

Rural Needs Bill –Committee Stage

Evidence to the Agriculture and Rural Development Committee from Rural Community Network and Rural Development Council

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Initial Comments

Rural Community Network (RCN) and Rural Development Council (RDC) welcome the opportunity to give evidence to the Agriculture and Rural Development Committee as part of the Committee's scrutiny of the Rural Needs Bill.

We support the introduction of the Bill as RCN and RDC have called for rural proofing to be put on a statutory footing for several years now. Whilst rural proofing has been a NI Executive commitment since 2002 its implementation has been patchy and its impact limited. As part of our policy work RCN has responded to many policy consultations carried out by public authorities and in the vast majority of these we see very little evidence of rural proofing. Where rural proofing does occur it appears as if it is carried out at the end of the policy development process instead of at the start, when policy development is instigated.

Our remarks on the content of the Bill must be preceded by the caveat that we are lay people and our reading of the Bill and the language contained within it is our interpretation as lay people.

We believe that the Bill should be strengthened and made as robust as possible to ensure better outcomes for rural citizens across Northern Ireland. This is an important piece of legislation and both RCN and RDC are of the view that it should be as robust as possible. We accept that politics is the "art of the possible" and to secure the passage of the Bill into law cross party agreement is a prerequisite.

We hope that our remarks and suggestions for changes to the wording of the Bill will be accepted by committee members as an honest attempt to explore what the Bill will mean in practice and how it can be improved. When we submitted our response to the Department's consultation on its Rural Proofing policy proposals in March 2015 we stated that the true yardstick of any rural proofing process would be the outcomes and impacts it would have for rural citizens across Northern Ireland. The impact of the Rural Needs Bill needs to be felt by rural citizens across Northern Ireland if it is to have true worth.

Specific Comments on the clauses of the Rural Needs Bill:

1. (1) Delete "consider" and insert "have due regard to"

Public authorities, under this wording of the duty, may well consider rural needs but having considered them are not compelled to act differently as a result. We are concerned that the Duty to consider rural needs could, in many cases, lead to a rural impact assessment being carried out without any substantial adjustment to the delivery of policy and programmes in rural areas. To "have due regard to" may require public authorities to take the issues associated with rural needs more seriously.

If the insertion of “*have due regard to*” rural needs cannot be agreed then we would suggest that, as a further alternative, the clause “*carry out and give effect to a rural impact assessment*” be inserted in brackets after the clause “*consider rural needs*”.

1. (1) (a) *insert the word “monitoring” after implementing and insert the word “budgets” after strategies.*

The clause should read:

“developing, adopting, implementing, monitoring or revising policies, strategies, plans and budgets”

We believe that public authorities should also be required to consider rural needs when monitoring policies, strategies and plans and that the duty needs to include reference to budgets.

1. (1)(b) *A further clause should be inserted after clause (b) “where adverse impact is identified public authorities should take reasonable steps to mitigate such impacts.”*

We are concerned that the Bill does not refer to the need to mitigate against adverse impact in rural communities where adverse impact is identified. We recognise the budgetary constraints that all public authorities operate under but believe that without reference to the need to mitigate adverse impact there is a risk that the “consideration of rural needs” will not lead to any significant change for rural citizens. The inclusion of the phrase reasonable steps aims to balance the need to mitigate adverse impacts in rural areas with the reality that public authorities have limited budgets.

1. (1) (b) *A further clause should be inserted after clause (b) “Public authorities should engage with rural stakeholders and the public when undertaking rural impact statements”*

1. (2) (c) *A specific reference to “arm’s length bodies” as public authorities should be included.*

We believe it is important to state that arm’s length bodies, many of which carry out significant functions on behalf of government departments should be specified on the Bill.

2. *Delete the word may and insert the word will so the final clause should read: “The Department will take such steps as appear to it to be appropriate to”*

2. (a) *Insert the word “training” after advice.*

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

3. (2) *An additional clause should be inserted stating that “The Minister must make an annual statement of their assessment of the impact of the Rural Needs Bill to the Assembly.”*

We believe this additional step should be inserted as our understanding that the current clause which states that a copy of the annual report is to be laid before the Assembly means that any report compiled on rural proofing will be lodged in the Assembly library. Requiring a Ministerial statement to the Assembly will add an extra layer of accountability and transparency to the process.

6. We are concerned as to whether the definition of “rural needs” as set out in the Bill currently to mean *“the social and economic needs of persons in rural areas”* is sufficiently clear to enable public authorities to discharge the duty.

In Conclusion

RCN and RDC are keen that a Rural Needs Bill is passed that will put rural proofing on a statutory footing and will ensure that decision makers in public authorities consider the impact on rural citizens of any new policy or change to policy or service delivery at an early stage.

We recognise the work of the Department to date in getting the Bill to this stage and hope that through the remaining stages of the Bill that members can work together constructively to produce legislation that will have concrete impact for rural citizens.

We are well aware that the Rural Needs Bill will not be a panacea for all the problems that rural citizens face but that it should lead to a more robust approach by duty holders to considering the impact of changes in rural areas, based on evidence and making reasonable adjustments to those decisions where they are shown to have an adverse impact.

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