



**Northern Ireland
Assembly**

COMMITTEE FOR AGRICULTURE AND RURAL DEVELOPMENT

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Name: Brendan Hegarty (Chief Executive)

Organisation: (if applicable): Fermanagh and Omagh District Council

Date: Monday, 23 November 2015

Fermanagh and Omagh District Council (Council) welcomes the opportunity to respond to the Committee for Agriculture and Rural Development's (Committee) 'Call for Evidence' regarding the Rural Needs Bill (formerly the 'Rural Proofing Bill').

Brief Background for Fermanagh and Omagh District Council

The District Council area is home to 114,992 people (as of 30 June 2014). The District Council area is Northern Ireland's largest region in terms of land mass - approximately 3,000km², or 20% of NI - and the smallest in terms of population. As a result, the population density of approximately 41 people per km² is the sparsest in NI. This is a feature of the region which also provides challenges to service delivery.

Call for Evidence

Fermanagh and Omagh District Council strongly supports the requirement for

effective, consistent and meaningful rural proofing within Northern Ireland.

In relation to the Bill, Council have a number of recommendations and comments which are outlined in this written submission to the Committee.

The Council sees 'Rural Proofing' as an integral part of the policy making cycle, which requires that the needs and interests of rural residents, communities and businesses are properly considered. The Rural Needs Bill should apply to the development and implementation of all policies and programmes.

Council would wish to emphasise the challenge to ensure rural proofing does not become a 'tick box' exercise lost within a broader equality framework. It is required to secure proportionate impact across all rural areas, including remote and peripheral communities (and with a requirement for Central Government to meet the additional "rural premium costs" associated with servicing such areas). It is not concerned with favouring rural areas; rather it is about making a commitment to ensure rural circumstances and needs become an integral part of policy, no longer seen as an add-on or after-thought. It is the Council's view that the "Rural Impact Assessment" should be placed on the same statutory footing as the Equality Impact Assessment in order to mainstream rural issues into the policy planning process.

The Council wishes to endorse the submission made by the Northern Ireland Local Government Association, in response to the Committee's Call for Evidence, as well as make the following observations.

1 – Duty of public authorities to consider rural needs

One of the first, and most important, issues which the Council would like to be addressed within the Bill is the inclusion of a definition of a rural community. Is it a settlement of a certain number of people, does it include the surrounding area of a town/village and its surroundings?

Within the Fermanagh and Omagh District significant areas can be classed as

sparsely populated and rural. With the exception of the two urban centres (Enniskillen and Omagh), no areas of the District can attract funding from the Department for Social Development for Urban Regeneration, which would mean classifying all other towns/villages/areas within the District as rural.

Larger settlements (like Lisnaskea, Irvinestown and Fintona), should be classified as rural towns and treated the same as any other rural area due to their location, their access to services, and their access to public transport.

The Council believes that it is essential that all Public Authorities consider and support rural needs in the development and implementation of all policies and programmes.

Therefore the Council would recommend the re-wording of 1(a) to read:

- ‘1. – A public authority must consider rural needs when –
(a) Developing, adopting, implementing or revising policies, strategies, plans and programmes, and...’

Section 2 of this Duty, refers to the meaning of the term ‘Public Authority’. In order to ensure a consistent approach, Council recommends that the Public Authorities who are Designated Bodies for the purpose of Section 75 of the Northern Ireland Act 1975 should be similarly designated for the purpose of undertaking rural proofing.

Council also recommends that the Bill expands upon the wording ‘any other person specified in an order made by the Department’, to include that the Duty will be applied to: ‘..agents, or contractors, undertaking significant tendered work or activity for, or on behalf of, any Government Department or Public Authority’.

2 – Guidance, advice and information, etc.

The Council believes that the Department should be the lead co-ordinating body to promote and encourage other bodies/organisations to fully partake in

rural proofing. DARD should continue to take the lead on an integrated rural policy for Northern Ireland, with activities constructed around championing 'rural' within government and influencing others to take account of rural circumstance.

