

Appendix A
Committee for Infrastructure Official Report (Hansard)
29 April 2020



Northern Ireland
Assembly

Committee for Infrastructure

OFFICIAL REPORT (Hansard)

COVID-19 Update and Budget:
Ms Nichola Mallon MLA,
Minister for Infrastructure

29 April 2020

NORTHERN IRELAND ASSEMBLY

Committee for Infrastructure

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Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
Mr David Hilditch (Deputy Chairperson)
Ms Martina Anderson
Mr Roy Beggs
Mr Cathal Boylan
Mrs Dolores Kelly
Ms Liz Kimmins
Mr Andrew Muir

Witnesses:

Ms Mallon	Minister for Infrastructure
Mrs Katrina Godfrey	Department for Infrastructure
Mr John McGrath	Department for Infrastructure

The Chairperson (Miss McIlveen): Minister and officials, you are welcome to what is quite an extraordinary meeting for us, given the circumstances with which we are dealing. Minister, I understand that you wish to make a statement.

Ms Mallon (The Minister for Infrastructure): Yes. Thank you, Chair, and thank you for the opportunity to meet the Committee today. I welcome the opportunity to provide Committee members with an update on the ways in which my Department is contributing to the fight against COVID-19 and to give an update on my Department's budget position. As you kindly said earlier, I have only an hour with the Committee this morning. I am also mindful that I have made written statements and that I gave a comprehensive update to the Ad Hoc Committee, at which you were all present, so I will keep my opening remarks as brief as possible so that I can answer your questions. My officials will be available to stay for further discussion on the Budget process as agreed, if you require it.

It goes without saying that this is not an easy time for any of us. It is unimaginably difficult for individuals who are fighting COVID-19 and for the families who have, sadly, lost a loved one to that dreadful virus. Protecting our citizens and key workers, addressing the unique challenges presented by coronavirus and our recovery and renewal from it requires us all to work together and to think and act differently. These are extraordinary times, and, thanks to the extraordinary work being undertaken across our communities, we continue to see positive signs that our health service is coping and that social-distancing measures are working, but it is so important that we do not become complacent and that we all continue to play our part.

In my statement to the Ad Hoc Committee on 16 April, I outlined many of the specific ways in which my Department is helping in the fight against COVID-19. Those include maintaining public transport,

water and waste water infrastructure, the delivery of services in a safe way and the work that we have been doing with our colleagues in the Department of Health to support the wider health effort. We are particularly pleased that we were able to offer our MOT centres as COVID-19 testing centres. Since then, my Department has continued to adapt and innovate to meet the evolving needs of our citizens. The new or updated interventions since I appeared before the Ad Hoc Committee include a support package for ferry operators. Members will have heard the announcement last week that we have a package that is jointly funded by the Executive and the Department for Transport. That support will help keep our vital supply chains — food, medicine and other supplies — open during the COVID-19 emergency. Discussions are also ongoing with the Treasury about our airports.

Legislation will implement changes to the process for major planning applications, including the temporary removal of the requirement to hold a face-to-face public event as part of the pre-application community consultation. That is not, in any way, to remove the need for public consultation, which is a critical part of the planning process; rather, it is about doing community consultation in a different way during the crisis, in line with the clear public health advice. It will allow major planning applications to continue to be submitted during the COVID-19 outbreak, thereby supporting our economy and keeping our eye focused on recovery. We have also introduced new provisions that permit the automatic renewal of PSV bus licences without a prior roadworthiness test where a current licence is in place or has recently expired. Members will be aware that the Driver and Vehicle Agency (DVA) MOT centre in Craigavon has joined the centres in Belfast and Newtownards as a location for important, increased COVID-19 testing.

We face further challenges for which solutions are needed to protect our essential supply chains and to keep essential workers connected; indeed, in this constantly evolving situation, fresh challenges arise almost daily. I assure the Committee that we work tirelessly to find innovative and appropriate solutions and to implement them as quickly as possible. However, as I said, there are outstanding challenges, and we are working to address them. One is a critical issue faced by local hauliers. While we have a solution to protect ferry routes, the haulage industry is also crucial to the effective functioning of supply chains. The Department for the Economy, which is the lead Department, is working closely with my Department on that, and I continue to press the British Government for vital support. As a result of the current pressures on healthcare professionals, some drivers have difficulty getting the medical assessments that are needed to renew driving licences. There is an important balance to be struck between trying to find a solution to that issue and road safety. We must at all times ensure that our drivers and road users are kept safe. I assure the Committee that I recognise that it is an issue and that we are working hard to find a resolution. I have asked that we adopt a two-pronged approach: by putting in place practical measures and by providing a legislative solution. I hope to be in a position to update the Committee and other MLAs soon on the progress that we are making.

Members will also know that, last Thursday, I issued a written statement on the publication of the independent audit investigation report on the DVA lifts. I also published that report on our website and shared it with the Committee. The findings of that report are important. They make it clear that it was appropriate for DVA staff to rely on expert manufacturing opinion, but they also identify shortcomings. I want to assure you that I have taken all the independent engineering, procurement and audit advice that I received. I recognise that the situation that arose with lift failures was not confined to here. It happened in a similar way and with similar consequences in the South and in other parts of Europe, but that is of no comfort to the thousands of drivers who have been so badly inconvenienced. The Committee will be aware of my views on the situation. It was unacceptable and should never have happened. I assure you that new steps and processes will continue to be put in place so that it never happens again. While it is not on the Committee's agenda for today, my officials and I are happy to answer any questions that you may have on the report.

I turn to the budget. I know that the Committee is keen to hear about the 2020-21 Budget process. The Finance Minister has announced a 2020-21 resource allocation for the Department of £417.9 million, which is an increase of £33 million on last year's opening budget, and a 2020-21 capital allocation of £558 million, which is an increase of £87 million on last year's opening budget. Although they represent increases when compared with the allocations in the previous financial year, the allocations, as you will have seen from the recent paperwork that we submitted, are not enough to address the significant inherited financial challenges that I face as a Minister.

In resource terms, my Department bid for £57.3 million in pressures going into 2020-21. Those financial bids are genuine service pressures that, if not met, will create real difficulties for me to deliver and maintain the reasonable levels of public services that our citizens deserve. As part of the £33 million increased resource allocation, the Finance Minister has ring-fenced £20 million for Translink,

which is short of the recurring requirement and leaves me only £13 million to meet all other remaining departmental pressures. In that challenging context, I am working to finalise allocations from within my resource budget. You have seen the facts and figures, and it is no secret that a number of difficult decisions will be required. It is fair to say that, with the budget available to me, my scope is significantly limited. I do not want to dress that up. However, I am determined to use the budget to the best possible effect to improve people's lives, improve where they live, keep them safe on our roads and keep them connected to communities, jobs and opportunities.

I turn now to my capital budget. I face an overall pressure of almost £800 million, including money for further delivery of the A5, A6 and Belfast transport hub flagship projects. However, my Department has received £558 million. That is a considerable shortfall: over £240 million. The flagship projects are potential game changers in improving connectivity across the North, addressing regional imbalance and enhancing our island economy. I am fully committed to pushing forward the projects at pace during my tenure, and I am determined to do so.

