head of the Independent International Commission on Decommissioning reported that IRA decommissioning had been completed.<sup>4</sup> The Independent Monitoring Commission's report of 19<sup>th</sup> October stated that the Provisional IRA's statement was 'potentially very significant' and that initial signs following the statement were 'encouraging'.<sup>5</sup> On 30<sup>th</sup> October, the Loyalist Volunteer Force (LVF) announced its decision to stand down its members. This brought to an end the

---

<sup>1</sup> The previous Committee's Annual Report for 2004 was published as its Fourth Report, Session 2004-05, on The work of the Committee in 2004, HC 262; the Liaison Committee's review of the work of Select Committees is printed as its First Report, Session 2004-05, Annual Report for 2004, HC 419.

<sup>2</sup> Oral Evidence on Political and Security Developments in Northern Ireland, HC 621 and Oral Evidence on the Police Service of Northern Ireland, HC 665.

<sup>3</sup> IRA statement of 28 July 2005.

<sup>4</sup> Statement of the Independent International Commission on Decommissioning, 26 September 2005.

<sup>5</sup> Seventh Report of the Independent Monitoring Commission, HC 546.

organisation's feud with the Ulster Volunteer Force (UVF) that had claimed four lives over the summer months.<sup>6</sup>

6. Despite these apparent signs of political progress, the summer also witnessed serious outbreaks of violence. When giving oral evidence to the committee on the Police Service of Northern Ireland, Sir Hugh Orde noted the serious disorder in the Ardoyne on 12 July 2005 during which 100 police officers were injured as a result of Republican violence which began when the police enforced a Parades Commission determination for an Orange Order parade past the shop-fronts<sup>7</sup>. This was followed by violence in loyalist areas of North Belfast and other towns over the weekend of 10–11 September, sparked by a decision of the Parades Commission to re-route the Whiterock Parade. Sir Hugh told us that loyalist paramilitary groups had attacked the police “with a degree of viciousness [...] not seen for many, many years.”<sup>8</sup> Sir Hugh also noted that 150 live rounds were fired at police officers during the disturbances, an attack described as “unique in 35 years of history”.<sup>9</sup> **We commend the PSNI for the courage and professionalism that they showed in response to the violence of 12 July and the weekend of 10–11 September.**

7. The Independent Monitoring Commission noted in October that “because of [...] paramilitary involvement, organised crime is the biggest long term threat to the rule of law in Northern Ireland.”<sup>10</sup> The Secretary of State told us that “a great deal [was] being done by the organised crime task force” and that in the past year, 28 organised criminal gangs had been disrupted or dismantled, nearly £12 million in assets had been restrained or confiscated, and £9.5 million worth of drugs and £7 million worth of counterfeit goods had been seized<sup>11</sup>. Sir Hugh Orde also told us of the success that the Police Service of Northern Ireland had enjoyed in combating organised crime<sup>12</sup>. However, this committee shares the concerns of the Independent Monitoring Commission about the threat posed by organised crime to the long-term peace and security of Northern Ireland. An inquiry into organised crime in Northern Ireland will be the main focus for the work of the Committee during the first half of 2006.

8. The Committee had the first opportunity to question the Secretary of State about his proposed “on-the-runs” legislation when he appeared before us on 26 October 2005, prior to publication of the Northern Ireland (Offences) Bill<sup>13</sup>. The Committee offered to undertake pre-legislative scrutiny of the legislation<sup>14</sup> and we regretted that the Northern Ireland (Offences) Bill was published without the Committee being given an opportunity to examine the legislation in draft. We note the Government's decision of 11 January 2006 to withdraw the Bill and **we welcome the Secretary of State's commitment that the Government will “be mindful” of the views of the committee when considering how to**

<sup>6</sup> Sixth Report of the Independent Monitoring Commission.

<sup>7</sup> Oral Evidence, HC 665, Q28.

<sup>8</sup> *Ibid.* Q29.

<sup>9</sup> *Ibid.* Q28.

<sup>10</sup> Seventh Report of the Independent Monitoring Commission, HC 546, paragraph 5.2.

<sup>11</sup> Oral Evidence, HC 621, Q71.

<sup>12</sup> Oral Evidence, HC 665, QQ 19 and 23.

<sup>13</sup> Oral Evidence, HC 621, QQ20 to 46.

<sup>14</sup> *Ibid.* Q35.

**proceed on this issue<sup>15</sup>. We believe that if legislation is to be brought forward in future on this most controversial of issues it should be published first in draft for consideration by this committee.**

9. The Committee's work is discussed below in the light of the 'core tasks' for select committees that were proposed by the Liaison Committee in 2002 and approved by the House on 14 May 2002<sup>16</sup>. The 'core tasks' will continue to provide an important framework to our work in 2006.

10. We wish to continue the commitment of our predecessors to meet regularly in Northern Ireland in the exercise of our remit and to hold public meetings in Northern Ireland. The Committee first visited Belfast on 17–18 October 2005 and held meetings with representatives of the Organised Crime Task Force, the Police Ombudsman and the Policing Board. We also took the opportunity to meet representatives of a range of organisations in Northern Ireland, including the CBI, the Northern Ireland Housing Executive, the Northern Ireland Committee of Irish Congress of Trade Unions, the Special European Union Programmes Body and Invest Northern Ireland.

11. We also visited Belfast and Londonderry on 28–29 November 2005 to take oral evidence in two particular areas where major policy decisions had been taken. The Committee had received a number of submissions concerning the Government's plans to change the provision of post-primary education in Northern Ireland; the then Minister for Education, Jane Kennedy MP, had announced the ending of academic selection with the last transfer tests to be held in 2008. The Committee took evidence in Belfast from a range of organisations offering different perspectives on the Government's proposals and visited four schools, two grammar and two secondary schools, in Belfast and Londonderry.

12. The Government's proposal for a draft Order to bring in the new post-primary provisions was published on 6 December and the Committee took evidence from Angela Smith MP, the Minister for Education on 14 December on the government's proposal. The committee was keen, given the continued suspension of the Assembly, to provide some opportunity for parliamentary consideration of the issues raised before the draft Order is laid before Parliament. Although we came too late to the subject for there to be sense in conducting a full inquiry into the merits of the original decision, we hope that our short report together with the oral and written evidence that we took will be taken as a contribution to the consultation on the proposal<sup>17</sup>.

13. Whilst in Londonderry, the Committee also met city councillors privately to discuss the outcome of the Review of Public Administration, which was published on 22 November. The Review was launched by the Northern Ireland Executive in June 2002; its terms of reference were to "review the existing arrangements for the accountability, development, administration and delivery of public services in Northern Ireland, and to bring forward options for reform which are consistent with the arrangements and principles of the Belfast Agreement, within an appropriate framework of political and financial accountability". In

---

<sup>15</sup> Secretary of State's statement of 11 January, Official Report, column 289.

<sup>16</sup> Select Committees, Committee on Modernisation of the House of Commons, First Report Session 2001-02, HC 224.

<sup>17</sup> Education in Northern Ireland, First Report, Session 2005-06, HC 726.

the period of suspension, the review was taken forward by the Northern Ireland Office, led by a small team of civil servants and complemented by a panel of five independent experts.

14. The Committee took formal evidence from members of the Review Team, together with members of the Panel of Independent Experts and representatives of Northern Ireland Government Departments<sup>18</sup>. The Review consultation proposed a reduction in the number of local authorities in Northern Ireland from 26 to either 15, 11 or seven. We asked the Secretary of State for the rationale behind the Government's decision to opt for a model of seven local authorities in Northern Ireland when a number of consultees, including each of the political parties in Northern Ireland with the exception of Sinn Fein, had expressed concerns that this would lead to a "sectarian carve up" of Northern Ireland<sup>19</sup>; we print our correspondence with him together with the formal evidence that we took<sup>20</sup>.

15. The Committee did not have the opportunity to examine any legislation in draft during the period of this report. However, we welcome the commitment made by the Parliamentary Under-Secretary of State, Shaun Woodward MP, during the Report stage of the Terrorism (Northern Ireland) Bill to provide for pre-legislative scrutiny of proposals to be brought forward next summer for a replacement to the Diplock courts.<sup>21</sup> **We urge the Government to ensure that proposals are published in draft in good time for the committee to consider them.**

16. The Committee has a wide remit, and we intend to continue the practice of our predecessor committee of holding informal and formal meetings with executive agencies and non-departmental public bodies of the Northern Ireland Office both during our visits to Northern Ireland and in Westminster. During the continued suspension of devolution, it is even more important that the committee maintains a watching brief over the operations of a range of organisations in addition to its more substantial inquiries.

17. In addition to the meetings listed in paragraph 10 in Belfast, the Committee met the newly appointed Chief Commissioner for Human Rights in Northern Ireland, Professor Monica McWilliams for a private meeting on 16 November, together with Commissioners Professor Colin Harvey and Jonathan Bell, also appointed in June 2005, and officers of the Commission. The Committee also met Anne Owers, Her Majesty's Chief Inspector of Prisons, for a private meeting on 7 December, whose offices are employed by Criminal Justice Inspection Northern Ireland to inspect prisons in Northern Ireland. We hope to meet Mr Kit Chivers, the Chief Inspector of Criminal Justice in Northern Ireland, during 2006.

## Departmental administration and expenditure

18. We have carried out an examination of the Northern Ireland Office Departmental Annual Report 2005 by correspondence. Our questions to the Department and the responses provided are reproduced at Appendix 1. Overall, the Committee commends the

---

<sup>18</sup> Oral Evidence on Review of Public Administration in Northern Ireland, HC 732.

<sup>19</sup> Response of Derry City Council to the Review of Public Administration Further Consultation.

<sup>20</sup> Oral Evidence on Review of Public Administration in Northern Ireland, HC 732.

<sup>21</sup> Official Report, 30 November 2005, column 294.

Department on the clear and concise format and presentation of the Report. We note the challenging targets for efficiency gains that the Department has set. We will examine with interest the Department's success in delivering the efficiency savings that it has forecast for 2005-06.

## Review of recommendations

19. In our review of the Government's performance on our past recommendations, we sought updates on The Illegal Drugs Trade and Drug Culture in Northern Ireland; Compensation Agency; Social Housing Provision in Northern Ireland and Waste Management Strategy in Northern Ireland<sup>22</sup>. The government's memorandum to the committee is printed as Appendix 2.

20. In its Report on the Illegal Drugs Trade and Drug Culture in Northern Ireland, the previous committee had called for urgent research into the level of need for a residential rehabilitation centre or therapeutic community in Northern Ireland<sup>23</sup>. We are concerned that this research has not taken place although we note that a draft New Strategic Direction for alcohol and drugs will be issued shortly for consultation and that this is likely to contain proposals concerning residential rehabilitation<sup>24</sup>. We will wish to monitor future progress in this regard.

21. The previous committee, in a Report on Social Housing Provision in Northern Ireland, had warned of an impending crisis in social housing because of an imbalance between supply and demand<sup>25</sup>. This imbalance has further deteriorated as the number of applicants on the waiting list continues to grow significantly while the shortfall in new social housing provision also increases<sup>26</sup>. The Government notes that, due to budget constraints, the current target for new build units is well below the Northern Ireland Housing Executive's latest assessment of annual need for new units<sup>27</sup>. The committee will continue to monitor progress in increasing the supply of social housing.

22. The previous committee's Report on the Waste Management Strategy in Northern Ireland had warned the Government that it faced a race against time to meet crucial EU targets on the amount of waste disposed of in landfill sites<sup>28</sup>. We welcome developments on a number of issues but we are concerned that slippage on the completion date for the revised Waste Management Strategy may further delay overall progress. We will continue to monitor developments.

