



Northern Ireland  
Assembly

Committee for Agriculture and Rural  
Development

# OFFICIAL REPORT (Hansard)

Proposed Rural Proofing Bill: DARD Briefing

20 January 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Agriculture and Rural Development

### Proposed Rural Proofing Bill: DARD Briefing

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#### **Members present for all or part of the proceedings:**

Mr William Irwin (Chairperson)  
Mr Joe Byrne (Deputy Chairperson)  
Mr Sydney Anderson  
Mr Thomas Buchanan  
Mrs Jo-Anne Dobson  
Mr Declan McAleer  
Mr Oliver McMullan  
Mr Ian Milne  
Mr Edwin Poots

#### **Witnesses:**

Mrs Colette McMaster	Department of Agriculture and Rural Development
Ms Astrid Stuart	Department of Agriculture and Rural Development
Ms Louise Warde Hunter	Department of Agriculture and Rural Development

**The Chairperson (Mr Irwin):** I welcome Louise Warde Hunter, deputy secretary, Colette McMaster, grade 5, and Astrid Stuart, grade 7. I ask you to take up to 10 minutes for your presentation, and then we will ask questions.

**Ms Louise Warde Hunter (Department of Agriculture and Rural Development):** Thank you for the opportunity to provide this briefing today on the policy proposals for the rural proofing Bill. I have with me Colette McMaster, who is director of food, farm and rural policy and is no stranger to this Committee. Astrid Stuart is a newer face; she has been appointed head of the new rural proofing Bill team. They will support me today in answering any questions.

Committee members will be aware that it is the Minister's intention, subject to Executive approval, to progress a new rural proofing Bill through to enactment during the lifetime of the current Assembly. Members will have received the briefing paper provided by the Department, which gives a broad outline of the policy proposals for the Bill. The proposals will form the basis of the consultation document when we go out to public consultation, fairly imminently, at the beginning of February. The purpose of today's presentation is to start engaging with the Committee at an early stage in the preparation for the Bill. The timescale for bringing the Bill forward is, as you will recognise, challenging, but we are committed to working with the Committee to make this achievable. During my short presentation, I want to cover the need for the Bill, to outline the intended outcomes, and to give you a summary of the policy proposals, as well as a flavour of discussions with stakeholders — I hope you will find that of interest — and, briefly, of the next steps. Those are the five broad strands that I would like to outline today.

Whilst the Executive have been committed to undertaking rural proofing since 2002, it has been recognised that there is scope to improve its effectiveness in government to ensure that it can help to deliver better outcomes for rural dwellers. In particular, there is a need for rural proofing to become more firmly embedded in government policy-making and to be implemented more widely and effectively across government. Legislation placing rural proofing on a statutory footing would therefore provide a robust mechanism for ensuring that the needs of rural dwellers are fully taken into account in the policy-making process. In the 'Rural White Paper Action Plan', the Executive set out their rural vision, which includes a vision for a:

*"fair and inclusive rural society where rural dwellers enjoy the same quality of life as all others in the region."*

We envisage rural proofing as a key tool to help to deliver on this rural vision. It is proposed that the rural proofing Bill will aim to secure the fair and equitable treatment of rural dwellers by helping to ensure that their needs are taken into account during the development of policies that govern how public services are delivered. Very pertinently at a time of unprecedented financial constraints, rural proofing is a tool that can help to ensure that future public resources, interventions and services are targeted to address the identified need in rural areas in an effective and equitable way.

Throughout November, we held a series of individual discussions with a range of stakeholders, and, following that initial round of engagement, we established a stakeholder forum. That met for the first time in December and will meet again later this week, when we will report back on our engagement with the Committee. We have sought the views of a number of stakeholder organisations. They include — I will take a quick canter through — the Rural Development Council (RDC), the Rural Community Network (RCN), the Rural Women's Network, the Ulster Farmers' Union (UFU), the Northern Ireland Agricultural Producers Association (NIAPA), the Young Farmers' Clubs of Ulster, the Northern Ireland Local Government Association (NILGA), the Housing Executive, the Community Relations Council and Queen's University amongst others, including, of course, officials from other Departments.

The important thing to share with the Committee is that the stakeholders are broadly supportive of the Department's proposal for a Bill to strengthen the rural-proofing process. The key themes emerging, though, from the individual discussions and the stakeholder forum were threefold: the need for consistency across government, greater transparency, and a clear evidence base in the rural-proofing process. In light of those discussions, we have shaped our policy proposals for the Bill as set out in the briefing paper.