As the Committee will know, I am also committed to ensuring progress on water and waste water; tackling regional imbalance; dealing with North/South connectivity; creating thriving, sustainable living places; and, of course, addressing the climate emergency. All of that is even more critical now as we work through the recovery from the COVID-19 crisis. Therein lies my greatest challenge. It is about striking the balance between investing and maintaining existing water and waste water infrastructure, maintaining existing roads and the street lighting network and doing what is new and what is needed: encouraging and facilitating modal shifts to public transport and sustainable travel, including walking and cycling, which, in turn, will improve the health and well-being of our citizens and, of course, protect the climate.

That approach and those decisions cannot be taken in isolation from the profound impact of COVID-19. That is why I am currently considering very carefully what I need to do with budget allocations. These are not normal times, and this is not a normal budget process. The reality is that, across every Department, the current public health emergency requires a level of response that cannot be contained within conventional budgets or, indeed, conventional processes. My Department is no different. We have identified additional estimated COVID19-related pressures of up to £181 million, and full details of those have been provided to the Committee. Those cost estimates are based on the information available and current assumptions on the impact and duration of the crisis. We keep them under constant review. As you will have all read, all those pressures arise as a result of lost income from various business areas, including Northern Ireland Water, Translink and the DVA and from sources of income such as planning fees and fares on the Strangford ferry.

At this point, I highlight the particular challenges that Translink faces and put on record my thanks and appreciation to all the staff at Translink for the positive and important role that they play in keeping our public transport network open so that we can get our essential workers to and from their places of work. They go over and beyond in support of the health effort. We have already provided the Committee with some detail on Translink's cash flow, but the bottom line is that, in 2020-21, as a direct result of the COVID-19 crisis and an anticipated loss in sales revenue, we are looking at a shortfall of between £91 million and £114 million, depending on the duration of the current restrictions.

While my Department remains the only Department outside of the Executive Office that has not yet received an allocation from the Department of Finance under the COVID budget, I welcome Executive colleagues' commitments to support and fund our public transport network, going forward. I will continue to make representations to the Finance Minister and Executive colleagues about the critical importance of infrastructure in growing our economy and delivering for people in the recovery plan from COVID-19.

While we continue to do all that we can to protect our communities from COVID-19, we must keep a watchful eye on the future. Lockdown is difficult, but it has shone a light on the need to do things differently. We just cannot go back to the way that things were; we need to move forward and do things better. That will require us to reimagine and reshape our places and our future, and I am committed to building a better future that delivers more for our citizens socially and economically in a way that delivers cleaner, greener and healthier communities. In the darkness of the pandemic, we are being presented with an opportunity, and it is one that we should seize.

Chair, I recognise and appreciate the value that you individually and the Committee collectively place on the critical role of infrastructure in connecting communities, growing our economy, overcoming the COVID crisis and tackling the climate emergency. It is important to fully appreciate that, if I am to succeed in making the difference to people's lives that I am keen to make, I will need your continued

support and constructive challenge to enable me to take those difficult financial decisions, given the very real competing priorities and limited resources that are available to me. I hope that this discussion now, within the context of COVID-19, is another step towards achieving our common goal. I thank you for your time this morning and your support. Katrina and I are happy to answer any questions that you might have on any of these important issues.

The Chairperson (Miss McIlveen): Thank you very much for that full statement. I am sure that it has probably covered a number of areas that the Committee wanted to discuss.

First, I reiterate our thanks to you and the Department for the work that you have done during this very difficult time and pass on our appreciation to front-line staff in Northern Ireland Water and Translink in particular and to all those who are on the scene and working tirelessly to keep things moving. We very much appreciate their efforts.

The Committee was more than aware of the significant challenges that the Department faced going into COVID-19, and I suppose that the pressures on Translink of £20 million at that stage have paled into insignificance with the figures that we are looking at now. Does the Department have sufficient funds to cover its commitments until the Budget process is finalised?

Ms Mallon: No, it does not.

The Chairperson (Miss McIlveen): So, the discussions that you are currently having with the Finance Minister are to what effect? What needs to be covered to see us through to that point?

Ms Mallon: Prior to COVID-19, the Department was in a very difficult position with its budget. We do not need to rehearse the arguments why. Those are the facts. We made genuine bids for genuine pressures, and we were given an allocation that could not meet those needs. That has been severely compounded by COVID-19, and you can see the dramatic loss in revenue for Translink and the DVA. For example, with Northern Ireland Water, we took the decision to defer bills, and that will cost £800,000. The loss in income from Northern Ireland Water is estimated to be around £30 million, so we are in a really difficult position.

I have made representations to the Finance Minister, and I shared those with the Executive. We have been very clear that those estimated bids have been robustly challenged. The Finance Minister has asked, and I have challenged officials to identify any slippage where we can find savings. I have challenged them on the figures that they present to me, and we have provided all of the facts and figures and that analysis to the Finance Minister.

It was a bit of a shock to the system not to receive an allocation under the COVID-19 Bill, given the critical role of our infrastructure, but I welcome the commitment that we have been given for public transport. The Finance Minister has retained in the centre £95 million for a transport package. From that will come contributions towards the ferry package and the airport package, if we can get to that point. I have talked about the importance of our hauliers. I recognise that that is key, and again, that is likely to come from that central fund of £95 million. As you know, the £95 million, before any of that is taken from it, is insufficient to meet Translink's needs. I am in a difficult position, but I continue to provide the analysis to the Finance Minister and all Executive colleagues and will continue to press and make the case.

The Chairperson (Miss McIlveen): In the paperwork we see this comment:

"Without additional budget cover, NI Water will be at risk of being unable to sustain effective health and safety of its staff in line with government guidance to protect lives."

That is a big statement to make. What response have you received from the Department of Finance on the issues surrounding Northern Ireland Water?

Ms Mallon: I thought long and hard about that sentence being in the paperwork. I realise the severity of that statement, but we always have to be straight up on these matters. We have submitted detail around the bid for Northern Ireland Water and are still engaged in a process. To date, we have not been successful in having an allocation made, but I will continue to make the case for it.

I am grateful to the Committee for the letter you provided on the issue of Translink, and I am keen to work with you on this. I recognise that we are in a difficult financial position. All Departments are under

pressure — I accept that — but we have a very precarious situation across the Department on key and critical infrastructure and we need to have it resolved. The Department has stepped over and beyond our statutory responsibility in trying to rise to the challenge of COVID-19. That is what the Department is about. That is what infrastructure is about, and we will continue to do that. We have to find ways, as an Executive, to pool resources and work together, but all I can do at this stage is continue to make the case.

The Chairperson (Miss McIlveen): Transport for London made an announcement this week that they were furloughing 7,000 of their staff. Was there any discussion with Translink about doing something similar?

Ms Mallon: The Finance Minister has written to me and highlighted the fact that London has taken that step in furloughing and has suggested that it might be applicable to our public transport network. On the back of that suggestion, the feasibility of that is being explored by Translink. My view on it is clear: furloughing public sector workers is a hugely significant step and one that is cross-cutting and should be approached and discussed with serious consideration by the Executive and in consultation with the trade unions.

The Chairperson (Miss McIlveen): You made a comment about economic recovery and the challenges there, and Infrastructure is critical to kick-starting that, particularly through capital projects and road maintenance and so on. In the paperwork and again today, you indicated that there is a challenge for you in making that work and making the decisions on that. At what stage will you be in a position to announce your spending plans?

