



**Northern Ireland
Assembly**

COMMITTEE FOR AGRICULTURE AND RURAL DEVELOPMENT

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Armagh City, Banbridge and Craigavon Borough Council appreciate the Committee for Agriculture & Rural Development offering the opportunity to participate in this important on Draft Rural Needs Bill. Please see below our comments on the clauses contained within the draft bill. The rural population of the Armagh City, Banbridge and Craigavon Borough Council is approximately 99,294 (NISRA 2014 population estimates) which is 48% of the Borough's overall population. Despite having a number of key urban areas within our boundaries the population density indicates that it is predominately rural in its makeup. This view is underpinned by NISRA settlement statistics indicating that at least 50% of the rural population lives outside of even the smallest settlements. Therefore the Rural Needs Bill and its objectives in relation to Rural Proofing will impact greatly on the Council and those that live within our boundaries;

Clause 1: Duty of public authorities to consider rural needs

This imposes a statutory duty on departments, district councils and any other public authorities (which may be specified by order) to consider rural needs when developing, adopting, implementing or revising policies, strategies and plans and designing and delivering public services. This clause also makes provision for the Department to specify (by way of an order laid before, and approved by resolution of, the Assembly) any person exercising functions of a public nature as a public authority for the purposes of this Act.

Armagh City, Banbridge and Craigavon Borough Council endorses the requirement of a statutory requirement for all government departments and local councils to ensure that the needs of rural dwellers are appropriately considered. The statutory legislation gives key

government departments a clear set of parameters and guidelines to work to when creating new policies on public services. It ensures that rural proofing is central to all policy development and implementation through the process. However all key government departments and local Councils should be treated equally and be subject to the same statutory obligations.

With this in mind we believe that changing the word “consider” within this clause of the bill and replacing it with a phrase such as “have due regard to” would strengthen the impact of the bill and help achieve its desired goal. Our concern being that the duty to “consider” rural needs could, for instance, lead to a rural impact assessment being carried out without any substantial adjustment to the delivery of policy and programmes in rural areas.

We also concerned that the bill does not refer to the need to mitigate against adverse impact in rural communities where adverse impact is identified therefore we believe an additional clause should be added to state that “where adverse impact on rural communities is identified, public authorities should take reasonable steps to mitigate such impacts”

We also believe it is important to ensure that arm’s length bodies are clearly specified in this bill as many carry out significant functions on behalf of government bodies.

Clause 2: Guidance, advice and information, etc.

Clause 2 provides an enabling power for the Department to provide guidance, advice and information about issues connected with rural needs or ways of meeting those needs. It also provides the Department with the power to undertake, commission or support (by financial means or otherwise) research into any matter relating to rural needs.

Councils in performing their community planning duties look forward to the consistent, clear guidance and enforcement of the Rural Needs requirements underpinning this Bill, since, without same, a key foundation piece to embed Rural Needs policy and legislation will founder. It is imperative that this Guidance is co designed between Councils, DARD and DoE, of course drawing on other rural networks and bodies both in terms of preparation and seeing it through, for example in a Community Planning Partnership.

Also the bill should make explicit the need for training provision for those officials from public authorities charged with carrying out the duty.

It is also our expectation that new Programme for Government and the Departmental budget would need to resource this high expectation.

Clause 3: Monitoring and reporting

Clause 3 imposes a statutory duty on public authorities to compile information on the exercise of its functions under Clause 1 of the Bill and to provide that information to the Department. Clause 3 further imposes a statutory duty on the Department to prepare an annual report on both the information sent to it by the other public authorities and information on the exercise of its own functions under the Bill, and for that report to be laid before the Assembly.

It will be the expectation of Councils that monitoring and reporting is placed within an overall template of Performance Indicators, agreed with and between Departments and Councils, led of course by the new department of Agriculture, Environment and Rural Affairs, with perhaps significant input from the Department of the Communities as the “gatekeeper” Department for the local authorities.

We also believe that there should be a requirement for the Minister to make an annual statement of their assessment of the impact of the rural needs bill to the assembly. This will add to the accountability and transparency of the process.

What’s important to Councils is that they are not spending time responding to 9 sets of KPI processes, as well as the Auditor, Ombudsman and others, but are working accountably and innovatively to ensure amongst other things that Rural Need is a statutory requirement, not discretionary, which can only be fulfilled if we all adhere to it and don’t spend disproportionately large amounts of time adhering other Government Department objectives. That would be a matter, we believe for the Partnership Panel – to ensure that we are not wading in KPIs but delivering services fairly and in a manner which is directed at those in need within rural communities and the rest of the North of Ireland. Therefore, utilisation of NILGA in association with SOLACE, in the collation of the material required for the Annual Report referred to in Clause 3, is perhaps a means to get clear, time bound, outputs from at least one of the sectors required to apply Rural Needs, namely the local government sector, which will professionally and enthusiastically work for the betterment of our rural communities

Clause 4: Co-operation with other bodies

Clause 4 makes provision for the Department to make arrangements with

other public authorities with a view to securing co-operation and the exchange of information.

The need for government to establish and maintain a joined up collaborative approach to considering and taking account of rural needs when designing and delivering new services is to be welcomed. It encourages key government to communicate more effectively with each other regarding their service delivery plans regarding key services, budgets available and key constraints.

This could have other positive benefits including reduction in duplication, sharing of best practice and resources, which can only have a positive impact on our public finances and range of services delivered in Northern Ireland which can reduce rural isolation and improve the competitiveness of our rural economy.

Clause 5: Commencement

Sections 1 to 4 come into operation on such day or days as the Department may by order appoint.

No comment, as this relates to the operation of the Bill

Clause 6: Interpretation

In this Act—

“the Department” means the Department of Agriculture and Rural Development;

“rural needs” means the social and economic needs of persons in rural areas.

No comment, as this relates to the definition of wording and is clear.

Clause 7: Short title

This Act may be cited as the Rural Needs Act (Northern Ireland) 2015.

No comment, as this relates to the definition of the Bill

In Conclusion:

Armagh City, Banbridge and Craigavon Borough Council agree the Bill is a much needed first step. However for the Bill to work, guidance in

relation to the expectations of the Department is required. How the Department intends to monitor and report on compliance and what the sanction will be if there is inadequate compliance, will be key to success, as will ensuring that Councils are part of the design, implementation and delivery, and are properly resourced in regard to the fulfilment of these legislative requirements on behalf of the rural community we are all collectively serve.

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