I will reiterate if I may, Mr Chairman, the policy objectives of the Bill. They are to ensure that rural proofing is carried out effectively across government; to clarify DARD's role in promoting and encouraging rural proofing across government; to improve the availability and transparency of information and data on rural proofing through the development of a report to be laid before the Assembly; and to improve arrangements for cooperation between public authorities and the sharing of best practice.

We very much hope that the Bill will help us to address the issues that stakeholders have told us about in relation to the current rural-proofing system. In particular, it is proposed that the Bill will introduce a duty on Departments to take into account the needs of people living in rural areas when developing and implementing their policies and strategies, including spending plans. Stakeholders have told us that there is often a perception that rural issues are exclusively DARD's responsibility. However, the needs of our rural communities clearly span a number of key policy areas across the full range of Departments. This proposed duty would place responsibility on all Departments, and, indeed, on local authorities, to ensure that rural needs are fully considered in the policy-making process.

Consideration will also be given to enhancing DARD's role in promoting and encouraging rural proofing across government. To further strengthen DARD's role, it is proposed that the Bill will contain powers for DARD to provide support for rural proofing through the provision of training, advice and guidance. That will help to build capacity and capability across government to carry out rural proofing.

The proposals for the Bill also include a requirement for DARD to compile and publish a monitoring report on rural proofing to be laid before the Assembly. It is envisaged that this report will contain information provided by all Departments on rural proofing. That would help to ensure greater transparency on the extent to which rural proofing is being carried out and a degree of accountability to the Assembly on this area.

Finally, it is proposed that the Bill will contain provision for cooperation and collaboration between DARD and other Departments and public bodies. We certainly hope that this would help to address any inconsistencies across government in the application of rural proofing and to ensure a cohesive approach in the future.

Our next step in progressing the Bill is a public consultation exercise on the draft proposals. An advance copy of consultation documentation will be provided to the Committee. We intend to launch the consultation on 2 February, with the consultation period concluding on 13 March. During this six-week period, we will host a series of public meetings, a minimum of one in each county across Northern Ireland, to maximise public engagement in the consultation. Once we have considered the responses to the consultation, the final policy proposals and draft Bill will go to the Executive seeking agreement for the Bill's introduction. We would be very happy to come back and brief the Committee again at that stage, if that would be helpful. We recognise, of course, that the Committee plays a key role in scrutinising any Bill and its draft positions, particularly during Committee Stage. We look forward to working with the Committee throughout the Bill's passage.

I hope that I have not gone too quickly, but I wanted to get in quite a bit on the background, context, ambitions of the policy proposals for the Bill and our next steps. I am very happy to take questions.

**The Chairperson (Mr Irwin):** Thank you very much for your presentation. What can you tell me about the current system of rural proofing? What research or assessment of other Departments have you undertaken to examine how it is working? What is wrong with the current system, and why is a Bill needed?

**Ms Warde Hunter:** I will pass across to Colette in just a moment to talk about the White Paper and the action plan. The critical point is to ensure consistency and transparency and draw on clear evidence. Our stakeholders who we have consulted to date say that there are deficiencies, which is why there has been broad support for strengthening the evidence for the proposals that we are articulating to the Committee today. We are happy to reflect a little bit on where we are on the work. I know that you will be receiving a briefing on the 'Rural White Paper Action Plan' very shortly.

**Mrs Colette McMaster (Department of Agriculture and Rural Development):** You ask what is wrong with the current system and how we know that it is not working. The current system is there. There is a commitment by the Executive on all the Departments to rural proof. That is being done. We engage with other Departments, and Departments are aware of their obligation to rural proof. It is really about talking to stakeholders. The themes coming out of our discussions with stakeholders relate to consistency, the way that that is done and the extent to which it is done. There is concern that the needs of rural dwellers be fully taken into account when policies are being developed.

We have looked at what other Administrations do. Astrid can probably say something on that. While carrying out the Bill, we also plan to have research conducted that will review the current operations of rural proofing and the way in which the rural champion operates. Part of that research will be to establish evidence and benchmark it against what is happening in other Administrations. We have done some initial research on that. I will ask Astrid to pick up on that.