---

<sup>22</sup> The Illegal Drugs Trade and Drug Culture in Northern Ireland, Eighth Report of Session 2002-03, HC 1217; Compensation Agency, Fourth Report of Session 2003-04, HC 271; Social Housing Provision in Northern Ireland, Sixth Report of Session 2003-04, HC 493; Waste Management Strategy in Northern Ireland, Sixth Report of Session 2004-05, HC 349.

<sup>23</sup> Illegal Drugs Trade and Drug Culture in Northern Ireland, Eighth Report of Session 2002-03, HC 1217, paragraph 218.

<sup>24</sup> Government Memorandum, Appendix 2.

<sup>25</sup> Social Housing Provision in Northern Ireland, Sixth Report of Session 2003-04, HC 493, paragraph 126.

<sup>26</sup> Reference government Memorandum, Appendix 2.

<sup>27</sup> Government Memorandum, Appendix 2. Question C4.

<sup>28</sup> Waste Management Strategy in Northern Ireland, Sixth Report of Session 2004-05, HC 349, paragraph 23.

## Formal minutes

---

**Wednesday 15 February 2006**

Members present:

Sir Patrick Cormack, in the Chair

Mr David Anderson	Mr Stephen Hepburn
Gordon Banks	Lady Hermon
Mr Gregory Campbell	Dr Alasdair McDonnell
Rosie Cooper	Stephen Pound
Mr Christopher Fraser	Sammy Wilson
Mr John Grogan	

The Committee deliberated.

Draft Report (Work of the Committee in 2005), proposed by the Chairman, brought up and read.

*Ordered*, that the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 4 read and agreed to.

Paragraph 5 read, amended and agreed to.

Paragraphs 6 and 7 read and agreed to.

Paragraph 8 read, amended and agreed to.

Paragraphs 9 to 22 read and agreed to.

*Resolved*, That the Report be the Second Report of the Committee to the House.

*Ordered*, That the Chairman do make the Report to the House.

*Ordered*, That the Appendices to the Report be reported to the House.—(*The Chairman.*)

[Adjourned till a date and time to be announced by the Chairman.]

# Appendix 1

---

## MEMORANDUM SUBMITTED BY THE NORTHERN IRELAND OFFICE IN RESPONSE TO QUESTIONS FROM THE COMMITTEE

NORTHERN IRELAND OFFICE DEPARTMENTAL ANNUAL REPORT (DAR) 2004

*The Department stated that plans are in place to bring all areas of work of Forensic Science Northern Ireland into re-accreditation during 2005 (Fourth Report of the Committee, Session 2004-05, Evidence, page 11). The DAR for 2005 notes that the FSNI's targets relating to the maintenance of UKAS accreditation and the turnaround of casework were not met for 2003-04 (paragraph 11.9).*

*What is the expected timetable for Forensic Science Northern Ireland to achieve UKAS re-accreditation?*

FSNI UKAS accreditation for calibration activities has always been maintained. UKAS accreditation for testing activities, which had been lost in 2003, was successfully regained in May 2005 after a major assessment visit by UKAS in December 2004. FSNI has planned further to increase the scope of accreditation during the yearly surveillance visit by UKAS in January 2006.

*Has FSNI's failure to meet targets for turnaround of casework for 2003-04 had any effects in financial terms or on the conduct of cases? What assessment has been made of performance during 2004-05?*

The implications of failure to meet targets for turnaround of casework for 2003 - 04 were taken very seriously by FSNI but its judgment is that there has been no impact in financial terms. With regard to the conduct of cases, investigators and the then DPP have been kept informed of progress and cases have been prioritised to ensure the impact to the Criminal Justice process is minimised.

In order to improve performance FSNI embarked on a major strategic modernisation programme in 2004 supported by funding made available by NIO. This was designed better to meet the needs of its customers and the requirements of a modern and progressive justice system. This programme has impacted on all aspects of the business processes and structures and has been underpinned by significant investment in ICT and people.

Changes made during 2004-05 yielded positive results although much remains to be done. Improvements in performance were made in some key areas, for example, Road Traffic Collisions (RTC) and Alcohol, Drugs and Toxicology (ADT). Of particular significance was that during 2004-05 FSNI successfully implemented a project plan to process DNA profiling much more rapidly, progressively reducing turnaround to meet a demanding target of less than 10 days in March 2005, comparable with other leading UK forensic science providers. This has been acknowledged by PSNI as a significant achievement and support for policing. Despite this significant improvement in DNA profiling regrettably FSNI failed to meet targets in other areas of the business with the exception of full cash cost recovery from customers, which was successfully achieved. Further detail is available in FSNI's Annual Report for 2004-05.

*The Department noted incidence of intimidation by dissident republican groups of members of District Policing Partnerships (Fourth Report 2004-05, Evidence, page 5).*

*What assessment has been made of whether dissident republican intimidation of members of District Policing Partnerships is continuing? What steps have been taken to counter intimidation?*

Since the commencement of acts of intimidation and threats against DPP members the Northern Ireland Policing Board developed and maintains a record of these incidents for monitoring their numbers, level and location. There have been no reported incidents since February 2005. In addition the Board has a policy of making immediate contact with all individuals who have been the subject of such intimidation.

In order to provide DPP members and their families with reassurance and to help alleviate their fears of attack the NIO, under the auspices of the Key Persons Scheme, has provided a comprehensive package of protective

security measures at the homes of 65 DPP members and two officials whom the Chief Constable assessed as being under a severe or substantial level threat.

*The Department reported that the Attenuated Energy Projectile (AEP) would be ready for operational deployment before Summer 2005 (Fourth Report 2004-05, Evidence, page 5).*

*What is the timetable for the operational deployment of the Attenuated Energy Projectile (AEP) and the Discriminating Irritant Projectile (DIP)?*

The Attenuated Energy Projectile (AEP) became operational on 21 June 2005 and replaced the previous L21 Baton Round.

The Discriminating Irritant Projectile (DIP) is part of a UK-wide project and is being developed in slower time largely due to delays in the release of funding which the inter-Departmental Steering Group is currently pursuing.

*The Department stated that the Flax information management programme was on schedule to meet the implementation deadline of 31 December 2004 (Fourth Report, Evidence, page 8).*

*Did the Flax information management programme meet its implementation deadline of 31 December 2004?*

*What has been the total cost of the programme to date compared to budget?*

Yes, the implementation phase of the Flax programme was completed some three weeks ahead of schedule. The budget for the programme is £13.2m; the total costs to date (26 August 2005) have been £10.02m, (£9.42m spent, with c£600k in outstanding invoices).

*The Department reported that December 2006 was the target date for full implementation of the Public Prosecution Service Northern Ireland (Fourth Report 2004-05, Evidence, page 12). The DAR for 2005 notes that the PPS will come into effect as a statutory body in June 2005 (paragraph 13.17).*

*What is the current timetable for full implementation of the Public Prosecution Service Northern Ireland?*

Whilst the PPS was established in June 2005 (with the commencement of the Justice (NI) Act 2002), the new PPS structures are not yet fully in place throughout Northern Ireland. To date the full range of services is available in the Belfast Region and five police districts in the Fermanagh and Tyrone area only. In addition the PPS is dealing with all youth offences committed in the Armagh, Banbridge and Newry and Mourne police districts. The target date for full implementation of the new Service across Northern Ireland remains December 2006.

#### NORTHERN IRELAND OFFICE DEPARTMENTAL ANNUAL REPORT (DAR) 2005

*The Department reported (DAR paragraph 3.20) that it is required to deliver 2.5% per annum efficiency gains equating to £90 million by 2007-08.*

*Is the Department on track to deliver its required efficiency savings? If so, how will efficiency savings be achieved without reducing the level of delivery of front-line services?*

The Department is on track to deliver its required efficiency savings. Current Forecasts show that the Department should have made around £94 million savings by the end of the financial year 2007-8. Just over £8.5 million efficiency savings were delivered during the year 2004-5.

Current forecast savings through to March 2008 are as follows:-

2004/05 (£m)	2005/06 (£m)	2006/07 (£m)	2007/08 (£m's)
8.6	39.8	79.7	94.6

The aim of the independent efficiency review carried out by Sir Peter Gershon was to identify efficiency gains which would release essential resources to front line public service delivery.

There are a number of control mechanisms in place to ensure that efficiency savings are achieved without reducing the level of delivery of front-line services. The guidance on efficiency provided by HM Treasury and the Office of Government Commerce (OGC) clearly states that efficiency gains require the same or better outputs to be maintained, except where continuing to perform a task would have been inefficient. Simple cuts to services are therefore not counted as efficiency initiatives. The NIO has endeavoured to adhere closely to the guidelines set by Treasury and OGC and its efficiency initiatives have been accepted by Treasury.

In addition, each efficiency workstream has associated balancing quality measures designed to ensure that service delivery is not negatively affected by the efficiency.

*Can the Department provide a copy of its October interim Efficiency Technical Note (DAR paragraph 7.27) to the Committee? What are the key initiatives from the efficiency programme that will deliver £90 million savings by 2007-08?*

A copy of the interim Efficiency Technical Note (ETN) can be found on the NIO website:  
[http://www.nio.gov.uk/nio\\_efficiency\\_technical\\_note.pdf](http://www.nio.gov.uk/nio_efficiency_technical_note.pdf)

All departments are currently in the process of updating their ETNs in line with guidance from HM Treasury. When the ETN has been scrutinised by Treasury, it will be published on the NIO website at the end of October. The Department will ensure that notification of this publication is sent to the clerk to the committee.

The aim of the revised ETN is to update progress being made against efficiency targets and to provide a public explanation of the methodologies used to quantify the Department's efficiency gains. It is important to note that, except where efficiencies have already been delivered, the information in the revised ETN represents current planning assumptions. As such, the expected gains from workstreams and initiatives are not targets in themselves and may be subject to change as plans develop further and in response to external circumstances.

The key initiatives designed to deliver £90 million savings by end of 2007-08 are:

- procurement savings from the entire NIO;
- civilianisation of posts within the PSNI;
- reduction in overtime in the PSNI;
- increased productivity in PSNI front-line;
- efficiencies associated with NIPS training provision;
- rationalisation of corporate services functions within NIO core;
- efficiencies resulting from legislative changes and stream-lining of service delivery in the Compensation Agency;
- implementation of some key IT projects e.g. the PSNI's NICHE (Criminal Justice Integration Project), impact of Causeway programme on NIO funded bodies, Flax within NIO Core;
- recruitment of Night Custody Officers within NIPS; and
- Productivity gains across the whole NIO Department.

More detail on these initiatives will be available in the revised ETN due to be published at the end of October this year.

*Capital expenditure over a four year period from 2003-04 to 2007-08 is highly variable. Estimated outturn for 2004-05 is £78 million and is expected to reduce to £66 million in 2005-06, before increasing again in 2006-07, to £72 million. The latest outturn figures for capital expenditure in 2004-05, as reported by the Treasury, show a provisional outturn of £71 million compared to £78 million reported in the DAR.*

*What are the reasons for the high levels of variation in levels of capital expenditure over the four year period from 2003-04 to 2007-08?*

The main variations are in the following areas:

#### POLICING AND SECURITY

The increase in capital expenditure from 2003-4 (outturn) to 2004-5 (estimated outturn) is largely due to planned additions to PSNI vehicle fleet and building enhancements.

#### CRIMINAL JUSTICE

Increased expenditure relates to the construction of the new Juvenile Justice Centre (work began in 2004-05 and will continue until 2006-07).