Ms Mallon: It will take me a few more weeks. I want to make sure that I am making the right decisions. They are very difficult decisions. At this point, we do not have any clear understanding of the duration of the COVID-19 crisis, but I recognise the importance of making announcements as quickly as possible. As I said, the difficulty for me is that I began with a severely limited budget. As a result of COVID-19, the pressures on that budget have been significantly compounded, and I am trying to balance the need. I have been very honest about saying that people do not have confidence in an Executive if their roads are filled with potholes and their street lighting is not working, so it is about balancing the need to do the basics well with the need to start doing new things. As you will know, I am very passionate about the agenda of sustainable active travel. I am trying to weigh up the need at the moment, and, as soon as I am in a position to take decisions, I will absolutely keep the Committee updated on that.

The Chairperson (Miss McIlveen): As you said, there are contractual commitments already in place, so the flexibility that you have in and around that is quite limited.

Ms Mallon: Yes, it is. As you have seen, half of the capital allocation goes to flagship projects, so there is very limited wriggle room. I have asked officials to explore whether there is a degree of flexibility, because there will undoubtedly be slippage in some of the contract work and construction work because a lot of them have not been able to be on-site for a while. There are issues around supplies as well. I have asked officials to be constantly scoping to see whether there are easements in terms of where we can re-profile spending, but, obviously, I am committed to the flagship projects.

Mr Hilditch: You are very welcome, Minister. We have been following with interest your statements over the last few weeks and the work that has been going on in your Department and in the other bodies that you work with, such as Translink and NI Water. On the budget allocation for the COVID-19 difficulties, what reason was given for your Department not receiving any money? It was the only Department that did not receive anything. Is there a reason for that? Was any explanation sought?

Ms Mallon: The response was that £95 million is being held in the centre for a transport fund. When I went back to make further representations, the Finance Minister was content with proposals that I had submitted about making sure that Translink is on a firm financial footing and that it could pay its creditors and its staff. I very much welcome that. My concern is that we know the pressures in Translink and Northern Ireland Water but we are still not clear how much of the £95 million transport fund will go to Translink. However, we do know that, as it stands, it is insufficient to meet its needs. I know that Executive colleagues value the importance of a publicly owned public transport network. That is not lost to them. We need to very quickly move to a position where money is being allocated across.

Mr Hilditch: You highlighted some of the work that is going on with the haulage industry and shipping. One area of concern for me is the taxi sector. There are a lot of difficulties in that sector at the minute because of what is not going on. We have received correspondence that is very critical of the Department. While the go-ahead has been given to extend the PSV licence, there seems to be a mine of other work below that that cannot get sorted out, such as access to training and medicals and whatnot. There is no point in having an extension to the PSV licence if you cannot even get that far at the minute. Other areas of concern include the lack of PPE guidance to taxi drivers and issues with finance, because many of them are finding it very difficult to get by at the minute. While there may be money available in June, I am not sure whether you are aware that, under the Taxis Act (Northern Ireland) 2008, a Minister can issue taxi drivers with grant moneys and whatnot. Will you give us some commentary on what is going on with the taxi sector at the minute?

Ms Mallon: Yes. I am very aware of those issues. The Department for Infrastructure is responsible for the regulation of the taxi industry. The COVID crisis has brought into sharp focus a number of regulatory difficulties. The PSV licence is one such area, and, as you said, we moved to issue automatic six-month PSV extensions free of charge.

Training has been another issue. Additional online courses have been provided, and I have been advised by officials that there should not be difficulties for taxi drivers in accessing and completing that training online. If that is not the case, I would like to hear about it. A number of taxi drivers have contacted my private office, and we have been getting back to them to update them on that. That is one of the reasons why we have set aside a single point of contact on email for people who are experiencing difficulties, and I have officially launched that today. That is dva.customerservices@infrastructure-ni.gov.uk, and I shared that with members of the Ad Hoc Committee. I encourage any taxi drivers who are having difficulties accessing the online training to report it to that email address and the DVA will assist them.

The medicals issue is definitely difficult. It is an issue that I am very conscious of and one that has taken longer to resolve. That is why I am looking at taking a pragmatic, practical approach to getting those assessments carried out. In fact, I will be on a conference call with the BMA tomorrow morning, and we have engaged with the Department of Health to get priority assessments for key workers; taxi drivers are key workers, because they are listed as essential workers. I am working on that. I am also exploring a legislative solution to the medicals issue specifically for taxi drivers, because separate legislation applies to them.

I have taken specific legal advice on the issue of grants. There is provision in the legislation for a grant. That has never been enacted before, and it is for regulatory purposes and cannot be used as a hardship fund for taxi drivers. If you were to ask Executive colleagues about the issues that I write prolifically to them on, you would find that, outside of medical questions on testing, tracing, PPE and so forth, the second issue is taxi drivers. I understand that their livelihoods have been hit incredibly hard. Unfortunately, I do not have the remit to give financial hardship funding to employers or people who are struggling. I would love to be in a position to do so, but it is for the Department for the Economy and the Department of Finance to do that.

The Department for the Economy is also the lead Department for guidance for essential workers. I have corresponded with that Department, urging it to issue very specific guidance to taxi drivers, because there are particular challenges around social distancing. I will continue to do that. Outside of the financial assistance, which is a matter for the Department for the Economy and the Department of Finance, there are also opportunities for redeployment and repurposing of the taxi industry. I have been in correspondence with the Minister for Communities on that, as the Minister for the lead Department. I have also issued open letters to the taxi industry.

I absolutely recognise the issues. It is important to make clear where responsibility for different issues lies. I hope that people will see that, on the regulatory side, we have been working very hard to address them. I have also been pressing Executive colleagues, because I recognise that wider difficulties are being experienced by the industry beyond the regulatory side. I will continue to do that.

Mr Hilditch: There are definitely operations going on out there in the community that you might have expected taxi drivers to be involved in, but they have not been. That is maybe something that we should push at.

I think that you would admit that taxi drivers are in a difficult situation. Most are lone workers. They work from a depot, but they are on their own when they go out. They may be self-employed and

whatnot. The whole mental health thing will kick in in that sector in particular. There are a lot of people who are very down at the minute with what is going on.

Ms Mallon: I absolutely get that. We all know taxi drivers. Many of us have them in our family. They are one of the groups that have been hardest hit by the crisis. I absolutely accept that. I reassure you, members and the taxi industry that I will work hard to resolve the medical issues, which is the one outstanding issue. If there are other regulatory difficulties, I will do what I can to resolve them with officials, and I will continue to work with Executive colleagues on the wider issues around what we can do collectively, as an Executive, to assist them.

Mr Boylan: I thank the Minister for her answers so far. I appreciate that we submitted a number of questions to the Department; it was over 30, I think.

Ms Mallon: It was 48 [*Laughter.*] It is emblazoned on my mind.

Mr Boylan: I appreciate the responses. I want to touch on the taxi issues later. You said that reduced pressures were not identified in relation to budgetary pressures. Was that after a comprehensive review in the Department?

Ms Mallon: Yes, a comprehensive review was undertaken. Officials can go into the specifics.

Mrs Katrina Godfrey (Department for Infrastructure): There are two distinctions that the Minister has already made: one in relation to the resource budget and one in relation to the capital budget. As the Minister said, on the capital budget, we are looking at the impact on the construction sector, what projects are slowing down and what opportunity that gives us to do the repurposing projects that the Minister talked about. On the resource side, the nature of the costs is such that they are very hard to change. Most of our costs, whether in Translink or the Department, are people-related. Most of those people are still working. They may not actually be coming to work every day, but they are working at home or we need them to be out doing essential jobs. Those costs continue to be incurred and that presents real difficulties for us.