**Ms Astrid Stuart (Department of Agriculture and Rural Development):** You asked about issues with the current systems. Other jurisdictions in the UK — Wales and the Department for Environment, Food and Rural Affairs (DEFRA) in England — have been looking at this recently. Wales did a review that concluded in June 2014, and DEFRA has had a similar review. It is a general recognition that there are problems with the current system. They have refreshed theirs, and we are looking to follow suit and revamp and refresh ours.

Some of the issues that stakeholders have highlighted in their discussions with us included, as Louise mentioned, the perception that everything rural is an issue for DARD alone; the need for a robust evidence base; that they can see gaps where there is a lack of data or the sharing of information across Departments; and a need for consistency across Departments. Those are some of the issues with the current system that stakeholders have told us about, and we hope to address them in the Bill.

**The Chairperson (Mr Irwin):** In your briefing, under the heading of policy principles, you say that rural issues should be mainstreamed throughout all government strategies, including spending plans. Have you checked that that is not already the case?

**Ms Warde Hunter:** I know that the Minister, in writing to Minister Hamilton just before Christmas in response to the Budget, exhorted Minister Hamilton to remind other Ministers that, in taking forward their proposed plans for the upcoming financial year, they had to rural proof that correctly. The issue is that, in drawing together the information that we have on our second year of the plan, and while we have had reasonably positive responses from Departments, we still believe that more can be done. That is certainly the evidence that has been presented to us by stakeholders to date.

**Mrs McMaster:** The consultation responses that stakeholders have made to DARD show that concern has been expressed that, in the current climate for spending plans, any cuts or reductions in services could have a disproportionate impact on rural areas. That was certainly the concern expressed by our rural stakeholders. As Louise said, the Minister has written to Minister Hamilton to ask him to remind Departments to consider that aspect.

**The Chairperson (Mr Irwin):** Oliver has to leave, so I will let him in first.

**Mr McMullan:** Thank you very much, Chair and members, for letting me in. I certainly welcome this. I have fought for it for a long time, because the rural dweller is suffering, and not all Departments really are rural proofing what they do. In fact, today there is a motion in the Assembly to ban certain types of coal, something that would have an effect on the rural dweller. Hopefully, that will not go through.

When looking at deprivation, are we comparing deprivation in rural areas with urban, or are we comparing rural with rural? That is vital.

**Ms Warde Hunter:** Do you mean when making an assessment or asking other Departments to make an assessment?

**Mr McMullan:** Yes.

**Ms Warde Hunter:** We can certainly take that nuance on board. All too often, it falls back to the rural-versus-urban split. We recognise that, by many of the indices, many urban areas are severely disadvantaged. I am happy, however, to take the concept of like-with-like comparisons back and see how it could be examined.

**Mr McMullan:** There is always the question of where rural and urban begin. That has always been the argument.

**Ms Warde Hunter:** There is an examination of the cut-off point for the number of dwellers in a rural area. My understanding is that it is 4,500, but that is being reviewed by the Northern Ireland Statistics and Research Agency (NISRA). That is partly why we would not wish to be prescriptive in the language used in draft legislation. As the definition will continue to evolve, we do not want to put it into primary legislation and therefore pin ourselves down. It allows discussions to evolve.

**Mr McMullan:** We will be flexible.

**Ms Warde Hunter:** We want to be very clear. Our engagements with the Office of the Legislative Counsel (OLC) have convinced us of the importance of making primary legislation absolutely crisp and clear — a very strong schedule — and that you do not want to revisit it in the normal course of events. You want to make it as clear and solid as you can. Colette might want to comment further very briefly on what NISRA is doing.

**Mrs McMaster:** NISRA developed the existing definition, which is applied broadly in Northern Ireland, of rural as a population of under 4,500. NISRA is leading a review of that, which we expect to conclude fairly soon. The current definition of 4,500, while it is there and has been adopted by quite a number of Departments, is not an absolute. In certain cases, there may be justification for using a slightly different definition, whether lower or whatever depending on the circumstances. We advise that someone doing that has a rationale for using the different definition. As Louise said, the Bill is not intended to define that or to be prescriptive, to allow for flexibility in future.

**Mr McMullan:** I will be very quick with my last question, Chair. You have these meetings in each area. I hope the areas selected are themselves rural and not centralised in an urban setting, which the rural dweller has to come to.