#### PUBLIC PROSECUTION SERVICE

Increases from 2004-05 relate to the roll out of the Public Prosecution Service and the associated capital costs for new accommodation.

#### PRISONS

Increases from 2004-05 relate to the construction of new houseblocks (this work has been postponed pending finalisation of the NIPS Strategic Development Plan post Hamill).

#### OTHER

The core Department's new IT network "Flax" system was implemented in 2004-05, explaining the large increase in capital expenditure in this category which is not recurring.

*Can the Department provide a detailed analysis of capital expenditure mapped against capital investment plans and programmes for 2004-05, 2005-06 and 2006-07?*

Details of the Department's capital investment plans and programmes are included in the Departmental Investment Strategy (DIS) which is available on the Department's website: [www.nio.gov.uk](http://www.nio.gov.uk) This provides details of the capital investment plans and programmes for the significant capital budgets in the Departmental Report (Policing and Security, Criminal Justice, NI Prison Service). Movements in the other significant capital baselines (Public Prosecution Service and Other) are described in the Departmental Report.

The DIS sets out the Department's investment strategy over the SR2002 period (covering 2004-05) and the investment strategy across the SR2004 period (covering 2005-06 and 2006-07).

*What are the reasons for the decrease in capital spending of 10 percent between the Departmental Annual Report for 2005 and the Public Expenditure Provisional Outturn Statement published by the Treasury in July?*

Figures for the Departmental Report were prepared three months in advance of the Public Expenditure Provisional Outturn Statement and were based on forecasts. The difference of £6.5m (£77.6m in the Departmental Report compared to £71.1m in the Public Expenditure Provisional Outturn Statement) largely relates to:

1. underspends in the Criminal Justice Directorate totaling £3.6m:

- £2.3m due to slippage in the construction of a new Juvenile Justice centre;
- £0.7m in Probation Board refurbishment and IT expenditure; and
- £0.6m others.

2. underspends in the Central Service Directorate totaling £1.6m largely due to underspends in the Flax IT project; and

3. other underspends across the Department totaling £1.3m.

*Total public spending of £1.4 billion in 2004-05 represents an 18% increase from 2003-04 (DAR Appendix G, Table 1). The principal source of this increase appears to relate to increased policing costs, in particular severance provision for police service officers.*

*What the total cost was of severance pay for police officers in 2004-05, and what percentage of total policing costs did this amount to?*

Altogether 354 Police Officers left under the Voluntary Severance Scheme between April 2004 and March 2005. Total payments made were £26.6m.

Total policing expenditure (including Main Grant Revenue and Capital expenditure, Pensions, Patten Severance and Patten Non Severance) amounted to £878.2m for the year ended 31 March 2005. Severance expenditure represents 3% of total police expenditure for that year

*What comparisons the Department has made to levels of severance payments made to officers in police forces in England, Wales and Scotland?*

The terms of the PSNI Voluntary Severance Scheme, the benefits of which directly reflect the recommendations contained in the 1999 Report of the Independent Commission on Policing for Northern Ireland, were negotiated with and approved by Treasury officials, ensuring the terms of the Scheme were in line with public sector redundancy guidelines and restrictions.

The payments available to officers are particular to the Royal Ulster Constabulary/Police Service of Northern Ireland and reflect the unique circumstances of policing in Northern Ireland and the long term objectives contained in the Report of the Independent Commission on Policing for Northern Ireland to reduce the size and change the composition of the PSNI.

The terms of the Scheme are not comparable with other public sector organisations in England, Wales or Scotland.

*The Treasury has decided to put off the spending review until 2007*

*What impact will the Treasury's decision to delay the spending review have on the Department's future spending and investment plans and on the expenditure plans of those bodies dependent on the Department?*

Spending Review 2004 (SR2004) established the Department's baseline for the financial years 2005-06 to 2007-08. When notifying departments of the decision to postpone Spending Review 2006 and instead introduce a Comprehensive Spending Review in 2007, HM Treasury also confirmed that the 2007-08 baselines agreed in SR2004 would not be reopened. The Department has already allocated funding to those bodies dependant on it for funding within the envelope of funding provided in SR2004 on the assumption that the 2007-08 financial year would not be reopened.

The Comprehensive Spending Review in 2007 provides the Department with a welcome opportunity to conduct a zero based review of all its bodies to establish expenditure and investment requirements for 2008-09 and beyond.

*The total number of staff is planned to increase from 3,663 full time equivalents (FTEs) in 2004-05 to 3,860 FTEs in 2006-07 (DAR, Appendix G, Table 6). However, the Department states that it is planning to reduce its headcount by 1,338 gross (DAR, paragraph 3.21).*

*How does the Department expect to achieve the reduction in headcount of 1,338 in pursuit of its Efficiency Target, while projected staff numbers are expected to rise from 3,663 full time equivalents in 2004-05 to 3,860 FTEs in 2006-07?*

The NIO staffing figures published in the Departmental Report reflect Civil Servant staff in the NIO core Department, its Agencies and Legal Offices. The anticipated growth in this group of staff is primarily as a result of the additional staff required as the Department of Public Prosecutions moves to become Public Prosecution Service for NI and assumes responsibility for summary prosecutions from the PSNI.

The headcount reduction targets set in the NIO Efficiency Programme are for all organisations that comprise the range of bodies which come within the NIO DEL, including PSNI, Probation Board, NI Policing Board and Office of the Police Ombudsman. In total there were some 16,872 full time equivalent posts in this group of staff as at April 2004, the vast majority of which are non Civil Servants. These organisations have planned a myriad of efficiency initiatives, many of which should allow for reductions in headcount.

We have also agreed with HM Treasury that proposed staff increases in the PPSNI and the Youth Justice Agency can be discounted from the NIO Efficiency Programme as these are frontline posts required as a result of priority Government objectives emanating from the Criminal Justice Review. The planned reductions remain on target although total numbers will increase as these permissible growth areas expand staff numbers on the frontline.

*Progress against the PSA target for increasing confidence in the police has declined slightly (DAR, paragraph 5.5).*

*What steps has the Department taken to address the downturn in public confidence in the Police Service of Northern Ireland? How was the consultation exercise outlined in Table 5.1 relating to confidence in the police carried out? How many respondents were there to the consultation?*

Working closely with the PSNI, the Policing Board and the Police Ombudsman, the Department has recently embarked on a proactive campaign looking at ways to increase public confidence in the police. Since the publication of the Departmental Report, figures from the most recent Omnibus Survey (April 2005) show an improvement in most areas, notably a 6% increase from October 2004 on those who have confidence in the PSNI's ability to provide an effective day to day policing service for everyone in Northern Ireland, and a 5% increase over the same period on those who think the PSNI does a good job in Northern Ireland as a whole.

The figures outlined in Table 5.1 were gathered as part of the NI Omnibus Survey which is conducted several times a year by the Central Survey Unit of the Northern Ireland Statistics and Research Agency (NISRA), and covers a wide range of public services, including policing. For this survey, a random selection of 2000 addresses was chosen from the Valuation and Lands Agency list, and from that a total of 1293 people were interviewed.

*What comparisons has the Department made of levels of confidence in the Police Service of Northern Ireland with levels of confidence in other police forces in England, Wales or Scotland?*

The British Crime Survey (BCS) is used to measure levels of confidence in the police across England and Wales. (Scotland is also reverting to using the BCS). Although there may be similarities, the Omnibus Survey does not offer a direct comparison. The Northern Ireland Crime Survey which is a more accurate comparator with the BCS will however be used in future to measure confidence levels, and as such it will then be easier to draw comparisons. However, it is worth noting that in the most recent British Crime Survey, 49% of

respondents felt that the police were doing a good or excellent job. The recent Omnibus Survey shows that 63% of respondents think that the PSNI does a good job in Northern Ireland as a whole.

*The criminal justice directorate launched a number of community safety schemes during the year, including the "Lock out crime" scheme and "Operation Clean Up" (DAR, paragraph 6.48).*

*What progress has been made to date by the Department's community safety schemes? How and when will the impact of the schemes be measured?*

The Lock Out Crime (LOC) scheme aims to provide additional home security in the form of door and window locks, exterior lighting and front door security free of charge to all those in Northern Ireland aged 65 and over, who are in receipt of housing benefit or rate rebate. The scheme is funded by the Northern Ireland Office and delivered by the Northern Ireland Housing Executive.

The Housing Executive identify all eligible older people and write to each one individually, offering the benefits of the Scheme. To date 19,500 letters have been issued and 5,526 individuals have returned forms and have been or will be admitted to the scheme. A further 7,500 letters have also been issued on which final information about returns has not yet been compiled. The scheme applies right across Northern Ireland, but has been rolled out on a district council basis. All those eligible aged 75 and over were contacted by July 2005. The Criminal Justice Minister David Hanson extended the scheme to those aged 65 and over in May 2005 and all eligible people in this group will be contacted by mid 2006.

There are no plans to carry out a formal evaluation of LOC. Recipients of LOC are asked to complete a satisfaction survey after completion of the work and the NIHE undertake random evaluation from scheme recipients. While NIHE do intend to provide information about their findings from this survey this will be done at a later stage. However anecdotal and first hand information from recipients clearly indicates that the additional security makes them feel more secure, particularly at night.

Operation Clean Up is a partnership project which seeks to reduce crime and anti-social behaviour by removing untaxed vehicles from the public roads. Such vehicles are commonly used by criminals for transport to and from the scenes of crime and by others in a dangerous and unsafe manner. The main project partners are the police, who arrange for identified vehicles to be removed, Belfast City Council who store the vehicles, deal with those wishing to re-claim their vehicles and arrange for their disposal, DVLNI who handle the appropriate documentation around vehicle registration and NIO who fund the bulk of the project. The Northern Ireland Fire and Rescue Service also provide some funding. The project operates in the area known as the PSNI's Urban region which includes Belfast and surrounding areas.

The project commenced on a full time basis in October 2004. By 31 July 2005, 2,267 vehicles had been removed, with 1,423 destroyed. A full assessment of the project's impact on crime will be conducted 12 months after it has begun, but on an anecdotal basis, the police believe it is having a significant impact on the ground. Early information also suggests that the development of the project has coincided with a reduction in reducing road traffic accidents in the area where the project operates.

*The Central Service Directorate has changed the HCS payroll provider to a fully managed service (DAR, paragraph 7.12).*

*Has the transfer of payroll provider to a fully managed service been a success? What efficiency savings have resulted?*

This has been a success and the transition went smoothly, The reason for the changeover was that the contract with the existing provider was at an end. The introduction of the fully managed system has resulted in greater operational efficiency.

*The Department reports progress for 2003-04 in reducing domestic burglary and vehicle crime (DAR, Appendix A). However, street disorder incidents have increased by 88% since 2002.*

*What progress has been made in 2004-05 in reducing burglary and car crime?*

Good progress continues to be made towards tackling both domestic burglary and car crime in Northern Ireland. Recorded crime figures show that during 2004-05, domestic burglary fell by 18.4% (8,944 crimes to 7,302) on the previous year and vehicle crime reduced by 23.7% (12,875 crimes to 9,827).

*What are the reasons for the increase in street disorder incidents since 2002? What steps are being taken to reduce levels of street disorder?*

PSNI Central Statistics Unit has confirmed that the method of recording incidents changed in 2002. Before 2002, statistics were only sourced from their Duty Officer's Report. After 2002, in addition to the Duty Officer's Report, statistics also included those gained from the monitoring of all PSNI radio communications from the scene of any disturbance. This change increased the accuracy of reporting and number of incidents.