Council would suggest that local government has traditionally been much more aware of and committed to fulfilling its responsibilities to rural communities, than Central Government. It is also worth re-stating that as central government carries the great majority of budgets, evidence of rural proofing within its departments will have a greater impact. As a matter of course, rural councils such as Fermanagh and Omagh District Council and its predecessor Councils, have actively sought to identify and meet the needs of rural communities. Local Councillors are particularly in tune with their local areas, and indeed have often taken a proactive role in lobbying Central Government to ensure the needs of rural communities are appropriately addressed.

The Council strongly recommends that the Department commits to the inclusion of measures, such as training, within the Rural Needs Bill. This would involve the provision of briefings, training and mentoring opportunities for policy and delivery staff to build knowledge and capacity of rural and rural proofing, developing and promoting common approaches and understanding of rurality in order to better inform both decisions and approaches to data collation and management

The Council further recommends that the Department gives consideration to designating one unit or section for dealing with the Rural Needs Bill, both for queries and annual returns. For example, in England the Department for Environment, Food and Rural Affairs' Rural Policy Unit looks after 'rural proofing', offering advice through a dedicated direct dial telephone number and through a dedicated 'Rural Communities' email address. The Department of Agriculture and Rural Development (Northern Ireland) should initiate a similar system, whereby people know that there is a dedicated point of

contact.

3 – Monitoring and Reporting

Although, the Council believes that the Department should play a lead role in the implementation of the Rural Needs Bill, there should be an element of independence in the monitoring of the information provided by other Public Authorities. For example, if an issue arises between the Department and another Department of the Executive, or Public Authority, the Department should be able to escalate this issue, if needed, to the Northern Ireland Executive for resolution. The Northern Ireland Executive, in the Council's opinion, should act as the final Arbitrator on any contentious decisions.

Council strongly believes that it is vital that robust monitoring and reporting arrangements are introduced as part of the implementation of the Bill. All Public Sector Organisations should be held accountable for ensuring that the needs of rural communities are considered.

The Council also recommends that there should be a sanction involved for any organisation which fails to comply with the Bill. A sanction for the 'failure to comply', would result in meaningful action being taken by all Public Authorities in respect to considering the needs of rural communities when developing, or implementing, policies, decisions and/or programmes.

Under subsection (1) of Monitoring and Reporting, a public authority must 'compile information on the exercise of its functions under section one, and send this information to the Department'. However, there is no indication (within either the Bill or the Explanatory and Financial Memorandum) of how often Public Authorities will be required to report to the Department (i.e. annually or six monthly). There is no mention of the format in which the Department wishes to receive this information, or how each Public Authority should hold the information.

Council recommends that SMART rural indicators are established to provide a baseline against which to measure progress and evaluate the effectiveness of the different initiatives proposed. However there is a need for a description of outcomes to be developed to aid the definition of key performance measurement indicators.

4 – Co-operation with Other Bodies

It is fundamental to the success of the Rural Needs Bill that the Department secures co-operation from other bodies, and particularly from other Departments within the Northern Ireland Assembly.

The Council believes that co-operation with other bodies, and partnership working with various stakeholders within the public, private and community/voluntary sectors, will not only improve awareness of the bill, but may also make it easier to understand, communicate the key messages and ultimately improve confidence in the Bill and the Department's role in its implementation.

It is important that the Department, or organisations on the Department's behalf, work within rural communities - talking to individuals/groups – in order to assess varying needs and feedback the information to relevant stakeholders. This can be linked into Community Planning, where all Local Councils are currently interacting with local communities, groups and individuals within their Districts. This synergistic approach is essential as part of the delivery mechanism to ensure that the communities themselves are involved in the implementation of policy. Council believes that it is important that there is a commitment to the co-ordination of funds from different agencies to support an integrated plan for a local area, to achieve a specific local objective or to deliver joint service plans for particular communities or joint initiatives to tackle social exclusion, in order to maximise their impact and avoid duplication and conflict.

Central Government Departments are responsible for the large majority of Public Sector budgets. Therefore, it may be worthwhile (in the immediate term) to focus majorly on these Departments for whom the issue of rural needs may have greater impact upon local communities.