Compared with other Departments that I have worked in, the Minister has very little discretionary scope when it comes to the resource budgets because of the pressures that she highlighted. We need folk to be keeping the roads safe, keeping the buses running for essential workers and keeping our flood defences ready, because the last thing that we need is the wrong response to a different emergency. All of those continue to incur the same costs. The scope to say, "We are not doing any of that" has become really limited. The Minister has been really clear that we asked whether we were absolutely sure that there is nothing sitting here that, at this time, it would be appropriate to stop. In many ways, the reverse is true because we are finding new challenges that we have to respond to within a budget that I am very satisfied is pared back close to the bone. You would normally like to be able to do more things.

Mr Boylan: I appreciate that, and it was remiss of me not to recognise the work of the staff in the Department. It was said at the Ad Hoc Committee that some people were ill. I hope that they recover and that everyone is well.

I know that you cannot transfer between capital and resource. Is there no capital out there? Have you looked at that to see in the case of pressures? Has that all been discussed? Is there nothing that you can transfer over to address the issues with COVID-19? I know that we are discussing the budget and COVID-19.

Ms Mallon: You cannot separate them.

Mr Boylan: That is what I am saying; I do not want to separate them. We are fighting COVID-19 at the minute and doing our best to combat it. Is there no capital that can be used for that?

Mrs Godfrey: At departmental level, we are not allowed, in any circumstances, to switch capital into resource. The Executive may well have that discussion with Treasury, but those levers are not available to us. One of the difficulties is that it creates problems in the long term, because you transfer it to resource, it starts to pay for costs that do not stop and it is then really difficult to switch it back off again. You are absolutely right. The Minister made a point about the capital budget. There could be an opportunity to do more with money that might not be available for other purposes, but so much of the

Minister's capital budget is already committed to flagship projects and we are already underspending on things like the structural maintenance of our road network. We should be spending £140-odd million a year on that. Last year was probably one of our better years when we spent £75 million. You can do the maths. That just stacks up more costs in the longer term.

Mr Boylan: I appreciate that. At the end of the process, whenever that may be, I am sure, the Committee will collectively support some of the bids and will work with the Minister to address some of those bigger issues.

I come back to taxis. All of us, as MLAs, have been lobbied. Minister, in light of your answers — I have heard about the certificate of professional competence (CPC), the medical assessments and the grants issue — is there an opportunity to introduce emergency legislation to address those issues?

Ms Mallon: On the grant?

Mr Boylan: Yes. Could we look again at the Act and see if we can bring something forward to extend that?

Ms Mallon: We have looked at this very closely, and the grant is for regulatory purposes. What would help the taxi industry is financial assistance, given the impact on their livelihoods. If the Committee wants to make representations to the Economy Minister or the Finance Minister on this matter, I encourage it to do that. I have scrutinised the grant aspect. Whatever I can do to help the taxi industry, I will continue to do. We took legal advice when I was made aware of the grant, but it is very clear that it is for regulatory purposes. What the taxi industry needs at this time, and what has been provided to a number of different people whose livelihoods have been decimated by this crisis, is financial support and a package on that level.

Mr Boylan: On the medical assessments, there are key workers, like HGV drivers, who are waiting on assessments too. I may put that in writing.

Ms Mallon: Please do, because we have engaged with the Department of Health and we are putting measures in place to ensure that key workers are being prioritised for medical assessments. Obviously, the focus on COVID-19 has seen huge pressures on all of our medics. There is now an agreement that this will be prioritised, so, if you are aware of people who are being prohibited from carrying out their essential work because they have not been able to get a medical assessment, flag it up to me and I will personally look into it.

Mr Boylan: OK. Just two final points. In terms of the logistics, we know the work that they are doing out there, providing the food, the service and everything else. You said at the Ad Hoc Committee that you were engaging with the British Government on support for that. Also, where has that engagement been in support for the logistics sector? I am aware that, in the South, oxygen is supplied through Dublin. What conversations have you had with the South relating to that?

Ms Mallon: On the hauliers issue, I am in regular communication with the Department for Transport (DfT), particularly with Grant Shapps and Rachel Maclean. Also, I am in very close contact with the Secretary of State for Northern Ireland on this issue, and we have been engaging through the Treasury. I had the opportunity to directly raise the issue of ferries and hauliers with the Chancellor on one of the wider conference calls, and I made it very clear that we have a unique set of circumstances here. As an island, we are wholly reliant on our ports and our hauliers to get critical supplies to us. There is an issue where the Treasury want more detail on how you evidence that, and we are working very hard with the industry to do that. I will continue to make the case and to press the need for it and, to work with the Economy and AERA Ministers on this as the issue runs right across the Executive; it is a critical issue. I will continue to do that and provide all of the evidence and representations required.

On the oxygen issue, we have been assured by the Department of Health that we currently have enough supply of oxygen. I am very clear that making sure that our ports stay open and that our ferries are still operable with our hauliers is key, and I have been very clear as well in saying that oxygen is on that list of critical supplies. I have had regular communication with Minister Ross in the South on this issue, and also with colleagues in Scotland and Wales, because this is an issue that affects all of us. I will continue to work with everyone that I can to try to see this addressed.

Mr Boylan: Just finally, you talked in a recent statement about an ambitious recovery plan, and you mentioned active travel, which we are keen on. Would you like to give us a wee view on that, and on future-proofing and any post-COVID issues, plans or ideas? Would you like to expand a wee bit on that, please?

Ms Mallon: I think what the COVID crisis has shown us is that we need to get back to a people-centred approach and we need to realise that infrastructure, public health, education and the environment are all inextricably linked. This has brought into sharp focus the need to create spaces and reimagine them, and I am very keen to try to do that. I am having an active travel sector Zoom call — these things have become quite wordy — with the sector next week. It has some great ideas around quick wins and early interventions, and I am very keen to push that. If we do not do things differently, we will have wasted the opportunity that has been presented to us.

We need to look at things like widening footpaths. It is not just me saying that; the Chief Medical Officer talked recently at a meeting about the need to widen footpaths if we are to socially distance, which we will have to do for a considerable period. I am looking at whether we can make traffic lighting more conducive to walkers and at the possibility of pop-up cycle spaces and pop-up walk spaces. I am keeping a very close eye on what is happening down South, across in Scotland — there was an announcement there yesterday — and around the world. This is an exciting agenda that has multiple benefits to health, to public spacing and to the environment, and I want to work with Executive colleagues and local government on that.

Mr Muir: I declare, for the record, that I was previously an employee of Translink and a councillor on Ards and North Down Borough Council. I thank the Minister and the officials for coming here today, and also for the timeliness of their responses. Every time anything is raised with the Department, there is a prompt response, and I appreciate that. The update on logistics is important. That package, alongside the one for airports, needs to be delivered ASAP. Can we have an update on the situation with the airports and where we are in getting that over the line?

Last Thursday, the report came out on the MOT situation. In normal times, that would probably have got a greater airing and more consideration by the Committee. We continue to issue temporary exemption certificates, but how much longer will that be tenable? Will we consider moving MOTs to a two-yearly basis? There are bureaucratic issues around issuing the TECs, and given the timescales ahead and the likelihood of us being able to have MOT centres opened in the next number of months, we will have to make a decision on that. I have a couple of other questions, but those are the first two.