**Ms Warde Hunter:** I can come back to you on that one. That was a point made at the stakeholder forum. It was one that we too were very conscious of, and we will seek to get that balance right. Thank you for the reminder.

**Mr Poots:** I first heard of rural proofing back in Bríd Rodgers's days, and I did not have any grey hairs then. Effectively, how are the people we represent in rural communities going to see, feel, taste and know that rural proofing exists and makes a difference in their lives?

**Ms Warde Hunter:** Through this Bill, Mr Poots?

**Mr Poots:** Yes.

**Ms Warde Hunter:** The key issue is the proposed duty on all Departments to take account of the needs of rural dwellers in policy development. Instead of it being a bolt-on aspect — I sit here as somebody who works on policy in government — or an add-on or post hoc thing when policies are being shaped up, it is an absolutely integral part, right upstream. That is critical to shaping the delivery of public services in Northern Ireland. A further measure in the Bill will provide for evidencing and reporting by bringing forward a report to be laid before the Assembly. That will allow each Committee to scrutinise what their relevant Department has done. Quite clearly, this Committee would have at least a two-pronged role. It would look at whether DARD has implemented that duty in taking forward all its policies and in its service delivery, and, in addition, the Committee would look at how effectively DARD has carried out the additional role of promoting and facilitating the concept of rural proofing with other Departments. We anticipate that other colleagues across government and public authorities may need additional support to make it real and bring it to life for them. The point is that it is not only done, but that it is seen to be done. That is the point behind the mechanism to set a report before the Assembly for scrutiny.

**Mr Poots:** I believe in telling it as it is. Rural people are not stupid: they know the score. Because they live in a rural area, very often services are not the same as in an urban setting. For example, someone in Draperstown is not going to get the same ambulance-response times as someone living in greater Belfast. Will primary-school children in Fermanagh not have to travel for 30 or 40 minutes on the bus as a result of this policy? Indeed, if that school happens to have 30 children, are you not going to close it down so that the children do not have to travel those distances by bus? If that is the case, it is affordable? Has it been costed? What will the impact of delivering it be on other Departments?

**Ms Warde Hunter:** I go back to the issue of examining the impact of a policy on rural dwellers. Clearly, I cannot speak for other Ministers or Departments, but the whole point is that the needs of rural dwellers are taken into account. If a policy has an undue or a deleterious impact, or if it disadvantages rural dwellers in comparison with urban dwellers, that should be clearly thought through and understood, so that mitigating steps can be taken. It is about the upstream bit. The point is, Mr Poots, that if tough decisions have to be made in the development of policies by Ministers, the thinking has been done, and if there is any unfair disadvantage to a rural dweller, the rationale is there and that is articulated and contextualised by the very challenging resources we have. This is not a panacea. I understand how challenging Government finances are at the moment. The issues are scrutiny, the intended commitment to rural as well as to urban dwellers, and policy development that takes them into account and flows through into thinking about how services are delivered.

**Mr Poots:** I do not think that anyone anticipates that it will be a panacea, as the financial costs would be prohibitive. Neither, however, do people want more sound bites and buzzwords, because they do not actually make a tangible difference to the life of rural dwellers. Will the legislation that you propose be on a par with, for example, Northern Ireland equality legislation and therefore have real teeth in its delivery?

**Ms Warde Hunter:** The teeth are the mechanism to bring forward the report to the Assembly for scrutiny through the democratic processes that exist. We are not advocating any other means of sanction. The issue is about transparency and ensuring that this is mainstreamed in policy development and that it clearly is a matter for Ministers, looking after their own Departments, to ensure that their officials are taking it seriously in policy development. I am not arguing that this is on the same footing as section 75 in the equality legislation. Quite clearly, that is longstanding legislation in place. However, I see it as being complementary to the spirit of that in the serious consideration that

policymakers give and to service delivery within the public realm. It is something that they have to take on board.

**Mr Poots:** So, it is wishing that other Departments would do the right thing as opposed to imposing a duty upon them.

**Ms Warde Hunter:** No, we will propose that we do place a duty upon them. You asked about teeth. What I am saying is that the mechanism is drawing together information. DARD would have a requirement and a power to be able to ask for that information from other Departments, building on the duty that would be incumbent on all, and would compile a report, which would be the way in which the Assembly and the various Committees in the Assembly could monitor the efficacy of the concept of rural proofing.

