



# Review of the Schedule to the Rural Needs Act (NI) 2016 Consultation Document

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## Introduction

1. The Department of Agriculture, Environment and Rural Affairs is undertaking a consultation to inform the review of the list of bodies and persons set out in the Schedule to the Rural Needs Act (Northern Ireland) 2016 (the Act) which the Department is required to carry out under section 1(3) of the Act.
2. The consultation is being carried out by means of an online survey using Citizen Space (the Northern Ireland Civil Service online consultation tool) and will commence on **Monday 5<sup>th</sup> October 2020**. The consultation will run for six weeks **closing at 23.59 on Monday 16<sup>th</sup> November 2020**. The consultation can be accessed at the following link: <https://consultations.nidirect.gov.uk/daera-sustainable-rural-communities-branch/review-of-the-schedule-of-the-rural-needs-act-ni-2>
3. This document sets out the background to the review of the list of bodies and persons set out in the Schedule to the Act and includes the questions which stakeholders are invited to respond to in the online survey on Citizen Space.
4. The list of bodies and persons set out in the Schedule to the Act can be accessed at the link below:

<https://www.legislation.gov.uk/nia/2016/19/schedule>

## The Rural Needs Act (NI) 2016

5. The Rural Needs Act (Northern Ireland) 2016 places a statutory duty on Northern Ireland departments, district councils and the other public authorities listed in the Schedule to the Act to have due regard to the social and economic needs of people in rural areas when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services. The Act came into operation for Northern Ireland departments and district councils on 1 June 2017 and for the other public authorities listed in the Schedule to the Act on 1 June 2018.
6. The Act also required public authorities to compile information on how they have exercised the due regard duty and to send that information to DAERA. The Act requires DAERA to publish that information in an Annual Report and to lay the Report before the Northern Ireland Assembly. The 2nd Rural Needs Annual Monitoring Report was laid before the Northern Ireland Assembly on 12th December 2019 and is available at the following link:

<https://www.daera-ni.gov.uk/sites/default/files/publications/daera/rural-needs-annual-monitoring-report-1-april-2018-31-march-2019.PDF>

7. The Act also requires DAERA to make arrangements with public authorities for the purposes of securing cooperation and the exchange of information between public authorities and to review the list of bodies set out in the Schedule to the Act at least every three years.

8. The aims of the Act are to help improve the quality of life of people in rural areas in by ensuring that the social and economic needs of people in rural areas are fully considered by government in their decision making processes and to increase transparency on how public authorities consider rural needs.

## Background to the Review

9. Section 1(3) of the Rural Needs Act (Northern Ireland) 2016 requires DAERA to review the list of bodies and persons set out in the Schedule to the Act at least once every three years from the coming into operation of the Act. A list of the bodies and persons set out in the Schedule to the Act can be accessed at the link below:

<https://www.legislation.gov.uk/nia/2016/19/schedule>

10. Following the review DAERA has the power under section 1(3) of the Act to amend the Schedule by order to:
- Add a body or person to the Schedule;
  - Remove a body or person from the Schedule; or
  - Modify any entry in the Schedule
11. Section 1(5) of the Act provides that DAERA must not exercise the power conferred by Section 1(3) so that a body or person becomes a public authority for the purposes of the Act unless the body or person is a body or person appearing to the Department to exercise functions of a public nature.
12. DAERA is now undertaking a review of the list of bodies and persons set out in the Schedule to the Act and is seeking the views of stakeholders to inform the review.

## Responding to the Consultation

13. DAERA is seeking views from stakeholders to inform the review of the list of bodies and persons set out in the Schedule to the Rural Needs Act (NI) 2016.
14. We would encourage stakeholders to respond to the consultation using the on-line facility on Citizen Space which is accessible via the following link:  
<https://consultations.nidirect.gov.uk/daera-sustainable-rural-communities-branch/review-of-the-schedule-of-the-rural-needs-act-ni-2>
15. A list of the survey questions used in the online consultation is provided in **Annex A**.
16. If you are unable to respond to the stakeholder consultation exercise via Citizen Space, written responses will also be accepted. If you wish to respond in writing you can request a copy of the written response template by emailing [rural.needs@daera-ni.gov.uk](mailto:rural.needs@daera-ni.gov.uk) or telephoning 028 9052 4107. Written responses should be sent to:

Sustainable Rural Communities Branch  
Rural Affairs Division  
Department of Agriculture, Environment and Rural Affairs  
Room 555 Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast BT4 3SB



Or e-mailed to: [rural.needs@daera-ni.gov.uk](mailto:rural.needs@daera-ni.gov.uk)

17. All responses should be received by **Monday 16<sup>th</sup> November 2020**. If you have any queries regarding making a response you can email [rural.needs@daera-ni.gov.uk](mailto:rural.needs@daera-ni.gov.uk) or call 028 9052 4107 for assistance.

## Freedom of Information Act 2000 - Confidentiality of Consultations

18. The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can refuse to disclose information only in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultation and they will give you guidance on the legal position about any information given by you in response to this consultation.
19. The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority (the Department in this case). This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or treated as confidential.
20. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.
21. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

22. For further information about confidentiality of responses, please contact the Information Commissioner's Office:

Tel: (028) 9027 8757

Email: [ni@ico.org.uk](mailto:ni@ico.org.uk)

Website: <https://ico.org.uk/>

## Closing Date

23. The consultation commences on **Monday 5<sup>th</sup> October 2020** and will be open for 6 weeks.
  
24. The consultation will close at **23.59 on Monday 16<sup>th</sup> November 2020.**

For further information:

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and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)



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