Ms Mallon: The Executive have put forward a very robust case on the need to maintain air connectivity and on the importance of airports to our supply chain. All that detail has been provided to the Department for Transport, which recognises the importance of this. The Secretary of State absolutely recognises the importance of it, and all the details have been submitted to Treasury. Discussions are ongoing, but I am hopeful that we can get to a point soon where something can be announced. It is another area where there has been very positive cooperation between Departments. In my Department and in those of Minister Murphy and Minister Dodds, officials and Ministers have worked very hard on it, so I am hopeful that we can get to a positive place soon. You asked about the MOT situation. If someone's TEC is about to expire, they will be issued with a new one. What has been frustrating is that the process could have been more automated. We are advising people that, in order to trigger a TEC, they should phone up to book an appointment that is never going to happen. That is frustrating for people, and I accept that. The Department has been doing a lot of work on automation, and I hope that, in the not-too-distant future — as soon as possible — we will be in a position to update members on that. Significant work is going on to make all of that automated so that people do not have to make appointments and go through that rigmarole.

On the biennial testing — I always get the pronunciation of that wrong — testing every two years is something that I am still actively considering. It has a number of benefits. I am exploring that. The fact that we have found ourselves in this situation means that we have been issuing TECs and so, without intention, some people might, by the end of this, have gone two years without an MOT. I have to make the point, though, that it is really important that we all, individually and collectively, remind road users that they are responsible for the safety of their vehicle on the road. It is not just a matter of making sure that your car is safe on the road when it comes to the date of your MOT test; we have a duty to make sure that it is safe every single day of the week. Our focus has been on COVID-19 and how we respond to that, but I hope to bring further information to the Committee and to take the Committee's mind on a move to testing every two years.

Mr Muir: Cathal Boylan raised the issue of active and sustainable travel. The stuff that you are looking at in terms of, for example, widening pavements to allow social distancing, which is going to be with us for a significant period of time, and expanding cycle lanes is really important, because the future has to be better than the past. What is your view of the capital plan that you inherited? Will there, potentially, be a re-profiling of that? It is very road-heavy. The other side of that is that the Scottish Government issued advice yesterday about wearing face masks on public transport. Is that something that you are considering issuing guidance on? Obviously, we have to take into account public health guidance in that regard.

My last question is a budgetary one. There was obviously a bid for additional moneys as a result of COVID-19, part of which was in relation to the future of Translink. What progress has been made on us being able to ease out of the restrictions and move back to passenger levels pre-crisis? There is obviously a worry that it may take a longer time to encourage more people to use public transport. What was the basis of that budget estimate, and what work will be done to try to ensure that, in the future, we are a much more sustainable society?

Ms Mallon: I have asked officials to look, in terms of easements or flexibilities, at how we can progress active and sustainable travel, because it is a ministerial priority. They are currently looking at how to do that. As I said, we are also looking at what places around the world are doing. I have asked for that to be broken down into things that we can do very early on at minimal cost and what we can do as a longer-term approach. I am also very clear that we need a clear policy shift in my Department. When we examine any new scheme, we need to look at how it promotes active and sustainable travel as well as what it does for vehicles on the road. I have said since I took up post that I am not the Minister for roads. I do not say that to be derogatory in any way; I absolutely recognise the importance of roads and connectivity, particularly if we look at areas in the north-west. However, when we look at brand new schemes and the design of them, we need, first and foremost, to ask, "What is this scheme? How is this scheme promoting sustainable and active travel?". I am very clear that I would like a number of early, quick wins. I think we have momentum, and it is imperative now, because of COVID-19, that we take a longer-term approach to interventions, but clearly we need to have a different policy and legislative approach to those matters as well.

The issue of face masks is being discussed at the Executive. I noted the advice coming from the Scottish Government. It is something that we, as an Executive, are keeping under active consideration. The Health Minister made reference to it at the press conference yesterday. I am very clear that, on the issue of personal protective equipment (PPE) for staff, there can be no compromise. I have made it very clear that, where workers in my Department have to go out to carry out essential works, or where those works are being carried out by contractors on behalf of the Department, we absolutely need to make sure that measures are in place to keep those workers safe. They must be given the proper PPE. We will continue to make sure that that is the case. The number-one priority for me is to keep people — my staff, those who are working for the Department and the public — safe.

On the Translink issue, we keep the service and timetable under constant review. The challenge will be that we must adhere to social distancing. It will be with us for a long time. That will mean maintenance of the current policy around 50% admission of passengers. That means that, as people start to come back to work, we will need to have much more fleet on the road. We are constantly keeping the situation under review. I think that the biggest challenge will be around public confidence. It makes better sense for the environment for as many people as possible, if they have to travel, to use public transport, but the big issue will be around how we give people the confidence to start using our public transport again. It is something that I am very mindful of; I am already looking, with Translink, at what we need to do to give people that confidence.

Mr Muir: The figures are based on easing of the restrictions. Is there a timescale for the easing of the restrictions?

Ms Mallon: There is no set timetable at the moment. The Executive will review the regulations again on 9 May. We keep them under constant review and will move in line with that. However, I gave the commitment that, if the number of passengers requiring to get on a bus or train service for essential travel does not allow us to maintain the 50% passenger capacity, we will put on additional fleet. There is that flexibility and additional capacity, if it is required, but we will be led by the Executive on relaxations and recovery and will always act in line with the public health advice.

Ms Anderson: Thank you, Minister, for your statement. Sorry; I am over here, behind you. That is just the way we are at the moment.

I am very conscious that you and all the Ministers are aware of the implications that austerity has had for their Departments, and the damage that it has done to the public service is quite clear for all to see. I just hope that, when we come out of this pandemic, we never again return to days like that. However, I am not confident that we will not do so. I was glad to hear your comments about the kind of society that we need to have going forward, and you said the same in the Chamber. I absolutely concur with that.

I am conscious that, for Translink, you had to dig into your reserves — reserves that were needed for now — and you were having to do that before this pandemic hit. That is outrageous, to say the least, so I just wanted to comment on it.

You made a comment around your interest in tackling regional disparities. As the Sinn Féin spokesperson in the North for tackling regional disparities, I would not mind engaging with you further on that. Can you give a brief update, or return to me in writing, on the time frame for the A5 and A6? I assume that the time frames for both have been affected by COVID.

You talked about NI Water. One of the issues that I am very concerned about is fly-tipping at reservoirs. We have had issues. We saw pictures this week of different reservoirs, and I am sure that, like us, you are very concerned about that. We have been telling people to wash their hands, and more and more are, thankfully, doing so. The vast majority of people have been fantastic at staying in and washing their hands, but I noticed, as I was traveling here today, that there is more traffic on the roads this week than there was last week, and there was more last week than there was the week before, so I am concerned that a little bit of complacency is creeping in.

When we were talking about NI Water last week in the Chamber, I raised the issue of PPE, and you were able to reassure us about the volume that you had for the workers. I am glad to hear you repeat that you do not want to, and will not, subject people who working for or in your Department to any particular danger. However, I am wondering how this works. Yesterday, for instance, I was at NW Care, which is a domiciliary care facility that I personally have had contact with. I know the value of those who work in it; they cared for my mummy when she was alive and at home with us. They were telling me that they had received information from the trust yesterday that they are only going to receive 50% of its PPE this week. I am wondering whether this is having a widespread effect across all the Departments. For domiciliary care workers in that care facility who are bathing, washing and caring for the most vulnerable in our society, how can we even countenance only giving them 50%?