**Mrs Dobson:** Thank you for your briefing. I note that the consultation will run from 2 February to 13 March. That is just six weeks. You admitted that that is a short time. Are you concerned that the short consultation will, ultimately, have an impact on the responses?

**Ms Warde Hunter:** That is why we are very keen to get out and about and to do the public meetings as well. I have some experience of that from working in a previous role in another Department, and I know the power of being able to get out and meet directly with the beneficiaries of it. That, along with the formal written consultation that we will be inviting responses to, will be a challenge. I do not doubt that, but we welcomed support from the RDC and the RCN who wish to help us and engage with that. So, stakeholders are very keen to help us, through their networks, to get good turnouts and to get as rich a consultation and consultation feedback as we can get. However, you are right; we recognise that the timing is short, and that is because of the scheduling. It is an ambitious target.

**Mrs Dobson:** So, it is quite a task.

**Ms Warde Hunter:** It is.

**Mrs Dobson:** I note that one of the members asked where they will be held. Obviously, it is your intention to hold them in venues that will suit the majority of rural dwellers across Northern Ireland. You said in your introduction that you are going to have one in each county.

**Ms Warde Hunter:** Yes. A minimum of six.

**Mrs Dobson:** Have you already decided where they will be best placed? I am concerned that, to maximise the impact, you need to make sure that they are at a time and a location to give everyone the chance to attend.

**Ms Warde Hunter:** We have given thought to that. I know that Astrid has been looking at it. Where we can, with an eye on public funds, we will use the network of locations that DARD has in being able to make contact.

**Mrs Dobson:** Are they already in place, Louise, given the fact that it starts very soon?

**Ms Warde Hunter:** Yes, we have dates booked. I am happy to give a note —

**Ms Stuart:** Sorry to interrupt. Some of the venues are in place with provisional bookings; a couple have to be finalised. We are looking at morning, afternoon and evening meetings.

**Mrs Dobson:** Given the short time frame, it is essential that information gets out there so that everyone has the opportunity to attend. They are not all finalised. When do you hope to be in a position to get them all set in place?

**Ms Stuart:** We hope to have them by the end of next week.

**Mrs Dobson:** I know that this has been discussed before, but how do you envisage the duty on Departments, local councils and public bodies to "consider", in your words, the needs of rural dwellers? How will that work in practice? I know that Colette spoke extensively about the research that is being conducted. Are you concerned that to "consider", in your words, is quite difficult to

define? Is it robust enough to ensure that rural communities are protected? How will it work in practice?

**Ms Warde Hunter:** I go back to Mr Poots's questions: Departments are very familiar with undertaking equality impact assessments. We can draw on existing discipline and templates as inspiration for how we will encourage Departments and provide them with advice and training on how they might go about taking account of rural dwellers. The important thing is that it is not seen in any way, shape or form as being a tick-box exercise. There is a bit about enriching colleagues' understanding across the government sector and in public authorities and familiarising them with the distinctive needs of rural dwellers, or the particular challenges that face them, if I can put it like that. We will take that seriously in how we might add value; our role will enhance that.

**Mrs Dobson:** Do you consider that it is robust enough? Rural dwellers are rightly concerned about services in their areas being rowed back. I am thinking particularly of schools, post offices and surgeries. They are the lifeblood of our communities. Are you telling me that you are satisfied that "to consider", as you say, the needs of rural people is enough to protect those services?

**Ms Warde Hunter:** May I be more precise about my language? Our current working language is around "taking account" of the needs of rural dwellers. I do not wish to be pedantic, but we will be more exact in the language that we anticipate using. The key issue for us is that we will work with the Office of the Legislative Counsel to ensure that the language that appears in the Bill is robust enough. I will use this as my working language at the moment, but we will take advice from those who draft the Bill to ensure that the language is robust and carries with it the appropriate weight that we are seeking to achieve. Draftsmen will work with us to try to achieve the outcomes. On that basis, as I said, it is not just about it being done; it must be seen to be done. In other words, the evidence that people are taking into account when they are developing policies and shaping services must be able to demonstrate their analysis of the needs of rural dwellers and the impact that policies or the nature of service delivery will have on them. That has to be able to be evidenced. That is what promotes the rigour of thinking that is needed. There may be challenges, and the funding envelope will clearly be a substantial challenge going forward, but it has to be seen to be done. The issue is this: if a Department is introducing a policy that will have an unfair disadvantage for a rural dweller or confer an unfair disadvantage on a rural dweller, what mitigating steps can that Department or public body take to ameliorate or remedy the issue?