Given the change in recording street disorder incidents by PSNI in 2002, it would be erroneous to attempt a like-for-like comparison before this date. PSNI Central Statistics Unit has therefore, provided the following street disorder statistics for the years 2002-2003, 2003-2004 and 2004-2005 where all reporting processes are equal.

Financial Year	Number of Street Disorder Incidents	% Change from 2002/2003 Baseline
2002/03	4524	0%
2003/04	3493	- 22.8%
2004/05	3258	- 28.0%

Using the figures of 2002-03 as a baseline, it is clear that the numbers of street disorder incidents has actually **decreased** in subsequent years.

The Government welcomes this trend, but is not complacent. We are in constant contact with local politicians and community representatives, and are currently working on a strategy to engage specifically with the loyalist community, elements of which have been behind much of the most recent disorder.

*The value for money objective for reducing the cost of a prisoner place over three financial years is set out in Appendix A of the DAR. Progress is reported as met for 2003-04 and on course for 2004-05, but no actual figures are provided.*

*What are the actual prisoner accommodation costs for the years 2003/04 and 2004/05?*

The Prison Service met its 2003-2004 cost per prisoner place (CPPP) target of £83,275, as agreed with Treasury. The actual 2003-2004 CPPP outturn was £81,426. The Service also met its 2004-2005 CPPP target of £86,800 as agreed with Treasury with an actual outturn figure of £85,935.

*Assessments made for progress against targets are not always clear. For example, progress against targets are described as "met-ongoing", "partly met" and "on course", making it difficult to draw firm conclusions in respect of the performance of the NIO.*

*Which PSA targets have been fully achieved?*

The 2002 Spending Review period spans the three financial years from April 2003 to March 2006 and overlaps with the SR2004 period which runs from April 2005 to March 2008. Departments normally cannot report fully on their PSA targets until the end of the spending review period. However, growing experience with target setting of this kind (which began in the context of SR2000) on the part of both the Department and the Treasury led to the NIO's SR2002 targets being refined and improved to make them smarter and more meaningful and to ensure they complied with audit requirements. The refined targets were incorporated into the Department's SR2004 targets.

The Final Assessment Table in the Departmental Report was agreed with HM Treasury and “signed off” the SR2002 targets allowing us to move on to the improved SR2004 targets. The terminology used in the Departmental Report on the status of targets was laid down by HM Treasury in the PES guidance (2004) 19 (Annex A):-

To clarify the impact of this target by target:

**PSA Target 1 – Increase confidence in the police throughout all parts of the community in Northern Ireland**

An error occurred in reporting on progress on police confidence. This was reported as met but still on-going because the trend analysis (after a significant fall) was upward. However, against the 2001 baseline the target was not met. The target is ongoing and was incorporated into the SR2004 PSA as follows:

Increase confidence in the police throughout all parts of the community in Northern Ireland by 3% by April 2008, to be measured by a composite suite of measures on public views on the fairness and effectiveness of the police and policing arrangements.

**PSA Target 2 – A progressive increase in the Catholic representation in the police service towards a target of 30% Catholic Representation by 2011 as proposed by Patten with an interim target of 13.5% by March 2004 and a challenging new target of 18.5% by March 2006.**

The Interim target of 18.5% Catholic Representation by March 2006 is on target. This target has also been incorporated into the SR2004 PSA and a final assessment will be carried out in 2010/11

**PSA Target 3 (part 1) – Increase confidence in the criminal justice system throughout all parts of the community in Northern Ireland**

Target 3 consisted of an unquantified aspiration to increase confidence in the criminal justice system. The target was met in that the confidence figures exceeded baseline figures over a period of three years. However, in 2003 one of the indicators (fairness in the criminal justice system) slipped and one of the survey results showed a drop below baseline. Because of the limited information available we were unable to fully explain this slippage. As a result the target was restructured to refine the detail and allow clearer reporting against more concrete performance criteria. This target is ongoing and has been incorporated into the SR2004 PSA as follows:

Increase confidence in the criminal justice system throughout all parts of the community in Northern Ireland by 3% by April 2008 to be measured by a composite suite of measures on public views on the fairness and effectiveness of the criminal justice system.

**PSA Target 3 (part 2) – In support of this target, the Northern Ireland Office will by April 2007, reduce:**

- domestic burglary by 15%
- vehicle crime by 10%

With an interim target for April 2005 as follows, reduce

- domestic burglary by 2%
- vehicle crime by 6%

The interim target set for April 2005 has been met, this target has been carried forward into the SR2004 PSA and a final assessment will be made in April 2007.

**PSA Target 3 (part 3) – The Northern Ireland Office, working in conjunction with other agencies, will reduce the rate of reconviction, to be measured annually by a system and against baselines and challenging targets to be published by December 2002**

In view of low conviction numbers in Northern Ireland, it has since been concluded that reconviction targets cannot be set until three years' reconviction figures are available. A reconviction database has now been developed and will support a comprehensive programme under SR2004. This target has been further developed and carried forward into the SR2004 PSA as:

The Northern Ireland Office working in conjunction with other agencies will:

- Reduce reconviction by 5% compared to the predicted rate.

**PSA Target 4 – Ensure that the annual cost per prisoner place in Northern Ireland does not exceed annual limits for each of the three financial years of the 2002 Spending review. 2003/04 - £83,275, 2004/05 £86,800 and 2005/06 £86,290.**

2003/04 – Target Met  
2004/05 – Target Met  
2005/06 – Not yet known.

## Appendix 2

---

### MEMORANDUM SUBMITTED BY THE NORTHERN IRELAND OFFICE, DATED 6 DECEMBER 2005, IN RESPONSE TO QUESTIONS FROM THE COMMITTEE IN CONNECTION WITH RECOMMENDATIONS MADE BY THE PREVIOUS COMMITTEE

As requested, please find attached the following memoranda setting out the Government's responses to the various questions raised by the Committee in relation to previous reports:

*Annex Government Memorandum*

- A      Illegal Drugs Trade and Drug Culture in Northern Ireland  
(Session 2002-03; HC 1217-1)
- B      Compensation Agency (Session 2003-04; HC 271)
- C      Social Housing Provision in Northern Ireland  
(Session 2003-04; HC 493-01)
- D      Waste Management Strategy in Northern Ireland  
(Session 2004-05; HC 349-1)

I trust that this is helpful. Please do not hesitate to contact me should you have any queries.

## ANNEX A

THE ILLEGAL DRUGS TRADE AND DRUG CULTURE IN NORTHERN IRELAND (HC 1217-1):  
SESSION 2002-03

This document represents Government's response to the additional questions posed by the Northern Ireland Affairs Committee as a follow up to the Committee's report entitled "The Illegal Drugs Trade and Drug Culture in Northern Ireland." (HC 1217-1).

It responds to the questions in the order they were raised and refers to the numbering in the Committee's report.

*Question 1*

*Has the delayed research by NIO and DHSSPS Drug and Alcohol Information research Unit into the links between drugs and crime been completed and, if so, what are the results of the research? (Recommendation 7, paragraph 82)*

## GOVERNMENT RESPONSE

As Reported in the Government's previous response to an inquiry on progress it was stated that a number of preliminary planning and scoping meetings were held with the PSNI. Further meetings followed during 2005. As the original research approach could not be fulfilled it soon became evident that another approach to tackling this issue was required.

With the assistance of the police central statistics unit details of the reported crime figures for the last three full financial years were provided to facilitate detailed analysis. This analysis has been completed but is currently with the police for validation and comment.

We will have a clearer picture of the relationship between drugs and alcohol and crime in Northern Ireland in the near future.

*Question 2*

*What has been the outcome of the review of the drug and alcohol strategy due to be completed by March 2005? When and how will this be used to develop a 'new strategic direction for drugs and alcohol'? (Recommendation 18, paragraph 111)*

## GOVERNMENT RESPONSE

The Review was completed in March 2005 and presented to Minister and the Drug and Alcohol Implementation Steering Group (DAISG) in June 2005. The issues raised in the Review, and its recommendations, in particular those relating to monitoring and evaluation, accountability and the need to extend the strategic objectives, have played a significant role in the process of developing the New Strategic Direction for alcohol and drugs (NSD) which began in April 2005, and are likely to play a further significant role in the actual NSD proposals when they go out for public consultation in January 2006, with the launch of the NSD due to take place in May 2006, and implementation starting in September 2006.

*Question 3*

*What further progress has been made in relation to making Drug Treatment and Testing Orders available as an option for use in Northern Ireland? (Recommendation 34, paragraph 172)*

## GOVERNMENT RESPONSE

To determine whether Northern Ireland should introduce Drug Treatment and Testing Orders (DTTO), officials from a range of organisations undertook a series of visits to England and Scotland. The purpose of these visits was to establish how DTTOs were implemented in these areas, what practical issues needed to be considered and what lessons were available from the implementation of these Orders.

While these visits provided examples of the actual delivery of the Orders, it was also important to establish on the basis of the actual court figures, whether there would be sufficient examples of similar cases in order to implement an effective NI scheme.

The Northern Ireland Office's Statistics and Research Branch were invited to analyse the Northern Ireland Court Service statistics, targeting Crown Court cases which resulted in sentences between one and five years (they actually examined the level of disposal, immediate custody, suspended custody, community supervision, fine, conditional discharge, other) When this analysis was completed it was evident that further work and investigation was required. The aim was to identify the level of "hardcore" offenders, particularly those with a drug offending history as evidence, particularly from Scotland suggested that high level offenders (between 60 – 80 previous offences) are the target group most likely to benefit from such Orders.

Analysis continues, as do further discussions regarding the practical implications of introducing DTTOs in Northern Ireland and will be answered by Ministers in Spring 2006.

*Question 4*

*What has been the outcome of the further consideration of the Hepatitis C Strategic Framework? Has the revised Action Plan due at the beginning of 2005 been issued? (Recommendation 40, paragraph 197)*

## GOVERNMENT RESPONSE

Although there has been some further slippage to the timetable for issue of the action plan, work has been ongoing to progress many of the proposed action points.

Consultation with lead agencies is underway to secure their agreement to the proposed actions prior to the issue of the final action plan early in the New Year. Although the action plan has not yet been formally issued, a proportion of the action points have been fully or partially implemented. This has positively impacted on the treatment of chronic hepatitis C in Northern Ireland. By the end of October 2005, over 70 patients had been started on combination therapy and the waiting time for new cases has been reduced to 6 months. Joint management of haemophilia patients has also been initiated with haematologists at Belfast City Hospital. Since January 2004 waiting times for general hepatology outpatient referrals have reduced from 9 months to 3 months and the waiting time for routine liver biopsies has reduced from 4 months to 6 weeks.

Action to date includes:

- Appointment of specialist hepatitis nurse and second consultant hepatologist;
- Additional resources to allow for the prescribing of the preferred drugs (pegylated interferon and ribavirin) and considerable inroads have been made into the subsequent treatment waiting list;
- The publication of guidance for district councils on the regulation of cosmetic piercing and skin colouring businesses;
- Development of information for health professionals which will be issued at the same time as the action plan and a public information leaflet ;
- An evaluation of the surveillance monitoring arrangements;
- A survey of the prevalence of blood borne infections amongst the Northern Ireland Prison population; and
- An awareness seminar for those working with drug users in the West of the Province;

*Question 5*

*The Committee had asked for urgent research into the level of need for a residential rehabilitation centre or therapeutic community in Northern Ireland and this was due to be completed by March 2004. What progress has been made on this issue? (Recommendation 43, paragraph 218)*

#### GOVERNMENT RESPONSE

The research has not taken place owing to competing priorities and already committed funding. However a draft New Strategic Direction for alcohol and drugs is currently being collated for issuing for public consultation in January, and it is likely that it will contain proposals concerning residential rehabilitation within the overall regional context of commissioning treatment and support services. At the same time due note and consideration is being taken of the needs assessment exercise and subsequent proposals in relation to this issue carried out recently by the National Treatment Agency (NTA) in England. The New Strategic Direction is due to be launched in May 2006, with implementation starting in September 2006.

