

A Guide to the Rural Needs Act (NI) 2016 for Public Authorities

*(Revised) April 2018*

X

Implementation of the Milk Marketing Board (Residuary Functions) Regulations (Northern Ireland) 1995, amended by the Milk Marketing Board (Residuary Functions) (Amendment) Regulations (Northern Ireland) 2002.

1C. Please indicate which category the activity specified in Section 1B above relates to.

Developing a Policy Strategy Plan

Adopting a Policy Strategy Plan

Implementing a Policy Strategy Plan

Revising a Policy Strategy Plan Designing a Public Service

Delivering a Public Service

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above.

Milk Marketing Board (Residuary Functions) Regulations (Northern Ireland) 1995, amended by the Milk Marketing Board (Residuary Functions) (Amendment) Regulations (Northern Ireland) 2002.

Appendix 1 - Rural Needs Impact Assessment (RNIA)

Template

**SECTION 1 - Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016**

1A. Name of Public Authority.

Department of Agriculture, Environment and Rural Affairs, Northern Ireland

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

Milk Marketing Boards were a statutory producer-run, product marketing board which aimed to preserve and increase incomes of farmers who produced milk throughout the UK. The Milk Marketing Board for Northern Ireland was founded in 1955. The Boards had the sole right to purchase raw milk ex-farm and sold that milk for farmers, paying farmers in proportion to the milk provided by them. Farmers had to be registered with the Milk Marketing Board. Milk Marketing Boards across the UK were abolished in 1994.

On 1 March 1995 the Milk Marketing Board for Northern Ireland ceased trading, but continued to exist in residual form, by virtue of the Milk Marketing Board (Residuary Functions) Regulations (Northern Ireland) 1995 (the “1995 Regulations”), to wind-up its affairs. In September 2001, when it became apparent that this work was nearing completion in relative terms, the then Minister agreed in principle to wind-up the Board.

Legislative provisions to facilitate the winding-up of the Board – the Milk Marketing Board (Residuary Functions) (Amendment) Regulations (Northern Ireland) 2002 (the “2002 Regulations”) – came into operation on 15 May 2002. The 1995 Regulations, as amended by the 2002 Regulations allowed for the Board to proceed to winding-up where certain obligations had not been fully completed. They also provided for any remaining property, rights or liabilities of the Board to transfer to this Department.

The Board was dissolved on 1 August 2004, by the Milk Marketing Board (Dissolution) Order (Northern Ireland) 2004. As a result the remaining work of the Board (which related solely to the pursuance of outstanding levy debt cases against former producers) transferred to the Department. At that point the Department agreed terms with the Board’s solicitors (Peden and Reid) who continued to pursue the outstanding levy debt cases. This task was subsequently completed and monies totalling £76,882.60 was lodged into a Departmental suspense account.

The 1995 Regulations, as amended by the 2002 Regulations, make provision under regulation 26A for the disposal of any transferred assets, by the Department in such manner as it any determine for one of two specified purposes, or in part for each of the purposes.

The first is the distribution of the assets to relevant producers as would have been required of the Board had the assets fallen to be distributed by it. This purpose is no longer feasible due to the passage of time. The Department had no means of maintaining an up-to-date list of eligible producers following the dissolution of the Board in 2004

The second requires the transfer of the assets to a body corporate or other organisation connected with milk production in Northern Ireland, or beneficial to relevant producers or to persons engaged in the production of milk in Northern Ireland, as determined by the Department. Examples of two such bodies would be the Dairy Council for NI and AgriSearch NI.

Before distributing the assets in this manner, however, the Department must consult with persons or organisations as appear to the Department to represent the interests of relevant producers. As this matter relates solely to the dairy industry the Department would propose, subject to Minister’s approval, to consult solely with the Ulster Farmers Union, and the Northern Ireland Agricultural Producers Association, AgriSearch NI and the Dairy Council on the distribution of the residual assets. The consultation will last 8 weeks. The Departmental Solicitors Office has confirmed that such an approach is appropriate.

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service.

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N/A

*Reasons why a definition of ‘rural’ is not applicable.*

N/A

*Rationale for using alternative definition of ‘rural’.*

N/A

*Details of alternative definition of ‘rural’ used.*

Population Settlements of less than 5,000 (Default definition). Other Definition (Provide details and the rationale below).

A definition of ‘rural’ is not applicable.

X

1F. What definition of ‘rural’ is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

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The 1995 Regulations, as amended by the 2002 Amendment Regulations will be implemented to disperse the Northern Ireland Milk Marketing Board’s residual funds to benefit those relevant in the production of milk in Northern Ireland.