**Mrs Dobson:** To me, Louise, the use of "consider", "be seen to be done" or "taking account" does not sound robust enough. Those words do not sound definitive. They sound very wishy-washy. They do not sound as if they will be robust enough, so I hope that they are.

**Ms Warde Hunter:** I take that on board. Part of the work that we need to do is to make sure that the appropriate duty is appropriately described and articulated and that that is what appears in the Bill. That is when I will ask for guidance and support from the OLC — as we have done — and it has been most helpful to date.

**Mr Byrne:** I welcome the presentation. It is no easy task that you are embarking on. It is very interesting. Since 1841, with the abolition of the Corn Laws, there has been an irresistible trend on these islands for urbanisation, economies of scale, concentration of people as part of the Industrial Revolution and the technology revolution.

First, does DARD want to be the overall controlling Department or does it want to be a coordinating Department in this exercise? Given that 670,000 people in the North — roughly one third of the population — live in a rural context, what does that mean for resource allocation? Secondly, given that GB has a Department called DEFRA, which has responsibility for the environment, farming and rural affairs, will DARD be required to evolve into a more DEFRA-type Department with such influence in attendant functions to make this realisable? Finally, over the last 20 years, there has been an even greater concentration of urbanisation in big urban centres for health care and hospital provision, and education provision. If we proceed with these 10 projects for shared education village concepts in the North of Ireland, that will be counter to any thrust of rural protection and rural development needs, as might be envisaged by some.

**Ms Warde Hunter:** I will respond to and take on board your questions and more discursive observations. I will go back to the rural White Paper action plan that I mentioned in my introductory comments. In that, the Executive signed up to a vision of:

*"a fair and inclusive rural society where rural dwellers enjoy the same quality of life as all others in the region."*

In response to your first observation, the Executive have already committed to that. This proposal on the legislation emanating from DARD and Minister O'Neill is about trying to help to copper-fasten that in how government does business and how public authorities, and so on, flow from that.

I will not comment on the observation about the education villages, if you do not mind. I am not over that brief, and I do not know that it would be appropriate.

**Mr Byrne:** I appreciate that. I accept, Louise, that this is almost a philosophical exercise, but rural people want to see something tangible and deliverable sooner rather than later, because the longer the delay, the more the current trend of urbanisation will continue. Where does local government fit into this in the new configuration of the reform of public administration? Is it being considered in relation to rural proofing as a localised delivery mechanism?

**Ms Warde Hunter:** Yes. The proposed duty on Departments to take account of rural dwellers would extend to local authorities. I would have thought — indeed, other stakeholders indicated this — that rural proofing — that is, taking account of the needs of rural dwellers — the community planning process that local authorities are responsible for should be an integral part of community planning. Given the nature and configuration of our local authorities, and the fact that many of them clearly have very strong rural hinterlands as well as conurbations, one would have thought that that would be integral. It is absolutely essential to see that. You are right: with local authorities and the community planning process, we see rural proofing as being an integral part of community planning and as another central way to ensure that rural dwellers are fully taken account of in any planning of the delivery of local services.

**Mr Buchanan:** As my colleague said, the concept of rural proofing has been about for quite some time. In rural areas, there are post offices, banks, schools, transport services and surgeries. What will the Bill do to protect those things? This is the life of rural communities, and, over the years, we have seen it stripped from those communities. What will the Bill do to protect that and to protect those services that are so precious to rural people?

**Ms Warde Hunter:** Quite clearly, DARD's role in relation to the duty or power on the Department is about trying, as I said, to encourage all other Departments and our local authorities to respect rural dwellers fully and to take account of their needs. One certainly hopes that the duty that will be placed on Departments will inform the thinking of policymakers and the way in which they engage with Ministers and their interface with the private sector. This is about government policy, public policy and public services. Ministers and MLAs across the Assembly clearly have a regular interface with businesses that are beyond the public sphere but that are absolutely critical, as you said, to the lifeblood of a community. The Bill cannot — no Bill could, one would imagine — legislate for the private sector to do specific things. We recognise that there have to be edges to the Bill, but, if we are supporting our policymaking colleagues across other Departments and re-emphasising the importance of rural dwellers and their needs — we clearly recognise that urban dwellers also have needs — and if we are placing a duty on policymakers to take account, one certainly hopes that that will translate into sensible policies that take account of rural dwellers. Is the Bill likely to stop a post office shutting? That will be for that Minister and for the policymaker in any engagement with the appropriate body: Post Office Limited. It will be for the Minister to take that on from the appropriate Department.