On the issue of drivers, I appreciate the fact that you corresponded with me yesterday with regard to how you have been able to provide those who use the public service now, particularly those in the health service and other front-line workers, with a free service. I am conscious that a number of people were at the point of trying to get their driving test in order for them to carry out a function to service particularly those on the front line. They have not been able to do so because providing driving tests now is impossible, near enough, given the restrictions and limitations; the driver needs to be beside the person carrying out the test. It is about trying to find a way to extend it to other front-line workers. I am very conscious that you said that you do not want to open this up to others who may avail themselves of it but who are not essential front-line workers, but there are more front-line workers than those who have been captured, so I just wanted to bring that up with you again.

Finally, two things. You said that you are constantly in contact with the Executive on a number of fronts, one of which is testing, tracing and isolation. Did you write to your colleague the Health Minister to get his reaction to, or even an explanation about, that? We have not been able to do so. I say "we" collectively in the Assembly have asked on a number of occasions, and I know that it has been asked of him in Committee meetings. We have asked why. Why was community testing stopped on 15 March? I cannot get a handle on the rationale for why that was the case. The effects of community testing would affect people who work for you.

Finally, when you talked about grants for taxi drivers, you said that they were for regulation only. It is just for my understanding; I could be reading it wrong, but it is not clear when you read that section of the Taxis Act 2008. Like everyone else, I am deeply concerned about taxi drivers who are struggling to make ends meet at the moment. Section 51(1) of the Act states:

"The Department may, with the approval of the Department of Finance and Personnel, pay such grants to such persons or bodies as it considers appropriate in connection with any provision of, or the purposes of, this Act."

I am just trying to get a handle on that in relation to what you said about grants being for regulation only.

Thank you, Chair, for allowing me the time to ask all those questions.

Ms Mallon: There will be an element of slippage on the A5 and A6. We are trying to ascertain the degree of that. Workers who are working on those projects need to be able to do so safely, so it is something that I am very conscious of.

You are right about fly-tipping: it is an issue. Northern Ireland Water and our Department were very proactive in trying to send a message last week to members of the public not to do that. It should never be acceptable, but during this crisis it is beyond reproach. We have been sending very strong messages and would welcome support from Members and the Committee on that.

PPE is an issue that I take very seriously, and I have requested weekly updates from my Department on the levels of stock of PPE. You are right: there is a global issue with its supply, but I am keeping a very close eye on the situation because of the importance of it. I am also in contact with Translink and Northern Ireland Water about their PPE situations. In fact, I have requested a conference call with the chief executive of Northern Ireland Water. We are in regular communication, and that is one of the issues that I will be discussing with her.

You are also right about driving tests, and I recognise the difficulties there. The challenge is how you can maintain social distancing when you are sitting side-by-side with someone in a vehicle. It always comes down to the balance of trying to minimise disruption to customers and people while also keeping them and driving instructors safe. We have to do that in line with the guidance.

Ms Anderson: I appreciate that.

Ms Mallon: I am very sympathetic to extending free travel on public transport. I suppose my difficulty is that we have front-line workers in the public and private sector who are doing valuable work. For the successful practical operation of that scheme, you would have to just offer free public transport. You could not say, "Sorry, do you work in a shop? You need to show me your credentials", or "Do you work in a benefits office? You need to show me your credentials". I have to think about the unintended consequences. You said yourself that we are growing concerned about compliance. I would be concerned that, in doing something that I believe there is merit in doing, it would have the unintended consequence of encouraging more people to get on public transport and be counterproductive to what we are trying to do to stop the spread of the virus. But, as I said, I am keeping the situation under constant review with Executive colleagues.

I will let Katrina pick up the detail on the grants issue, but, as it says, it is about the provisions of the Act. The Taxis Act is about the regulation of the taxi industry. I think that that is where it is, but Katrina can pick up on the detail.

On the Health Minister, I think that it would be better if the Health Minister answered your questions.

Ms Anderson: It is just that you said that you were writing to them on that issue. That is why I took the opportunity to ask that question.

Mrs Godfrey: To add to what the Minister said, we have taken very specific legal advice on section 51 of the Taxis Act. The key thing is that it cannot be read in isolation. Like all legislation, it is read within the context within which it is set, and that section of the Act deals specifically with regulation. If it were commenced, it would provide an opportunity in certain regulatory circumstances, but, as the Minister said previously, and as we have tested to destruction with our legal adviser, it is not a general provision. It is only a provision in relation to regulation. A simple example might be if we required some change to the regulatory machinery, like meters or something like that. Those may be the sort of circumstances in which you could contribute to the costs of a regulatory change, but it cannot be used for wider purposes. Just to assure the Member, the Minister has asked very many questions to make sure that she is satisfied, and I have done the same, to ensure that we are not missing something.

Ms Anderson: So that is not going to be applicable at this time? The paying of the grants as stated here does not actually apply for income support?

Mrs Godfrey: As the Minister said, the more fruitful route is that taxis are such a key business sector in our economy, and it is how to make sure that their contribution to our wider economic development is recognised through the packages already available.

Ms Kimmins: Thank you, Minister, for your statement today. I have a couple of questions, and I suppose some of them may lead on to questions that have already been asked.

You gave an answer around PPE, and it is a question that I had also submitted by email relating to the protection of workers in all areas within the Department. You said that you get weekly updates around PPE. Are we getting assurances that everyone who needs it has access to it? I had given an example where a worker from within the Department, in the roads maintenance end of things, had queried what is essential work. How are we clarifying for those areas what is deemed essential work at this time? It was explained to me that they were working on a skeleton basis, and now they feel they are being pushed to do more work. However, it is not clear if this work is deemed to be essential or not. How is that filtering down through the various departments within Infrastructure and making sure that all workers are protected in all that they do and not being asked to do work that is over and above at this time?

The second one has already been raised at the Ad Hoc Committee by a number of Members, and I have asked as well. It is around planning. You had said that people whose planning is about to expire can apply for renewals. Do we have an idea of how many applications are at that stage? I know that it is a rolling process. I have been contacted by a constituent whose permission is due to expire next week, and obviously they were keen to start work but, with the current restrictions, they cannot. I fear that, with applying for a renewal, there is a chance that an application can fall, for whatever reason, due to no fault of the applicant. Also, this is creating a bigger workload for planning department staff, who, in my own area, are already past capacity. Is there any progress on even looking at the way that Scotland and the South have progressed legislation for extensions? I know that all of this is not as straightforward as it might sometimes seem, but something to the effect of what we have done with MOTs would probably be more streamlined process than people having to apply for renewals.

A couple of other things have been raised with me in terms of projects. My colleague mentioned the A5 and the A6, and in my own area there is the Newry southern relief road. The public have raised concerns with me about how the public consultations will be carried out. Obviously we do not want to slow down progress, and there are things that are unavoidable, but can we get assurances that everyone will have an opportunity to engage with any public engagement, whether or not they have good internet access, and that it is not just based on that, because we want to make sure that we have a genuine and effective engagement there as part of that consultation process without delaying things.

The last question I have ties in with free public transport and is an issue that has been raised with us around key worker driving tests. Obviously, the tests cannot be carried out. Is the Department looking at anything that might help with that situation? There are key workers who, because of where we are at the minute, have to move around more and are required to be more mobile and require their driving test, but that has been put on hold.

Ms Mallon: OK. In terms of staff PPE, I am advised that we have sufficient levels of PPE for workers in line with the health guidance, and that is why I have said to officials that I want to keep very much over this issue and be kept fully updated. I also say to members that, if you are aware of concerns and we got back to you, I need to hear about it. We are also in close contact with contractors to make sure that they do what is required to keep staff safe.