## ANNEX B

## COMPENSATION AGENCY (HC 271-1): SESSION 2003-04

This document represents Government's response to the additional questions posed by the Northern Ireland Affairs Committee as a follow up to the Committee's report entitled "Compensation Agency in Northern Ireland" (HC 271-1).

It responds to the questions in the order they were raised and refers to the numbering in the Committee's report.

*Question 1*

*The Committee had expressed concern that child sex abuse victims were being unintentionally debarred from claiming compensation because of flaws in the law. The Department undertook to "examine again" the relevant legislation and hoped that it would be able to report on the review's outcome in spring 2005. What has been the result of the Department's review of the legislation? (Recommendation 5)*

## GOVERNMENT RESPONSE

The working group established to progress this review is completing its work. Legal advice has been obtained and there have been discussions with the Home Office. The review has proved to be very complex, requiring considerably more thorough and extensive work and research than had been expected. A review report is being prepared and will be submitted shortly. Ministers will want to give careful consideration to the review findings and recommendations before coming to a decision on how to address the issue. The Head of Criminal Justice Services Division (NIO) will write to the Committee as soon as he is in a position to advise on Ministers' decisions regarding the way forward.

*Question 2*

*Is the Department able yet to report on its reviews of the compensation schemes? (Recommendation 11)*

## GOVERNMENT RESPONSE

The Department is not yet able to report on the final outcome of its reviews of the compensation schemes. Whilst a substantial amount of the work has been undertaken, discussions are still place with HMT on the wider implications of a number of the reviews' recommendations. These discussions need to be completed before Ministers are in a position to take decisions on any potential changes to the current schemes.

THE GOVERNMENT'S RESPONSE TO ADDITIONAL QUESTIONS RAISED IN RESPECT OF THE NORTHERN IRELAND AFFAIRS COMMITTEE'S REPORT ENTITLED SOCIAL HOUSING PROVISION IN NORTHERN IRELAND (HC 493-I)

This document represents Government's response to the additional questions posed by the Northern Ireland Affairs Committee as a follow up to the Committee's report entitled "Social Housing Provision in Northern Ireland" (HC 493-I).

It responds to the questions in the order they were raised and refers to the numbering in the Committee's report.

*Question 1*

*The Committee had called for the development of a strong and inclusive regional housing strategy setting out a vision for social housing in Northern Ireland. What consideration has been given to the development of such an overall housing strategy? (Conclusions, paragraph 129).*

GOVERNMENT RESPONSE

The Department for Social Development (DSD) has given serious consideration to the development of a Housing Strategy for Northern Ireland. Government is advancing a number of significant cross-cutting policies in Northern Ireland which have been influential in deliberations and have featured strongly in discussions with other key stakeholders across Government. A Shared Future, the Review of Public Administration, the Investment Strategy for Northern Ireland 2005-2015, the Sustainable Development Strategy and the Anti-poverty Strategy will have immediate and potentially far-reaching implications for the development of housing policy and the delivery of housing related services.

DSD is acutely aware of the need to make connections across traditional sectoral boundaries and continues to monitor various developments and consider how these will impact upon housing, particularly on the provision of social and affordable housing in the future. DSD has engaged with the Department of the Environment (DOE) and the Department for Regional Development (DRD) to develop appropriate responses to the issues raised by Kate Barker during her review of housing supply in 2004 and this work will continue. DSD, in partnership with the Northern Ireland Housing Executive (NIHE), the Northern Ireland Federation Of Housing Associations (NIFHA) and other key stakeholders has developed strategies covering many aspects of housing. For example, at a regional level, strategies to address homelessness, manage Supporting People, implement maintenance strategies and deliver private sector grants are paying dividends – at a local level, initiatives such as the North Belfast Housing Strategy, the various Community Safety Partnerships and local District Housing Plans provide vehicles through which to engage the communities in improving the quality of not only their accommodation but also the wider environment. Interventions targeted at geographical areas or specific client groups demonstrate that in relation to many issues there is rarely a "one size fits all" remedy. The nature of recent cross-Departmental policy developments has highlighted and reinforced the enormous potential for housing to play a critical role in advancing a range of varied initiatives from community safety through economic development. DSD will therefore continue to concentrate efforts on progressing and contributing to the delivery of cross-cutting policies and programmes that produce sustainable communities.

To support DSD's aim of creating and sustaining synergies across relevant Government Departments and to provide a robust evidence base from which to progress, DSD, in partnership with the NIHE, has commissioned an overarching piece of research into the operation of the housing market. This work, due for completion in Autumn 2006, will be conducted by the Centre for Urban Studies at the University of Glasgow and the School of the Built Environment at the University of Ulster. The research will support the policy review/development process and will facilitate wider debate on the challenges inherent in providing housing related services in Northern Ireland.

*Question 2*

*What progress has been made on developing the homelessness strategy following the consultation on “Promoting the Social Inclusion of Homeless People” which ended in February 2005? (Recommendation 1, paragraph 32)*

#### GOVERNMENT RESPONSE

The consultation paper “Promoting the Social Inclusion of Homeless People”, which was published on 4 November 2004, proposed that there should be a statutory requirement for NIHE to publish, every five years, a strategy for preventing and alleviating homelessness. Consultation ended in February 2005 and DSD has analysed the responses, which were largely supportive of the proposals in the consultation document. DSD is currently engaging with other Government Departments and agencies on issues arising from the consultation which impact directly on their respective areas of responsibility. It is envisaged that a final report will be submitted to the Minister by January 2006. If the proposal for a statutory requirement for a homelessness strategy is accepted, this will be progressed through a future Housing Order.

While there is no statutory requirement for NIHE to have a homelessness strategy, NIHE has been taking a strategic approach to the problem for some years and published its first Homelessness Strategy in September 2002. The strategy identifies individual client groups in need of assistance, particularly the very vulnerable. Homeless Area Plans have been devised at a local level to address the needs of homeless people, particularly victims of domestic violence and people with disabilities, learning difficulties and addiction problems. The plans are reviewed annually and updated appropriately. Strategic measures designed to assist those who are at risk of becoming homeless include mediation, debt counselling, housing advice and ‘floating’ support services. As part of its Homelessness Strategy, NIHE has adopted homelessness targets which, as a minimum, reflect those set for England by the Office of the Deputy Prime Minister.

#### Question 3

*The Committee warned that ‘if urgent action is not taken a crisis in the supply of social housing seems inevitable’. What measures have been taken to meet the needs of the increasing number of people on the social housing common waiting list, given the Department’s recognition that the new build requirement has further increased to around 2,000 dwellings per annum? What indicators have been identified to ensure that these measures address the shortfall? What target has been set for new build social housing in the current and future years? (Recommendations 2 & 3, paragraphs 48-49)*

#### GOVERNMENT RESPONSE

The majority of need for social housing continues to be met by re-lets -approximately 8,000 properties are re-let each year providing an important continuous stream of affordable housing for rent. At the end of October 2005, NIHE reported that the average waiting time for a social house in Northern Ireland was twenty-four and a half months.

DSD has implemented a range of measures to support delivery in 2005/06. The main constraint in achieving the new build target is the availability of land in the areas where NIHE has determined the need to be. This is being addressed through the new Advance Land Purchase arrangements that DSD has put in place. Over the past 2 years, £35m has been spent on advance land purchase providing sufficient land for around 844 programmed units. In the current year, a budget of £16m will allow the Advance Acquisition of Land facility to be utilised to secure land for around 370 units.

Housing need estimates are recalculated annually by NIHE and the latest assessment is that there is a need for some 2,000 units per year. The available budget, however, will not sustain that level of building. The current target therefore remains at 1,500 but DSD is actively engaged in discussions with the Department of Finance and Personnel about future funding and ways of getting greater benefit for the Social Housing Development Programme (SHDP) from within the budget available. DSD is also actively pursuing the efficiency agenda with Registered Housing Associations (RHAs) and it is anticipated that this will secure better value for money and improve performance in the delivery of the SHDP.

#### Question 4

*The Committee drew attention to the unacceptable delay in finalising Planning Policy Statement 12 (PPS 12) 'Housing in Settlements'. Which elements of the now published PPS 12 will address the supply of land for social and affordable housing and how will the Government ensure its speedy implementation? (Recommendation 4, paragraph 62)*

#### GOVERNMENT RESPONSE

DRD published PPS 12 in July 2005. It was prepared in close consultation with DOE, DSD and NIHE because of the range of issues on social and affordable housing. With regard to affordable housing, it states that:

‘It is considered that it is not appropriate at present to impose an arbitrary level of affordable housing to be delivered by the private market. This situation will be monitored and kept under review.’

With regard to social housing provision, the document states that the Northern Ireland Housing Executive will carry out a Housing Needs Assessment (HNA). This will include an analysis of social housing need in district council areas. DOE Planning Service will use this in the preparation of a development plan and will either zone land for social housing or set out the requirements for social housing for specific sites. The zoning of land for social housing will help facilitate the supply of affordable housing.

In addition, in locations where a demonstrable housing need is identified by the Northern Ireland Housing Executive, planning permission for housing proposals will only be granted where provision is made for a suitable mix of housing types and tenures to meet the range of market and social housing needs identified. The proportion of land or units to be set aside for social housing will be determined as part of the development control process. This is now being implemented. The draft Belfast Metropolitan Area Plan was the first draft plan to zone land specifically for social housing. As development plans are released, the requirements of PPS 12 will be implemented.

#### Question 5

*What progress has been made in developing area plans and has a revised target date been set for the completion of the suite of plans? (Recommendation 6, paragraph 71)*

#### GOVERNMENT RESPONSE

Development Plans inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will guide development decisions within their local area. They provide an essential framework for guiding investment by public, private and community sectors and help harness additional resources through collaboration in tackling problems.

#### Area Plan Delay

For some time, the Planning Service has had an ambitious area plan programme covering the Council areas in Northern Ireland without an existing up-to-date plan. In recent years, good progress has been made in implementing a challenging programme. In the past two years, three Adopted Plans and three Draft Plans including the Draft Belfast Metropolitan Plan 2015 have been published. Collectively, this covers 14 of the 26 Council areas in Northern Ireland. Draft Plans for a further 8 are under preparation. The remaining 4 are already covered by up-to-date adopted plans.

In October 2004, the Planning Service was forced to review the rapidly increasing and unprecedented workload pressures being faced by the Agency as a whole. After very careful consideration, it was decided to concentrate as much resources as possible for a period of time on dealing with planning applications. The re-allocation of staff did, however, have a knock on effect on emerging area plans and resulted in some delay to the plan programme. The period of reallocation of resources has now come to an end. The Planning Service is fully committed to moving the challenging Development Plan programme forward as quickly as possible. This means that a full plan programme will proceed for the following year. Details of the recent Development Plan documents published to date and the target dates for future publications are attached in Annex 1.