For example, in the last number of months there have been a number of consultations, proposals and/or decisions taken that adversely impact on the needs of rural communities. These include the introduction of the Social Investment Fund, the transferring of functions from Central Government to Local Government, the closure of rural day centres, nursing homes, schools and post offices.

One prime example of an action being proposed, without any clear consideration of the impact on rural communities would be the proposal of the Department of Justice to close Enniskillen Courthouse. The proposal to close the Courthouse did not take various factors (which rural residents face daily) into account, such as travel distances and the severe lack of public transport. The document referenced that the route between Enniskillen and Omagh was took 40 minutes to travel by car and 60 minutes to travel via the direct bus route. No mention was made, or perhaps even consideration given to, the fact that Fermanagh is intersected by Lough Erne which leaves rural travel from towns/villages in the western part of the County quite difficult at times. Examples of how long it would take people to travel to Omagh Courthouse from some of these Westerly towns/villages are as follows:

	Belcoo	Kinawley	Teemore	Roslea
Distance to Omagh	38 m	37m	32m	32m
Bus Journey ¹	2h 20m	2h 32m	2h 45m	2h 26m ²
Total return journey	4h 40m	5h 4m	5h 30m	4h 54m

¹ Travelling by public transport means that people travelling from these towns will be unable to reach Omagh courthouse by the 10.00am start time. Such non-attendance may result in the issuing of a bench warrant and the subsequent detention of a person.

² There are current proposals from Transport NI to remove the route linking Roslea to Enniskillen which will consequently adversely impact on the possibility of a person accessing the courthouse in Omagh.

If any meaningful rural proofing took place in relation to this Closure of Enniskillen Courthouse, the Council believes that a different proposal may

have been made.

Council strongly believes that there should be a requirement for meaningful Cross Departmental Consultation in relation to the needs of rural communities. A prime example of where this would have made a positive impact was the recent public consultation document on the Accessible Transport Strategy 2025. This document, introduced by the Department for Regional Development, appears to have received very little input from other Departments such as the Department for Agriculture and Rural Development. As the Rural Needs Bill states, rural needs are defined as 'social and economic needs'. Therefore it is vital that **all** the needs of rural communities are considered.

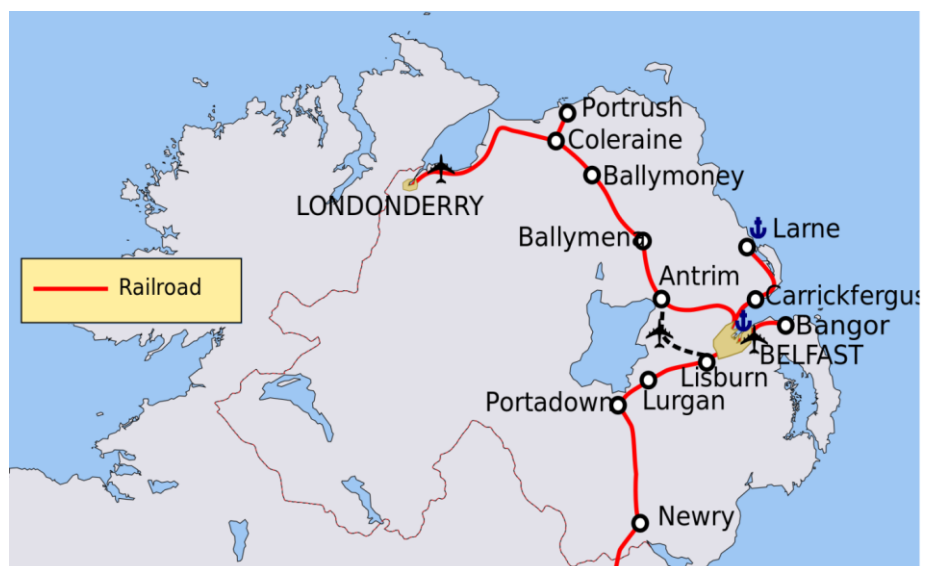
For instance, the Accessible Transport Strategy documents made no reference to rural transport or community transport which many rural communities within the Fermanagh and Omagh District rely upon. Indeed a lot of older people rely on such methods of transport to go about their daily business.