I suppose the issue with essential works is that, when you look on the face of some of those things, like cleaning gullies, you ask yourself, "How is that ever deemed to be essential?". It is essential for flood prevention. There is maybe a communication issue for me and the Department to explain why things are deemed essential when, on the face of it, they look to be routine.

Following the Ad Hoc Committee, I went back again to ask officials whether they are absolutely sure that extending expiry timetables for planning permissions requires primary legislation, and they are adamant that it does. That is why we have said that, in the current set of circumstances, the best option is to either renew or commence works, neither of which, I know, is ideal. We thought that there would be a possibility of an Executive-wide coronavirus Bill and that we could package that piece of legislation in that Bill, but I am not now sure whether that piece of wider legislation will come forward, so I am considering primary legislation from within the Department. The difficulty will be the time that that will take and the kind of solution it will provide for your constituents and others who are faced with that difficulty.

On the issue of — I cannot read my writing. Oh, yes. I was very clear that, when we removed face-to-face public consultation in order to adhere to the guidance, we needed to maintain community consultation. It is a critical part of the process. I was also clear that it needed to be carried out in a way that engages those who do not have access to the internet, for example. Detailed guidance will issue on Friday and will include guidance on issues like safe leaflet drops and telephone consultations. I am very keen that no one should be excluded from the process; it is still a critical part. We just need to do it in a creative and inclusive way, and there is an expectation on applicants and councils that it will be carried out.

As I said, the issue and the challenge with driving tests is social distancing. I have been looking at the South and GB to see whether anywhere else has cracked this difficulty, and, unfortunately, to date they have not. I am aware of it, I am keeping it under review, and it was one of the considerations in the decision to extend free travel to front-line healthcare workers. Because of the public guidance, I am limited the resolution I can find to the specific driving test issue. I am also very conscious that theory tests are an issue for some people. We are exploring the possibility of extending them until we can resume practical and theory tests.

I assure members that we are constantly scanning the horizon for the difficulties. We are trying to find solutions, but we will be restricted by the priority of keeping people safe. It is about weighing up that balance.

Ms Kimmins: Can I just come back —?

The Chairperson (Miss McIlveen): I am just conscious of the Minister's time. She has overrun the time that she indicated that she had to give us, and two other members want to ask questions. If you are content, we can move on —.

Ms Kimmins: OK.

Ms Mallon: Do you want to follow it up in writing?

The Chairperson (Miss McIlveen): Would that be OK?

Ms Kimmins: OK. Thank you.

Mr Beggs: Minister, thank you for your opening statement and the clarity on the challenges ahead. In particular, you indicated that there are insufficient resources to reach the normal next stage in the Budget process, which is when additional funds are allocated. That must be of concern to everyone. In particular, we have Translink and Northern Ireland Water, which are set up under company law, and their directors have a requirement to ensure solvency. How can you allay my concerns that decisions will be taken by you or the Executive on additional resources, policy changes or whatever is needed so that, if there needs to be a conserving of funds, we will not hit such a catastrophic situation that company law will kick in?

The original group of people who were given extensions to their MOTs got them because of the faulty ramps. Their four-month extension period is coming to an end, and you said that they will be extended again. For clarity, do those individuals have to reapply, or will a second extension be automatically posted out to them? There is a lack of clarity on that.

What sort of capital money do you think will be needed to widen footpaths? Individual footpaths are not too bad, but if you will have to widen each one, you will find that it will cost a huge amount of money.

Finally, have you considered re-profiling or rescheduling some of the flagship projects that may no longer be the priorities that we all think? I am not saying that we should stop them; I am looking at re-profiling or rescheduling them.

Ms Mallon: I share your concerns about Translink and Northern Ireland Water. As I said, I have secured a commitment from the Executive that they will put Translink on a firm financial footing. There are growing pressures on Northern Ireland Water. The Executive recognise the critical importance of our waste water infrastructure. We will not be able to build homes or grow our economy if we do not invest. The provision of clean, safe drinking water to people's homes is a critical issue, as is the safe

treatment of our waste water. We will then be able to have a network and capacity that allows us to grow and fulfil all the ambition that we have. I do not think that that point is lost on the Executive. I am not at a point yet where an allocation has been made, but I know that everybody from across all parties recognises the importance of it. I believe that that is also recognised in the Executive.

You are absolutely right about the TEC extension. The first cohort's will be coming up soon. I have recently signed off on a submission for a further extension to those TECs, but the difficulty, as you point out, is that, at the moment, even though we are doing a lot of work on automation, we are not at that point yet, so I do not want to give out mixed messages. People need to phone up and book an appointment to trigger a second TEC. I hope to be in a place soon where we have it automated and people will not need to do that, but, at the moment, that is the process that they have to follow.

Mr Beggs: Even those who originally applied and have not had their money refunded? Do they have to pay a second batch of funding?

Ms Mallon: Yes.

Mr Beggs: When do they get refunded for the original application?

Ms Mallon: They will have had their original application refunded. There has been a delay because of the volume and, obviously, because of the pressures on staff given that they are working from home. There are difficulties in that regard. I am not going to make excuses about this. It is far from perfect, but we are trying to work through it. We need people to have the TEC triggered, and, under the current system, they need to phone up to book the appointment. That is why we have put considerable focus on trying to get to a place of automation. I am hopeful that, in a short space of time, I will be able to make announcements on that, but, at the moment, for people to get the TEC or the extended TEC they need to phone up and book the appointment. They can also check online. I know that people are concerned about delays in receiving a hard copy by post. I encourage people to check online, because we have a system where you can find your registration and see whether you have been issued with a TEC.

We will not be able to widen every single footpath. We will have to look at that through a framework. I have noticed that other countries have a priority matrix where they look at footpaths for people to get to shops and to other critical services. That is why I have asked officials to do a lot of work on what is happening in other places and on what it costs. Widening footpaths is not an issue for the Department for Infrastructure alone; it is a public health issue now that we are in a world in which social distancing is the new norm.

I hear what you are saying about the flagship projects. I am committed, because they are flagship projects, to progressing them.

Mr Beggs: Even though they are not the priority at the moment?

Ms Mallon: There is a commitment because they are flagship projects. It is an Executive commitment that I have to honour.

Mr Beggs: Bananas.

Mrs D Kelly: Thanks, Minister. Well done to your Department's officials and you for the innovative and creative way in which you have responded to COVID-19. I am always struck by the public health messaging on the motorway system. It is very good and is a constant endorsement of that message.

Minister, you have been strongly defending your Executive colleagues. The amount of money given to your Department does not suggest that there is a willingness to make infrastructure a key priority and a strategic ambition of the Executive if we are to get the economy moving. You mentioned your dialogue with the logistics and freight industries, which is critical. I am also concerned about when we will start to get the construction industry back on an even footing again. I am sure that the federation etc is not happy at all with the amount of money that has been made available to your Department.

I will pick up on the planning issue as well. Whilst there is legislation — I think that Ms Kimmins commented on trying to get permission extended — there is often a grey area in planning about the interpretation of when work on a site has actually commenced. Some will say that it is when the

founds are in. As a councillor and an MLA, I have heard, in the past, that it is when the site has been cleared and a fence has been put around it. From region to region in planning, there have always been different interpretations. I urge you to have a look at the interpretation end of it, because planning, at times, has grey areas.