### Question 6

*What has been the outcome of the consultation on the proposal to transfer management of the social housing programme from the Department for Social Development to the Northern Ireland Housing Executive? What consideration has been given to returning some responsibility for the direct provision of the new build programme to NIHE? (Recommendations 7 & 8, paragraphs 76-77)*

#### GOVERNMENT RESPONSE

Responses to the consultation on the proposal to transfer management of the Social Housing Development Programme (SHDP) were generally positive; all respondents from the voluntary housing movement endorsed the proposal. A summary of the responses is available on the DSD web-site and can be accessed via the following link: [http://www.dsdni.gov.uk/transfer\\_of\\_functions.doc](http://www.dsdni.gov.uk/transfer_of_functions.doc)

The proposal has been approved by Minister and DSD is advancing the primary legislation necessary to affect the transfer. Whilst administrative arrangements are proceeding progress is dependent upon securing a slot in the legislative timetable. However, to ensure timely consultation with key stakeholders and facilitate the participation of the voluntary housing movement and its representative body, the Northern Ireland Federation of Housing Associations (NIFHA), in the development of an Implementation Plan, appropriate mechanisms will be put in place to manage the transition.

The question of returning some responsibility for the direct provision of the SHDP to NIHE has not arisen. NIHE is a Non Departmental Public Body and its expenditure – irrespective of the source of that expenditure – scores as public expenditure. RHAs on the other hand operate on a mixed funding regime. They can raise, and spend, private finance without that scoring as public expenditure. Thus only the Housing Association Grant paid by DSD is a charge on public expenditure.

In 2004/05 an estimated £44m of private funding was attracted into the budget by RHAs - the equivalent of around 490 units. Had NIHE been responsible for direct provision of that new build programme, either the number of starts would have had to have been reduced or the public expenditure would have had to have been increased by equivalent amounts. Additionally, the revenue costs involved in managing and maintaining NIHE properties score as public expenditure. RHAs meet such costs from within their own resources.

### Question 7

*What Government interventions have been identified to address the negative impact of the House Sales Scheme and what progress has been achieved to date? (Recommendation 10, paragraph 87)*

#### GOVERNMENT RESPONSE

DSD is very aware of the potentially negative impacts of a very successful social house sales scheme in the longer term. Research commissioned by DSD which reported in March 2004<sup>29</sup> reiterated many of the issues reported in numerous research findings undertaken into the operation of the right-to-buy from 1980 onwards in Great Britain<sup>30</sup>. This included the effect of increasing the stock of dwellings allocated through market

---

<sup>29</sup> McGreal, S., Berry, J., Adair, A., and Murie, A. (2004) *The Housing Executive's House Sales Scheme and the Housing Market*, DSD: Belfast.

<sup>30</sup> Murie, A. (1975), "The Sale of Council Housing", Occasional Paper, 35, (CURS, University of Birmingham).

Kerr, (1989), *The Right to Buy*. (DOE: HMSO)

Forrest, R. & Murie, A. (1984), *Right to Buy? Issues of Need, Equity and Polarisation in the Sale of Council Houses*, (SAUS, University of Bristol)

Forrest, R. & Murie, A. (1990), *Moving n the Housing Market*, (Aldershot: Avebury)

Forrest & Murie, (1994), "Home Ownership in Recession", *Housing Studies*, 9 (1).

Malpass & Murie (1994), *Housing Policy and Practice*, (Macmillan: Basingstoke)

processes whilst reducing those allocated through bureaucratic, needs-related processes. Research concluded that a supply of former social houses has provided an important addition in the stock of dwellings available to first time buyers. Whilst studies have continually reported unexpectedly consistent patterns in terms of property types sold and the socio-economic characteristics of the purchasers, any policy of this nature will result in losses and gains for some client groups. This is perhaps most obvious during periods of rising house prices where a cohort of social tenants, whose housing status qualifies them for an option that produces a benefit unavailable to other households. Differential impacts are experienced by later cohorts of social tenants who may, as a result of declining supply, face longer waiting lists or a reduced choice in accommodation. This reinforces concerns about the residualisation of the sector and the associated implications for social segregation.

The study into NIHE's House Sales Scheme conducted by the Centre for Research on Property and Planning at the University of Ulster and the Centre for Urban and Regional Studies at the University of Birmingham suggested that if one dwelling is added to the stock for every five of social dwellings sold, the net effect, in terms of housing need, would be positive. Securing the majority of new social dwellings via new build will also have beneficial impacts in the longer term by increasing the overall housing stock levels and contributing to important renewal programmes in both urban and rural areas. Case studies in a number of rural and urban areas have analysed the inter-action of the Scheme with waiting lists, re-lets and the wider market. Findings indicate that:

- The impact on public sector property supply is less than might have been expected;
- The main difficulty in all study districts was a relative absence of family-type accommodation for re-allocation. However, the waiting list structure is increasingly weighted towards single and elderly households;
- Only a proportion of the properties sold would have become available for re-let during the life of the Scheme.

The statistical analysis suggests that there is, at best, a weak connection between house sales and housing need. The evidence shows that the areas experiencing the highest levels of housing stress are those with the lowest rates of sales.

However, DSD has been concerned about some aspects of the House Sales Scheme and prior to extending the right to buy to tenants of Housing Associations, it was decided that an in house review of the scheme should be carried out. This review looked at issues such as the generosity of the Scheme in comparison with schemes which operated in other parts of the UK and which it was supposed to mirror. It considered other emerging factors such as the growing involvement of private sector landlords as purchasers of former NIHE houses and the potential for former tenants to resell their homes within a short time span, in many cases to private sector landlords, thus creating instability and the potential to affect the sustainability of estates.

The review recommended a number of amendments to the terms of the Scheme relating to the discounts awarded, and the terms under which discount is repayable. New clauses making it easier for social housing providers to repurchase former stock in the event of a resale were also proposed. The measures were subject to consultation and introduced in December 2004.

Since the Committee's Inquiry, DSD has continued to progress a range of measures that directly and indirectly address the need for social housing. DSD, via the Co-ownership Scheme and the Social Housing House Sales Scheme, continues to support individuals and families with aspirations to move into home-ownership. DSD and NIHE are also actively advancing strategies to support a vibrant private rented sector in Northern Ireland and ensure that the sector is a viable option for individuals and families in need.

DSD continues to work in partnership with NIHE and RHAs to deliver the Social Housing Development Programme (SHDP), the addition of properties to the stock is an important element in meeting need. 15% of the SHDP is allocated for the provision of special needs housing and the remainder of the SHDP dedicated to general needs. The dedication of a proportion of the SHDP to family accommodation mitigates the adverse impact of the House Sales Scheme on the profile of NIHE's stock. The SHDP has been skewed to ensure that the future needs of rural and urban communities are met; this has involved committing 10% of the SHDP towards meeting rural needs.

Efforts have also been sustained to protect and enhance the condition of the social housing stock. Investment has been directed via the NIHE's and RHAs' Maintenance Programmes at ensuring all social housing meets the Decent Homes Standard by December 2010. Significant resources have also been committed to working in partnership across sectoral boundaries to develop joint interventions that respond in a holistic manner to the needs of the community. One of DSD's flagship policies, the Neighbourhood Renewal Strategy, is focussed on regenerating our most deprived communities and access to safe, affordable housing has a key role to play in this in terms of developing communities where people want to live and work - the sustainability of communities underpins all of DSD's actions.

*Question 8*

*What progress has been made on setting a realistic and sustained level of funding for the co-ownership scheme? (Recommendation 14, paragraph 96)*

GOVERNMENT RESPONSE

DSD successfully bid for additional funding for the Co-ownership scheme in Budget 2004, securing an additional £23m over the 3 year period, thus increasing Government funding for the scheme to almost £39m over the period. This will supplement Northern Ireland Co-ownership Housing Association's contribution of around £60m, thus providing assistance to over 2,400 participants over the 3 year period.

*Question 9*

*What are the results of the Department's research into the relationship between housing benefit levels and expansion of private renting? (Recommendation 16, paragraph 103)*

GOVERNMENT RESPONSE

Preliminary findings from the research into the Private Rented Sector, commissioned by DSD and conducted by NIHE, indicate that Housing Benefit has played a vital role in the expansion of the Private Rented Sector in Northern Ireland. Key players interviewed for the research indicated that in some areas Housing Benefit is actually sustaining the Private Rented Sector and that the proportion of tenants in receipt of Housing Benefit can be as high as 90 per cent. A comprehensive case study of private lettings in Armagh city supports this assertion.

However, research into singles in Derry city, which is nearing completion, indicates that a major reason for households leaving the Private Rented Sector to move into social housing is that Housing Benefit does not cover the full rent payable. Analysis of housing benefit claims, however, shows that in around half of all cases housing benefit rent levels are significantly below the actual rent being charged.

DSD is awaiting the final reports and will consider the implications of the findings for the sector within the context of policy emerging from the Local Housing Allowances Pathfinder Projects in GB.

*Question 10*

*What progress has been made to date towards meeting the targets in the Fuel Poverty Strategy published in 2004? (Recommendation 19, paragraph 112)*

## GOVERNMENT RESPONSE

Both the Northern Ireland Fuel Poverty Advisory Group and the Inter Departmental Group on Fuel Poverty have been established. A Fuel Poverty Partnership Fund has been created to fund locally focused schemes to address fuel poverty among households that either do not qualify or apply for help through the more mainstream programmes.

Results from the interim house condition survey will be available shortly and will provide detailed information on the extent of fuel poverty and the energy efficiency of the housing stock and will confirm progress against the milestone targets set out in the strategy.

*Question 11*

*What progress has been made by the Department for Finance and Personnel in re-examining its building regulations in relation to the Lifetime Home Standard? (Recommendation 21, paragraph 118)*

## GOVERNMENT RESPONSE

DFP is committed to facilitating all people within the built environment and has, since 1984, made specific provision (Part R) for disabled people in the Northern Ireland Building Regulations. All new dwellings that are designed to the current Building Regulations standards provide a level of accessibility referred to as “visitability” standard.

Research into and consideration of the practicability of incorporating the Lifetime Homes Standard into the Building Regulations is currently being undertaken by the Office of the Deputy Prime Minister (ODPM). In association with the ODPM review, the Joseph Rowntree Foundation is actively reviewing the present Lifetime Homes Standard.

Progress on implementing the NIAC’s recommendation on Lifetime Homes is therefore dependant upon progress being made in England and Wales. DFP will re-examine its building regulations in relation to the Lifetime Homes standard in light of this research and review. Any proposal to amend the regulations will be subject to a full public consultation and a Regulatory Impact Assessment will be prepared setting out the costs and benefits of any proposed amendment.

## ANNEX 1

DEVELOPMENT PLAN PROGRAMME OVERVIEW (3<sup>RD</sup> OCTOBER 2005)

This programme identifies the recent Development Plan documents published to date and reflects the target dates for future publications.