In Northern Ireland, the majority of users of Community Transport Services are older people. Last year 220,000 rural Dial-a-Lift passenger trips were made by Community Transport Services, as well as 390,000 Rural Group Passenger trips. Almost one in five of these trips took place within the Fermanagh and Omagh District.

Transport, like many other public services, has been subjected to budget cuts and many service reductions/cancellations, the majority of which are mostly felt by those living in isolated rural communities. 14 of Fermanagh and Omagh District Council Wards appear within the 'Top 50' most deprived areas within Northern Ireland with regards to 'Proximity to Services', including 5 within the 'Top 10'. [NISRA Statistics]. This clearly shows that within the District, there are many areas which are deemed isolated and rural. The Rural Needs Bill should therefore directly impact, positively, amongst many residents within the

locality allowing them to no longer be disadvantaged because of where they live and/or work.

Another area where the Council believes that effective rural proofing may have resulted in different decisions is in relation to Transport NI's decision to stop maintenance on 'C-Class' and 'U-Class' roads. Reducing, or indeed stopping, the maintenance on these roads could leave public authorities spending more money in years to come in order to fix any major defaults that arise. The fact that the Fermanagh and Omagh District is the only District to not be serviced by a Dual Carriageway demonstrates how separated and isolated some residents within the District are. The map below helps to demonstrate the lack of even a train service for many rural areas within Northern Ireland:



There are numerous other examples of decisions being undertaken (or policies being implemented) that are detrimental to rural communities, for example the Devolution of Animal Welfare under which Councils have assumed responsibility for pets with horses being classified as pets.

Council further recommends that there is a commitment to the development of common data formats for recording and storing datasets to inform cross border rural service solutions. It is important that there should be a recognition that some plans need to be developed on a cross-border basis e.g. environmental and transport enhancement and that this requires further

consideration owing to the disparity between the funding that may be available within the 2 jurisdictions

Financial Effects of the Bill

Within the 'Explanatory and Financial Memorandum' document numbered paragraph 12, deals specifically with the 'Financial Effects of the Bill'.

Although the Council strongly supports the introduction of the Rural Needs Bill, there will be an additional administration cost to each organisation. This administration cost will be take the form of staff recording the Rural Needs Consideration and reporting on any necessary actions that were undertaken as a result. Staff will also be tasked with collating all Considerations for the organisation (in this case Fermanagh and Omagh District Council) as well as sending the required information back to the Department in a timely manner.

In an attempt to reduce time, and cost, for the responding organisations Council recommends that the Department develops a standard reporting framework.

Currently, across the entire public sector within Northern Ireland there is increased emphasis on cost efficiency and savings in an attempt to counter any future budget reductions. However, rural communities (in particular those which are deemed quite isolated) face significant challenges in relation to accessing services and sustainability. This is particularly apparent in areas such as Health and Social Care, Community Support, Transport, Education and so forth.

In recent years, the Council believes that there are a number of decisions which have been made that are to the detriment of rural communities including the extension of Broadband, the absence of consideration of non-farming rural dwellers in Strategic Planning Policy Statements. Whilst the Council accepts the problems that would be caused by making this Bill have retrospective effect, nevertheless any future policies or implementation plans under existing legislation, should be subject to the requirement for rural

proofing.

The Council strongly recommends that any 'Rural Impact Assessments' that take place should not become a 'tick box' exercise for public authorities once decisions have been taken. The exercise should help to ensure sustainable rural communities going forward and should, in effect, be undertaken alongside any Equality Screening and Sustainability Assessments.

Fermanagh and Omagh District Council believes that effective rural proofing is required to support isolated rural communities, businesses, groups and individuals. This rural proofing exercise should include more than just the social and economic needs of an area though, it should also look at any potential negative impacts upon particular individuals or groups of people which may not be included in the usual social/economic needs of an area.

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