Therefore it is likely that the people in rural areas will stand to benefit from the distributed legacy assets ahead of those in rural areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

The 1995 Regulations, as amended by the 2002 Amendment Regulations will be implemented to disperse the Northern Ireland Milk Marketing Board’s residual funds to a corporate body/organisation connected with milk production or that which would benefit relevant producers in the production of milk in Northern Ireland.

The Department will consult with targeted stakeholders as a means of determining the most appropriate organisations to receive the money to ensure it will be spent by the recipient(s) as intended. The consultation will invite respondents to suggest how the legacy assets could be used for the betterment of the dairy sector in Northern Ireland.

The Department has suggested The Dairy Council for Northern Ireland and Agri-Search NI as potential recipients of the legacy assets. The Dairy Council would use the funds for generic promotional activities for the NI dairy sector, whilst Agri-Search NI would likely use it for research projects directly connected with the dairy industry.

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

Yes No If the response is **NO** GO TO Section **2E**.

X

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

**SECTION 2 - Understanding the impact of the Policy, Strategy, Plan or Public Service**

If the response to Section 2A was YES GO TO Section 3A.

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2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

Rural Businesses Rural Tourism Rural Housing

Jobs or Employment in Rural Areas Education or Training in Rural Areas

Broadband or Mobile Communications in Rural Areas Transport Services or Infrastructure in Rural Areas Health or Social Care Services in Rural Areas

Poverty in Rural Areas Deprivation in Rural Areas

Rural Crime or Community Safety Rural Development

Agri-Environment

Other (Please state)

Promotional Activities for the Dairy Sector and research projects directly connected with the dairy industry (tbc post consultation)

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

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3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

Consultation with Rural Stakeholders Published Statistics Consultation with Other Organisations Research Papers Surveys or Questionnaires Other Publications

Other Methods or Information Sources (include details in Question 3C below).

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

Yes No If the response is **NO** GO TO Section **3E**.

X

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

**SECTION 3 - Identifying the Social and Economic Needs of Persons in Rural Areas**

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The 1995 Regulations, as amended by the 2002 Amendment Regulations will be implemented to disperse the Northern Ireland Milk Marketing Board’s residual funds to a corporate body/organisation connected with milk production or that which would benefit relevant producers in the production of milk in Northern Ireland.

The legacy assets are relatively small, amounting to £76,882.60. As such, it is unlikely that this will have a major material impact upon those in rural areas. However, the consultation will invite respondents to suggest how the legacy assets could be used for the betterment of the dairy sector in Northern Ireland and this will inform the Rural Needs Impact Assessment.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

If the response to Section 3A was YES GO TO Section 4A.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

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The legacy assets are relatively small, amounting to £76,882.60. Currently there are 2,519 dairy farms in Northern Ireland, with a total of 3,150 farms owning a dairy cow. Therefore, it has been concluded that the implementation of the 1995 Regulations themselves will have a limited impact on the social and economic needs of people in rural areas.

However, the consultation will invite respondents to suggest how the legacy assets could be used for the betterment of the dairy sector in Northern Ireland and will inform this Rural Needs Impact Assessment.

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

**SECTION 4 - Considering the Social and Economic Needs of Persons in Rural Areas**

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If the response to Section 5A was YES GO TO Section 6A.

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

Yes No If the response is NO GO TO Section 5C.

X

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

**SECTION 5 - Influencing the Policy, Strategy, Plan or Public Service**

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Rural Needs Impact Assessment undertaken by:

Kevin Comber

Position/Grade:

Deputy Principal

Division/Branch

Strategic Agri-Food Development Division

Signature:

KC

Date:

Rural Needs Impact Assessment approved by:

Samantha Swann

Position/Grade:

GD7

Division/Branch:

Strategic Agri-Food Development Division

Signature:

SS

Date:

I confirm that the RNIA Template will be retained and relevant information compiled.

X

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.

**SECTION 6 - Documenting and Recording**

The 1995 Regulations, as amended by the 2002 Amendment Regulations will be implemented to disperse the Northern Ireland Milk Marketing Board’s residual funds to a corporate body/organisation connected with milk production or that which would benefit relevant producers in the production of milk in Northern Ireland.

The legacy assets are relatively small, amounting to £76,882.60. Therefore, it has been concluded that the implementation of the 1995 Regulations themselves will have a limited impact on the social and economic needs of people in rural areas.

However, the consultation will invite respondents to suggest how the legacy assets could be used for the betterment of the dairy sector in Northern Ireland and will inform this Rural Needs Impact Assessment.

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.