**Mr Buchanan:** If you talk to rural people about rural proofing, they ask: what is rural proofing? Rural proofing is about keeping the services, strengthening them and building on them. We need to bring forward something that will do something tangible in rural areas to keep the service there, strengthen it and build on what is there. If this Bill is not able to do that, is there any need for it? The Chair asked the question at the very beginning: what is the need for the Bill?

**Ms Warde Hunter:** I argue that there is a need. In advocating on behalf of Minister O'Neill, I argue that there is a need, based on the analysis that has been done so far. The focus is on government policy, public policy and public services. I recognise and entirely accept that that is what we are seeking to influence in the public sphere. I recognise that there may be limitations, because it cannot extend into dictating to the private sector how it does business in rural areas. However, there are champions across government, such as members of this Committee, the Minister and other Ministers. That is outwith the scope of the Bill, but I appreciate the joining-up that I infer you are arguing for, Mr

Buchanan; there has to be a holistic view of how we deal with rural dwellers. This goes part of the way in the public sphere.

**Mr Anderson:** Thank you for your presentation and for coming along today. As a rural dweller, my experience of living in a rural area and, as a politician, trying to get things done through public bodies, local government and suchlike is that it is well-nigh impossible to get things joined up; you are just passed from one Department to another all over the place. What confidence can you give me that the Bill will change all that? You said to my colleague Mr Poots that DARD will have power to bring other Departments in in some way? Who will take the lead? How will you make sure that the likes of me and other people are not passed from one place to the other all over the place? When you drive around rural roads, as my colleague said, it is like being on the dodgems in some places. You could graze animals up some of the rural roads because there is so much grass on them. Where is the equality? Where is the thinking at the present time? There is also the question of where the finances will come from to do all that and to give rural dwellers the equality of service and everything else that they are entitled to but that they are not getting? How can you give me confidence that the Bill will be anything other than something else that will sit on the shelf and gather dust?

**Ms Warde Hunter:** I suppose that my response is that placing a duty on all Departments will ensure that policymakers, in shaping their policies, take account of rural dwellers. I go back to the issue of delivery. If you pick an example like infrastructure, it is clearly up to that Minister and his officials, in shaping any policies in the delivery of the infrastructure, to take account of the specific needs of rural dwellers. That is the point. Previously, it was an action plan, an aspiration or a vision that the Executive set out. The Bill will formally put that duty on a statutory footing so that, as I said, not only will it have to be done but it will have to be seen to be done. Evidence of that will come back from the report and monitoring by the full Assembly. It will also come from individual Committees, and Committees such as yours, if it was sitting over DRD, will be able to take appropriate action to work with a Minister to examine an issue — for example, rural infrastructure — and ask how that Minister has taken account of that in the shaping of his policies and delivery on the ground. From that point of view, it is about making the whole process transparent and based on evidence.

Your final point, Mr Anderson, was: who will pay for it? Clearly, Ministers have their budgets and are working within them. It will be a judgement call for Ministers, supported by their advisers and officials, to weigh that up and balance it out. I know that that will be a very challenging task for all Ministers, especially in the current tight financial circumstances.

**Mr Anderson:** You spoke about the closure of rural schools, post offices or whatever and said that those decisions may be down to a specific Department or Minister here. However, things like that are the lifeblood of rural communities, and, in the past, we witnessed schools, and so on, being closed. Are you saying that the Bill will have an influence on that or in some way set issues on a statutory footing so that things like that would not or should not happen? That would mean that, instead of trying to do away with things in rural areas, we will try to build on them.

**Ms Warde Hunter:** That is the whole point. I go back to the language that was used by the Executive. They referred to:

*"a fair and inclusive rural society where rural dwellers enjoy the same quality of life as all others in the region."*

The proposal for the Bill will place a duty on Departments to take full account of their policies, plans and spending plans on a statutory footing to ensure that we deliver on the ambition that the Executive signed up to. Therefore, it clearly would be incumbent on individual Ministers. That goes back to Mr Poots's point about what teeth the Bill will have and what sanctions can be applied. The democratic processes, through the Assembly, the Committee structure and the Executive, are where we wish to bring it, rather than looking at other types of watchdogs or whatever else.