I am concerned at the suggestion from the Finance Minister about the furloughing of transport staff, in particular. Has that been applied to staff across the public sector, or is it just being looked at for transport staff?

In terms of the requirement for a comprehensive spending review, was each Department asked to do that? You said something about sharing resources: what does that actually mean?

The other — sorry, I have waited a long time — point is the capital bid. Sorry, COVID-19. Why is Infrastructure the only Department that has not received COVID-19 funding, yet your Department has brought forward a number of initiatives? I find that hard to understand.

Ms Mallon: The public health messaging has been very powerful, and I want to thank TrafficWatchNI for assisting us in getting important and powerful messages out. Yesterday, we changed the signs to mark Workers' Memorial Day. That was really important, and we have had really good feedback from people that the messages are resonating. We will continue to play our part, for the duration of this crisis, in making sure that we get the public health messages out there.

You asked about infrastructure. Around the world, places recognise that, if you want to transform your society and your economy and you want to tackle the global crisis that is the climate emergency, infrastructure is key. It is the foundation upon which you build everything else. That is particularly important now and should be resonating more when we are in the middle of this crisis and we know what we need to do to come through it. As you rightly point out, the construction sector is key in our economy and in building that infrastructure, and it will be critical as we move into recovery. My Department has a key role to play in that.

You referenced case law. I have been very specific and careful in the language that I have used. Unless new primary legislation is put in place, the options are that you either renew or you commence work. For the commencement of work, there is a body of case law, so I urge anybody who is considering that to make sure that they are well advised on what they need to do, because I would not like someone to undertake work at expense to realise that it did not qualify as commencement. The Chief Planning Officer is in contact with councils, and I will ask him whether he is engaging with them on that matter.

The Minister of Finance wrote to all Departments on the issue of furlough. It is a significant decision and one that needs to be taken collectively by the Executive, and it needs to be done in consultation with workers and with trades unions. I am very clear on that. Andrew Muir raised the issue of being prepared for public transport as we emerge from the crisis, and I mentioned the need for social distancing and the need for fleet, so we will have to have more buses on the road for smaller passenger numbers. We will need drivers and all the critical staff who work for Translink to keep buses and trains clean in order to keep them on the road. On the face of it, these ideas sometimes look like wonderful solutions, but, when you start to work through the practicalities and details, there is a wider picture to take cognisance of. Of course, none of those decisions should be taken without consultation with the trades unions.

On the issue of comprehensive spending, yes, the Finance Minister asked all Departments to review spending. When I talk about pooling funds across Departments, I think of examples such as community transport, which has stepped up over and beyond in playing its part in the fightback. We were able to assist by continuing to provide the funding, but it has stepped up in delivering medicines, food parcels and shopping to very vulnerable people. Community transport is largely used to take people to health appointments, so I will work with the Minister of Health and the Minister of Agriculture to see what we can do, across our Departments, to assist community transport in supporting people who are particularly isolated in rural communities. That is the kind of thinking that I mean when I talk about having a cooperative partnership approach to problems and opportunities.

Mrs D Kelly: I am from a rural area and know the value of community transport and the role that it plays. I think that all MLAs recognise that.

It is important that a message goes to the Finance Minister that he should release some central funding for Infrastructure. I have not had an answer yet as to why Infrastructure stands alone and isolated.

The Chairperson (Miss McIlveen): Mr Boylan, do you have a short question?

Mr Boylan: It is a very short question. Two short questions; one each *[Laughter.]* Minister, on the conversation that we had about driving tests, has consideration been given to providing transport to key or front-line workers if they cannot take their tests? I am only throwing that out there.

Ms Mallon: Oh, I know.

Mr Boylan: You mentioned community transport and there may be an option there. I do not know

Katrina, on the legislation, I appreciate what you said about the regulatory aspects of section 51 of the Taxis Act, but is there not an opportunity to introduce emergency powers for a one-off payment for taxi drivers? Where would that sit? Does it sit in another Department?

Ms Mallon: Do you want me to go first?

Mr Boylan: Yes.

Ms Mallon: I see an opportunity there; that is why I am keeping the situation under constant review. I am holding back because I need to have a clear understanding of the unintended consequences of doing that. However, I would not like to introduce something for very good, well-intentioned reasons and for that to encourage people onto our public transport, where they would engage with one another and not adhere to the clear advice to stay at home and only engage in essential travel. That is the balance that I always have to strike.

From the beginning, I have said that the way through the crisis is to be creative and to work together. We are seeing that through the actions of the Department for Communities, our councils and our communities; we are also seeing it with community transport. People are doing things in a new way and are working together. I am always on the lookout for creative ways to use, say, community transport or others to provide support to our essential key workers.

That is something that I can discuss with the community transport sector, in particular; I am definitely up for looking at creative ideas. My reticence in using the public transport network is that the practical workings of it would be that we would have to offer it free to everybody, and we have to be mindful, as an Assembly, that that could have very damaging unintended consequences.

Mr Boylan: Thank you.

Mrs Godfrey: To pick up on the Taxis Act, it goes back to the specific responsibilities of the Minister's Department, which are very firmly in the regulatory space and that crossover between our responsibilities for the regulation of certain transport. It is also the point that the Minister and I made earlier about at what point you look at what would be, in normal circumstances, a thriving business sector and what business support is available. That would take it into at least a couple of other Departments.

Ms Mallon: We recognise that businesses and workers have been badly affected and that there has been a number of financial packages. Some can be availed of by different people in the industry, and some cannot. I suppose that it is an issue of being clear about where responsibility lies. As Minister for Infrastructure, I will do everything that I can within my responsibility for regulation. I have Executive colleagues who have the remit and responsibilities from whom the taxi industry is seeking support. We need to examine the possibility of providing financial assistance to taxi drivers, but that would be a matter for the Minister for the Economy and the Minister of Finance.

The Chairperson (Miss McIlveen): OK. Thank you. Minister, do you have an update on the relaxation of vehicle maximum weight limits? I know that it has been raised a few times with you.

Ms Mallon: Yes. We are aware that that is an issue for one company in particular. I asked my officials to engage directly with that company, and with other representatives, and that engagement is ongoing.

It is being explored directly with the company, because I recognise that it has raised it as an issue. My understanding is that it is part of contingency planning, as opposed to being an immediate and pressing need. However, my officials are engaging to see what we can do to support that company, given its important role in the agri-food sector.

The Chairperson (Miss McIlveen): We have a regulation before us today in relation to electric bikes. It could be debatable whether that is COVID-related. It could be about health, being able to get out and so on. When do you plan to move it?

Ms Mallon: We are in discussions with the Business Office to secure a date at the earliest opportunity. Business is focused on COVID-19. I would argue that this regulation could sit with that, because it is about safe, active travel. As soon as I can possibly get a date, I will be keen to move on this as quickly as possible.

The Chairperson (Miss McIlveen): There will be an opportunity for us to speak with you again on Tuesday, I understand.

Ms Mallon: Yes, at the Ad Hoc Committee.

The Chairperson (Miss McIlveen): A statement in the Chamber.

Ms Mallon: There are that many.

The Chairperson (Miss McIlveen): There are no further questions at this stage, so I thank you and your officials for attending this morning. There will be other opportunities. We did not get the opportunity to speak to John directly today, but I am sure that that will be rectified in near future.

Mr John McGrath (Department for Infrastructure): It is fine, Chair.

Ms Mallon: There will be many other opportunities.

Mr Boylan: John did his job the last day.

The Chairperson (Miss McIlveen): Thank you very much.