Area Plan	Area Plan Status			
	Issues Paper	Draft Plan	Adopted Plan	Comments
Ards & Down Area Plan 2015	Published Dec 2000	Published Dec 2002	-	The public inquiry for non – housing issues will re-open on 5 December, concluding on 15 December 2005.
Magherafelt Area Plan 2015	Published Dec 2000	Published April 2004 Revision May 2005	-	Moving towards Public Inquiry.
Banbridge / Newry & Mourne Area Plan 2015	Published Mar 2001	Due to be published by Q4 of 2005/2006	-	Work on going
Northern Area Plan 2016 (Ballymoney, Coleraine, Limavady & Moyle)	Published Aug 2002	Published May 2005	-	Moving towards Public Inquiry
Belfast Metropolitan Plan 2015 (Belfast City, Carrickfergus, Castlereagh, Lisburn, Newtownabbey & North Down)	Published Jan 2002	Published November 2004	-	Moving towards Public Inquiry
Antrim, Ballymena & Larne Plan 2016	Published May 2002	Due to be published during 2006/2007	-	Work on going
Armagh Area Plan 2018	Published April 2004	Due to be published during 2006/2007	-	Work on going
West Tyrone Area Plan 2019 (Omagh & Strabane)	Due to be published during Oct 2005	-	-	Work on going
Cookstown Area Plan 2010	-	Nov 1999	June 2004	
Craigavon Area Plan 2010	-	April 2000 Revision Nov 2000	Aug 2004	
Dungannon and South Tyrone Area Plan 2010	-	May 2000	March 2005	

Area Plan	Area Plan Status			
	Issues Paper	Draft Plan	Adopted Plan	Comments
Craigavon Town Centre Boundaries and Retail Designations Plan 2010	March 2005	Due to be published before end 2005	-	Work on going
Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast	August 2005	-	-	Comments on Issues Paper to be submitted by 21/11/05
Ards & Down Area Plan 2015	Published Dec 2000	Published Dec 2002	-	The public inquiry for non – housing issues will re-open on 5 December, concluding on 15 December 2005.
Magherafelt Area Plan 2015	Published Dec 2000	Published April 2004 Revision May 2005	-	Moving towards Public Inquiry.
Banbridge / Newry & Mourne Area Plan 2015	Published Mar 2001	Due to be published by Q4 of 2005/2006	-	Work on going
Northern Area Plan 2016 (Ballymoney, Coleraine, Limavady & Moyle)	Published Aug 2002	Published May 2005	-	Moving towards Public Inquiry
Belfast Metropolitan Plan 2015 (Belfast City, Carrickfergus, Castlereagh, Lisburn, Newtownabbey & North Down)	Published Jan 2002	Published November 2004	-	Moving towards Public Inquiry
Antrim, Ballymena & Larne Plan 2016	Published May 2002	Due to be published during 2006/2007	-	Work on going
Armagh Area Plan 2018	Published April 2004	Due to be published during 2006/2007	-	Work on going
West Tyrone Area Plan 2019 (Omagh & Strabane)	Due to be published during Oct 2005	-	-	Work on going
Cookstown Area Plan 2010	-	Nov 1999	June 2004	
Craigavon Area Plan 2010	-	April 2000 Revision Nov 2000	Aug 2004	
Dungannon and South Tyrone Area Plan 2010	-	May 2000	March 2005	

Area Plan	Area Plan Status			
	Issues Paper	Draft Plan	Adopted Plan	Comments
Craigavon Town Centre Boundaries and Retail Designations Plan 2010	March 2005	Due to be published before end 2005	-	Work on going
Houses in Multiple Occupancy (HMOs) Subject Plan for Belfast	August 2005	-	-	Comments on Issues Paper to be submitted by 21/11/05

## ANNEX D

THE GOVERNMENT'S RESPONSE TO ADDITIONAL QUESTIONS RAISED IN RESPECT OF THE NORTHERN IRELAND AFFAIRS COMMITTEE'S REPORT ENTITLED "WASTE MANAGEMENT STRATEGY IN NORTHERN IRELAND" (HC 349-I).

This document represents Government's response to the additional questions posed by the Northern Ireland Affairs Committee as a follow up to the Committee's report entitled "Waste Management Strategy in Northern Ireland" (HC 349-I).

It responds to the questions in the order they were raised and refers to the numbering in the Committee's report.

*Question 1*

*The Committee was critical of progress in implementing a number of elements in the Waste Management Strategy and warned that it was a race against time to meet the first major target in 2010 for reduction of waste going to landfill and avoid substantial EU financial penalties. The Government response advised that a new Waste Management Strategy is scheduled for consultation in September 2005 and is due to be finalised by the end of 2005. It indicated that the new Strategy "will address those areas of waste management where progress to date has been slow". What progress has been made so far, and is the Government on target to finalise the new Strategy on schedule. (Recommendations 2-4, paragraphs 19, 21 & 23)*

GOVERNMENT RESPONSE

A consultation paper on a new Waste Management Strategy was published on 18<sup>th</sup> October 2005 with a closing date for responses of 20 January 2006. The paper includes a number of significant proposals, particularly relating to the provision of waste infrastructure. In order to fully consider the implications of consultees' responses for the Strategy, it is likely that the publication date for the new Strategy will now be March 2006.

*Question 2*

*The Government response advised that the Department of the Environment has established an Infrastructure Task Force to accelerate progress in the planning and procurement of waste management infrastructure. What specific progress has been achieved by the Task Force to date? (Recommendation 4, paragraph 23)*

GOVERNMENT RESPONSE

Since its inception in April 2005 the Waste Infrastructure Task Force has made significant progress. It has examined the fitness for purpose of the current structural and legislative arrangements for procuring waste management, and is exploring possible short-term improvements to current arrangements such as closer co-operation between the three District Council waste management groups and the establishment of a Programme Delivery Support Unit, to provide technical, legal and financial expertise to the councils and waste management groups in taking forward major procurement exercises. The Task Force is also considering options for longer term structures for delivering waste collection, disposal and waste planning which may involve changes to the status quo.

The Task Force has commissioned a financial modelling exercise to cost the waste management infrastructure required to deal with municipal and commercial and industrial waste streams (see response to Question 5) and has begun to plan its final report, with a view to publishing it as the Strategy Implementation Action Plan for Waste Infrastructure in May 2006.

### Question 3

*What further progress has been achieved through the Modernising Planning Processes Implementation Plan? What is the current processing time for applications for planning permission for waste management facilities? Please provide an update on applications in the system. (Recommendations 5-7, paragraphs 24, 30 & 31)*

#### GOVERNMENT RESPONSE

#### **Modernising Planning**

Modernising Planning Processes seeks to deliver a speedier and efficient planning process, underpinned by openness and transparency in delivering planning to the community. Significant progress has been made in all areas of the reform package, including with regard to improving the quality of applications, new guidance and the development of a revised application form. Amendments to Council consultation procedures have recently been introduced designed to allow for speedier decisions.

Priority areas for action in the next 6 months includes:

- the Return of Invalid Applications project, staff in the Belfast Division have already been operating this process on a pilot basis and continue to work with the MPP team to refine and develop procedures prior to roll-out across the Service.
- developing a new approach for processing “significant” applications, which has already commenced with the recent creation of a new HQ Division to deal with such applications; including waste applications. The approach will look at the use of pre-application discussions which would ensure that all necessary documentation including the need for an environmental statement before the applications is submitted.
- a new waste planning application form has been prepared and will be incorporated into the E-pic on line planning system introduced in 2006. An equivalent paper application form is also being prepared and will be available early in 2006 along with associated on line/paper guidance.

#### **Processing Times**

Processing waste planning applications has improved in terms of time taken per application, as evidenced in the following table:

Decisions issued in 2005 (all applications)	Average processing time (in days)	Average processing time (in years)
36	682	1.9
Decisions issued in 2005 (for applications received before 2004)	Average processing time (in days)	Average processing time (in years)
15	1151	3.15

However, two landfill cases have been in system for 9 & 10 years respectively and distort the processing figures. By excluding these applications, one gets a better indicator about application processing times.

Decisions issued in 2005 (for applications received before 2004)	Average processing time (in days)	Average processing time (in years)
15	517	1.42
Decisions issued in 2005 (for applications received in 2004)	Average processing time (in days)	Average processing time (in years)
20	370	1

### Applications in the system

The number of planning applications in the system has significantly increased to 196 in November 2005 from around 95 in 2004. A sharp rise in the number of inert waste landfill proposals possibly reflects pressure on operators as a result of EHS enforcement action.

Landfill applications represent 40% of the total but, taking account of inert waste applications referred to in point 4, this leaves municipal waste accounting for only 7.6% of applications. In contrast recycling and associated activities account for approximately 36% of applications and adding in WEEE (Waste, Electric and Electronic Equipment)/ELV (End of Life Vehicles) at 8.7% and composting, in-vessel composting, anaerobic digestion and bio diesel at 7.2% raises recycling to 51.9% of all applications. There has therefore been a sustained swing to recycling applications away from municipal waste deposition.

The Planning Service also works with a range of partners in reviewing the Waste Management Strategy and at a practical level is assisting Arc21 in their development of specific projects. Meetings with the other waste planning groups, SwaMP (Southern Waste Management Partnership) and NWWMG (North West Waste Management Group) assist in a similar way in relation to important recycling proposals. Planning staff also provide guidance on a number of individual council projects some of which have now been granted planning permission while others are current planning applications. This is part of a significant step up in co-operation, co ordination and liaison with all the parties involved in waste management and the delivery of actual projects on the ground.

Three regional landfill decisions relating to Aughtrim, Mullaghglass and Cottonmount Quarries issued in May 2005. These facilities potentially meet sub regional need for deposition but also ensure that there is competition regarding municipal waste contracts when these are put out to tender. A fourth regional landfill application may move to decision early in 2006 following resolution of technical problems in relation to access and road safety issues.

There has been a growth in public objection to various types of waste planning applications which places significant workload burdens on staff charged with progressing applications. For example around 7000 objections related to 8 applications were submitted and need to be considered as part of the planning process. Two judicial reviews into applications for asbestos transfer sites means that officers who dealt with these applications have to be diverted from normal duties to deal with the judicial review cases

#### Question 4

*What progress has been achieved on implementing a Northern Ireland-wide Best Practicable Environmental Option (BPEO)? Was final guidance published on target in June 2005? (Recommendations 8-10, paragraphs 36,38 & 39)*

#### GOVERNMENT RESPONSE

The final guidance document (Best Practicable Environmental Option for Waste Management in Northern Ireland: Guidance Document) was published on target in June 2005 and is available on the EHS website at: [http://www.ehsni.gov.uk/pubs/publications/NI\\_BPEO\\_Guidance\\_652kb.pdf](http://www.ehsni.gov.uk/pubs/publications/NI_BPEO_Guidance_652kb.pdf)

The document covers the three major waste streams of municipal, commercial/industrial and construction sector wastes.

For municipal waste, the NI BPEO recommends a long term target of 45% recycling and composting by 2020. The amount of landfilling needs to be reduced to no more than 25% of municipal waste to comply with EU Landfill Directive targets. The remainder of the waste (around 30%) should be treated with a balanced mix of technologies including anaerobic digestion, mechanical biological treatment and thermal treatment. The BPEO document also contains guidance on flexibility within the NI BPEO framework to enable the 3 sub-regional Waste Management Groups to develop practicable waste plans.

It is the responsibility of the competent authorities (District Councils) to plan and deliver waste infrastructure to meet the requirements of the Landfill Directive. The 3 existing sub-regional Waste Plans are currently under review. When they are published next year, it can be assessed how they intend to deliver the required infrastructure within the framework of the NI BPEO. It is not the responsibility of the Department of the Environment to implement the BPEO.

The Waste Infrastructure Taskforce has been established to accelerate progress on planning and procurement of waste infrastructure. The Taskforce includes representatives from the Department, the 3 Waste Groups and other key stakeholders (e.g. SIB, DFP). The Taskforce has used the NI BPEO output as a baseline to perform financial modelling to assess the costs of provision of new infrastructure. The 3 Waste Groups were invited to submit any variations to the BPEO baseline which should also be modelled. This work is ongoing.