I want to make another point — sorry, Mr Chairman, indulge me. It has to be mainstreamed. We have signed up to it, but Departments may not give it enough recognition or acknowledgement or take cognisance of it in the way that we would like. That would move on. Imposing a duty shifts the game considerably. I recognise that it is a serious proposal to bring that forward on that basis rather than simply having DARD as the champion; stakeholders tell us that everything to do with rural issues resides with DARD anyway, so it can be a champion or facilitator. However, as members know, the key issues in rural communities are education, housing, health, infrastructure and justice. They affect rural dwellers in exactly the same way that they affect urban dwellers in relation to the needs of a

citizen. Citizens live their lives in a joined-up way; they do not spend time figuring out the silo and which Department they belong to.

**Mr Anderson:** Rural dwellers pay taxes, rates and so on like everyone else, but they do not get the same services. Should that be looked at? I have asked questions about the lack of services in rural areas and have often been told that rural dwellers chose to live there; such comments are unwarranted. Should more thought be given to rural dwellers? There are no street lights where I live, and I have to go out in the dark. Maybe there are no street lights anywhere at present — the Minister is not here — but my question is: what services do rural dwellers get? You are lucky if your bin is collected, and sometimes you have to trail it for a quarter of a mile to get the bin lorry to collect it. How does this vision work for all that? Who will pay for it?

**Ms Warde Hunter:** There are two issues. Ultimately, through the Executive and the way in which they divvy up the money and the way in which Minister Hamilton sets the Budget within which Ministers must live, taxpayers pay for it. That, however, is under the stewardship and leadership of our Executive when it comes to who has their hands on the purse strings and who is making the challenging decisions.

The key message that stakeholders gave us in our discussions last autumn was that rural dwellers should not be at an unfair disadvantage because of where they live. Another key message was that DARD cannot do it on its own. Stakeholders expressed frustration about transparency, clarity and, as members mentioned, a joined-up approach and the connectedness of Departments. This Bill, particularly the proposal on the duty on Departments, is a step change, which is why the Minister wishes to see it introduced.

**Mr McAleer:** From listening to you and reading through the papers, I think that it is very clear that rural proofing has been operating in a legislative vacuum. I welcome the fact that we are moving towards making it a statutory requirement. I presume that this legislation will go through a Consideration Stage and a Further Consideration Stage.

**Ms Warde Hunter:** Yes. I might pass over to one of my colleagues if there are specific areas that you want to explore in that.

**Mr McAleer:** There will be a six-week consultation. Are you satisfied that the Bill's passage will be completed before the conclusion of the mandate.

**Mrs McMaster:** It will certainly be challenging to meet that time frame, but we can do it. That is a key reason why we are shortening the consultation period to six weeks. We still aim to get as much out of that as possible, which is why, as Louise said, we are going for at least six consultation meetings. So there will be a shorter consultation period, but we will pack a lot into that and get a lot of engagement with stakeholders.

Subject to that, we can meet the time frame. We did a timeline, and we have been talking to Office of the Legislative Counsel and so on to ensure that we can adhere to the timetable. There is no doubt that it will be challenging, and we will be seeking to work with the Committee if the Minister is successful in introducing the Bill in the Assembly. We believe that we can do it.

**Mr McAleer:** It is important to point out to you that, throughout those stages, we will be in a position, as a Committee, to mould the Bill into the most effective legislation it can be for rural areas.

**Mrs McMaster:** Absolutely. There is the formal Committee Stage, when you will be taking your own evidence and scrutinising the Bill thoroughly.

**The Chairperson (Mr Irwin):** I, for one, remain to be convinced that a Bill will make much difference. It is desirable that everyone has the same quality of services, but delivering that is a completely different issue. It will be down to economics, as some people said. If a bank, for example, says that it is not financially viable for it to remain in an area, it will move. The same goes for Translink: if it is running a service and no one is on the bus, it will decide to withdraw it. That is very difficult, and it will be difficult to deliver.

Thank you very much for your presentation. Do members agree that the Department should return to the Committee with an analysis of the consultation responses?

*Members indicated assent.*

**Ms Warde Hunter:** We are happy to do that. Thank you very much.