#### Question 5

*What further progress has been made on identifying the level of investment required for waste management infrastructure and how this will be financed? (Recommendation 13, paragraph 50)*

#### GOVERNMENT RESPONSE

The Waste Infrastructure Task Force has carried out a financial modelling exercise to determine the likely cost of providing the necessary infrastructure and options for paying for it. Key issues covered by this exercise include affordability, cost sharing between councils, assumptions about waste growth, contract duration, third party income, implications of NILAS (NI Landfill Allowance Scheme), raising project finance, and potential contract and funding options.

#### Question 6

*What has been the outcome of the evaluation of the powers of local authorities to enter into contracts with the private sector? (Recommendation 15, paragraph 52)*

#### GOVERNMENT RESPONSE

District councils acting within their current powers can make arrangements with the private sector for the provision of Public Services. However, at present there are no legislative powers to enable district councils to participate in or form Companies.

As an interim measure, the Department has considered whether it might make use of its powers under the Local Government (Best Value) (Northern Ireland) Act 2002. By this, the Department “may by order make provision conferring on councils any power which the Department considers necessary or expedient to permit or facilitate compliance with the duty under section 1(1)”. Section 1(1) states “a council shall make arrangements for continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”.

On this basis, the Department is in the process of identifying the relevant legislation that confers various functions on district councils in relation to topics that comply with section 1(1) and a draft Order has been prepared. To finalise this work, the Department has approached all district councils to request information about the companies in which they participate (this has not yet been fully responded to). All specific information will then be used to form the relevant Order. The waste management companies issue would neatly fall into this proposal, and it is anticipated that the Regulations should take around 8 months to complete.

Taking into account the proposed modernisation of local government i.e. RPA and associated governance issues, the Department will be looking, in the longer term, to update legislation in respect of powers to form companies, in line with those in operation in the rest of the UK.

## Question 7

*The Committee was highly critical of the failure of Government to show leadership in implementing the Waste Management Strategy. What progress has been made by Departments in producing Action Plans? What progress has been made in developing and implementing green purchasing policies and practices? Has the intended 'thematic strategy' been produced? (Recommendations 17-19, paragraphs 55, 59, & 60)*

## GOVERNMENT RESPONSE

Since the DOE adopted its Waste Management Action Plan at the end of 2004, the plan is under implementation and is being steered by a committee representative of the Department and its agencies.

There is growing evidence of increased recycling of waste across the DOE estate with examples of financial savings obtained as a result of the recycling. These observed improvements will be quantified by a robust audit to take place in the Spring of 2006. A waste reduction campaign was conducted across the DOE estate in April 2005 which targeted office paper (a significant waste stream as identified by the baseline audit of 2004). Reduction actions planned and reductions achieved will be reported at the Steering Group meeting on 1<sup>st</sup> December 2005. There has also been success under the reuse part of the Action Plan since the use of 100% PCW (Post Consumer Waste) recycled paper across the DOE has become mandatory for internal office use. 70% PCW recycled paper will become mandatory by 2006 where external publications are required with electronic distribution policy adopted as the priority from October 2004.

Advantage was taken during waste audit activities to pilot a formal environmental management system within the Department. The pilot site gained ISO 14001 accreditation in May 2005. The pilot EMS has given rise to an Environmental Management Programme including the diversion of waste from landfill, reduction in the consumption of water, energy efficiency improvements and inclusion of environmental considerations for contracts. A second site will be brought under the scope in 2006 and the Department's agency EHS will increasingly use environmental management across its estate in the coming years as outlined in its 10 year strategy published on October 18<sup>th</sup> 2005.

Remaining Departments were invited, through a memo issued by DOE to the Permanent Secretaries Group in November 2004, to analyse waste management issues pertinent to their business. The DOE model baseline waste audit and Waste Management Action Plan were provided. All Departments responded with details of their progress. This has led to the aim to produce a consistent approach across Government.

The new NI Waste Management Strategy is currently under review and the consultation paper (published 18<sup>th</sup> October) refers to a number of headline commitments which the remaining Departments have signed up to:

Departmental Waste Management Action Plans which as a minimum should include the following elements:

- Reduction in paper by 10% /annum based on the Departmental baseline.
- Progressive specification of use of recycled paper.
- Preparation of detailed recycling actions plans.
- Inclusion of specific targets where relevant, such as specification for use of recycled aggregates in road contracts.

This minimum specification is based on actions already considered by Departments but reiterated to ensure consistent application across Government.

Departments will implement sustainable waste management actions through the use of action plans to be published by March 2006.

Subsequent monitoring of progress on implementation of Departmental Action Plans will be carried out by a 'greening' sub group of the Inter Departmental Sustainable Development Group chaired by the Department's Environmental Policy Group (EPG)

The Environmental Policy Group has collaborated with the Central Procurement Directorate (CPD) on a number of green procurement guidance documents such as the Green Guide for suppliers to Government and the Guide on integrating environmental considerations into procurement. Other guidance under development includes the purchase of sustainable timber.

The Department's Waste Management Steering Committee has collaborated with CPD in the implementation of contracts with reviewed specification to include environmental considerations, examples of which include:

- NICS wide contract for catering services supplied by subcontractors from 18th January 2005.
- NICS wide contract for the collection of waste paper which will include the collection of waste cardboard for recycling as well as paper to be formalised from June 2006.
- DOE pilot contract over several sites to capture dense plastic and ferrous and aluminium cans and divert from landfill from November 2004.

Such activities have led to a wider NI Government action as agreed by the NI Procurement Board Meeting 11<sup>th</sup> October 2005. A new office paper contract will be piloted for one year in January 2006. The new contract's specification is such that it will use recycled paper exclusively and will direct the purchase of recycled paper as mandatory for Departments across their areas of control. This pilot will apply to all Departments with the exception of DHSSPS and DSD.

A number of related measures raised in the consultation document will contribute to waste prevention in the public sector, the following are examples which are under implementation within a *thematic* structure:

- Appropriate application of Building Research Establishment Environmental Method (BREEAM), Civil Engineering Environmental Quality Assessment Scheme (CEEQUAL) to new construction projects across the Government estate;
- Implementation of Workplace 2010 initiatives, for example refurbishment of existing office space and open plan office accommodation will reduce the number of Government buildings on the estate and centralised printing will reduce the number of individual printers required;
- Introduction of best practice guidance for Government Construction clients including the adoption of site Waste Management Plans to minimise construction, demolition and excavation wastes in public procurement contracts.

The full list of proposed measures can be seen within the consultation document 'Towards Resource Management' at:

<http://www.ehsni.gov.uk/pubs/publications/towardsresourcemanagement.pdf>

#### Question 8

*What has been the outcome to date of the new data surveys of non-municipal waste scheduled to be carried out during 2005? (Recommendation 20, paragraph 63)*

#### GOVERNMENT RESPONSE

The survey of commercial and industrial waste has begun and is due to complete in April 2006. The tender documentation for the survey of construction, demolition and excavation waste is currently with the Central Procurement Directorate and it is anticipated the survey will commence in January 2005 and complete in April 2006.

#### Question 9

*What progress has been achieved to date on the development of a Waste Prevention Framework? (Recommendation 25, paragraph 71)*

## GOVERNMENT RESPONSE

October 2004 marked the beginning of a Waste Prevention consultation process carried out by the National Resources Waste Forum on behalf of the Department. A total of 600 key Stakeholders were invited to take part, representing all sectors in Northern Ireland. The process included the formulation of a Waste Prevention Forum, the circulation of a questionnaire and supporting information in February 2005 followed by workshops in April 2005.

Four well attended workshops provided an opportunity for discussion on possible policy measures and action which would result in the prevention of waste in Northern Ireland. Four key messages emerged strongly throughout the process:

- Provide a wide range of tools (carrot and stick)
- Increase understanding through enhanced communication
- Build and extend existing initiatives
- Make waste prevention the responsibility of all sectors

The findings of the stakeholder engagement/ consultation process provided the foundations for the development of a Framework for Waste Prevention in Northern Ireland.

The Framework for Waste Prevention in Northern Ireland was published in September 2005. The Framework describes the key priorities to support progress on waste prevention across all sectors. It is a working document which will continue to be developed to respond to the needs of all sectors as we seek to manage resources effectively.

The Waste Prevention Forum is currently developing a three year action plan for waste prevention setting clear delivery responsibilities, timescales, resources and evaluation tools for each action.

*Question 10*

*Has the status of the guidance issued by the Department for Environment Food and Rural Affairs been clarified? (Recommendation 30, paragraph 85)*

## GOVERNMENT RESPONSE

The Department of Agriculture and Rural Development has published 'Guidance on the Treatment in Approved Composting or Biogas Plants of Animal By-products and Catering Waste'. This guidance is not in draft format and is applicable to Northern Ireland. The guidance was last updated in August 2005.

*Question 11*

*What is the Department's current estimate of the extent of cross-border illegal dumping of waste and what progress has been made in securing additional resources to tackle the issue? (Recommendations 31-32, paragraphs 87 & 91)*

## GOVERNMENT RESPONSE

The last calculated estimate (to end 2004) was 250,000 tonnes of biodegradable ROI waste illegally deposited. A further estimate will be produced at the end of March 2006 and is likely to be appreciably larger. Intelligence and site investigations indicate that illegal transport and disposal of waste from ROI within NI continues. In terms of funding, the Department, mainly through the internal reallocation of non-salary running costs, has allocated £0.6 million to cover the costs of additional enforcement and monitoring teams to counter the illegal transportation and dumping of waste in Northern Ireland. This would effectively double the size of the existing team by adding around 20 enforcement officers.

## Reports from the Northern Ireland Affairs Committee this Session (2005-06)

---

The following reports have been produced by the Committee since the start of the 2005 Parliament.

<b>First Report</b>		<b>Education in Northern Ireland (HC 726)</b>
<b>First Special Report</b>		<b>The Work of the Committee in 2004: Government Response to the Committee's Fourth Report of Session 2004-05 (HC 393)</b>
<b>Second Report</b>	<b>Special</b>	<b>The Functions of the Office of the Police Ombudsman for Northern Ireland: Responses by the Government and the Office of the Police Ombudsman for Northern Ireland to the Committee's Fifth Report of Session 2004-05 (HC 394)</b>
<b>Third Special Report</b>		<b>The Parades Commission and Public Processions (Northern Ireland) Act 1998: Government Response to the Committee's Second Report of Session 2004-05 (HC 395)</b>
<b>Fourth Report</b>	<b>Special</b>	<b>The Challenge of Diversity: Hate Crime in Northern Ireland: Government Response to the Committee's Ninth Report of Session 2004-05 (HC 396)</b>
<b>Fifth Special Report</b>		<b>Air Transport Services in Northern Ireland: Government Response to the Committee's Eighth Report of Session 2004-05 (HC 529)</b>
<b>Sixth Special Report</b>		<b>Ways of Dealing with Northern Ireland's Past: Interim Report – Victims and Survivors Government Response to the Committee's Tenth Report of Sessions 2004-05 (HC 530)</b>
<b>Seventh Report</b>	<b>Special</b>	<b>The Functions of the Northern Ireland Policing Board Responses by the Government and the Northern Ireland Policing Board to the Committee's Seven Report of Session 2004-05 (HC531)</b>
<b>Eight Special Report</b>		<b>Decision to Cease Stormont Prosecutions (HC814)</b>
<b>Oral Evidence</b>		<b>Political and Security Developments in Northern Ireland: Rt Hon Peter Hain MP, Mr Jonathan Phillips and Mr Nick Perry – Wednesday 26 October 2005</b>
<b>Oral Evidence</b>		<b>The Police Service of Northern Ireland: Sir Hugh Orde and Mr Paul Leighton – Wednesday 9 November 2005</b>